



**Village of North Palm Beach
Planning, Zoning and Adjustment Board
AGENDA
Tuesday, January 7, 2025 at 6:30 pm
Village Hall Council Chambers**

1. Roll Call

Cory Cross, Chair
Scott Hicks, Vice-Chair
Thomas Hogarth, Member
Jonathan Haigh, Member
Donald Solodar, Member
Timothy Hulihan, Member
Mark Michels, Member
Village Staff, Attorney, and Councilmember

2. Deletions, Additions or Modifications to the Agenda

3. Public Comment for Non-Agenda Items

4. Approval of Minutes

a. November 12, 2024

b. December 3, 2024

5. Declaration of Ex-parte Communications

6. Quasi-judicial Matters / Public Hearing

The Village Attorney is to swear in all persons speaking.

i. Old Business

1. Sign Text Amendment Ordinance

Request by Village Staff for consideration of the following ordinance:

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, AMENDING CHAPTER 6, "BUILDINGS AND BUILDING REGULATIONS," OF THE VILLAGE CODE OF ORDINANCES BY REPEALING ARTICLE V, "SIGNS AND

OUTDOOR DISPLAYS,” IN ITS ENTIRETY; AMENDING ARTICLE III, “DISTRICT REGULATIONS,” OF APPENDIX C (CHAPTER 45), “ZONING,” OF THE VILLAGE CODE OF ORDINANCES BY AMENDING SECTION 45-34, “C-G GENERAL COMMERCIAL DISTRICT,” SECTION 45-34.1, “C-3 REGIONAL BUSINESS DISTRICT,” SECTION 45-34.3, “C-NB NORTHLAKE BOULEVARD COMMERCIAL DISTRICT, AND SECTION 45-38, “I-1 LIGHT INDUSTRIAL DISTRICT,” TO REMOVE SIGN REGULATIONS; AMENDING APPENDIX C (CHAPTER 45), “ZONING,” OF THE VILLAGE CODE OF ORDINANCES BY ADOPTING A NEW ARTICLE IX, “SIGNS AND OUTDOOR DISPLAYS;” PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

7. Commission Member Comments

8. Staff Updates

Next Meeting is February 4, 2025

9. Adjournment

All members of the public are invited to appear at the public hearing, which may be continued from time to time, and be heard with respect to this matter.

If a person decides to appeal any decision made with respect to any matter considered at the subject meeting, he or she will need to ensure that a verbatim record of the proceedings is made, which shall include the testimony and evidence upon which the appeal is to be based (F.S. 286.0105). In accordance with the Americans with Disabilities Act, any person who may require special accommodation to participate in this meeting should contact the Village Clerk’s Office at 841-3355 at least 72 hours prior to the meeting date.

This agenda represents the tentative agenda for the scheduled meeting of the Planning Commission. Due to the nature of governmental duties and responsibilities, the Planning Commission reserves the right to make additions to, or deletions from, the items contained in this agenda.



**THE VILLAGE OF NORTH PALM BEACH
PLANNING, ZONING AND ADJUSTMENT BOARD
REGULAR MEETING MINUTES
TUESDAY, NOVEMBER 12, 2024 at 6:30 PM**

Present

Cory Cross, Chair
Jonathan Haigh, Member
Thomas Hogarth, Member
Timothy Hulihan, Member
Mark Michaels, Member

Absent

Donald Solodar, Member
Scott Hicks, Vice-Chair

Village Staff

Leonard Rubin, Village Attorney
Caryn Gardner-Young, Community Development Director

1. CALL TO ORDER

Chair Cross called the meeting to order at 6:30 p.m.

a. ROLL CALL

Roll was called, and it was determined a quorum was present.

2. DELETIONS, ADDITIONS, OR MODIFICATIONS TO THE AGENDA: None.

3. PUBLIC COMMENT FOR NON-AGENDA ITEMS: None.

4. APPROVAL OF MINUTES:

a. September 10, 2024

b. October 1, 2024

Mr. Hulihan motioned to approve the September 10, 2024 minutes as submitted, seconded by Mr. Hogarth. The **motion passed** unanimously (5-0).

Mr. Haigh motioned to approve the October 1, 2024 minutes as submitted, seconded by Mr. Hulihan. The **motion passed** unanimously (5-0).

5. DECLARATION OF EX-PARTE COMMUNICATIONS:

Chair Cross disclosed an indirect connection with Item 6-1.

6. QUASI-JUDICIAL MATTERS/PUBLIC HEARING

Village Attorney Leonard Rubin swore in those wishing to provide testimony.

a. SITE PLAN AND APPEARANCE REVIEW

i. OLD BUSINESS

Mr. Hullihan motioned to remove the item from the table, seconded by Mr. Hogarth. The **motion passed** unanimously (5-0).

1. 55 US Highway 1 (Faith Lutheran Church)

Ms. Carri Leininger, 11923 Lake Shore Place, on behalf of the applicant, requested approval for parking lot lights on the western side of the property, explaining the need for better lighting due to multiple activities happening at Faith Lutheran (Church). This included adult daycare, preschool, aftercare, Bible study, and evening community meetings. The church had a lot of foot traffic, especially with families picking up children after dark. The lighting was also critical for safety due to a road running through the parking lot.

After raising funds, Faith Lutheran hired Casper Lighting, a reputable contractor, and installed the lights with an approved building permit. However, it was later discovered that the permit had been issued in error, requiring Board approval of the site plan. The proposed modifications included lowering the lights by 10 feet to 27 feet, softening the light color to 3000 Kelvin, adding more shields to direct light into the parking lot, and operating the lights from 5 PM to 10 PM, with special events extending them past 10 PM. The Church expected fewer than six events annually that would exceed 10 PM and the Church would notify the Community Development Department if more were held. Technical questions were directed to Frank Russo from the Church's office.

Member comments

Mr. Hullihan asked what was different from previous proposals. Ms. Leininger replied that the lights were now warmer, lowered to 27 feet, and housed to direct the light into the parking lot instead of creating a more diffuse, circular pattern. She confirmed that the same number of poles would remain, but the heads would be lowered. Mr. Hullihan inquired about the photometric map, referencing confusion from earlier discussions. Ms. Leininger clarified that the photometric map in the packet showed the proposed lighting pattern and was located on the last page.

Discussion ensued about photometrics. Mr. Haigh pointed out that the red label next to the light poles on the photometric plan indicated "MH," which stood for mounting height. He noted that the calculations were likely incorrect, as someone had run the numbers improperly.

Mr. Hogarth asked if the proposed fixtures were different from the original ones; Mr. Russo confirmed they had to be different. Mr. Hogarth inquired about the new shielding on the lens face of the light, asking if they would be effective. Mr. Russo explained that the shielding would cover the face

and sides of the lens. Mr. Hogarth then asked if the photometrics were done with these assumptions, to which Mr. Russo replied they appeared to have house side shields in the model numbers. Mr. Hogarth clarified that the poles would remain and only the fixtures would be lowered, which Mr. Russo confirmed.

Mr. Haigh commented that the proposed lighting improvements only addressed the farthest parking spaces and did not resolve lighting issues at the drop-off area or along the walk to the park. He noted a non-functioning light closer to the building and FP&L alley lighting that could also be replaced but were not included in the photometric plan. Mr. Russo and Ms. Leininger clarified that the project focused on the darkest areas first, with plans to address all areas eventually, and requested approval for the current phase.

Mr. Haigh expressed concern that the current lighting phases were creating dark spots and shadows, potentially making the situation more unsafe rather than resolving the overall lighting issues. While he acknowledged the improvements of lowering the luminaires and enhancing photometrics, he noted that the light throw from the fixtures was making the area darker sooner. He suggested installing better lighting in the alley's center and at the far end, though the budget was limited, and he believed this could still be an acceptable solution.

Mr. Hullihan stated that addressing only the worst areas first overlooked the overall lighting situation. He suggested re-lamping existing fixtures to assess whether additional lighting was necessary, which could have resulted in a more efficient solution.

Dr. Michaels acknowledged that the chief concern was light intrusion on the neighbors, noting that the proposed photometrics appeared to address this issue. He suggested that lowering the lights to 27 feet would further reduce impact, and improving the light near the exit would not affect the neighbors, as it was far enough away. He commended the efforts made to resolve the issue while minimizing the impact on the surrounding area.

Chair Cross expressed agreement that a comprehensive lighting analysis would be ideal but acknowledged it was not going to happen. He stated that the applicant had responded to the request and did not have a problem with the current plan. He emphasized the urgency of approving the plan to improve lighting, especially since the area was very dark, and noted the need for FP&L to address the lighting issue.

Chair Cross opened public comment. No one came forth to speak.

Dr. Michaels motioned to approve with the conditions that the model of the fixture must match what was represented on the proposed photometric plan; mounting height set at 27 feet, with perimeter shielding applied as proposed around the perimeter of the fixture; and lights kept horizontal to the ground plane, seconded by Mr. Haigh. The **motion passed** unanimously (5-0).

i. NEW BUSINESS

1. 55 US Highway 1 (Faith Lutheran Church)

Ms. Pilar Tucker, 1504 Harbor Road, on behalf of the applicant, requested approval to allow the existing fence and landscaping on the perimeter of the property located at 555 US Highway 1. She noted the landscaping is native plants.

Chair Cross asked why the Building Department was approving permits for items requiring Board review. Ms. Gardner-Young explained that Community Development Department turnover likely contributed to a lack of historical knowledge, leading to errors. She noted that when mistakes are identified, steps are taken to correct them, such as the current review of an installed black chain-link fence with coco plum plantings. She added that a condition of approval requires compliance with the code within two years and ongoing maintenance.

Mr. Hullihan asked about the minimum height requirement per code. Ms. Gardner-Young confirmed the initial minimum height is 24 inches, with a requirement to grow to at least three feet within two years. Maintenance of the planting was also a condition of approval.

Mr. Haigh questioned the fencing and front yard setback. Chair Cross recommended tabling the item until staff could confirm whether a waiver was needed. Village Attorney Rubin clarified there was no front yard setback in the C-MU Zoning District so no waiver was required.

Mr. Haigh reiterated that he had no issue with the plant material but emphasized a preference for it to fully hide the fence. He expressed opposition to chain-link fences in the front yards of properties within the C-MU Zoning District, particularly along the Village's main street, suggesting they should be excluded entirely.

Mr. Hogarth noted the C-MU code lacks guidance on improvements to existing buildings and suggested a waiver might be appropriate due to the unique use of the property, such as the presence of a school. He emphasized the need for a clear rationale for allowing the fence in this case but not for neighboring properties.

Mr. Hullihan motioned to approve with the condition of a two year grow but to maintain the hedge at full (4 feet) height to fully conceal the fence, seconded by Dr. Michaels. The **motion passed** unanimously (5-0).

7. PUBLIC HEARINGS

a. OLD BUSINESS

1. Sign Text Amendment Ordinance

Request by Village staff for consideration of the following ordinance:

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, AMENDING CHAPTER 6, "BUILDINGS AND BUILDING REGULATIONS," OF THE VILLAGE CODE OF ORDINANCES BY REPEALING ARTICLE V, "SIGNS AND OUTDOOR DISPLAYS," IN ITS ENTIRETY; AMENDING ARTICLE III, "DISTRICT REGULATIONS," OF APPENDIX C (CHAPTER 45), "ZONING," OF THE VILLAGE CODE OF ORDINANCES BY AMENDING SECTION 45-34, "C-G GENERAL COMMERCIAL DISTRICT," SECTION 45-34.1, "C-3 REGIONAL BUSINESS DISTRICT," SECTION 45-34.3, "C-NB NORTHLAKE BOULEVARD COMMERCIAL DISTRICT, AND SECTION 45-38, "I-1 LIGHT INDUSTRIAL DISTRICT," TO REMOVE SIGN REGULATIONS; AMENDING APPENDIX C (CHAPTER 45), "ZONING," OF THE VILLAGE CODE OF ORDINANCES BY ADOPTING A NEW ARTICLE IX, "SIGNS AND OUTDOOR DISPLAYS;" PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Village Attorney Rubin noted the only change was to vehicle signs.

Member comments

Mr. Hullihan had no comments.

Mr. Hogarth noted the plan was better than before but was still not perfect. It was clarified that if the C-NB Zoning District lacked specific requirements, the more restrictive rule from other sections applies. Discussion touched on overlapping regulations in the C-NB Zoning District and plans for future consolidation. Regarding "For Lease" signage, temporary signs would be limited to three square feet, which Mr. Hogarth suggested was too small.

Mr. Haigh had no comments.

Dr. Michaels suggested signage needed to be larger than 3 sq. ft. but less than 16 sq. ft.

Chair Cross opened public comment.

Mr. Chris Ryder, 118 Dory Road South, suggested banning temporary signage within the C-NB Zoning District.

Chair Cross closed public comment.

Chair Cross suggested sticking with 3 sq. ft. minimizes the problem.

Ms. Gardner-Young suggested a progressive approach to reducing sign size, such as transitioning from 16 square feet to 9 square feet over two years. She noted this as an option but left the decision to prohibit signs entirely up to the Board.

Discussion ensued about removing temporary "For Lease" signage.

Village Attorney Rubin advised that temporary sign regulations should remain consistent and not content based. For commercial signage, there was more flexibility, but the preference was to retain smaller-sized signs rather than eliminate them entirely.

Dr. Michaels suggested balancing sign size with duration, allowing larger signs for shorter periods, such as for grand openings, while limiting long-standing signs to smaller sizes, like three square feet. He noted that small, chronically placed signs are less effective and might naturally decrease over time. He also proposed different size allowances based on time periods, acknowledging it could be complex but might address the issue effectively.

Mr. Hullihan suggested addressing content-specific conflicts by stating that temporary signs are not permitted except for specified exceptions, such as grand opening signs allowed for a maximum of 24 hours. He proposed creating a clear list of such exceptions to simplify the regulations.

Chair Cross invited Mr. Ryder to share additional comments.

Mr. Ryder suggested clearer timelines for temporary signs, such as two weeks for banner signs before and after grand openings and 45-60 days annually for other temporary signs. He emphasized defining specific exceptions, like 24 hours for grand openings, and proposed aligning regulations with residential real estate signs, which are limited to two-by-three feet with time restrictions, to improve uniformity and clean up US 1 visually.

Discussion ensued about excluding all temporary signage and for staff to develop a list of exceptions.

Mr. Hogarth motioned to continue the item until the next meeting. Dr. Michaels seconded the motion. The **motion passed** unanimously (5-0).

b. NEW BUSINESS

1. Tree Removal Permit Ordinance

Request by Village staff for consideration of the following ordinance:

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, AMENDING ARTICLE VIII, "LANDSCAPING," OF APPENDIX C (CHAPTER 45), "ZONING," OF THE VILLAGE CODE OF ORDINANCES BY ADOPTING A NEW SECTION 45-95, "TREE REMOVAL PERMIT;" PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Ms. Gardner-Young explained a proposal to create a tree removal permit process, requested by the Environmental Committee. The proposed process aims to regulate single-family and duplex properties minimally. Permits would only be required for trees with a diameter of 18 inches or more, unless part of a landscape plan. Removal would require specific justification and typically include replacement plans. The ordinance aligns with Florida statutes, exempting permits for trees posing a risk to life or property if documented by an arborist or landscape architect. She sought Board guidance and noted the proposed ordinance was a starting point for discussion.

Member comments

Mr. Haigh asked about the intent behind the term "private property" in the exemption for trees with a diameter of less than 18 inches. Ms. Gardner-Young clarified that it refers to private properties such as single-family, multi-family, and commercial properties, excluding village-owned land.

Mr. Haigh recommended renaming the process to a "tree permit" to encompass removal, relocation, and replacement. He suggested adding a tiered approach: first attempting relocation for transplantable trees, and if relocation is not feasible, proceeding to replacement. He also emphasized the need for penalties to deter unauthorized land clearing, noting the current lack of consequences beyond replacement requirements.

Mr. Haigh recommended limiting regulations to Category One invasive plants, lowering the minimum regulated size from 18 to 12 inches DBH, requiring relocation consideration for suitable trees, adding penalties for unauthorized removal, and reiterated renaming the permit to a "tree permit" for broader applicability.

