



**Village of North Palm Beach  
Planning, Zoning and Adjustment Board  
AGENDA  
Tuesday, October 1, 2024 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. August 6, 2024

**5. Declaration of Ex-parte Communications**

**6. Quasi-judicial Matters**

a. **Site Plan and Appearance Review**

i. **New Business**

1. [730 US Highway 1 \(La Bamba\)](#)

A request from Village Staff for reconsideration of the monument sign face modification at the property located at 730 US Highway 1.

## 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.

#### 2. [Commercial Northlake Blvd Zoning District 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 APPENDIX C (CHAPTER 45), "ZONING," OF THE VILLAGE CODE OF ORDINANCES BY AMENDING ARTICLE I, "IN GENERAL," SECTION 45-2, "DEFINITIONS," TO ADD A DEFINITION FOR THE TERM MARINA/PRIVATE MOORING AND AMENDING ARTICLE III, "DISTRICT REGULATIONS," SECTION 45-35.3, "C-NB NORTHLAKE BOULEVARD COMMERCIAL DISTRICT," TO ADD MARINA/PRIVATE MOORING AS A SPECIAL EXCEPTION USE; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

## **9. Discussion Items**

- a.** The Village of North Palm Beach Environmental Committee asked Village Staff to present to the Village Council a zoning text amendment to create a Tree Removal Permit process for private properties. Prior to presenting this idea to the Village Council, Village Staff is seeking a recommendation by the Planning, Zoning and Adjustment Board.
- b.** Meeting Schedule for next year

## **10. Commission Member Comments**

## **11. Staff Updates**

Next Meeting – Tuesday, November 12, 2024 (moved due to Election Day)

## **12. 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 on 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 561 841-3355 at least 72 hours prior to the meeting date.*

*This agenda represents the tentative agenda for the scheduled meeting of the Planning, Zoning and Adjustment Board. Due to the nature of governmental duties and responsibilities, the Board reserves the right to add to or delete items from this agenda.*



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

**Present**

Cory Cross, Chair  
Scott Hicks, Vice Chair  
Jonathan Haigh, Member  
Thomas Hogarth, Member  
Timothy Hulihan, Member  
Donald Solodar, Member

**Village Staff**

Susan Garret, Village Attorney  
Caryn Gardner-Young, Community Development Director  
Mariah Hampton, Planner  
Lisa Interlandi, Village Council

**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.

Ms. Gardner-Young stated Board member Mark Michels had advised staff he would not be in attendance.

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

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

**4. APPROVAL OF MINUTES**

**a. June 4, 2024**

Mr. Solodar motioned to approve the June 4, 2024, minutes as presented, seconded by Mr. Haigh. The **motion passed** unanimously (6-0).

**b. July 2, 2024**

Mr. Solodar motioned to approve the July 2, 2024, minutes as presented, seconded by Mr. Hicks. The **motion passed** unanimously (6-0).

**5. DECLARATION OF EX-PARTE COMMUNICATIONS: None.**

**6. QUASI-JUDICIAL MATTERS/PUBLIC HEARING**

Village Attorney Susan Garret swore in those wishing to provide testimony.

**a. SITE PLAN AND APPEARANCE REVIEW**

**i. NEW BUSINESS**

**1. 1201 US Highway 1, Suites 24 and 25 (Matteo's)**

Remy Van Driel presented a proposal on behalf of the property owner Crystal Cove Commons LLC, for Site Plan and Appearance Petition

approval for architectural evaluation and outdoor seating approval for Matteo's Restaurant located at 1201 US Highway 1, Suites 24 and 25.

Ms. Gardner-Young shared the staff report with recommendations for approval with conditions. She noted the item would go before Village Council for two (2) readings.

Member comments

Mr. Hullihan asked for clarification on the signage and seating map. Mr. Van Drew explained briefly. Ms. Gardner-Young confirmed there was existing approval for the seating area as proposed.

Mr. Hogarth asked the applicant to explain the width of the public walkway. Ms. Gardner-Young clarified the previous approval had been for a total of eight (8) feet, five (5) feet and three (3) feet with a post in between. Mr. Van Drew shared the site plan and discussion continued. Mr. Hogarth advised his recommendation would be for an eight (8) foot path.

Mr. Hogarth asked if framing was being added to the ceiling. Mr. Van Drew advised that repairs had been made to the existing framing and beams. He described the canvas and frame briefly.

Mr. Hogarth inquired as to the materials used. Mr. Van Drew outlined plans for the look of the false façade. He noted color changes had been made at the request of the plaza owners. Discussion continued regarding longevity of external painted wood and the fake ivy shown on the trellis.

Mr. Hicks asked about the air flow in the outdoor seating area and whether it was sufficient for a summer evening. Mr. Van Drew described the area briefly and noted it would be exposed during rain.