Dr. Michaels questioned the costs of tree evaluation, removal, and permits, noting the potential burden on property owners. Mr. Haigh estimated arborist fees at a few hundred dollars, with additional costs for removal and stump grinding, which would apply regardless of permits.

Mr. Hullihan noted that some developers value preserving trees and incorporate them into community designs, while others prioritize clearing land for development.

Chair Cross opened public comments.

Mr. Chris Ryder, 118 Dory Road South, emphasized that the code should not only address developers' practices but also consider individual property owners, like himself, who planted a tree with personal significance, such as a mango tree planted with his children 15 years ago.

Mr. Hullihan suggested incentivizing preservation by offering additional entitlements to developers.

Mr. Hogarth agreed with Mr. Ryder, stating that the regulations unfairly burden homeowners and infringe on property rights. He suggested promoting tree planting through village programs rather than imposing restrictive rules, noting that such measures resemble HOA regulations and conflict with the Village's non-HOA character.

Discussion continued.

Ms. Mary Phillips, 525 Ebbtide Drive, stated the Environmental Committee aims to preserve mature trees by encouraging thoughtful removal decisions. The process is intended to be simple and fair, allowing nuisance trees to be removed with proof and requiring replacements. Ms. Phillips emphasized the need for a tree removal process to prevent unnecessary tree cutting and preserve the Village's canopy, which enhances home values and the environment. She advocated for thoughtful

removal, tree replacements, and focusing on private property rather than swales due to infrastructure issues, urging action to protect the community's character.

Mr. Hullihan suggested creating a category for new construction with incentives to preserve trees, making it more appealing to save them.

Mr. Haigh proposed penalizing tree removal instead of offering incentives, using the penalty funds to plant more trees in the Village.

Councilmember Puyol suggested restricting it to the front yard.

Discussion continued.

Ms. Gardner-Young asked if the Board wanted to proceed with further consideration of the tree permit.

Mr. Hogarth asked if current or proposed codes would prevent someone from removing oak trees in a buildable area to meet minimum setbacks. Ms. Gardner-Young explained that under both codes, removal could be allowed on a case-by-case basis with justification, such as a floor plan showing the tree obstructing construction. Mr. Hogarth noted that exemptions apply if the tree conflicts with a buildable area.

Dr. Michaels acknowledged the intent to preserve trees and slow their removal but questioned whether the approach would be fair and consistent, expressing uncertainty about reaching a resolution.

Mr. Hullihan discussed incentives versus penalties.

The Board deliberated whether to proceed with addressing the topic and decided to revisit it at the next meeting.

Mr. Haigh motioned to continue the item to the next meeting. Dr. Michaels seconded the motion. The **motion passed** (4-1) with Mr. Hullihan voting in opposition.

8. BOARD COMMENTS

Mr. Haigh requested a white paper to consolidate and clarify the fencing code rules and regulations, which are currently spread across multiple sections, to help ensure permit approvals are accurate.

Mr. Hogarth asked about staff authority on signs, and Ms. Gardner-Young explained only signs under a Board-approved Master Sign Plan bypass further Board review. Hogarth suggested annual reminders for commercial properties about regulations, and Ms. Gardner-Young noted that those in noncompliance are often unintentional due to a lack of awareness about local rules.

9. STAFF UPDATES: None.

10. ADJOURNMENT

Chair Cross advised the next meeting was scheduled for Tuesday, December 3, 2024. With no further business before the Board, Chair Cross adjourned the meeting at 8:33 p.m.



**THE VILLAGE OF NORTH PALM BEACH
PLANNING, ZONING AND ADJUSTMENT BOARD
REGULAR MEETING MINUTES
TUESDAY, DECEMBER 3, 2024 at 6:30 PM**

Present

Cory Cross, Chair
Jonathan Haigh, Member
Timothy Hulihan, Member
Donald Solodar, Member
Mark Michaels, Member

Absent

Thomas Hogarth, Member
Scott Hicks, Vice-Chair

Village Staff

Leonard Rubin, Village Attorney
Caryn Gardner-Young, Community Development Director

1. CALL TO ORDER

Chair Cross called the meeting to order at 6:30 p.m.

a. ROLL CALL

Roll was called, and it was determined a quorum was present.

2. DELETIONS, ADDITIONS, OR MODIFICATIONS TO THE AGENDA: None.

3. PUBLIC COMMENT FOR NON-AGENDA ITEMS: None.

4. APPROVAL OF MINUTES: None.

5. DECLARATION OF EX-PARTE COMMUNICATIONS: None.

6. SWEARING IN FOR QUASI-JUDICIAL MATTERS

Village Attorney Leonard Rubin swore in those wishing to provide testimony.

7. QUASI-JUDICIAL MATTERS

Village Attorney Leonard Rubin swore in those wishing to provide testimony.

a. SITE PLAN AND APPEARANCE REVIEW

i. NEW BUSINESS

1. 521 Northlake (Milton Recovery)

Ms. Gardner-Young confirmed the applicant was in attendance and had no objections to any of the order conditions.

Mr. Chris Campbell, 2001 10th Avenue North, Lake Worth from Fast Signs, on behalf of the applicant, requested approval to allow a face change for an existing monument sign located at 521 Northlake Boulevard.

Mr. Campbell began his presentation and reviewed the monument sign face change; sign location; and landscaping and building behind the sign.

Member comments

The Board had no comments.

Mr. Solodar motioned to approve as submitted, seconded by Mr. Haigh. The **motion passed** unanimously (5-0).

2. **2677 Northlake (Mazda of Palm Beach)**

Ms. Gardner-Young confirmed the applicant was in attendance and had no objections to the order conditions.

Mr. Donald Hearing, 934 Commerce Lane #1, Jupiter, on behalf of the applicant, requested approval to screen an existing heated stack located on the roof of the body shop at 2677 Northlake Boulevard.

Mr. Hearing began his presentation and reviewed the request; site location; existing conditions; and proposed white aluminum screening.

Member comments

Dr. Michaels asked about pollution to which Mr. Vince Camthe, Service Director of Palm Beach Mazda, explained that the downdraft booth directs paint overspray and fumes through a filtration system, ensuring capture of containment. He noted that heat used for drying is vented separately, preventing paint particulates from mixing with the heated air.

Mr. Solodar asked why this issue was not addressed seven years ago. Mr. Cam explained that the heated booth was added a year ago to improve efficiency. He acknowledged delays with the original application, apologized for the oversight, and thanked everyone for their efforts.

Mr. Haigh had no comments.

Mr. Hullihan asked if screening from the railroad tracks was required or simply omitted. Mr. Hearing explained that screening was not proposed as it seemed unnecessary due to its location near the industrial area but stated it could be added if deemed essential. He clarified that the site plan was intended as an exhibit to show property separation. Mr. Hullihan suggested screening on four sides and expressed overall agreement with the plan. Mr. Hearing agreed to the suggestion.

Chair Cross opened public comment.

Ms. Debra Cross, 2560 Pepperwood Circle South, agreed with Mr. Hullihan's request to screen on all four sides.

Chair Cross closed public comment.

Mr. Hullihan motioned to approve with the condition it is screened on all four sides, seconded by Mr. Solodar The **motion passed** unanimously (5-0).

8. PUBLIC HEARINGS

a. OLD BUSINESS

1. Sign Text Amendment Ordinance

Request by Village staff for consideration of the following ordinance:

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, AMENDING CHAPTER 6, "BUILDINGS AND BUILDING REGULATIONS," OF THE VILLAGE CODE OF ORDINANCES BY REPEALING ARTICLE V, "SIGNS AND OUTDOOR DISPLAYS," IN ITS ENTIRETY; AMENDING ARTICLE III, "DISTRICT REGULATIONS," OF APPENDIX C (CHAPTER 45), "ZONING," OF THE VILLAGE CODE OF ORDINANCES BY AMENDING SECTION 45-34, "C-G GENERAL COMMERCIAL DISTRICT," SECTION 45-34.1, "C-3 REGIONAL BUSINESS DISTRICT," SECTION 45-34.3, "C-NB NORTHLAKE BOULEVARD COMMERCIAL DISTRICT, AND SECTION 45-38, "I-1 LIGHT INDUSTRIAL DISTRICT," TO REMOVE SIGN REGULATIONS; AMENDING APPENDIX C (CHAPTER 45), "ZONING," OF THE VILLAGE CODE OF ORDINANCES BY ADOPTING A NEW ARTICLE IX, "SIGNS AND OUTDOOR DISPLAYS;" PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attorney Ruben explained that the sign code ordinance was not updated due to time constraints and a shortened schedule between meetings. He noted that the Board had discussed banning all temporary signs with exceptions, but this approach would be too content-based and require reworking. He requested a continuation to the next meeting to present revised options.

Discussion ensued.

Dr. Michaels motioned to continue the item to the January 7, 2025 meeting. Mr. Hullihan seconded the motion. The **motion passed** unanimously (5-0).

2. Tree Removal Permit Ordinance

Request by Village staff for consideration of the following ordinance:

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, AMENDING ARTICLE VIII, "LANDSCAPING," OF APPENDIX C (CHAPTER 45), "ZONING," OF THE VILLAGE CODE OF ORDINANCES BY ADOPTING A NEW SECTION 45-95, "TREE REMOVAL PERMIT;" PROVIDING FOR CODIFICATION;

**PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS;
AND PROVIDING FOR AN EFFECTIVE DATE.**

Ms. Gardner-Young presented updates to the tree permit process based on previous Board feedback. She explained that the "tree removal permit" was renamed "tree permit," and regulations were adjusted to exempt trees under 18 inches in diameter within R1 districts, while other zones followed the DBH standard. She stated that invasive species regulations were limited to Florida Invasive Species Council's Category 1. For new developments, she referenced existing tree disposition plans, while non-development tree removal required arborist assessments and relocation attempts, with fees set at \$200 per diameter inch to cover relocation or mitigation costs. She elaborated on penalties, noting that failure to obtain a tree permit would result in a triple permit fee for each violation. While the permit fees were set to be affordable, around \$50, to encourage compliance, she acknowledged that additional penalties would include mitigation requirements to account for the loss of the tree. She highlighted the challenge of determining mitigation for removed trees but suggested using property records and historical data to assess tree size and value. Additionally, she presented a Tree Trust Fund to support replanting, educational programs, tree giveaways, and Village-wide tree preservation efforts, with expenditures managed by the Village Manager and aligned with Village policies. She concluded by inviting feedback from the Board and Environmental (Committee) members to ensure the proposal met their expectations.

Chair Cross opened public comment.

Ms. Karen Marcus, 920 Evergreen Drive, North Palm Village, on behalf of the Committee, explained the Committee's rationale for initiating the tree permit process. She highlighted their aim to position the Village at the forefront of climate change efforts and tree preservation while maintaining a shade canopy. The Committee conducted a tree survey through Mr. Holloway's Department, employing advanced methods to assess tree coverage. Initially, the inclusion of MacArthur Park skewed the results, but it was later excluded to focus solely on Village data. She noted concerns over the removal of large, long-standing trees in single-family residential yards, including specimen trees. The Committee sought to proactively address these issues by requiring permits for tree removal, particularly for significant trees, while ensuring the process remained non-burdensome and affordable. The Committee has also worked on public education through newsletters, community engagement, and tree giveaways to promote tree preservation. Ms. Marcus emphasized the importance of preserving existing large trees to maintain the Village's character and prevent substantial tree loss.

Ms. Kendra Zellner, 604 Laurel, added that many residents who remove large shade trees often express regret. She explained that the removal typically leads to increased energy bills and other repercussions. While replacement is possible, she emphasized that the original large trees cannot be fully restored.

Ms. Debra Cross, 2560 Pepperwood Circle South, highlighted the impact of tree removal on pedestrians, noting that walking on sidewalks without tree coverage, especially during the summer or in direct sunlight, results in a significant loss of protection from the heat. She emphasized the noticeable difference in comfort and

temperature when trees are present. She expressed support for efforts to preserve existing trees and thanked the group for their work on this initiative.

Ms. Mary Phillips, 525 Epptide Drive, Phillips reiterated that large, mature trees positively impact property values, although she did not have specific figures available. She noted that the trees provided during giveaways, typically one inch in diameter, would take decades to reach the size and stature of existing specimen trees. She shared that several residents had approached her, emphasizing the importance of preserving these trees for their value, shade, and overall benefits. She concluded by expressing her support for tree preservation efforts.

Chair Cross closed public comment.

Member comments

Mr. Hullihan addressed several points regarding the dead tree section and the lack of development proposal on Page 2, Item 2. He mentioned that the Board had previously discussed whether the diameter threshold for tree regulation should be reduced from 18 inches to 12 or 15 inches and emphasized the need for clear direction on this matter. He suggested inserting "at breast height (DBH)" after "diameter" to clarify the measurement standard and recommended reviewing the proposed threshold for palms, as four inches seemed too small. He proposed splitting the paragraph into two sections—one for canopy trees and another for palms—to improve clarity.

Mr. Hullihan also pointed out that the language in Item E on the same page could be confusing, as it implied all seven conditions must exist for a tree permit to be issued. He suggested rephrasing it to indicate that any applicable condition could warrant a permit. Additionally, he recommended removing Item 6 from the list, asserting that such cases should always be reviewed by the Board.

On Page 3, Item F, Mr. Hullihan sought clarification regarding the meaning of "no development proposed." Ms. Gardner-Young explained that it referred to situations where no building permit or development was involved, such as when a homeowner wishes to remove a tree for personal reasons. Mr. Hullihan suggested rewording the section to reference "existing occupied properties" for greater clarity.

Mr. Hullihan and Chair Cross discussed the \$200 per inch fee, with Mr. Hullihan suggesting it might be too low and proposing an increase to \$300 per inch. He emphasized the need to incentivize tree preservation rather than merely penalizing bad actors, who might willingly pay the fee to remove trees. Chair Cross agreed, noting that incentives are typically applied during the site plan approval process, where increased entitlements or other benefits could encourage tree preservation. They agreed on the importance of finding ways to make tree preservation more appealing, especially for development projects.

Mr. Haigh explained that if a tree cannot be relocated on-site, mitigation would be required. If full on-site mitigation is not feasible—such as when removing a 36-inch tree and the site cannot accommodate six six-inch replacement trees—the

remaining unmitigated inches would require a payment into the Tree Trust Fund to account for the difference.

Mr. Hullihan suggested that incentivizing tree preservation through increased entitlements for new homes could be an effective strategy. He noted that the \$200-per-inch fee might not deter those willing to pay to remove trees and emphasized the need to make preservation more appealing, such as by offering larger house entitlements for saving trees. He pointed out a typo on page five, clarifying that the correct reference should be "J" instead of "H." Lastly, he expressed concern about potentially biased arborist reports favoring developers, proposing the use of a trusted list of arborists to ensure accurate and impartial assessments.

Mr. Haigh asked if the code includes provisions allowing the hiring of a traffic engineer to review site plan applications and their accompanying traffic reports. Attorney Rubin responded that he was unsure but suggested there might be similar provisions for retaining experts to review applications. He proposed reserving the ability to include such provisions in the ordinance if needed and offered to investigate further.

Mr. Haigh praised the Committee's work and noted the challenge of gaining Public Works approval for planting trees in swales, citing his own denied permit. He recommended changing the in-lieu fee language to "per DBH inch" and expressed confidence that most tree removal decisions could be handled by the Community Development Director, reducing the Board's involvement. He supported increasing the fee to \$300 per inch to reflect higher replacement costs and suggested it could also cover long-term maintenance through the Tree Trust Fund.

Mr. Solodar asked for more clarification regarding DBH and a brief discussion ensued.

Dr. Michaels raised concerns about the practicality of measuring tree diameters for compliance. He suggested allowing circumference measurements, which can be converted to diameter using a simple tape measure or string, as most homeowners lack the arborist tools needed for precise diameter calculations. While he acknowledged the importance of consistency with industry norms, he emphasized making compliance accessible for the average homeowner.

He also questioned the ordinance's language in the "whereas" clause, stating it implied full approval by the Board, even though at least one member had opposed it. He expressed discomfort with regulating tree removal for individual homeowners, citing concerns about overreach and the potential burden on residents, like those wanting to remove an unsatisfactory mango tree.

Lastly, Dr. Michaels criticized past development on Prosperity Road, where oak trees were cleared despite existing codes meant to prevent such actions. He asked why the current code failed to stop this and questioned the need for a new ordinance if existing regulations were not enforced effectively. He expressed general support for tree preservation but remained troubled by how the ordinance might impact individual homeowners.

Ms. Marcus explained that the situation on Prosperity Road involved the property owner consulting with the Committee at the recommendation of Village staff. She and Council Member Bickel visited the site, identified trees they believed could be saved, and the owner hired an arborist. The arborist deemed the trees diseased, leading to their removal, though Ms. Marcus noted differing opinions among arborists. The owner ultimately removed several trees, paid a fine, and saved two trees. She agreed that fines might need to be increased and clarified that the ordinance does not prevent residents from removing problematic trees but requires justification and replanting. She emphasized that the goal is to ensure replacement for removed trees while maintaining flexibility for homeowners.

Dr. Michaels questioned the authority to regulate private property decisions, and Ms. Marcus responded by emphasizing the Committee's mission to support Village priorities, such as climate action and tree preservation. She highlighted the importance of shade canopies for future sustainability, noting that while property owners can remove trees, they are required to replace them with similar canopy types. She stressed that the goal is education, encouragement, and support, not penalization, citing examples like tree giveaways and the community center planting project, which has already shown promising results within a year.

Mr. Haigh motioned to approve the ordinance with edits discussed.

Discussion ensued about Public Works and swales.

Dr. Michaels suggested exploring swale plantings more thoroughly, including regulations and budget adjustments to cover necessary maintenance. He emphasized the importance of beautifying the Village, enhancing oxygen production, and ensuring the plan does not overly burden Public Works.

Mr. Solodar seconded the motion.

Ms. Gardner-Young provided an overview of the newly proposed edits, outlining key changes and clarifications.

Mr. Hullihan recommended amending the motion to add that the Village reserves the right to hire its own arborist. Mr. Haigh and Mr. Solodar both approved the amendment.

The **motion, as amended, passed** unanimously (5-0).

Mr. Hullihan asked if there was a need to implement the ordinance as zoning in progress to take effect quickly. Attorney Rubin clarified that it could not be considered zoning in progress until approved by the Council, as it currently remains a recommendation to the Board.

9. BOARD COMMENTS

Mr. Haigh noted concerns about lumens and lighting, referencing a recently well-lit smoke shop. He remarked that the brightness and luminosity of the site could pose challenges from the start.

Chair Cross permitted a member of the public to speak.

Mr. Brian Idle, 1012 Country Club Drive, Mr. Idle stopped by to express gratitude to the Board for their service to the Village, acknowledging their efforts in the spirit of the holidays. Additionally, he stated they believed they were on the agenda to address their request to paint their building and caulk leaking windows at 1295 U.S. Highway One. He explained they submitted a building application on November 12, paid the fee on November 13, and received one comment on November 21. He emphasized that it was a straightforward request and acknowledged they were late in addressing the matter.

Chair Cross expressed regret that the matter could not be addressed during the meeting and advised Mr. Idle to follow up with staff to determine the delay. He encouraged him to push for the issue to be expedited so it could be reviewed and approved at a future meeting. He apologized for the oversight and thanked him for attending.

10. STAFF UPDATES: None.

11. ADJOURNMENT

Ms. Gardner-Young advised the next meeting was scheduled for Tuesday, January 7, 2025. With no further business before the Board, Chair Cross adjourned the meeting at 7:40 p.m.

**VILLAGE OF NORTH PALM BEACH
COMMUNITY DEVELOPMENT DEPARTMENT
VILLAGE ATTORNEY'S OFFICE**

TO: Members of the Planning, Zoning and Adjustment Board
FROM: Leonard G. Rubin, Village Attorney
THRU: Caryn Gardner-Young, Community Development Director
DATE: January 7, 2025
SUBJECT: **Ordinance -- Sign Code Text Amendment to Chapter 45 (Zoning)**

Background:

The proposed Ordinance eliminates the sign regulations from Chapter 6 of the Village Code and replaces those regulations with a more readable sign code located in the Zoning Code (Chapter 45 of the Village Code). The new sign code accomplishes the following:

- It includes updated language to ensure compliance with recent legal developments;
- It is more user-friendly, assembling all sign-related regulations in one location rather than split between various chapters of the Village Code; and
- It provides charts setting forth the basic sign parameters by zoning district, making the information more readily accessible.

The proposed amendments to the Village's sign regulations have been reviewed and discussed by the Planning, Zoning and Adjustment Board at a Workshop held on June 4, 2024 and at the August 6th, September 10th, October 1st, November 12th and December 3rd Board meetings. Comments and recommendations received from the Board have been incorporated into the revised Ordinance.

Discussion:

At its November 12, 2024 meeting, the Board's discussion focused on for sale and for rent signs and the Board proposed banning all temporary signs, with a list of exceptions for certain types of signs. As explained at the December 3rd meeting, sign ordinances that treat various categories of temporary signs differently based on the type of message they contain are unconstitutional. Banning all temporary signs and then allowing only specific types of temporary signs would violate this prohibition. Based on the foregoing, this office is recommending that the basic regulatory framework for temporary signs remain the same with some modification. The basic framework is summarized as follows:

No Permit

- A. All properties may have temporary sign or signs totaling no more than four (4) square feet.

- B. *Additional* temporary non-commercial signs 30 before an election:
 - 1. One per election or issue per quarter acre.
 - 2. Each sign no more than four (4) square feet.
 - 3. Removal seven days following election.

- C. *Additional* temporary signs when a property or portion thereof is being actively offered for sale or lease:
 - 1. One additional sign no more than four (4) square feet.
 - 2. Sign must be removed within 15 days following sale or lease.

- D. *Additional* temporary sign of no more than three (3) square feet when property is open to the public.

Zoning Permit Required

- A. One post and panel sign per frontage parallel to the street with a maximum height of eight (8) feet.
 - 1. Commercial properties and residential properties greater than one (1) acre, maximum sign area is sixteen (16) square feet. Commercial properties greater than one (1) acre, maximum sign area is thirty-two (32) square feet.
 - 2. Limited to duration of active building permit, first 30 days after a new business opens, or for 30 days prior to an election (subject to additional regulations). *Post and panel sign for sale or lease has been eliminated.*

- B. Commercial building banner for ground floor tenants limited to thirty-two (32) square feet if authorized through a special events permit.
 - 1. Limited to fourteen (14) days prior to event and seven (7) days after event (*reduced from 14 days*).
 - 2. If associated with installation permanent sign, sign must be removed within sixty (60) days or immediately upon installation of permanent sign, whichever first occurs.

Additional transitory signs permitted for residential open houses and special events.

Recommendation:

Village Staff is requesting the Planning, Zoning and Adjustment Board's final review of the attached Ordinance proposing a new Sign Code for the Village and providing a recommendation to the Village Council in accordance with Village policies and procedures.

ORDINANCE NO. 2024-___

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, AMENDING CHAPTER 6, "BUILDINGS AND BUILDING REGULATIONS," OF THE VILLAGE CODE OF ORDINANCES BY REPEALING ARTICLE V, "SIGNS AND OUTDOOR DISPLAYS," IN ITS ENTIRETY; AMENDING ARTICLE III, "DISTRICT REGULATIONS," OF APPENDIX C (CHAPTER 45), "ZONING," OF THE VILLAGE CODE OF ORDINANCES BY AMENDING SECTION 45-34, "C-G GENERAL COMMERCIAL DISTRICT," SECTION 45-34.1, "C-3 REGIONAL BUSINESS DISTRICT," SECTION 45-34.3, "C-NB NORTHLAKE BOULEVARD COMMERCIAL DISTRICT, AND SECTION 45-38, "I-1 LIGHT INDUSTRIAL DISTRICT," TO REMOVE SIGN REGULATIONS; AMENDING APPENDIX C (CHAPTER 45), "ZONING," OF THE VILLAGE CODE OF ORDINANCES BY ADOPTING A NEW ARTICLE IX, "SIGNS AND OUTDOOR DISPLAYS;" PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Village Council wishes to update and consolidate the Village's regulations for signage and outdoor displays to: preserve the residential character of the Village; to protect and promote the public health, safety, and welfare; protect property values; create an attractive economic and business climate; and comply with all legal and constitutional requirements applicable to such regulations; and

WHEREAS, the Planning, Zoning and Adjustment Board, sitting as the Local Planning Agency, conducted advertised public hearings to review this Ordinance and provide a recommendation to the Village Council; and

WHEREAS, having considered the recommendation of the Planning, Zoning and Adjustment Board and conducted all required advertised public hearings, the Village Council determines that the adoption of this Ordinance is in the interests of the health, safety, and welfare of the residents of the Village of North Palm Beach.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA as follows:

Section 1. The foregoing recitals are ratified as true and correct and are incorporated herein.

Section 2. The Village Council hereby amends Chapter 6, "Buildings and Building Regulations," of the Village Code of Ordinances by repealing Article V, "Signs and Outdoor Displays," in its entirety.

Section 3. The Village Council hereby amends Article III, "District Regulations," of Appendix C (Chapter 45) of the Village Code of Ordinances by amending Section 45-34, "C-G

1 general commercial district,” to read as follows (additional language underlined and deleted
2 language ~~stricken through~~):

3
4 **Sec. 45-34. C-G general commercial district.**

5
6 * * *

7
8 C. *Use and operating restrictions.* Every commercial use located within the C-
9 G district shall be so operated as to comply with the following performance
10 standards:

- 11
12 1. No industrial equipment or vehicles shall be sold, leased, rented or
13 otherwise stored within the C-G district. For purposes herein,
14 industrial equipment is defined as equipment used primarily for
15 purposes other than transportation or hauling. Trucks other than
16 pickup trucks, vans and jeeps shall be displayed in areas separated
17 from a public right-of-way by a building.
18
19 2. No vehicle shall be parked for display purposes with its hood or
20 trunk open, nor elevated off the ground in any way. Vehicles shall
21 not be parked in any right-of-way or driveway.
22
23 3. ~~Advertising, flags, pennants, streamers, balloons, signs or vehicle~~
24 ~~stock numbers shall not be displayed on any vehicle or equipment.~~
25 ~~Similar objects or advertising designed to attract the public's~~
26 ~~attention shall not be displayed outdoors on any lot, building,~~
27 ~~vehicle or equipment.~~
28
29 4 3. Any areas designated for the off-loading of vehicles or for loading
30 and deliveries shall be located to the rear of buildings and shall be
31 located so as to contain noise on-site. These areas shall not be
32 located closer than one hundred (100) feet from any residentially
33 zoned lot and shall be appropriately designated, marked and signed.

34
35 * * *

36
37 Section 4. The Village Council hereby amends Article III, “District Regulations,” of
38 Appendix C (Chapter 45) of the Village Code of Ordinances by amending Section 45-34.1, “C-3
39 regional business district,” to read as follows (additional language underlined and deleted language
40 ~~stricken through~~):

41
42 **Sec. 45-34.1. C-3 regional business district.**

43
44 * * *

1 (7) ~~Reserved. Signs. In addition to the other provisions of sections 6-~~
2 ~~111 through 6-117 of this Code, but notwithstanding any conflicting~~
3 ~~standards found therein, signs in the C-3 zoning district shall comply with~~
4 ~~the following regulations unless modified through the special C-3 PUD~~
5 ~~procedures.~~

6
7 a. ~~Ground signs are mounted on a monolithic base and are independent~~
8 ~~of any building for support. They are permitted only when the sign~~
9 ~~and base are monolithic and have essentially the same contour from~~
10 ~~grade to top. Ground signs that meet the following regulations are~~
11 ~~permitted in the C-3 district only along U.S. Route 1 and Northlake~~
12 ~~Boulevard:~~

13
14 1. ~~Maximum number of ground signs: One (1) ground sign~~
15 ~~along U.S. Route 1 and one (1) ground sign along Northlake~~
16 ~~Boulevard, regardless of jurisdiction, North Palm Beach or~~
17 ~~Lake Park.~~

18
19 2. ~~Maximum height of ground sign base: Three (3) feet.~~

20
21 3. ~~Maximum height of ground signs: Thirteen (13) feet~~
22 ~~including the base, measured from the finished grade nearest~~
23 ~~the base (excluding berms).~~

24
25 4. ~~Maximum size of ground signs: One hundred (100) square~~
26 ~~feet; copy may be placed on two (2) sides of a ground sign~~
27 ~~without counting the area twice.~~

28
29 b. ~~Pole signs are not attached to any building and are supported upon~~
30 ~~the ground by poles or braces. Pole signs are not permitted in the C-~~
31 ~~3 district.~~

32
33 c. ~~Wall signs are those that are attached to the exterior of a building or~~
34 ~~structure in such a manner that the wall becomes the supporting~~
35 ~~structure, and may form the background surface, of the sign. Wall~~
36 ~~signs are permitted in the C-3 district provided they meet the~~
37 ~~following regulations:~~

38
39 1. ~~Maximum depth of wall signs: Wall signs may not be painted~~
40 ~~directly on the wall and may not project more than two (2)~~
41 ~~feet from the building to which they are fastened.~~

42
43 2. ~~Allowable slope of wall signs: Wall signs may not be~~
44 ~~attached to walls that slope more than forty five (45) degrees~~
45 ~~from a vertical plane.~~

1 3. ~~Maximum height of wall signs:~~ Eighteen (18) feet measured
2 from the finished grade nearest the wall, except that on a
3 building of more than two (2) stories, a single wall sign is
4 allowed above eighteen (18) feet. No wall sign may extend
5 above the top of the wall to which it is attached.
6

7 4. ~~Maximum number of wall signs:~~ One (1) permanent wall
8 sign is permitted for each business which has direct ground
9 level walk in access from a public or private roadway or
10 sidewalk, and one (1) additional permanent wall sign
11 identifying the building is permitted for each multiple
12 occupaney complex.
13

14 5. ~~Maximum size of wall signs:~~ Five (5) percent of the area of
15 the wall to which it is attached; or seven (7) percent if the
16 front building setback is greater than seventy (70) feet; or ten
17 (10) percent if the front building setback is greater than one
18 hundred (100) feet. However, in no case shall a wall sign
19 exceed one hundred (100) square feet in size.
20

21 d. ~~Roof signs are erected and constructed wholly on and over the roof~~
22 ~~of a building, and are supported by the roof structure or are an~~
23 ~~integral part of the roof. Roof signs are not permitted in the C-3~~
24 ~~district.~~
25

26 e. ~~Size computations:~~ When these regulations establish the maximum
27 size of a sign, it shall be computed by means of the smallest square,
28 circle, rectangle, triangle, or combination thereof that will
29 encompass the extreme limits of the writing, representation,
30 emblem, or other display, together with any material or color
31 forming an integral part of the background of the display or used to
32 differentiate the sign any backdrop or structure against which it is
33 placed.
34

35 f. ~~Allowable colors:~~ Notwithstanding the regulations in chapter 6 of
36 this Code, color tones utilized for all signs complying with these
37 regulations shall be compatible with surrounding area.
38

39 g. ~~Lighting:~~ Signs containing illumination shall be turned off by 12:00
40 a.m. (midnight) each night, or when the business closes, whichever
41 is later.
42

43 h. ~~Appeals:~~ Notwithstanding conflicting appeal procedures found
44 elsewhere in this Code, all requests for modifications to sign
45 regulations in the C-3 zoning district shall be made through the
46 special C-3 PUD procedures found below in 45-34.1(10).

* * *

(10) *Special C-3 planned unit development (PUD) provisions.* It is the intention of the village to provide a mechanism and process to promote the redevelopment of the obsolete and underutilized areas of the C-3 zoning district with large-scale, master-planned projects that promote: a mix of uses; connectivity; pedestrian-oriented development; removal of surface parking; creation of public/civic gathering spaces; and shopping, entertainment, and restaurant uses within the form of an urban neighborhood incorporating residential development as an integral use. These projects promote the economic and redevelopment goals of the village, and the village has created these planned unit development (PUD) provisions to facilitate these goals. The development regulations applicable within the PUD are not permitted or allowed by right and shall only apply if the village council determines that each of the threshold criteria is met. Properties located in the C-3 zoning district that do not meet the threshold criteria set forth below may utilize the general PUD provisions of section 45-35.1 of this code as set forth in section 45-35.1(D). Properties located in the C-3 zoning district that do meet each of the threshold criteria below may, at the option of the property owner, utilize the following special PUD regulations:

* * *

~~q. — *Sign standards:* All projects shall provide a sign plan that shall be reviewed and approved by the village during site plan and appearance approval. Pedestrian oriented signs are strongly encouraged and no ground signs shall be permitted as part of the PUD.~~

~~r. — *Lighting standards:* A photometric plan shall be provided during site plan and appearance review. The plan shall include all luminaire specifications, pole locations, and foot candle levels on directly adjacent properties. Light trespass shall be limited to the largest extent possible.~~

Section 5. The Village Council hereby amends Article III, “District Regulations,” of Appendix C (Chapter 45) of the Village Code of Ordinances by amending Section 45-35.3, “C-NB Northlake Boulevard commercial district,” by repealing Article 7, “Signage and Outdoor Displays,” in its entirety.