Mr. Solodar asked about plans for lights after closing. Mr. Van Drew stated they would not be adding to the existing lighting and noted the restaurant's sign would be on a timer.

Mr. Solodar clarified there would be no outside entertainment. Mr. Van Drew stated there would be speakers fastened to the storefront and discussed the intent to focus on dining rather than a bar.

Mr. Hogarth motioned to recommend approval of the PUD amendment to Village Council with staff conditions and the additional condition that the five (5) foot public walkway be enlarged to eight (8) feet around the perimeter of the outdoor seating and that painted wood trim as shown on the architectural drawings be substituted with aluminum, seconded by Mr. Hullihan. The **motion passed** unanimously (6-0).

## 7. PUBLIC HEARINGS

### a. NEW BUSINESS

#### i. 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 Garret shared the staff report, including background on the recommended amendments to the Sign Code and changes made to the draft since the Board workshop.

Ms. Gardner-Young sought feedback on whether an amortization period should be included for nonconforming signs. Discussion ensued regarding the appropriate amortization period, whether nonconforming situations were being created through the amendment, and potential for an appeal or variance process. City Attorney Garret provided additional clarity on due process requirements for a reasonable time period to come into conformity. Consensus was to not include amortization.

Ms. Gardner-Young asked the Board whether the Village should allow off-premises signage. Consensus was that off-premises signage should continue to not be allowed.

Ms. Gardner-Young advised there is a provision in the existing Code for a Master Signage Plan, but it is not mandatory. She noted she had sought feedback from impacted business owners and had not received any responses. Consensus was that a Master Signage Plan should be mandatory.

Ms. Gardner-Young sought feedback regarding sign illumination.

Mr. Haigh commented that regulation of intensity of light made sense to him, but not regulation of the color temperature.

Chair Cross stated some illumination at the face of the sign should be established, but he was not sure of the number.

Mr. Haigh suggested language stating that if the illumination of the sign affects the health, safety, and welfare of the public, it needs to be regulated in some way.

City Attorney Garret provided a brief overview of research she had conducted on how the issue is addressed in other municipalities. She advised there are a number of calculations utilized.

Mr. Hullihan suggested a shift to lumen would be appropriate. He stated he thought color temperature was also important. Discussion continued. Consensus was to direct staff to look at the policy of three (3) different cities and bring the item back for further discussion.

Mr. Hogarth highlighted changes to regulations on auto dealerships and asked the impetus of the change. Ms. Gardner-Young advised the language had been moved to a single Sign Code rather than being included in each individual section.

Mr. Hogarth asked for clarification on the intent related to vehicle signs. City Attorney Garret stated the intent was to prohibit vehicle signs aside from small identification signs. Mr. Hogarth stated size needed to be defined and suggested the language remain as-is, and that language related to exemptions be reviewed. Discussion continued regarding exemptions and enforcement of vehicle signs.

Mr. Hogarth advised the exemption of ornamental figures should be stricken, along with the maximum height for street numbers, measurement of sign height in reference to flood elevations, reference to non-commercial messages. Continuing, he asked that maximum vertical dimension of wall signage be reviewed, and “except one (1)” under coordination of construction of wall mounted signs, size restriction specific to canopy signs, and extrusion distance for letters on wall signs be stricken. He noted minimum sign setbacks were laid out in the Zoning Code and should be removed to avoid conflicts. He highlighted the allowable percentages on changeable copy signs as an issue to investigate further. Discussion ensued briefly regarding residential signs and temporary non-commercial signs.

Mr. Solodar asked if it was okay under the Code to have a for sale or lease sign advertising a vacancy on US-1 for a period of years. Ms. Gardner-Young advised that under the existing Code, the sign would require a temporary sign permit, which is valid for six (6) months and can be renewed indefinitely.

Mr. Hogarth commented that the regulation of construction fence banner signs was very permissive of contractor or construction company advertising, and he did not find it necessary. Discussion ensued and consensus was to eliminate the section.

The Board had no further comments and there was no input from the public.

**ii. Comprehensive Plan Amendment (EAR) Ordinance**

Request by Village staff for consideration by the Local Planning Agency of the following ordinance:

**AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, AMENDING THE VILLAGE OF NORTH PALM BEACH COMPREHENSIVE PLAN TO IMPLEMENT ITS EVALUATION AND APPRAISAL REPORT; ADOPTING A NEW INTRODUCTION SECTION AND EVALUATING AND MONITORING SECTION; AMENDING THE FUTURE LAND USE ELEMENT, THE CONSERVATION ELEMENT, THE COASTAL MANAGEMENT ELEMENT, THE RECREATION AND OPEN SPACE ELEMENT, THE INTERGOVERNMENTAL COORDINATION ELEMENT, THE CAPITAL IMPROVEMENT ELEMENT, THE INFRASTRUCTURE ELEMENT, THE**

**HOUSING ELEMENT, THE ANNEXATION ELEMENT, AND THE PROPERTY RIGHTS ELEMENT; PROVIDING FOR TRANSMITTAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Ms. Gardner-Young shared the staff report, including the current Village Comprehensive Plan and its elements, as well as the update process, public participation, an overview of proposed changes, and next steps.