Section 6. The Village Council hereby amends Article III, “District Regulations,” of Appendix C (Chapter 45) of the Village Code of Ordinances by amending Section 45-38, “I-1 light industrial district,” to read as follows (deleted language is ~~stricken through~~):

1 A. *Intent.* The purpose and intent of the I-1 light industrial district is to
2 implement the Light Industrial/Business future land use category, as
3 established in the Village of North Palm Beach Comprehensive Plan. The
4 I-1 district provides areas in appropriate locations for certain types of
5 businesses, light manufacturing, processing or fabrication of non-
6 objectionable products not involving the use of material, processes or
7 machinery likely to cause undesirable effects upon the environment or on
8 nearby or adjacent residential or commercial properties.

9
10 * * *

11
12 ~~P. *Signs.* All signs, permanent and temporary, shall be located a minimum of~~
13 ~~ten (10) feet from the ultimate rights-of-way line of the adjacent street or~~
14 ~~road, as defined by the Village or Palm Beach County, as appropriate.~~

15
16 ~~1. *Permit required.* All signs shall require the issuance of a building~~
17 ~~permit prior to erection and in accordance with the procedures~~
18 ~~established by the Village for the issuance of building permits.~~

19
20 ~~2. All building permit applications for signage in the I-1 District shall~~
21 ~~comply with Article V, Signs and Outdoor Displays of the Village~~
22 ~~Code.~~

23
24 ~~3. Where distinctions among uses are made in Article V, uses in the I-~~
25 ~~1 District shall be considered to be commercial uses.~~

26
27 Section 7. The Village Council hereby amends Appendix C (Chapter 45), “Zoning,” of the
28 Village Code of Ordinances by adopting a new Article IX, “Signs and Outdoor Displays,” to read
29 as follows:

30
31 **ARTICLE IX. SIGNS AND OUTDOOR DISPLAYS**

32
33 **Sec. 45-100. Purpose and scope of regulations.**

34
35 A. *In General.* The purpose of this article is to establish regulations for the
36 systematic control of signs and advertising displays within the village. The
37 regulations and requirements as herein set forth are intended to preserve the
38 residential character of the village; to protect and promote the general
39 health, safety, and welfare of the public; to protect property values; and to
40 assist in the safe, economic, and aesthetic development of businesses by
41 creating an attractive economic and business climate.

42
43 1. *Property value protection.* Signs should not create a nuisance to the
44 occupancy or use of other properties due to their size, height,
45 brightness, or movement. They should be in harmony with
46 buildings, the neighborhood, and other conforming signs in the area.

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2. *Communication.* Signs should not deny other persons or groups the use of sight lines on public rights-of-way, should not obscure important public messages and should not overwhelm readers with too many messages. Signs can and should help individuals to identify and understand the jurisdiction and the character of its subareas.

3. *Preservation of the community's beauty.* Smaller residential municipalities such as the village rely heavily on their natural surroundings and beautification efforts to retain their unique character. This concern is reflected through the active and objective regulations of the appearance and design of signs.

B. *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 article is not intended to and does not apply to signs constructed, maintained, or otherwise posted, owned, or leased by the village, Palm Beach County, the State of Florida, or the federal government and does not regulate official traffic control devices.

C. *Purpose:* The regulations in this chapter 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 village'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 to the United States Constitution. 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 village 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.* The village 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 village 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 the

1 village as a place to live and to do business. Implementing the
2 Florida Constitution is a compelling governmental interest.

- 3
4 2. *Florida Statutes.* Florida law requires municipalities to adopt
5 comprehensive plans and implement them through land
6 development regulations (also known as zoning regulations) and
7 approval of development orders that are consistent with the
8 comprehensive plan. See Part II of Chapter 163, Florida Statutes.
9 Florida law specifically requires that municipalities adopt sign
10 regulations. See Section 163.3202(2)(f), Florida Statutes.
11 Complying with state law is a compelling governmental interest.

12
13 The village council specifically finds that these sign regulations are
14 narrowly tailored to achieve the compelling and substantial governmental
15 interests of traffic safety and aesthetics, and that there is no less restrictive
16 method for the village to further these interests.

17
18 **Sec. 45-101. Definitions.**

19
20 For the purposes of this article, the following words or terms shall have the
21 meaning ascribed to them in this section, except where the context clearly indicates
22 otherwise:

23
24 *Abandoned sign.* A building, freestanding, or off premises sign that: (a) for
25 a period of thirty (30) or more consecutive days, (1) no longer correctly advertises,
26 identifies, displays, directs, or attracts attention to an object, institution,
27 organization, business, product, service, or event on the premises upon which the
28 sign is located; (2) identifies a time, event or purpose that has passed or no longer
29 applies; or (3) contains missing letters or other components of the sign, rendering
30 the sign indecipherable or (b) for a period of six (6) consecutive months, includes
31 a sign structure that bears no sign or a sign face that bears no copy.

32
33 *Address sign.* A sign indicating only the common street address. For the
34 purposes of this definition, a nameplate shall be construed to be an address sign.

35
36 *"A" frame sign/Sandwich board sign.* A freestanding sign, which is
37 ordinarily in the shape of an "A" or some variation thereof, which is readily
38 moveable, and is not permanently attached to the ground or any structure thereof.

39
40 *Animated sign.* A sign, which utilizes motion of any part by any means,
41 including wind power, or displays flashing, oscillating or intermittent lights,
42 animated animal figures or characters.

43
44 *Awning.* An architectural projection that provides weather protection,
45 identity and/or decoration and is wholly supported by the building to which it is
46 attached. An awning is comprised of a lightweight, rigid, or retractable skeleton
47 over which an approved cover is attached.

1 *Awning sign.* A sign painted on, printed on or attached flat against the
2 surface of an awning.

3
4 *Back lit awning.* An internally illuminated awning with translucent
5 covering.

6
7 *Banner sign.* Any sign (that cannot be considered a flag) intended to be
8 suspended for display, either with or without frames, having characters, letters,
9 illustrations, or ornamentations applied to cloth, paper, plastic, balloons, or fabric
10 of any kind with such material acting as a backing.

11
12 *Building directory sign.* A sign necessary for pedestrian and traffic safety,
13 regulation, control, wayfinding, and circulation, indicating the location of an
14 activity or service, incidental to a use, but not advertising the use in any manner.

15
16 *Building identification sign.* A sign necessary for pedestrian and traffic
17 safety, regulation, control, wayfinding, and circulation, in which the copy is limited
18 to the name and address of a building or institution.

19
20 *Building wall sign.* A sign displayed upon or attached to any part of the
21 exterior of a building (including walls, windows, doors, parapets, awnings, and roof
22 slopes of forty-five (45) degrees or steeper), constructed parallel to, and extending
23 not more than twenty-four (24) inches from, the building facade to which it is
24 affixed. A sign that is projected onto a building facade (e.g., video projection, 3D
25 projection mapping, and other methods of casting images) is also a building wall
26 sign.

27
28 *Cabinet sign (or box sign).* A building sign which is an enclosed cabinet
29 with copy on one or more sides and which may enclose an integrated light source
30 that can shine through the sides or face of the sign.

31
32 *Canopy.* A roof-like structure, generally self-supporting, that may be
33 freestanding or attached to a principal structure, providing shade and weather
34 protection, typically utilized in locations such as over drive-thru lanes, walkways,
35 entrances, and gasoline pumps.

36
37 *Changeable copy sign.* A sign which is visible from outside a building and
38 which is characterized by changeable copy, regardless of method of attachment of
39 the copy.

40
41 *Channel letters.* Custom-made metal or plastic letters commonly used in
42 exterior signage on public and commercial buildings, and often internally
43 illuminated.

44
45 *Channel letter sign.* A sign comprised of individually fabricated, three-
46 dimensional letters with metal sides and backing, and typically an acrylic or

1 polycarbonate face, where each letter is mounted directly to a supporting structure.
2 Any internal illumination is directed through the translucent face of the letter except
3 for a "reverse channel letter sign," which utilizes a translucent back that directs the
4 light onto the wall or similar surface upon which the letter is mounted, typically
5 with an offset from the mounting surface that produces a "halo" effect.
6

7 *Commercial message.* Any sign that, directly or indirectly, names,
8 advertises, or calls attention to a business, product, service, or other commercial
9 activity.
10

11 *Construction sign.* A temporary sign identifying those engaged in
12 construction on any building site. This includes the builder, contractor, developer,
13 architect, engineer, painter, plumber or other persons or artisans involved in such
14 construction.
15

16 *Copy.* The linguistic or graphic content of a sign.
17

18 *Digital sign.* A sign that utilizes an electronic display including but not
19 limited to liquid crystal display or light emitting diodes (LCD or LED), plasma
20 display, or projected images that can be changed automatically.
21

22 *Directional sign or wayfinding sign.* An on-premises sign designed to guide
23 or direct pedestrians or vehicular traffic.
24

25 *Discontinuance of occupancy.* The occupant identified on a sign has ceased
26 to operate, offer services or products, or conduct activity consistent with a current
27 business tax receipt or certificate of use in the location indicated by the sign, for a
28 period of thirty (30) consecutive days. It shall not be a "discontinuance of
29 occupancy" when an occupant first provides the village manager with written
30 notification that the use will be closed for renovation, summer season, or other
31 defined period after which the occupant will resume activity, provided that the
32 occupant does resume the activity on the specified date, as may be extended by the
33 village manager upon request by the occupant.
34

35 *Double-faced sign.* A single sign with two faces that are parallel to each
36 other.
37

38 *Electric sign.* Any sign containing electric wiring.
39

40 *Electronic changeable copy sign.* A sign that utilizes an electronic display
41 including, but not limited to, liquid crystal display or light emitting diodes (LCD or
42 LED), plasma display, or projected images, on which the copy is changed
43 electronically. The following definitions pertain to electronic signs:
44

- 1 2. Is patently offensive to contemporary standards in the adult
2 community as a whole with respect to what is suitable sexual
3 material for minors; and
4
- 5 3. Taken as a whole, lacks serious literary, artistic, political, or
6 scientific value.
7

8 The term "harmful to minors" shall also include any non-erotic word or picture
9 when it:

- 10
- 11 1. Is patently offensive to contemporary standards in the adult
12 community as a whole with respect to what is suitable for viewing
13 by minors; and
14
- 15 2. Taken as a whole, lacks serious literary, artistic, political, or
16 scientific value.
17

18 *Height of a sign.* The height of a sign shall be measured as the vertical
19 distance from the finished grade, excluding berms, at the base of the supporting
20 structure to the top of the sign, or its frame or supporting structure, whichever is
21 higher.
22

23 *Human sign (or living sign).* A sign or a form of commercial message held
24 by or attached to a human or character (animated or otherwise) for the purposes of
25 advertising or otherwise drawing attention to an individual, business, commodity,
26 service, or product. This can also include a person or a live or animated character
27 dressed in costume or wearing a commercial message for the purpose of advertising
28 or drawing attention to an individual business commodity service or product.
29

30 *Identification sign.* A sign that is used to display the name, address, and
31 number of a building, institution, or person and to communicate the activity carried
32 on in the building or institution.
33

34 *Illegal sign.* Any sign placed, erected, or installed that is prohibited by this
35 article or that lacks proper approval or permits from the village as required by this
36 article.
37

38 *Illuminated sign.* A sign which contains a source of light or which is
39 designed or arranged to reflect light from an artificial source, including indirect
40 lighting, neon, incandescent lights, backlighting, and shall also include signs with
41 reflectors that depend upon automobile headlights for an image.
42

43 *Install or place a sign.* To construct, reconstruct, build, relocate, raise,
44 assemble, place, affix, attach, create, paint, draw, or in any other way bring into
45 being or establish a sign, but shall not include routine maintenance.
46

1 *Logo.* Any symbol, trademark, picture, or other graphic representation,
2 which is used to signify or identify the particular business or organization.

3
4 *Marquee.* A structure projecting from, and completely supported by, a
5 building, and which extends beyond the building line or property line and fully or
6 partially covers a sidewalk, public entrance, or other pedestrian way.

7
8 *Marquee sign.* Any sign painted or printed onto or otherwise attached to a
9 marquee.

10
11 *Master sign plan.* A comprehensive document that contains a set of sign
12 criteria unique to a specific shopping center, commercial property, building or
13 development. It includes drawings and plans that illustrate the sign program for the
14 overall development, including, but not limited to, size, location, type, architectural
15 design, dimensions, and other design standards including materials, color, font, and
16 sign illumination.

17
18 *Memorial sign.* A building or freestanding sign memorializing a person,
19 structure, site, or event.

20
21 *Menu board sign.* A sign erected as part of a drive-through facility and used
22 to display and order products and services available in association with the drive-
23 through business.

24
25 *Neon tube sign.* A sign electrically lighted by exposed tubes containing inert
26 gas and visible from outside of a building.

27
28 *Mobile sign.* A sign mounted on top or on the rear of a vehicle or bicycle or
29 a sign attached to or located on a trailer or other equipment towed by a vehicle or
30 bicycle; signs of a portable or mobile nature attached after-market, including signs
31 mounted on top of or on the rear of a vehicle, and signs attached to or located on a
32 trailer or other equipment towed by a vehicle. A mobile sign shall not be construed
33 to include any sign mounted on a vehicle or trailer by the original manufacturer.

34
35 *Monument sign.* A freestanding sign located at a commercial center that is
36 detached from a building and has a support structure that is a solid-appearing base
37 constructed of a permanent material, such as concrete block or brick.

38
39 *Nonconforming sign.* A sign existing at the effective date of the adoption of
40 this article, which could not be built under the terms of this article.

41
42 *Occupant (occupancy).* The use of a building or structure, or any portion
43 thereof for commercial transactions.

1 *Off-site/off-premises sign.* A sign advertising an establishment,
2 merchandise, service, or entertainment, which is not sold, produced, manufactured,
3 or furnished at the property on which the sign is located.
4

5 *Outline neon lighting.* An arrangement of electric discharge tubing to
6 outline or call attention to certain features such as the shape of a building or the
7 decoration of a window.
8

9 *Painted wall sign.* A sign painted on a wall or on any other surface or part
10 of a building or structure.
11

12 *Parapet.* A false front or wall extending above the roofline.
13

14 *Parcel.* A unit of land within legally established property lines.
15

16 *Permanent.* Designed, constructed, and intended for more than short-term
17 use.
18

19 *Pole sign.* A permanent freestanding sign mounted on a pole that is more
20 than three feet in height (prohibited).
21

22 *Portable sign.* Any sign which is manifestly designed to be transported by
23 trailer or on its own wheels, including signs with removable wheels and signs
24 painted on or affixed to a vehicle.
25

26 *Post and panel sign.* A sign made up of one or more panels mounted
27 between two posts.
28

29 *Projecting sign.* A sign attached to a building extending more than twenty-
30 four (24) inches beyond the building or wall face to which it is attached. Also
31 referred to as a vertical blade sign.
32

33 *Real estate sign.* Any sign installed by the owner or his agent on a temporary
34 basis, advertising the real property upon which the sign is located for rent or for
35 sale.
36

37 *Residential transitory sign.* A sign which may be displayed on residential
38 property for a period of time less than three (3) weeks and often shorter.
39 Residential transitory signs shall comply with all requirements applicable to
40 temporary signs, and if deemed a safety hazard may be removed without notice
41 by any public personnel.
42

43 *Right-of-way.* A strip of land, dedicated or deeded to the perpetual
44 use of the public occupied, or intended to be occupied, by a street, crosswalk,
45 railroad, canal, road, electric transmission line, oil or gas pipeline, water supply
46 main, sanitary sewer, storm drain, or for any other special use.

1 *Roofline.* A horizontal line intersecting the highest point or points of a roof.

2
3 *Roof sign.* A sign placed above the roofline of a building or on or against a
4 roof slope of less than forty-five (45) degrees.

5
6 *Sign.* Any writing, pictorial presentation, number, illustration, or
7 decoration, flag, banner or pennant, balloon, search light, or other device which is
8 used to announce, direct attention to, identify, advertise, or otherwise make
9 anything known. The term sign shall not be deemed to include the terms "building"
10 or "landscaping," or any architectural embellishment of a building not intended to
11 communicate information.

12
13 *Sign face.* The part of a sign that is or may be used for copy.

14
15 *Sign face area.* The area of any regular geometric shape, which contains the
16 entire surface area of a sign upon which copy may be placed.

17
18 *Sign structure.* Any construction used or designed to support a sign.

19
20 *Snipe sign.* A sign constructed of any material that is attached to a utility
21 pole, tree, fence, light post, stake, or similar object located or situated on public or
22 private property.

23
24 *Special event sign.* A temporary sign displayed in connection with the
25 opening of a business, a community event, and community program or festival.

26
27 *Street.* A public or private right-of-way for vehicular traffic, including, but
28 not limited to, highways, thoroughfares, lanes, roads, ways, and boulevards.

29
30 *Temporary sign.* A sign, which is intended to be displayed for a limited time
31 only, including real estate signs, construction signs, special events signs, and other
32 temporary signage as described herein.

33
34 *Traffic control device.* A sign, signal, marking, or other device used to
35 regulate, warn, or guide traffic, placed on, over, or adjacent to a street, highway,
36 private road open to public travel, pedestrian facility, or shared use path by
37 authority of a public agency or official having jurisdiction placed by a public body
38 or, in the case of a private road open to public transit, by authority of the private
39 owner or private official having jurisdiction.

40
41 *Traffic-control sign.* A sign constructed or approved by a government entity
42 used to direct and assist vehicle operators and pedestrians in the guidance and
43 navigational tasks required to traverse safely any facility open to public travel.

44
45 *Under canopy sign.* A building sign, which is mounted, attached, or
46 suspended perpendicular to the building beneath an awning, canopy, or marquee.

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

2
3 *Window sign.* Any sign, including logos, graphics, pictures, advertising,
4 and lettering (excluding the business address), which is within thirty-six (36) inches
5 of a building opening or a transparent or translucent covered opening (for example,
6 a window, door or arch), and which is facing such opening so that the message on
7 the sign is visible from outside the building. This includes business identification,
8 logos or symbols, and commercial messages on window treatments, solar screens,
9 and perforated vinyl or tint films.

10
11 *Wall sign.* See *building wall sign.*

12
13 **45-102. Prohibited signs.**

14
15 A. *Generally.* It shall be unlawful to install, place or keep any sign not
16 expressly authorized by, or exempted from, this article.

17
18 B. *Specifically.* The following signs are expressly prohibited:

- 19
20 1. Signs that are in violation of the Florida Building Code.
- 21
22 2. Any sign that constitutes a safety hazard.
- 23
24 3. Blank temporary signs.
- 25
26 4. Signs with visible moving, revolving, or rotating parts or visible
27 mechanical movement of any description or other apparent visible
28 movement achieved by electrical, electronic, or mechanical means.
- 29
30 5. Signs with the optical illusion of movement by means of a design
31 that presents a pattern capable of giving the illusion of motion or
32 changing of copy.
- 33
34 6 Signs with lights or illuminations that flash, move, rotate, scintillate,
35 blink, flicker, or vary in intensity or color.
- 36
37 7. Outline neon lighting used on commercially developed parcels for
38 commercial purposes.
- 39
40 8. Signs, commonly referred to as wind signs, consisting of one or
41 more banners, flags, pennants, ribbons, spinners, streamers, or
42 captive balloons, or other objects or materials fastened in such a
43 manner as to move upon being subjected to pressure by wind.
- 44
45 9. Signs that incorporate projected images, emit any sound that is
46 intended to attract attention, or involve the use of live animals.
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10. Signs that emit audible sound, odor, or visible matter such as smoke or steam.
11. Signs or sign structures that interfere in any way with free use of any fire escape, emergency exit, standpipe, or that obstruct any window to such an extent that light or ventilation is reduced to a point below that required by any provision of this code or other ordinance of the village.
12. Signs that resemble any official sign or marker erected by any governmental agency, or that by reason of position, shape, or color, would conflict with the proper functioning of any traffic sign or signal, or illumination that may be reasonably confused with or construed as, or conceal, a traffic-control device, or signs located within ten (10) feet of public right-of-way or one hundred (100) feet of traffic-control lights, that contain red or green lights that might be confused with traffic control lights.
13. Signs that obstruct the vision of pedestrians, cyclists, or motorists traveling on or entering public streets.
14. Signs that are of such intensity or brilliance as to cause glare or impair the vision of any motorist, cyclist, or pedestrian using or entering a public way, or that are a hazard or a nuisance to occupants of any property because of glare or other characteristics.
15. Signs that contain any lighting or control mechanism that causes interference with radio, television, or other communication signals.
16. Searchlights used to advertise or promote a business or to attract customers to a property.
17. Signs that are painted, pasted, or printed on any curbstone, flagstone, pavement, or any portion of any sidewalk or street, except house numbers and traffic control signs.
18. Signs placed upon benches, bus shelters, or waste receptacles, except as may be authorized by the village.
19. Signs erected on public property, other than signs erected by a public authority for public purposes.
20. Signs erected over or across any public street or right-of-way except as may otherwise be expressly authorized by this article, and except governmental signs erected by the village.
21. Signs displaying copy that is harmful to minors.

- 1 22. Portable signs.
- 2
- 3 23. Marquee signs.
- 4
- 5 24. Roof signs.
- 6
- 7 25. Painted signs or murals on walls or roofs of buildings.
- 8
- 9 26. Neon tube signs located inside or outside a building.
- 10
- 11 27. Off-site/off-premises signs.
- 12
- 13 28. Signs placed on boats or watercraft that are located on public or
- 14 private property other than the boat's or watercraft's name, the
- 15 manufacturer's name or required license numbers.
- 16
- 17 29. Time-temperature-date signs.
- 18
- 19 30. Snipe signs.
- 20
- 21 31. Signs attached to or displayed on vehicles, except as permitted by
- 22 sections 45-103.G. and 45-104.G. of this article.
- 23
- 24 32. Abandoned signs.
- 25
- 26 33. Inflatable signs and balloons, unless expressly authorized by a
- 27 special events permit issued by the village.
- 28
- 29 34. "A" frame/sandwich board signs.
- 30
- 31 35. Signs on fences.
- 32
- 33 36. Pole signs.
- 34
- 35 37. Changeable copy signs, except as permitted by section 45-112 of
- 36 this article.
- 37
- 38 38. Any other sign not specifically permitted by this article.
- 39

40 **Sec. 45-103. Exempt signs.**

41
42 The following signs are exempt from these sign regulations, and from the
43 requirement in this code that a permit be obtained for the erection of permanent
44 signs, provided they are not placed or constructed to create a hazard of any kind:

- 45
- 46 A. Signs located internally to a site that are not visible from any street or
- 47 adjoining property, including waterways.

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- B. Signs necessary to promote health, safety and welfare, and other regulatory, statutory, traffic control, or directional signs erected on public property with permission as appropriate from the State of Florida, the United States government, Palm Beach County, or the village.
- C. Legal notices and official instruments.
- D. Government identification signs.
- E. Memorial signs, names of buildings and dates of erection when cut into any masonry surface or when constructed of bronze or other incombustible materials and attached to the surface of a building.
- F. Signs incorporated into machinery or equipment by a manufacturer or distributor, which identify or advertise only the product or service dispensed by the machine or equipment, such as signs customarily affixed to newspaper racks, telephone booths, and gasoline pumps.
- G. Vehicle signs totaling ten (10) square feet or less per vehicle. For vehicle signs totaling in excess of ten (10) square feet per vehicle, see section 45-104.G of this article.
- H. Public warning signs to indicate the dangers of trespassing, swimming, animals, or similar hazards.
- I. Signs carried by a person.
- J. Religious displays.
- K. Sponsorship signs, i.e., signs supporting a non-profit or government organization (temporary sign), if approved through the special events or temporary use process.
- L. Parking space numbers and labels for reserved spaces, if approved as part of the site plan.
- M. Names and addresses on mailboxes.
- N. Decorative flags and bunting for a celebration, convention, or commemoration of significance to the entire community when authorized by the village manager for a period not to exceed thirty (30) days.
- O. Holiday lights and decorations erected during the appropriate holiday season in compliance with all building and electrical codes. Holiday lights and decorations may be erected no earlier than four (4) weeks prior to the

1 subject holiday, with the exception of the Christmas/Hanukkah holidays.
2 Christmas/Hanukkah lights and decorations may be erected no earlier than
3 October 15th. All holiday lights and decorations must be removed within
4 two (2) weeks following the holiday.
5

6 P. Merchandise displays behind storefront windows so long as no part of the
7 display moves or contains flashing lights.
8

9 **Sec. 45-104. Permanent Signs – Sign permit not required.**

10 A. *Flags.*

- 11
- 12
- 13 1. *Number.* Not more than three (3) flags or insignias of governmental,
14 religious, charitable, fraternal, or other organizations may be
15 permanently displayed on any one parcel of land.
16
- 17 2. *Size.* The maximum distance from top to bottom of any flag or flags
18 shall be thirty (30) percent of the total height of the flagpole, or in
19 the absence of a flagpole, thirty (30) percent of the distance from the
20 top of the flag or insignia to the ground. The maximum height of a
21 flagpole within the R-1 single-family dwelling district and the R-2
22 multiple-family dwelling district shall be twenty (20) feet. The
23 maximum height of a flagpole within the R-3 apartment dwelling
24 district and all non-residential zoning districts shall be thirty-five
25 (35) feet.
26

27 B. *Utility signs.* Public utility signs that identify the location of underground
28 utility lines and facilities, high voltage lines and facilities, and other utility
29 facilities and appurtenances are permitted so long as they do not exceed
30 three (3) feet in height, and so long as the sign face does not exceed one-
31 half (1/2) square foot.
32

33 C. *Removable signs.* A removable sign affixed by permanent brackets within
34 the sign face area of a ground sign indicating that units within the same
35 parcel are for sale or for lease and including a contact phone number. The
36 brackets and sign cannot cover any other portion of the sign copy, including
37 any lettering, logo, or address.
38

39 E. *Window signs.* The combined area of permanent and temporary signs on or
40 behind windows shall not exceed twenty (20) percent of the total window
41 area at the same floor level on the side of the building or unit, which the
42 signs are displayed.
43

44 F. *Street numbers.*
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1. *Generally.* Every building in the village shall have its street number so affixed to the building or the premises upon which the building is located that it is both visible and legible from the public street.
2. *Commercial buildings.* Every commercial building with a wall facing an alley shall have each individual tenancy street number affixed to the building above or next to the rear door serving each tenancy so that the number is both visible and legible from the alley. The street numbers shall be reflective.
3. *Height—Color.* All street numbers shall be a minimum of three (3) inches in height on residential buildings and a minimum of six (6) inches on commercial buildings. All street numbers shall be a sharply contrasting color with the building.
4. *Maintenance.* It shall be the duty of the owner of the building to maintain the numbers on the building in good condition.

G. *Vehicle signs.* It is the intent of these sign regulations that vehicle signs be permitted for the purpose of identifying and advertising the businesses and individuals who own and/or use the vehicles while actively engaged in providing commercial services. Vehicle signs are not to be used for the primary purpose of off-site advertising or to circumvent applicable sign allowance limitations for on-site signage.

1. Vehicle signs must be painted on or flush-mounted to the side or rear panel(s) of the vehicle, with the exception of taxicab roof signs.
2. Vehicle signs with a total sign area on any vehicle in excess of ten (10) square feet are subject to the following regulations when parked on the same commercial property as the business being advertised:
 - a. The vehicle may not remain parked for more than one hundred twenty (120) consecutive minutes within one hundred (100) feet of a public right-of-way, or, if the building stands less than one hundred (100) feet from a public right-of-way, the vehicle may not be parked less than two-thirds (2/3) of the distance from such right-of-way; and
 - b. When parked within one hundred (100) feet of a public right-of-way, the vehicle must not be visible from any principal street that the building faces. In the case of corner lots, the building may face two principal streets.
3. Vehicles displaying signage pursuant to this section may be parked on other commercial properties only while actively engaged in

1 conducting business on that property, subject to all other applicable
2 parking restrictions under this code.

- 3
4 4. When parked in residential zoning districts, vehicles displaying
5 signage pursuant to this section shall also comply with section 18-
6 34 of this code as well as all other applicable parking regulations.
7

8 **Sec. 45-105. Administration and Enforcement.**
9

10 A. These sign regulations are intended to complement the requirements of the
11 building codes adopted by the village. All signs are subject to permitting
12 requirements, district sign allowances, and other regulations under this
13 article, except to the extent expressly exempted herein. Wherever there is
14 inconsistency between these regulations and the building code, the more
15 stringent requirements shall apply.
16

17 B. A sign permit is required for all signs except signs that are exempt signs
18 pursuant to section 45-103, permanent signs for which no permit is required
19 pursuant to section 45-104, or temporary signs governed by section 45-114.
20

21 C. *Persons authorized to perform work.* The work necessary to construct,
22 install, place, illuminate, paint, or modify signage within the village shall
23 conform with the following:
24

- 25 1. The following work may be performed by a property owner or
26 lessee:
27

- 28 a. Painting the face of any freestanding or wall sign;
29
30 b. Installation or attachment of any individual letters, which
31 does not require electrical service or structural modification
32 of the surface or wall to which such letters are being
33 attached; or
34

- 35 2. The following work shall be performed by a sign contractor, general
36 contractor, or building contractor licensed with the village to
37 perform such work:
38

- 39 a. Construction, installation, or electrical connection of any
40 sign which is illuminated;
41
42 b. Construction, installation, or placement of any freestanding
43 sign requiring wind load calculations;
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- c. Construction, installation, or placement of any sign which is located above a pedestrian walkway or on the front fascia of a canopy over a pedestrian walkway;
- d. Construction, or installation of any projecting sign permitted by this article which shall be designed by a Florida registered architect or engineer.

D. *Unsafe signs.*

- 1. If the building official determines any sign or sign structure to be in an unsafe condition, he/she shall immediately notify the owner of such sign in writing, and the owner shall correct such condition within forty-eight (48) hours.
- 2. If the correction has not been made within forty-eight (48) hours, the building official may have the sign removed if it creates a danger to the public safety or have any necessary repairs or maintenance performed at the expense of the sign owner or owner or lessee of the property upon which the sign is located.

E. *Variances.* Any increase or decrease in the dimensional restrictions (size, height, setbacks, sign copy area, type face, and other measurable standards) or other deviation from the requirements set forth in this article shall require a variance approved by the Planning, Zoning and Adjustment Board. Any increase in the height or size of a sign or the required setback shall not exceed thirty percent (30%) of the requirements of this code.

- 1. The Planning, Zoning and Adjustment Board shall hear and rule on all applications for variances to this article. All the provisions of article VI, chapter 45 of this code, shall apply to applications for variance to this code.
- 2. All applications for variances to dimensional regulations established by this article shall be filed with the community development department upon a form supplied by the village. The application shall be accompanied by the filing fee established in the master fee schedule.
- 3. Public notice of all hearings conducted in accordance with this section shall be provided as required by section 21-3 of this code.

F. *Maintenance; Removal.*

- 1. All signs, including their supports, braces, guys and anchors, electrical parts, and lighting fixtures, and all painted and display

1 areas, shall be maintained in accordance with the requirements of
2 the building code and shall present a neat and clean appearance. The
3 vegetation around the base of ground signs shall be neatly trimmed
4 and free of unsightly weeds, and no rubbish or debris that would
5 constitute a fire or health hazard shall be permitted under or near the
6 sign. Examples of unacceptable maintenance and repair include the
7 following:
8

- 9 a. Cracked, ripped, or peeling paint present on more than ten
10 percent (10%) of the surface area of a sign;
- 11
- 12 b. Bent, broken, loose, or otherwise insufficiently attached
13 supports, struts, or other appendages;
- 14
- 15 c. Partial illumination for more than fourteen (14) calendar
16 days;
- 17
- 18 d. Obstruction of sign face by weeds, vines, or other
19 vegetative matter; and
- 20
- 21 e. Maintaining a position that is more than fifteen (15)
22 degrees from vertical for more than ten (10) successive
23 calendar days.