Mr. Hullihan highlighted typographical errors in his previous comments as added to the Future Land Use, Transportation, and Infrastructure Elements. He noted that the addition of the objective to develop a bicycle and pedestrian plan by 2026 had been approved by a 3-2 vote at the July meeting but had not been added to the document. He suggested language also be added to the data section to consider the use of alleyways by bicycles and pedestrians in making future renovations, as well as to address the psychology of lane choice and traveling speed.

Mr. Hullihan commented on ongoing costs to the Village related to not only current but future infrastructure needs for a large-scale development and stated this needed to be considered in the associated economic analysis. Discussion continued.

Mr. Hicks commented on the Future Land Use Element, asking who designates environmentally sensitive lands for protection. Ms. Gardner-Young stated the Natural Areas Map should be referenced.

Mr. Hicks noted the minimum floor elevation reference should be updated and asked for clarification on how the Responsible and Responsive Government section was tied into the Master Plan. Discussion ensued regarding the intent of the amendments as previously recommended by Mr. Hullihan as well as the Village Master Plan. Consensus was to follow the recommendation of staff to amend the language of the section.

Mr. Solodar followed up on a previous discussion as to why the golf course was not included in the calculation of open space. Alex Ahrenholz, JMorton Planning and Landscape Architecture, outlined the analysis briefly. Consensus was to recommend Village Council consider incorporating all recreation and open space in the calculation.

Jim Hickey, Calvin Giordano and Associates, presented the Water Supply Plan briefly. He provided background information on creation of the plan and updates. Discussion ensued regarding coordination with South Florida Water Management District and Seacoast Utilities, as well as input from staff and consultants and factors applicable to the plan.

The Board had no further comments and there was no input from the public.

Mr. Hullihan motioned to recommend Village approval of the Comprehensive Plan and Water Supply Plan with changes as discussed, seconded by Mr. Haigh. The **motion passed** unanimously (6-0).

## **8. BOARD COMMENTS**

Mr. Hogarth asked for an update on the Sushi Jo project. Ms. Gardner-Young advised she would follow up.

Mr. Haigh inquired about the chain link fence in front of Faith Lutheran Church. Ms. Gardner-Young stated she would investigate the requirements and report back.

Mr. Hullihan asked if there was an update on the Faith Lutheran Church parking lot lighting. Ms. Gardner-Young stated she had met the previous week and she hoped to present the change at the September meeting. Mr. Hullihan suggested the light should be turned off until the issue is resolved. Discussion continued.

## **9. STAFF UPDATES: None.**

## **10. ADJOURNMENT**

Chair Cross advised the next meeting was scheduled for Tuesday, September 10, 2024. With no further business before the Board, Chair Cross adjourned the meeting at 9:33 p.m.

**VILLAGE OF NORTH PALM BEACH  
COMMUNITY DEVELOPMENT DEPARTMENT**

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TO: Members of the Planning, Zoning and Adjustment Board

FROM: Caryn Gardner-Young, Community Development Director

CC: Leonard G. Rubin, Village Attorney

DATE: September 26, 2024

SUBJECT: **Reconsideration of La Bamba Monument Sign at 730 US Highway 1**

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**Background:**

In September, a request was received from Alex Girando, representative for M AGUABLANCA LLC, for a Site Plan and Appearance approval for a face replacement of an existing monument sign and an exterior building color change at the property located at 730 U.S. Highway 1 (La Bamba). The applicant was proposing to replace the sign face for an existing monument sign and to change the exterior building color on one panel of the front façade. The applicant had already painted the exterior of the wall with the new lime green color and installed the new sign face (with lime green background) of the existing monument sign without a permit.

At the November 14, 2023 Planning, Zoning and Adjustment Board (Board) meeting, the Board approved an alternate sign face for the monument sign with a design presented at the meeting. This alternate design had a white background. The Board tabled the decision on the proposed exterior wall color on the front façade to allow the applicant time to present to Village Staff a color rendering which will lessen the impact of the lime green color used. The applicant never provided a revised color rendering but instead returned the wall back to its original, approved color. The monument sign face installed without a permit has never been removed and replaced.

**Discussion:**

During the discussion at the November PZAB meeting, many of the Board Members expressed support for the existing sign. For example, Board Member Hicks expressed his sympathy for the applicant and believed the sign should have bright colors since it is a Spanish/Mexican restaurant. Others stated that they liked the green color but suggested that it be used as an accent since the background color was inconsistent with the code.

However, Village Staff has had an opportunity to review the sign since the exterior wall color was returned to its original color. Although the lime green is bright, since the exterior wall color was returned to its original color, the lime green does not appear as bright as it did previously. In addition, if the Board reviews the lime green color against the landscaping, the lime green color is actually softened.

Upon review of signage previously approved along US Highway 1, the Village has approved sign colors which stand out. Attached are pictures for the Sunoco sign with red that stands out and was approved at 900 US Highway, the Hector's Car Wash with bright yellow that stands out and was approved at 900 US Highway 1, and the SunTrust sign with bright yellow and orange that stands out and was approved at 667 US Highway 1. Further, since the installation of the sign, the Village has not received any objections to the lime green monument sign.

**Recommendation:**

The Village Staff requests that the Planning, Zoning and Adjustment Board reconsider their denial of the existing La Bamba monument sign.

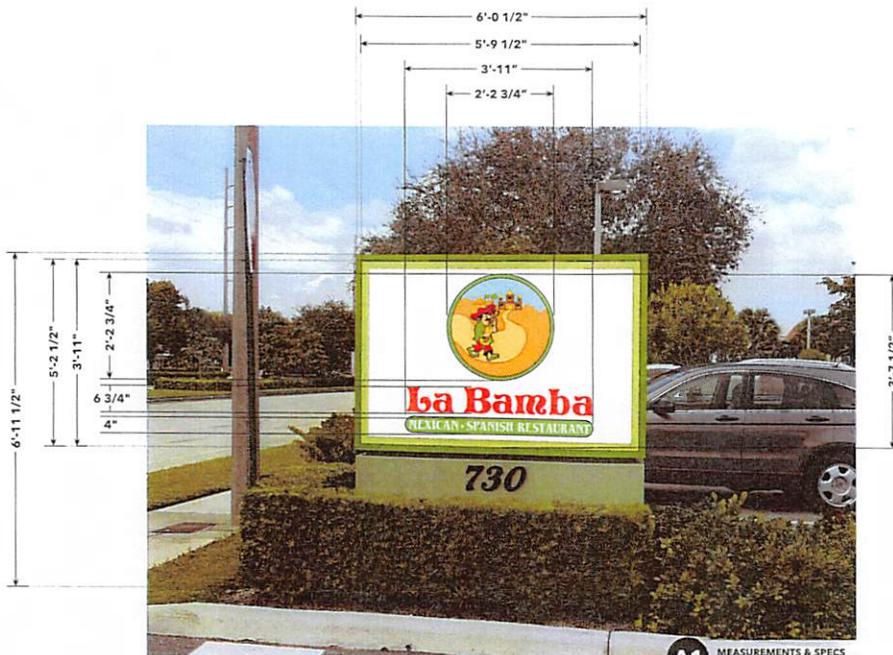
**ORIGINAL , APPROVED AND EXISTING  
MONUMENT SIGN**



APPROVED SIGN  
AT P2A/B  
MEETING

REFACE ONLY ( QTY 2)

pan faces with full color printing



-  BENJAMIN MOORE BOULEVARD PAINT
-  AVERY DENNISON SANDSTONE #965
-  GREEN #778
-  PANTONE 375 #734
-  WHITE #101
-  RED #440
-  ORANGE #360
-  YELLOW #235

**A1** MEASUREMENTS & SPECS  
Scale: " = 1"

**ART**  
SIGN CO INC  
825 NW 6TH AVE.  
FT. LAUDERDALE, FL 33311  
954.793.4410 | artsign.com

CLIENT: La Bamba - Palm Beach  
FILE: La Bamba Palm Beach\_Monument\_SM\_V9  
ADDRESS: 730 US Highway 1, North Palm Beach, FL 33408

REVISION V2: 01/20 | CHANGES TO LAYOUT  
REVISION V3: 01/26 | CHANGES TO LAYOUT  
REVISION V4: 07/25 | CHANGES TO LAYOUT  
REVISION V5: 07/27 | ADD COLORS  
REVISION V6: 09/05 | ADD COLORS & NOTES  
REVISION V7: 09/26 | COLOR CHANGE  
REVISION V8: 10/11 | COLOR CHANGE  
REVISION V9: 10/16 | COLOR CHANGE

CLIENT APPROVAL:  
START DATE: 01/17/2023 SALE REP: Jack ARTIST: Steph

Colors shown on drawing are for presentation purposes. All colors must be confirmed initialed by project manager before painting. Any party accepting this document does so in confidence and agrees that it should not be duplicated, in whole or in part, nor disclose to others without the written consent of Art Sign Company, Inc. Reference copy list for copy/graphics specific to each sign location. Contractor shall verify all conditions on site and notify any variation from what is shown on the drawings before proceeding with fabrication.