24

25 2. In all cases, the sign's aesthetic appearance shall be maintained in its
26 originally approved condition, subject to the regulations of this
27 article governing nonconforming signs, as applicable.
28

29 3. *Discontinuance of Occupancy.*
30

- 31 a. Evidence of discontinuance of occupancy shall include
32 failure to: maintain a valid certificate of use or business tax
33 receipt; occupy the location indicated by the sign for thirty
34 (30) days; maintain the listed phone number in service;
35 answer the listed phone number; or, in combination with any
36 of the preceding, pay a utility bill.
37
- 38 b. It shall not be a "discontinuance of occupancy" where an
39 occupant first provides the village manager with written
40 notification that the use will be closed for renovation,
41 summer season, or some other defined period after which the
42 occupant will resume activity, provided that the occupant
43 does resume the activity on the specified date, as may be
44 extended by the village manager upon request by the
45 occupant.
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c. Prior to a discontinuance of occupancy, all signs relating to the occupant shall be removed as provided in this section. Failure to comply with this section shall subject the sign to removal and disposition pursuant to the provisions of this article.

(1) All signs attached to a building shall be removed, including window signs and awning signs. Upon removal of a sign from a surface, the surface shall be restored to its original condition, including the filling and repainting of anchor holes to match the surrounding surface. An awning shall be refinished as necessary to eliminate any evidence of the removed sign, including faded color on the valance outlining the former copy.

(2) The face of a ground sign cabinet shall be removed and replaced with a new sign face having an opaque background of a neutral color, and constructed of a material that complements the sign structure and building. Any channel letters shall be removed and the background surface restored pursuant to subsection (1). Single-occupant identity signs shall not be illuminated during any period that occupancy has been discontinued. In the case of a multiple-occupant sign, the panel of an occupancy that has been discontinued shall be replaced with a new panel (either a blank panel, or a panel of an occupancy that is active) of a material and color that matches the other panels.

G. *Enforcement.* The community development director or the building official, or their respective designee(s), may initiate code enforcement actions under chapter 2, article VI to obtain compliance with this code.

H. *Review of administrative decisions.* Any final decision of an administrative official under this article may be appealed to the Planning, Zoning and Adjustment board as provided in section 45-52, except for code enforcement actions which are governed by Article VI of the village code.

Section 45-106. Nonconforming signs; amortization; abandoned signs.

A. *Intent.* All signs lawfully in existence as of the date of adoption of this article, which do not conform to the provisions of this article, are declared nonconforming signs. It is the intent of this article to recognize that the eventual elimination of nonconforming signs as expeditiously and fairly as

1 possible is as much a subject of health, safety, and welfare as is the
2 prohibition of new signs that would violate the provisions of this article.

3
4 B. *Legal nonconforming signs.* Signs that become nonconforming upon
5 adoption of this article may be maintained as legal nonconforming signs
6 subject to the following requirements:

7
8 1. A legal nonconforming sign may continue to be utilized only in the
9 manner and to the extent that it existed at the time of the adoption
10 of this article or any amendment thereof.

11
12 2. A legal nonconforming sign may not be altered in any manner not
13 in conformance with this article. This prohibition does not apply to
14 reasonable repair and maintenance of the sign or to a face change
15 provided that no structural alterations are required to change the
16 sign copy area.

17
18 3. Legal nonconforming signs that are located on a parcel of property
19 that is severed from a larger parcel of property and acquired by a
20 public entity for public use by condemnation, purchase, or
21 dedication may be relocated on the remaining parcel without
22 extinguishing the legal nonconforming status of that sign provided
23 that the nonconforming sign:

24
25 a. Is not increased in area or height to exceed the limits of the
26 zoning district in which it is located;

27
28 b. Remains structurally unchanged except for reasonable
29 repairs or alterations;

30
31 c. Is placed in the most similar position on the remaining
32 property that it occupied prior to the relocation; and

33
34 d. Is relocated in a manner to comply with all applicable
35 safety requirements.

36
37 After relocation pursuant to this subsection, the legal
38 nonconforming sign shall be subject to all provisions of this section
39 in its new location.

40 4. Any nonconforming sign shall be removed or rebuilt in full
41 conformity to the terms of this article if it is damaged or allowed
42 to deteriorate to such an extent that the cost of repair or restoration
43 is fifty percent (50%) or more of the cost of replacement of such
44 sign.

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46 B. *Signs for a legal nonconforming use.*

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1. New or additional signs for a nonconforming use shall not be permitted. A change in ownership shall require a nonconforming sign to be removed or brought into conformity.
 2. A nonconforming sign for a nonconforming use that ceases to be used for a period of thirty (30) consecutive days or is replaced by a conforming use shall be considered a prohibited sign and shall be removed or brought into conformance upon establishment of a conforming use.

12 C. *Abandoned signs.*

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1. Sign structures that remain vacant, unoccupied, or devoid of any message, or display a message pertaining to a time, event, or purpose that no longer applies, shall be deemed to be abandoned.
 2. A nonconforming sign deemed abandoned shall immediately terminate the right to maintain such sign.
 3. Within thirty (30) days after a sign structure has been deemed abandoned, it shall be the responsibility of the property owner or the property owner's authorized agent to remove the abandoned sign and to patch and conceal all damage to any other structure resulting from the removal of the sign.
 4. Any abandoned sign shall be taken down and removed by the owner, agent, or person having the beneficial use of the building or structure upon which sign may be found within ten (10) days after written notification from the community development department. Upon failure to comply with such notice within the specified time in such order, the community development department is hereby authorized to cause removal of such sign, and any expenses incident thereto shall be paid by the owner of the building or structure to which said sign is attached.
 5. Removal of an abandoned nonconforming sign shall include all sign support components, angle irons, poles, and other remnants of the discontinued sign that are not currently in use, or proposed for immediate reuse as evidenced by a sign permit application for a permitted sign.

43 **Section 45-107. Reserved.**

44 **Section 45-108. Master Sign Plan Process.**

1 A. *Master sign plan.* A master sign plan shall serve as the controlling
2 document for review of all applications for sign approval within a
3 designated development including shopping centers or multi-use buildings
4 or where multiple signs are proposed for a single site or project to ensure
5 the compatibility of sign types, locations, sizes, colors and lettering styles,
6 as well as compatibility and cohesiveness. Renovations and redevelopment
7 of existing commercial buildings and projects for shopping centers, multi-
8 use buildings or where multiple signs are proposed on a single site shall also
9 require submittal of a master sign plan. Applications for site development
10 or site improvement plan approval shall be accompanied by a graphic and
11 narrative representation of the master signage plan to be utilized on the site.
12 Existing commercial buildings and projects shall submit a master sign plan
13 to the village within five years of the effective date of this article, unless
14 there is already an existing master sign plan approved by the village, which
15 covers all aspects of a master sign plan. Building permits for new signs shall
16 not be issued for commercial buildings which have not submitted a master
17 sign plan. The master sign plan may be amended and resubmitted for
18 approval to reflect style changes or changing tenant needs.

19
20 The purpose and intent of a master sign plan is to provide a master record
21 of signs on a parcel, ensure compatible signage, and to create unification of
22 signage within parcels, excluding planned development out-parcels, which
23 may be treated separately. All master sign plans shall be approved by the
24 Planning, Zoning and Adjustment Board and shall comply with the
25 following:

- 26
27 1. The master sign plan shall be approved prior to the issuance of a
28 sign permit.
- 29
30 2. The master sign plan shall indicate the type, location, size,
31 dimensions, illumination, color, materials, and architectural style,
32 including the address requirements of the building code and this
33 article. The locations shall be illustrated on elevations and on a site
34 development plan.
- 35
36 3. When applicable, landscape plans and details shall be part of the
37 plan and shall comply with the landscape standards of this code.
- 38
39 4. If a technical deviation is required, the request can be made part of
40 the application for a master sign plan.

41
42 B. *Master Sign plan criteria.* In reviewing the master sign plan, the Planning,
43 Zoning and Adjustment Board shall determine if the following criteria have
44 been met:
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1. The signage for the project is in keeping with the overall architecture and character of the building development.
2. The signage for the project is designed to meet the directional needs of the project for communication, identification, way finding, and ensure that regulatory and informational messages are in keeping with the overall architectural theme of the development or project;
3. The signage proposed is legible, conspicuous, and easily readable;
4. The visibility and impact of the type of sign, number of signs, design, size, method of, construction, illumination and location of the proposed signs comply with the minimum standards of this section, and do not adversely impact adjoining properties or create a hazard of health risk; and
5. The proposed signage is consistent and not in conflict with the intent and interests of the village.

C. *Submittal.* A master sign plan or request for a technical deviation shall be reviewed and approved by the Planning, Zoning and Adjustment Board. All applications and supporting documentation as listed on the community development department application shall be submitted to the department in a format determined by the village. The community development department shall review the application and create a staff report or memo, which shall include a recommendation. The staff report shall be provided to the applicant prior to the meeting. An authorized representative of the applicant must attend the Planning, Zoning and Adjustment board meeting. If a representative is not present, then the board has the right to postpone the agenda item to a future meeting date.

D. *Fees.* Master sign plan requests shall be charged in accordance with the development application fee schedule and paid to village at the time of submittal.

E. *Effect of master sign plan approval.*

1. After approval of a master sign plan or amendment, all new signs and alterations to signs shall comply with the master sign plan, and any violation of such approved plan shall be a violation of this chapter. In case of any conflict between a provision of a master sign plan and one or more provisions of this article, the stricter of the two shall apply.
2. The village shall not consider a request to deviate from an approved master sign plan. However, a master sign plan may be amended or

1 replaced by a new master sign plan. Amendments that are specific
2 to a single occupancy shall not be approved unless the proposed
3 amendment responds to the unique location or architecture of the
4 occupancy that is not generally applicable elsewhere in the property
5 subject to the master sign plan. The Planning, Zoning and
6 Adjustment Board shall evaluate any proposed amendment within
7 the context of the entire approved master sign plan.
8

- 9 F. *Multi-tenant signs.* For commercial projects occupied by multiple retail or
10 service establishments where the total area of the project, including
11 outparcels, exceeds five (5) acres, a ground sign may, subject to Planning,
12 Zoning and Adjustment Board review and approval of the sign design in
13 accordance with the criteria set forth in this article, depict the name of the
14 project and the names of up to five (5) tenants or occupants of the project.
15 A "for sale" or "for lease" sign may be substituted for one (1) of the tenant
16 or occupant signs if the space within the project is being actively marketed
17 for sale or lease.
18

19 **Section 45-109. Sign permit process.**
20

- 21 A. *Permits required:* Except as otherwise provided in this article, it shall be
22 unlawful for any person to erect, construct, enlarge, post, alter, maintain,
23 move, or convert any sign in the village, or cause the same to be done,
24 without first obtaining a sign permit for each such sign as required by this
25 article. These requirements shall not be construed to require any permit for
26 the repainting, cleaning, and other normal maintenance or repair of a sign
27 or sign structure for which a sign permit has previously been issued, so long
28 as the sign or sign structure is not modified in any way. All signs shall be
29 constructed in accordance with the building code, including obtaining all
30 required building permits. No sign shall be approved for use unless it has
31 been inspected and found to comply with all the requirements of this section
32 and applicable codes.
33
- 34 B. *Approval.* After submittal of a complete application and the requisite
35 application fee(s), the following signs, when determined by the building
36 official to be consistent with and in compliance with the criteria set forth
37 herein, shall receive a sign permit without review by the Planning, Zoning
38 and Adjustment Board:
39
- 40 1. Model sales office signs and model name signs;
 - 41
 - 42 2. Signs in a shopping center, planned commercial development,
43 planned industrial development, or planned office park, which are
44 consistent with a previously approved master sign plan for the
45 development;
46

1 3. Temporary signs not exempted from permitting by section 45-
2 114(B).
3

4 All other signs shall require permits approved by the Planning, Zoning and
5 Adjustment Board.
6

7 C. *Sign permit application:* Applications for a sign permit shall be made in a
8 format and upon forms provided by the village and shall provide the
9 following information:
10

11 1. Name, address, and telephone number of the property owner. No
12 person shall erect, construct, or maintain any sign upon any property
13 or building without the consent of the owner or person entitled to
14 possession of the property or building if any, or their authorized
15 representatives.
16

17 2. Name, address, and telephone number of the contractor.
18

19 3. Property address, property control number (PCN), and legal
20 description of the building, structure, or lot to which or upon which
21 the sign is to be installed or affixed.
22

23 4. A drawing to scale showing the design, colors, and materials of the
24 sign, including dimensions, sign size, sign copy/area, method of
25 attachment, source of illumination, and showing the relationship to
26 any building or structure to which it is, or is proposed to be, installed
27 or affixed, (elevation) or to which it relates, signed and sealed by a
28 professional architect or engineer registered in the State of Florida.
29

30 5. A fully dimensioned survey or site plan, to scale, indicating the
31 location of the sign relative to property lines, rights-of-way, streets,
32 easements, sidewalks, and other buildings or structures, including
33 any ground mounted signs, on the premises.
34

35 6. If a monument sign, landscape plan showing the screening of the
36 base or foundation of the sign.
37

38 7. Cost estimate.
39

40 D. *Application procedure and review (original submittal):* A sign permit
41 application on a form provided by village shall be electronically filed
42 together with all documentation as provided for in this section. Upon the
43 electronic submission of a complete sign permit application and all required
44 documentation, the village shall review the application based on whether it
45 complies with this article and all other code requirements, or an approved

1 master sign plan, if applicable, and provide comments to the applicant
2 through the electronic review portal.

3
4 E. *Application procedure and review (resubmittals):* Upon resubmission of
5 the sign permit application through the electronic review portal, the village
6 shall determine whether the applicant's revisions comply with this article
7 and all other code requirements. If the revisions do not comply with this
8 article, the village will again provide the applicant comments through the
9 electronic review portal. This process shall continue until the applicant has
10 submitted an application that meets all applicable requirements. If the
11 application meets all requirements of this article and other code
12 requirements or an approved master sign plan, if applicable, the sign permit
13 shall be approved. If the application fails to meet the requirements of the
14 code, the application shall be denied.

15
16 F. *Application fees:* Sign permit application fees for signs shall be charged in
17 accordance with the building division fee schedule and paid to the village
18 for each sign for which a permit is required by this article. Application fees
19 shall be paid at time of application and any such sign permit fees are
20 required to be paid prior to a permit being issued.

21
22 **Sec. 45-110. Sign regulations – In general.**

23
24 A. *Physical sign types allowed.* Except as may be otherwise provided in this
25 section, a permanent sign may be a permanent ground (freestanding) sign, ,
26 a permanent building wall sign, or a window sign .

27
28 B. *Measurement and Dimensions.*

29
30 1. *Computation of sign area and number.* The area of each face of a
31 sign shall be the area of the smallest circle, triangle, or
32 parallelogram, which contains all content, background, and
33 structural elements of the sign. Sign area shall not include structural
34 elements, which function solely as support for the sign or cover of
35 structural elements.

36
37 2. *Certain support structures exempted from computation of area*
38 *of freestanding signs.* Support structures which are part of a
39 decorative landscape wall or screen wall shall not be considered part
40 of a freestanding sign.

41
42 3. *Determination of the number of signs.* Any collection of sign
43 content, sign background, and sign structure may be considered to
44 be one sign face if the area of such sign face is measured as only one
45 circle or only one triangle or only one parallelogram, provided that
46 the area so measured conforms to the maximum sign area
47 requirements of this article.

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2. *Placement of signs attached to building walls in relation to building lines.* Signs shall be placed on a building so as not to break important horizontal or vertical building lines. This requirement will be considered met if none of the following types of lines are broken:

- a. Cornice line;
- b. Lintel lines, actual and extended;
- c. Sill lines, actual and extended;
- d. Belt course lines;
- e. Column and pilaster lines including but not limited to building recesses.