Sign with  
landscaping



Sign against  
building



# PICTURES OF BUILDING ELEVATIONS

PROPOSED  
8/11/23  
REMOVED

56-410



**PREVIOUSLY APPROVED SIGN COLORS ALONG  
US HIGHWAY 1**



EXISTING

**KEMP**  
*Signs*  
& Service, Inc.  
ES0000229

1740 HILL AVENUE  
WEST PALM BEACH, FL.  
33407  
561-840-6382  
(FAX) 561-840-6385

CUSTOMER:



900 US HWY 1.  
NORTH PALM BEACH, FL 33408

21 • Design is in accordance with the requirements of the Fla Bldg Code 6th Ed (2017) for use within & outside the High Velocity Hurricane Zone (HVHZ). • This engineering certifies only the structural integrity of those systems, components, and/or other construction expl

# HECTOR'S CAR WASH

20191399

HAND WASH

DETAILING





**VILLAGE OF NORTH PALM BEACH  
COMMUNITY DEVELOPMENT DEPARTMENT**

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TO: Members of the Planning, Zoning and Adjustment Board  
FROM: Susan M. Garrett, Assistant Village Attorney  
THROUGH: Caryn Gardner-Young, Community Development Director  
DATE: October 1, 2024  
SUBJECT: **Signage Code Text Amendment**

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**Background:**

This Ordinance aims to remove the current sign code in Chapter 6 of the Code of Ordinances and replace it with a more legally sufficient, customer service-friendly, and readable sign code in Section 45 of the Zoning Code. First, the Ordinance includes updated language to ensure compliance with recent developments in the law. Second, the Ordinance is made more user-friendly by assembling all sign-related regulations in one location, rather than split between two different chapters of the code. In addition, the Ordinance provides charts setting out all basic sign requirements according to zoning district, making this information more readily accessible to applicants.

The proposed amendments to the Village's sign ordinance were initially reviewed and discussed by the Planning, Zoning and Adjustment Board at a Workshop held on June 4, 2024. Comments received from the Board at the Workshop were incorporated into a revised ordinance that was presented to the Board for consideration at its August 6 and September 10 meetings, where the Board recommended several additional revisions. The Board also requested examples of sign illumination standards used in neighboring jurisdictions, which were provided on September 10.

**Discussion:**

The revisions recommended by the Board on August 6 and September 10 have been incorporated into the updated ordinance. Some of the more significant changes made pursuant to the Board's August 6 recommendations include the deletion of the amortization period for nonconforming signs (sec. 45-106.C.) and the deletion of the off-premises sign regulations.

Regarding the sign illumination standards, examples of ordinance provisions from the City of Boca Raton, the City of Cocoa, the City of Palm Beach Gardens, and the Town of Lake Park were provided previously. These examples represent a wide range of viable approaches.

- The regulation based on "candelas" in the current version of the proposed North Palm Beach ordinance resembles the City of Boca Raton sign ordinance, sec. 24-51, *Sign Illumination*.
- The City of Cocoa sign ordinance regulates LED signs in sec. 3.23(i)(9) of its sign ordinance. It provides in subsection (i)(9)e. that LED signs may not operate at a

brightness level of more than .3 foot candles above ambient light, as measured per the code provision.

- Section 78-286 of the City of Palm Beach Gardens sign ordinance prohibits any external lighting greater than 15 watts unless properly shielded to prevent glare upon adjacent rights-of-way or adjacent properties. The ordinance further provides that photometric or other studies may be required to ensure that sign lighting will not adversely affect the public health, safety, and welfare.
- Section 70-106 of the Town of Lake Park sign ordinance does not contain a metric for regulating illumination, but limits the types of lighting that may be used and prohibits lighting that shines onto neighboring property, into the eyes of motorists, or that causes confusion with traffic lights.

The Board discussed the provisions regarding vehicle signs at the September 10 meeting. Pursuant to that discussion, the provision regulating vehicle signs has been moved from sec. 45-103, *Exempt signs*, to sec. 45-104.G, *Permanent signs – sign permit not required*. The standards from current code sec. 6-113, *Prohibited signs*, have been simplified and incorporated into this new sec. 45-104.G. The Board may wish to consider whether the dimensional limitations on sign area and distance from the right-of-way should be adjusted. Sec. 45-104.G. also cross-references additional parking limitations for vehicles with commercial advertising in sec. 18-34 (f). Additional minor revisions and deletions have been made per the Board's August 6 and September 10 discussions.