This requirement may be considered met even if one or more of the types of lines in subsection (2) above are broken, if the building is designed so that a permitted sign cannot be located without breaking one or more of the above lines and the sign or signs are placed to minimize the breaking of important building lines.

3. *Coordination of construction type of wall-mounted signs.* Whenever more than one (1) wall-mounted sign is permitted on any one building, and all must be of the same construction type (cabinet, individual pan-channel letters, individual reverse pan-channel letters, or other). In addition, all must have the same base line if they are individual letters mounted on the building facade, and must have the same base and top line if they are of any other construction type.

4. *Finish of sign background and sign structure.* Low freestanding signs shall have a background and structure, which are of materials, colors, and finishes that are used extensively for the building to which the sign is accessory. Materials, colors, and finishes will be considered to be used extensively if they cover more of the non-glass portions of the highly visible surfaces of the building than does any other material, or if they cover at least thirty percent (30%) of the non-glass portions of the highly visible surfaces of the building.

5. *Placement standards.*

- a. *In right-of-way.* Supports for signs or sign structures shall not be placed in or upon a public right-of-way or public easement

- b. *Over right-of-way.* No ground sign shall project over a public right-of-way.
- c. *Blocking exits, fire escapes, etc.* No sign or sign structure shall be erected that impedes the use of any fire escape, emergency exit, or standpipe.
- d. All ground sign shall be erected within landscaped areas. Minimum distance from the edge of the landscaped area to the sign base shall be three (3) feet. The landscaping shall consist of shrubbery a minimum of thirty (30) inches high creating a hedge or individual shrubs of the same or varying species thirty (30) inches high spaced not more than eighteen (18) inches apart at their base.

6. *Appearance Plan.* Per the village’s appearance plan:

- a. All signs shall be part of the architectural concept. Size, color, lettering, location, and arrangement shall be harmonious with the building design and shall be compatible with signs on adjoining buildings. Signs shall have good proportions.
- b. Ground signs shall be designed to be compatible with the architecture of the building. The same criteria applicable to wall signs shall apply to ground signs.
- c. Identification signs of a prototype design shall conform to the criteria for building and ground signs.
- d. Materials used in signs shall have good architectural character and be harmonious with building design and surrounding landscape.
- e. Every sign shall have good scale in its design and in its visual relationship to buildings and surroundings.
- f. Colors shall be used harmoniously and with restraint. Excessive brightness and brilliant colors shall be avoided. Lighting shall be harmonious with the design. If external spot or floor lighting is used, it shall be arranged so that the light source is shielded from view.

E. *Structural Requirements.*

- 1. All structural, electrical, and mechanical components utilized in the construction, installation or placement, and operation of signs shall

1 be concealed except for vertical supports of other supporting
2 components which are designed and arranged to be an integral part
3 of the aesthetic composition of a sign. Raceway/wireway mounting
4 of letters and J-boxes are prohibited unless existing structural
5 building conditions, such as certain glass structures, warrant this
6 type of mounting.

7
8 2. Clearance standards

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10 a. Canopy signs hung from a canopy, bracket arm or covered
11 structure shall have a minimum vertical clearance of nine (9)
12 feet above grade to the bottom of the sign.

13
14 b. All signs over vehicular ways shall provide a minimum of
15 thirteen (13) feet, six (6) inches of clearance.

16
17 3. A building wall sign shall not project more than four (4) feet
18 perpendicularly from the surface to which it is attached nor shall it
19 extend beyond any edge of the surface to which it is attached or
20 disrupt a major architectural feature of the building.

21
22 4. All wood permitted to be used, whether for new permanent signs,
23 for replacement of existing permanent signs, or for any part thereof,
24 shall be rot and termite resistant.

25
26 5. Wires visibly connected to individual letters shall be permitted.

27
28 6. Every sign and all components of such sign shall be kept in good
29 structural condition and be in conformance with the applicable
30 building code at the time of permitting.

31
32 7. Every sign shall be constructed in a manner as to comply with the
33 wind load requirements of the Florida Building Code. . All sign
34 contractors shall sign a certificate stating wind loading will meet
35 requirements of this chapter where signs under thirty-two (32)
36 square feet are submitted. For signs thirty-two (32) square feet or
37 over, the applicant shall provide a certification sealed by a state
38 registered engineer or architect stating that the design will meet the
39 requirements of this code as submitted.

40
41 F. *Dimensional and distance requirements.*

42
43 1. The height of a permanent sign shall not extend beyond the
44 building height including parapets.

- 1 2. Signs shall not obstruct sight distance triangles mandated by this
2 code or as determined by the Florida Department of Transportation
3 roadway design criteria, as may be amended from time to time.
4
- 5 3. Once a sign is erected, no additional signs may be attached to or
6 displayed on any sign on a temporary or permanent basis.
7
- 8 4. No sign shall create a traffic or fire hazard, be dangerous to the
9 general welfare, or interfere with the free use of public rights-of-
10 way.
11
- 12 5. Sign locations shall not interfere with public alarms, signals, or
13 signals. No sign or support shall be placed in such position or manner
14 as to obstruct or interfere, either physically or visually, with any
15 fire alarm, police alarm, traffic signal or sign, or any devices
16 maintained by or under public authority.
17

18 **Sec. 45-111. Sign Illumination.**

- 19
- 20 A. All permanent signs, other than window signs, may be internally
21 illuminated, backlit, or externally illuminated unless otherwise provided in
22 this article.
23
- 24 B. Temporary signs shall not be illuminated unless otherwise provided in this
25 article.
26
- 27 C. Lighted signs shall be automatically controlled to be disconnected daily at
28 midnight or at the close of business if the advertised closing time is later
29 than midnight.
30
- 31 D. *Intensity.*
32
- 33 1. The intensity of sign illumination (brightness of a sign) shall not
34 exceed 700 candelas per square meter (cd/m^2) for any sign.
35
- 36 2. Intensity shall be measured from the period beginning one-half hour
37 after apparent sunset and ending one-half hour before apparent
38 sunrise, both as determined by the National Oceanic and
39 Atmospheric Administration (NOAA), United State Department of
40 Commerce for Miami, Florida for the specific date of measurement.
41
- 42 3. Intensity shall be measured by a foot-candle meter held at a pre-set
43 distance from the sign determined as follows: the square root of the
44 product of the sign area (in square feet) and 100 ($\sqrt{A * 100} = D$,
45 where A = sign area and D = distance in feet).
46

- 1 E. *Design.* Illumination of a sign using an exposed, unshielded light source is
2 not permitted. All lighting for signs shall be designed to prevent light
3 spillage outside the boundaries of the sign face, and shall not be of such
4 intensity or brilliance as to cause glare or visual distraction.
5
- 6 F. *Uniformity.*
7
- 8 1. Lighting on all permanent signs throughout a single development or
9 project shall be consistent in terms of color or intensity, unless
10 differentiation is specifically provided for pursuant to an
11 approved master sign plan in which there is variety in facade design
12 or building type.
13
 - 14 2. Lighting shall be evenly diffused throughout a sign so as not to
15 produce areas with blotchy or differential illumination (i.e.,
16 "hotspots" or "cold spots").
17
- 18 G. *External illumination.*
19
- 20 1. External illumination shall be permitted only for address signs,
21 ground identity signs, ingress/egress signs, wayfinding signs, and
22 limited instances where such lighting is specifically authorized
23 pursuant to a master sign plan or sign permit, which shall only be
24 granted for signs mounted on buildings through use of architectural,
25 overhead, full-cutoff lighting fixtures integrated into the design of
26 the sign or facade.
27
 - 28 2. External illumination shall be stationary and directed only upon
29 the sign face and architectural elements of the sign structure.
30
 - 31 3. The source of the light used in external illumination shall be
32 screened from view of public streets and residential uses, including
33 upper story residential uses. The light intensity shall not cause glare
34 or light spillover onto other property or a public street.
35
 - 36 4. No illuminated signs shall face a residential use in such a way as
37 to be a distraction at night to the persons living in the residential
38 structure.
39
 - 40 5. Only white light shall be used to illuminate signs.
41
- 42 H. *Internally illuminated ground sign cabinets.* Internally illuminated cabinets
43 may be incorporated into permanent ground signs provided that only
44 the sign copy is illuminated and the background material is opaque.
45 Changeable copy signs, where permitted, are not subject to the restrictions
46 of this subsection.

- 1
2 I. *Internally illuminated wall cabinet signs.* Internally illuminated wall
3 cabinet signs, where authorized pursuant, shall be constructed with an
4 opaque background so that only the copy is illuminated
5

6 **Sec. 45-112. Changeable Copy Signs.**
7

8 Changeable copy signs shall be regulated under the following guidelines. This
9 section shall not include electronic message boards and the like, which are
10 prohibited under this chapter or deemed exempted from these regulations. Such
11 signs shall be permitted in the following manner:
12

- 13 A. Motor vehicle service stations and convenience stores with gasoline pumps
14 may utilize up to twenty percent (20%) of permitted sign area for
15 changeable prices of gasoline and the words “cash” and “credit” only.
16
17 B. Movie theaters and other performance or entertainment facilities may utilize
18 up to eighty percent (80%) of permitted sign area for display of names of
19 films, plays, or other performances currently showing. Such changeable
20 copy areas shall be included as part of the permitted sign area.
21
22 C. Changeable copy signs shall be prohibited for office, industrial, and
23 residential uses but allowed for public, charitable and religious institutions
24 and signs in the Public zoning district.
25
26 D. Use of changeable copy signs as part of permitted wall sign area is
27 prohibited
28
29 E. *Dwell time.* The changeable copy may change no more than once every ten
30 (10) seconds.
31
32 F. Electronic number changeable copy signage.
33
34 1. Freestanding monument signs are permitted electronic number
35 changeable copy for a price section only. Such electronic copy area
36 shall be for static display only. Flashing, animated, coursing and the
37 appearance of any movement other than an instantaneous change
38 from one price to another are explicitly prohibited.
39
40 2. Electronic number changeable copy (LED or similar) signage
41 displays shall not have the capability to have dynamic displays even
42 if not used. Only one (1) continuous LED (or similar) display area
43 for numbers only is allowed on a sign face and may include the time
44 or temperature. Multiple-copy signs adjacent to each other are
45 permissible in a sign face.
46

- 1 3. Only the numbers themselves may be lit with the remaining
2 background non-lit or black. No neon or similar lighting shall be
3 permitted in conjunction with a sign using electronic number
4 changeable copy signage.
- 5
- 6 4. Brightness or glare shall be controlled to avoid distractions to
7 vehicular traffic, pedestrians, and adjoining properties. Adjustments
8 shall be made upon written request from the village.
- 9
- 10 5. All electronic copy number signs shall be installed with an ambient
11 light monitor.
- 12
- 13 6. Dimmer control electronic number changeable copy signs must have
14 an automatic dimmer control that automatically adjusts the sign's
15 brightness in direct correlation with ambient light conditions.
- 16
- 17 7. *Brightness.* No electronic number changeable copy sign shall
18 exceed a brightness level of 0.3 foot-candles above ambient light
19 conditions, as measured using a foot-candle (Lux) meter at a preset
20 distance depending on sign area. The measurement distance shall be
21 calculated with the following formula: The square root of the
22 product of the sign area times 100. Example: $\sqrt{(30 \text{ square feet} \times$
23 100) 54 feet.
- 24
- 25 8. The maximum height of changeable numbers shall be twelve (12)
26 inches.

27

28 H. *Photometric plan.* Each application for a digital sign shall be accompanied
29 by a photometric plan. The photometric plan shall demonstrate the digital
30 sign's maximum light intensity, in foot-candles above ambient light, at
31 locations identified by the applicant or village staff that may be impacted
32 within three hundred (300) feet of the proposed digital sign location. This
33 plan may be reviewed by a third-party lighting specialist selected by the
34 village, and all costs associated with third party review shall be paid by the
35 applicant to the village.

36

37 **Sec. 45-113. Sign Allowances By Zoning District.**

38

39 A. *Sign allowances (number, area, height, and setbacks).* Permitted signs shall
40 be subject to limitations as to total number of signs and maximum
41 dimensions based upon the zoning district where the sign will be located.
42 Measurement determinations shall be made as provided in section 45-
43 110(B) of this article.

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B. The following chart sets out sign allowances for all zoning districts except the Commercial Northlake (C-NB) zoning district:

**Table 45-1
Permitted Signs by District Zoning¹**

Zoning Districts	Residential Single Family R-1, R-2	Residential Multi-Family R-3	Commercial C-T, C-S, C-G and PUD	Regional Commercial C-3	Industrial I-1
Permanent Ground Sign					
Number	None	One (1) with more than 4 dwelling units	One (1) per parcel right of way frontage	One (1)	One (1) per parcel right of way frontage
Sign area	None	Maximum 32 square feet	5' setback – 30 sq. feet 10' setback – 36 sq. ft. 20' setback – 40 sq. feet 30' setback – 45 sq. feet	Maximum Hundred (100) square feet	5' setback – 30 sq. feet 10' setback – 36 sq. ft. 20' setback – 40 sq. feet 30' setback – 45 sq. feet
Sign Height	None	Maximum Eight (8) feet	10' or less setback – 8' 20' or greater setback – 10'	Three (3) feet for base and 13' total including base	10' or less setback – 8' 20' or greater setback – 10'
Permanent Building Sign					
Number	None	One – ground floor access		One (1) per tenant with ground floor access and one (1) identifying building	
Sign area	None	Maximum 25' setback – 5% of façade area 70' setback – 7% of façade area 100' setback – 10% of façade area	Maximum 25' setback – 5% of façade area 70' setback – 7% of façade area 100' setback – 10% of façade area	Maximum 25' setback – 5% of façade area 70' setback – 7% of façade area 100' setback – 10% of façade area	Maximum 25' setback – 5% of façade area 70' setback – 7% of façade area 100' setback – 10% of façade area

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1 **Notes:**

2 ¹Additional signs. The following additional signs are permitted: Locational and
3 directional signs at outdoor public recreation park and sporting events which may
4 include the advertising logo of the entity sponsoring the activity or event being held
5 on publicly owned property, including, but not limited to youth athletic
6 associations, organized team competitions, swimming meets, tennis tournaments,
7 and golf course benches with direction and ball washing facilities at each tee.
8

9 C. *Other signs (all zoning districts except C-NB).*

10
11 1. *Directional or wayfinding signs.* One (1) parking area directional
12 sign may be erected at each point of ingress and egress to a parking
13 lot or parking area. Such signs shall not exceed two (2) square feet
14 in background area nor exceed three (3) feet in height. Such signs
15 shall not create a traffic or pedestrian hazard.
16

17 2. *Signs at entrances to residential developments.*

18
19 a. The placement of such entry signs shall consider the location
20 of public utilities, sidewalks, and future street widening.
21

22 b. The developer shall ensure that such signs shall be
23 maintained perpetually by the developer, the owner of the
24 sign, a community association, or some other person or
25 entity legally accountable under a maintenance arrangement
26 approved by the village council. If no accountable person
27 accepts legal responsibility to maintain the signs and no
28 other provision has been made for their maintenance, the
29 developer or owner shall remove the signs.
30

31 c. The sign shall only include the name of the development.
32

33 3. *Automated Teller Machine (ATM) machine signage.*

34
35 a. ATMs are permitted one (1) sign per machine not to exceed
36 eight (8) square feet in sign area.
37

38 b. The ATM sign shall be located adjacent to the machine and
39 shall not exceed nine (9) feet in height.
40

41 c. ATM signs shall display only the business name and/or
42 business logo offering or maintaining the ATM.
43

44 **Sec. 45-114. Temporary signs.**

45 A. *General standards:*
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1. There are generally four (4) types of temporary signs that the village will permit on private property on a temporary basis. The first type of temporary sign is erected prior to the time a permanent sign can be erected and may be generally displayed prior to the time a permanent sign may be placed. These signs typically relate to the development or sale of vacant or improving property. The second type of temporary sign is one which may be placed after permanent signs are placed. Typically, these signs relate to promotions of the property such as the sale or lease of property. The third type of temporary sign that may be placed on property is a temporary, non-commercial sign. The fourth kind of temporary sign is a transitory sign.
2. Temporary signs shall be constructed of durable, weatherproof material.
3. A temporary sign shall not directly or indirectly create a traffic or fire hazard, interfere with the free and unobstructed use of streets, sidewalks, or building entrances, or obstruct clear vision at the intersection of any streets, drives, or public or private vehicular access ways or so that it may be confused with authorized traffic signs or devices.
4. All signs shall be setback a minimum of five (5) feet from the property line, unless otherwise specified in this section, and shall provide a minimum eighteen (18) inch clearance from rights-of-way, curbs, sidewalks, and landscaping materials. The village may require a larger clearance if deemed necessary by the village engineer.
5. All signs shall be freestanding signs unless other sign types are expressly authorized in other sections of this chapter. Temporary building signs are prohibited unless authorized under a Special Events Permit.
6. Temporary signs shall be removed within twenty-four (24) hours of the issuance of a hurricane warning for any portion of the village by the National Hurricane Center of the National Oceanic and Atmospheric Association (NOAA).