**Recommendation:**

Village Staff is asking the Planning, Zoning, and Adjustment Board to review and recommend approval of the proposed Ordinance.

**REDLINED COPY**  
**SIGN CODE ORDINANCE**

**REDLINED ORDINANCE NO. 2024-**

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1  
2  
3 AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF  
4 NORTH PALM BEACH, FLORIDA, AMENDING CHAPTER 6, "BUILDINGS  
5 AND BUILDING REGULATIONS," OF THE VILLAGE CODE OF  
6 ORDINANCES BY REPEALING ARTICLE V, "SIGNS AND OUTDOOR  
7 DISPLAYS," IN ITS ENTIRETY; AMENDING ARTICLE III, "DISTRICT  
8 REGULATIONS," OF APPENDIX C (CHAPTER 45), "ZONING," OF THE  
9 VILLAGE CODE OF ORDINANCES BY AMENDING SECTION 45-34, "C-G  
10 GENERAL COMMERCIAL DISTRICT," SECTION 45-34.1, "C-3 REGIONAL  
11 BUSINESS DISTRICT," SECTION 45-34.3, "C-NB NORTHLAKE  
12 BOULEVARD COMMERCIAL DISTRICT, AND SECTION 45-38, "I-1 LIGHT  
13 INDUSTRIAL DISTRICT," TO REMOVE SIGN REGULATIONS; AMENDING  
14 APPENDIX C (CHAPTER 45), "ZONING," OF THE VILLAGE CODE OF  
15 ORDINANCES BY ADOPTING A NEW ARTICLE IX, "SIGNS AND  
16 OUTDOOR DISPLAYS;" PROVIDING FOR SEVERABILITY; PROVIDING  
17 FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR  
18 OTHER PURPOSES.

19  
20 WHEREAS, the Village Council wishes to update and consolidate the Village's regulations for  
21 signage and outdoor displays to: preserve the residential character of the Village; to protect and  
22 promote the public health, safety, and welfare; protect property values; create an attractive  
23 economic and business climate; and comply with all legal and constitutional requirements  
24 applicable to such regulations; and  
25

26 WHEREAS, on August 6, 2024, the Planning, Zoning and Adjustment Board, sitting as the Local  
27 Planning Agency, conducted a public hearing to review this Ordinance and provide a  
28 recommendation to the Village Council; and  
29

30 WHEREAS, having considered the recommendation of the Planning, Zoning and Adjustment  
31 Board and conducted all required advertised public hearings, the Village Council determines that  
32 the adoption of this Ordinance is in the interests of the health, safety, and welfare of the residents  
33 of the Village of North Palm Beach.  
34

35 NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE  
36 OF NORTH PALM BEACH, FLORIDA as follows:  
37

38 Section 1. The foregoing recitals are ratified as true and correct and are incorporated herein.  
39

40 Section 2. The Village Council hereby amends Chapter 6, "Buildings and Building  
41 Regulations," of the Village Code of Ordinances by repealing Article V, "Signs and Outdoor  
42 Displays," in its entirety.  
43

44 Section 3. The Village Council hereby amends Article III, "District Regulations," of  
45 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           e. ~~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.~~

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- ~~3. — *Maximum height of wall signs:* Eighteen (18) feet measured from the finished grade nearest the wall, except that on a building of more than two (2) stories, a single wall sign is allowed above eighteen (18) feet. No wall sign may extend above the top of the wall to which it is attached.~~
- ~~4. — *Maximum number of wall signs:* One (1) permanent wall sign is permitted for each business which has direct ground level walk in access from a public or private roadway or sidewalk, and one (1) additional permanent wall sign identifying the building is permitted for each multiple occupancy complex.~~
- ~~5. — *Maximum size of wall signs:* Five (5) percent of the area of the wall to which it is attached; or seven (7) percent if the front building setback is greater than seventy (70) feet; or ten (10) percent if the front building setback is greater than one hundred (100) feet. However, in no case shall a wall sign exceed one hundred (100) square feet in size.~~
- ~~d. — *Roof signs* are erected and constructed wholly on and over the roof of a building, and are supported by the roof structure or are an integral part of the roof. Roof signs are not permitted in the C-3 district.~~
- ~~e. — *Size computations:* When these regulations establish the maximum size of a sign, it shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign any backdrop or structure against which it is placed.~~
- ~~f. — *Allowable colors:* Notwithstanding the regulations in chapter 6 of this Code, color tones utilized for all signs complying with these regulations shall be compatible with surrounding area.~~
- ~~g. — *Lighting:* Signs containing illumination shall be turned off by 12:00 a.m. (midnight) each night, or when the business closes, whichever is later.~~
- ~~h. — *Appeals:* Notwithstanding conflicting appeal procedures found elsewhere in this Code, all requests for modifications to sign regulations in the C-3 zoning district shall be made through the special C-3 PUD procedures found below in 45-34.1(10).~~