B. *Temporary commercial and non-commercial signs – no permit required.*

1. A property owner may place a sign or signs totaling no more than four (4) square feet on the property, compliant with the minimum setbacks, at any time.

1 2. *Additional temporary non-commercial signs before an election:*

2
3 a. One temporary noncommercial sign per election or issue of
4 no more than four (4) square feet per one quarter (0.25) acre
5 of land may be located on the owner's property for a period
6 of thirty (30) days prior to an election taking place in the
7 jurisdiction where the property on which the sign(s) is(are)
8 placed is located.

9
10 b. Where the size of the property is smaller than 0.25 acres and
11 has a lawfully existing principal building, one temporary
12 noncommercial sign per election or issue of no more than
13 four (4) square feet may be located on the owner's property
14 for a period of thirty (30) days prior to an election affecting
15 the property on which the sign is located.

16
17 c. Temporary non-commercial signs shall be removed within
18 seven (7) days following the election or referendum vote.

19
20 3. *Additional temporary signs when a property is being offered for sale*
21 *or lease: One additional temporary sign, totaling no more than four*
22 *(4) square feet, may be located on a property:*

23
24 a. When that property or portion thereof is being actively
25 offered for sale or lease through a licensed real estate agent;
26 or

27
28 b. If not offered for sale or lease through a licensed real estate
29 agent, when the sign is owned by the property owner and that
30 property is offered for sale by the owner; and

31
32 c. Such signs may remain for a period of fifteen (15) days
33 following the date on which a contract of sale or lease has
34 been executed.

35
36 4. *Additional temporary sign when a property being offered for sale or*
37 *lease is open to the public: One temporary sign, totaling no more*
38 *than three (3) square feet, may be located on the owner's property*
39 *on the day a property owner is opening the property to the public.*

40
41 C. *Temporary signs –zoning permit required.* The following signs authorized
42 by this subsection require a zoning permit for a temporary sign.

43 1. *Post and panel sign, commercial and noncommercial:*

44
45 a. A maximum of one (1) sign per street frontage per property
46 with a maximum height of eight (8) feet. The sign shall be

1 oriented parallel with the street frontage to permit visibility
2 of only one sign face.

3
4 b. For residential properties of one (1) acre or less, a post and
5 panel sign is not permitted. For commercial properties one
6 (1) acre or less or residential properties greater than one (1)
7 acre in size, a maximum cumulative sign area of sixteen (16)
8 square feet is permitted. For commercial properties greater
9 than one (1) acre in size, a maximum cumulative sign area
10 of thirty-two (32) square feet is permitted.

11
12 c. The sign shall be permitted:

13
14 (1) While there is an active building permit on the
15 property until a certificate of occupancy/completion
16 is issued; or

17
18 (2) The first thirty (30) days after an opening of a new
19 business; or

20
21 (3) For a period of thirty (30) days prior to an election in
22 accordance with the additional temporary non-
23 commercial sign regulations set forth in section 45-
24 144.B.2. above.

25
26 2. *Building banner sign, commercial:*

27
28 a. A maximum of one (1) banner per ground floor tenant of a
29 commercial building with a maximum sign area of thirty-two
30 (32) square feet if authorized through a special events
31 permit. Signs shall be securely fastened to the building
32 facade and shall not extend above the roofline or parapet.

33
34 b. Banner placement is limited in duration to no more than
35 fourteen (14) days prior to and seven (7) days after the date
36 of the event or activity to which the banner relates, or the
37 first thirty (30) days after an opening of a new business.

38
39 c. When a temporary banner is associated with the
40 manufacturing and installation of a permanent affixed sign,
41 the banner shall be removed within sixty (60) days, or
42 immediately upon installation of the permanent sign,
43 whichever first occurs.
44

45 **Sec.45-115. Transitory signs,**
46

1 A. *Residential transitory signs.* Residential transitory signs are directional
2 signs intended to facilitate garage sales, open houses, moving sales, yard
3 sales, and similar events, subject to the following requirements.
4

- 5 1. In addition to one (1) sign at the residence where the activity is
6 occurring, no more than three (3) directional signs may be
7 permitted within the swale area of any two (2) lane local roadway
8 bounded on both sides by residential properties.
9
- 10 2. Directional signs shall not be permitted in the median or on any
11 sidewalk, and must be set back at least five (5) feet from edge of
12 pavement.
13
- 14 3. The signs may not exceed three (3) square feet in area and four feet
15 in height measure to the top of the sign.
16
- 17 4. The signs must be erected and taken down on the same calendar
18 day.
19
- 20 5. The signs may only be posted on a Saturday or Sunday or legal
21 holiday, and shall on each day be limited to a display period no
22 earlier than 5:00 a.m. and no later than 5:00 p.m.
23
- 24 6. The signs may only be staked to or pressed into the ground.
25
- 26 7. Where the public interest in the road right-of-way is limited to an
27 easement, the consent of the owner of the underlying property is
28 required to post signs in the right-of-way.
29

30 B. *Transitory special event signs, banners, and directional signs.*
31

- 32 1. The special event must be located within the municipal limits of
33 the village.
34
- 35 2. A temporary special event permit must be approved by the village.
36 The permit may list locations where special event signage may be
37 displayed on private or public property. For private property
38 locations, a letter from the property owner with a diagram showing
39 the designated location for the sign must be submitted to the village
40 along with the permit application for the event. For public property
41 locations, the consent of the governmental agency owning or
42 controlling such property is required (if the public interest is an
43 easement, the consent of the landowner shall likewise be required).
44
- 45 3. One (1) sign not to exceed sixteen (16) square feet in area, directing
46 the attention of the public to the special event may be permitted on
47 each street frontage of the property where the special event occurs.

1 One (1) banner for the special event, not to exceed forty (40) square
2 feet in area, directing the attention of the public to the special
3 event, may be permitted to be attached to a building housing the
4 event, or may be attached to a perimeter wall or fence adjacent to
5 a street frontage on the property where the event is located. A
6 special event sign or banner may be erected two (2) weeks prior to
7 the event and must be removed within two (2) days after the event.
8

- 9 4. Special event signs can contain the names or logo of a specific
10 agency or business that is sponsoring the event/activity. Special
11 event directional signs shall not exceed four (4) square feet per sign
12 face and may be constructed of plastic or paper. Special event
13 directional signs can be placed the day before the event begins and
14 must be removed no later than the day after the event.
15

16 **Sec. 45-116. Commercial Northlake (C-NB) District.**
17

18 A. *Business signs permitted.* A permanent sign advertising a business or
19 establishment shall consist of the following:
20

- 21 1. A canopy or awning sign;
22
23 2. A ground or monument sign with one (1) or two (2) faces;
24
25 3. A wall sign with one (1) face; and/or
26
27 4. A window sign not to exceed twenty (20) percent of the total
28 window area covered.
29

30 B. *Sign type and criteria.*
31

- 32 1. *Canopy or awning* signs. Notwithstanding limitations of this
33 article on the projection of signs from the wall of a building,
34 signs shall be permitted on canopies and awnings subject to the
35 following:
36
37 a. The sign shall indicate only the name of the building or the
38 name of the principal occupant of the building;
39
40 b. The sign shall be painted or printed directly on the canopy
41 or awning; and
42
43 c. The sign shall be counted in determining the area of wall-
44 mounted signs permitted on the wall from which the
45 canopy or awning projects.
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- 2. *Ground signs.* The name, logo, and address of parcel of land as per the following standards:
 - a. A minimum of one (1) sign for parcel of land.
 - b. *Overall.* For parcels with greater than three hundred (300) linear feet of street frontage, one (1) additional sign for each additional seven hundred (700) linear feet of street frontage to include intersecting roadways.
 - c. *Outparcels.* Outparcels of a commercial center are permitted to have one (1) ground sign:
 - (1) If the outparcel has direct access to Northlake Boulevard.
 - (2) Overall.
 - i. If the outparcel is entitled to a ground sign, street frontage calculations for the outparcel should not be included in the street frontage calculations for the adjacent commercial center.
 - ii. Outparcel information may be provided in the permitted commercial center ground signs if internally accessed pursuant to regulations of this article.
 - d. The maximum area of a ground sign is sixty (60) square feet.
 - e. The maximum height of a ground sign is ten (10) feet.
 - f. *Minimum setbacks.* The minimum setbacks for ground signs are as follows:
 - (1) Two hundred (200) feet between signs located within the same parcel of land.
 - (2) Fifty (50) feet from sign to a non-right-of-way property line.
 - (3) Five (5) feet from the public right-of-way.
 - (4) Eight (8) feet from utility transmission lines.

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(5) Four (4) feet from the edge of pavement or curb when placed in an ingress/egress median.

g. *Street frontage.* Street frontage is measured as the linear length of a property line adjacent to a public right-of-way.

3. *Wall signs.* The name, logo, and address of the business to which the sign is accessory and other related information. No wall sign shall be painted directly onto the building.

C. *Permissible size, height, location, and number of permitted business signs.*

**Table 45-2
Permitted Business Signs**

Sign Type	Maximum Number	Maximum Number of Sign Faces	Maximum Area (Sign Face)	Max. Height/Dimensions	Other Limits
Canopy or awning	1 per front or side	1	3 sq. ft.	none	Signage considered a wall sign Copy shall not exceed 6" in height Functional awning: (shade/cover) calculate sq. ft. by enclosing copy Non-functional: (decorative only) sign is entire awning
Ground/Monument (Overall)	Parcels with > 300 l.f. of street frontage	2 per sign	40 sq. ft.	10 ft. height	20 ft. min. from public right-of-way
	1 additional sign per each additional 700 l.f. of street frontage		45 sq. ft.	10 ft. height	30 ft. min. from public right-of-way
			60 sq. ft.	10 ft. ht./15 ft. width	50 ft. min. from ROW. and interior property lines Sign copy not to exceed building identification and 1 tenant Requires 3 ft. min. solid sign base without copy 200' between signs within the same parcel of land. 50' from sign to non-ROW property line 8' min. from utility lines min. 4 ft. from edge of pavement or curb when placed in an ingress/egress median
Wall mounted (front wall)	1 sign per business per street frontage	1	1 sq. ft. per 1- $\frac{1}{2}$ × the length	Mounting height is 6" below roof at	

	with a max. of 2 signs per business		of wall sign is attached to.	sign location or 18 ft. max. height on up to 2 story bldg.	
Wall mounted (side/rear wall)		1	lesser of 50% of max. area of front wall or 1 sq. ft. per 1-½ × the length of wall the sign is attached to		
Wall mounted (side/rear-residential adjacent)		1	lesser of 25% of max. area of front wall or 1 sq. ft. per 1-½ × the length of wall the sign is attached to		
Wall mounted (overall)					Shall not cover or partially cover a required wall opening
					Shall not project more than 18 inches from the building
					Mounted flush with wall
					First floor location only
					3' min. between wall signs
					Wall signs shall not exist with projecting signs

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D. *Restrictions.* Advertising for the following purposes may be displayed:

1. *Construction signs.* To identify development construction in progress.
 - a. Such message shall not be displayed more than sixty (60) days prior to the beginning of actual construction of the project and shall be removed when construction is completed.
 - b. If a message is displayed pursuant to this section, but construction is not initiated within sixty (60) days after the message is displayed, or if construction is discontinued for a period of more than sixty (60) days, the message shall be removed, pending initiation or continuation of construction activities.
 - c. Upon final certificate of occupancy of a completed residential or nonresidential structure, such sign shall be removed.

an occupant's allowable sign area. Directional signs shall be subject to the following:

- (1) Such signs shall not exceed two (2) square feet in background area nor extend to a height greater than three (3) feet above ground.
- (2) Only one (1) such sign shall be allowed at each point of ingress and egress, and such signs shall not create a traffic or pedestrian hazard.
- (3) No names or logos are permitted on the sign.

c. *Parking area instructional and related signs.* The direction of traffic flow within a parking or loading area, ingress and egress points, areas where no parking is permitted, identification of parking spaces reserved for other specific groups or for individuals, and other similar information.

2. *Permissible size, height, location, and number of permitted accessory signs.*

**Table 45-4
Permitted Accessory Signs**

Sign Type	Max. Number	Max. # of Signs Faces	Max. Area	Max. Height/Dimensions	Other Limits
Building Directory	1 per building for occupants not accessible to street frontage	1	18 sq. ft.	6 ft. height	2 or more buildings on same parcel or development Internal illumination only Location with twenty-five (25) ft. of main entry to building Changeable copy permitted
Gasoline price	1 per station	2	15 sq. ft. per side	none	20 min. from all property lines May include changeable copy
Flags (free standing)	3 flags max	2 per flag	ht. of flag is 30% of pole ht. length is (2x) max. allowable ht.	20 ft. height of pole	max. dimension of flag is 5' x 10' min. setback is 103% of pole ht.

Flags (from structure)	1 flag max	2 per flag	(same as flag-free standing)		10 ft. above highest structure
Parking area instructional	as needed	2	4 sq. ft./face	6 ft. height freestanding or 12 ft. height if wall-mounted	max. 3 ft. above crown of paving or road
					2 ft. from lot line
					copy limited to exit, entrance, exit only, etc.
					Internal illumination only
					5 ft. from public right-of-way
Parking directional	1 per ingress of regress	2	2 sq. ft./face	3 ft. height freestanding	
				4 ft. max. height from crown of paving or road	

Sec. 45-117. Severability.

A. *Generally.* 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.

B. *Severability where less speech results.* Without diminishing or limiting in any way the declaration of severability set forth above in subsection A above, or elsewhere in this article, this Code, or any 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, even if such severability would result in a situation where there would be less speech, whether by subjecting previously exempt signs to permitting or otherwise.

C. *Severability of provisions pertaining to prohibited signs.* Without diminishing or limiting in any way the declaration of severability set forth above in subsection A. above, or elsewhere in this article, this Code, or any adopting ordinance, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term or word of this article 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 that pertains to prohibited signs, including specifically those signs and sign types prohibited and not allowed under this article. Furthermore, if

1 any part, section, subsection, paragraph, subparagraph, sentence, phrase,
2 clause, term, or word of this article is declared unconstitutional by the valid
3 judgment or decree of any court of competent jurisdiction, the declaration
4 of such unconstitutionality shall not affect any other part, section,
5 subsection, paragraph, subparagraph, sentence, phrase, clause, term, or
6 word of this article , thereby ensuring that as many prohibited sign-types as
7 may be constitutionally prohibited continue to be prohibited.
8

9 Section 8. The provisions of this Ordinance shall become and be made a part of the Code of
10 the Village of North Palm Beach, Florida.

11
12 Section 9. If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for
13 any reason held by a court of competent jurisdiction to be unconstitutional, inoperative, or void,
14 such holding shall not affect the remainder of this Ordinance.
15

16 Section 10. All ordinances or parts of ordinances and resolutions or parts of resolutions in
17 conflict herewith are hereby repealed to the extent of such conflict.
18

19 Section 11. This Ordinance shall take effect immediately upon adoption.
20

21 PLACED ON FIRST READING THIS _____ DAY OF _____, 2025.
22

23 PLACED ON SECOND, FINAL READING AND PASSED THIS _____ DAY OF
24 _____, 2025.
25
26
27

28 (Village Seal)

MAYOR

31
32 ATTEST:
33
34

VILLAGE CLERK

36
37 APPROVED AS TO FORM AND
38 LEGAL SUFFICIENCY:
39

40 _____
41

VILLAGE ATTORNEY