\* \* \*

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3 (10) *Special C-3 planned unit development (PUD) provisions.* It is the intention  
4 of the village to provide a mechanism and process to promote the  
5 redevelopment of the obsolete and underutilized areas of the C-3 zoning  
6 district with large-scale, master-planned projects that promote: a mix of  
7 uses; connectivity; pedestrian-oriented development; removal of surface  
8 parking; creation of public/civic gathering spaces; and shopping,  
9 entertainment, and restaurant uses within the form of an urban  
10 neighborhood incorporating residential development as an integral use.  
11 These projects promote the economic and redevelopment goals of the  
12 village, and the village has created these planned unit development (PUD)  
13 provisions to facilitate these goals. The development regulations applicable  
14 within the PUD are not permitted or allowed by right and shall only apply  
15 if the village council determines that each of the threshold criteria is met.  
16 Properties located in the C-3 zoning district that do not meet the threshold  
17 criteria set forth below may utilize the general PUD provisions of section  
18 45-35.1 of this code as set forth in section 45-35.1(D). Properties located in  
19 the C-3 zoning district that do meet each of the threshold criteria below may,  
20 at the option of the property owner, utilize the following special PUD  
21 regulations:

\* \* \*

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24  
25 ~~q. — *Sign standards:* All projects shall provide a sign plan that shall be~~  
26 ~~reviewed and approved by the village during site plan and~~  
27 ~~appearance approval. Pedestrian oriented signs are strongly~~  
28 ~~encouraged and no ground signs shall be permitted as part of the~~  
29 ~~PUD.~~

30  
31 ~~r. — *Lighting standards:* A photometric plan shall be provided during~~  
32 ~~site plan and appearance review. The plan shall include all luminaire~~  
33 ~~specifications, pole locations, and foot candle levels on directly~~  
34 ~~adjacent properties. Light trespass shall be limited to the largest~~  
35 ~~extent possible.~~

36  
37 Section 5. The Village Council hereby amends Article III, “District Regulations,” of  
38 Appendix C (Chapter 45) of the Village Code of Ordinances by amending Section 45-35.3, “C-  
39 NB Northlake Boulevard commercial district,” by repealing Article 7, “Signage and Outdoor  
40 Displays,” in its entirety.

41  
42 Section 6. The Village Council hereby amends Article III, “District Regulations,” of  
43 Appendix C (Chapter 45) of the Village Code of Ordinances by amending Section 45-38, “I-1  
44 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 business 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  
2           *Awning sign.* A sign painted on, printed on or attached flat against the  
3 surface of an awning.  
4

5           *Back lit awning.* An internally illuminated awning with translucent  
6 covering.  
7

8           *Banner sign.* Any sign (that cannot be considered a flag), intended to be  
9 suspended for display, either with or without frames, having characters, letters,  
10 illustrations, or ornamentations applied to cloth, paper, plastic, balloons, or fabric  
11 of any kind with such material acting as a backing.  
12

13           *Building directory sign.* A sign necessary for pedestrian and traffic safety,  
14 regulation, control, wayfinding, and circulation, indicating the location of an  
15 activity or service, incidental to a use, but not advertising the use in any manner.  
16

17           *Building identification sign:* A sign necessary for pedestrian and traffic  
18 safety, regulation, control, wayfinding, and circulation, in which the copy is limited  
19 to the name and address of a building or institution.  
20

21           *Building wall sign.* A sign displayed upon or attached to any part of the  
22 exterior of a building (including walls, windows, doors, parapets, awnings, and roof  
23 slopes of forty-five (45) degrees or steeper), constructed parallel to, and extending  
24 not more than twenty-four (24) inches from, the building facade to which it is  
25 affixed. A sign that is projected onto a building facade (e.g. video projection, 3D  
26 projection mapping, and other methods of casting images) is also a building wall  
27 sign.  
28

29           *Cabinet sign (or box sign).* A building sign which is an enclosed cabinet  
30 with copy on one or more sides and which may enclose an integrated light source  
31 that can shine through the sides or face of the sign.  
32

33           *Canopy.* A roof-like structure generally self-supporting that may be  
34 freestanding or attached to a principal structure, providing shade and weather  
35 protection, typically utilized in locations such as over drive-thru lanes, walkways,  
36 entrances, and gasoline pumps.  
37

38           *Changeable copy sign.* A sign which is visible from outside a building and  
39 which is characterized by changeable copy, regardless of method of attachment of  
40 the copy.  
41

42           *Channel letters.* Custom-made metal or plastic letters commonly used in  
43 exterior signage on public and commercial buildings, and often internally  
44 illuminated.  
45

1           *Channel letter sign.* A sign comprised of individually fabricated, three-  
2 dimensional letters with metal sides and backing, and typically an acrylic or  
3 polycarbonate face, where each letter is mounted directly to a supporting structure.  
4 Any internal illumination is directed through the translucent face of the letter except  
5 for a "reverse channel letter sign," which utilizes a translucent back that directs the  
6 light onto the wall or similar surface upon which the letter is mounted, typically  
7 with an offset from the mounting surface that produces a "halo" effect.  
8

9           *Commercial message.* Any sign that, directly or indirectly, names,  
10 advertises, or calls attention to a business, product, service, or other commercial  
11 activity.  
12

13           *Construction sign.* A temporary sign identifying those engaged in  
14 construction on any building site. This includes the builder, contractor, developer,  
15 architect, engineer, painter, plumber or other persons or artisans involved in such  
16 construction.  
17

18           *Copy.* The linguistic or graphic content of a sign.  
19

20           *Digital sign:* A sign that utilizes an electronic display including but not  
21 limited to liquid crystal display or light emitting diodes (LCD or LED), plasma  
22 display, or projected images that can be changed automatically.  
23

24           *Directional sign or wayfinding sign:* An on-premises sign designed to guide  
25 or direct pedestrians or vehicular traffic.  
26

27           *Discontinuance of occupancy.* The occupant identified on a sign has ceased  
28 to operate, offer services or products, or conduct activity consistent with a current  
29 BTR or certificate of use in the location indicated by the sign, for a period of thirty  
30 (30) consecutive days. It shall not be a "discontinuance of occupancy" when an  
31 occupant first provides the village manager with written notification that the use  
32 will be closed for renovation, summer season, or other defined period after which  
33 the occupant will resume activity, provided that the occupant does resume the  
34 activity on the specified date, as may be extended by the village manager upon  
35 request by the occupant.  
36

37           *Double-faced sign.* A single sign with two faces that are parallel to each  
38 other.  
39

40           *Electric sign.* Any sign containing electric wiring.  
41

42           *Electronic changeable copy sign.* A sign that utilizes an electronic display  
43 including, but not limited to, liquid crystal display or light emitting diodes (LCD or  
44 LED), plasma display, or projected images, on which the copy is changed  
45 electronically. The following definitions pertain to electronic signs.  
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1. *Dwell time.* The minimum amount of time that a message must be static on an electronic sign. The dwell times shall not include any transition time.
  2. *Static.* A display that is fixed, and unchanging with no portion of the display being in motion, flashing or changing in color or light intensity.
  3. *Transition.* A visual effect used on an electronic sign to change from one (1) message to another.

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*Election sign.* A temporary sign that is displayed during the thirty (30) day period immediately preceding any local, state, or federal election.

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*Entry feature sign:* An architectural feature or element with signage that is typically located at the entrance to a development project but is not attached to a perimeter wall.

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*Facade.* The entire building wall, including wall face, parapet, fascia, windows, doors, and facade projections on any single elevation.

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*Flag.* Any fabric displaying a message, color(s), logo, or other design, which is attached to a flagpole at one side of the flag, with the length of the flag perpendicular to a singular flagpole when fully extended.

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*Frontage.* The length of the property line of any one parcel along the principal street or waterway on which it borders.

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*Grade, finished.* A reference plane representing the highest point of the crown of any public or private street or roadway, which lies contiguous to the property or building site. In the event that the abutting streets or roadways are unimproved, grade shall be measured from the nearest paved roadway.

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*Ground sign (also known as a freestanding sign).* Any sign that is erected on the ground, when no part of the sign is attached to any part of a building or structure. A ground sign shall be supported by a base no greater than three (3) feet in height. Pole signs are not permitted ground signs.

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*Harmful to minors.* Any description, depiction, or representation, in whatever form, of nudity, sexual conduct, or sexual excitement, when it:

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44
1. Predominately appeals to the prurient, shameful, or morbid interest of minors in sex; and

- 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.

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

4  
5            *Logo.* Any symbol, trademark, picture, or other graphic representation,  
6 which is used to signify or identify the particular business or organization.

7  
8            *Marquee.* A structure projecting from and completely supported by a  
9 building and which extends beyond the building line or property line and fully or  
10 partially covers a sidewalk, public entrance, or other pedestrian way.

11  
12           *Marquee sign* means any sign painted or printed onto or otherwise attached  
13 to a marquee.

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

21  
22           *Memorial sign.* A building or freestanding sign memorializing a person,  
23 structure, site, or event.

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

28  
29           *Neon tube sign.* A sign electrically lighted by exposed tubes containing inert  
30 gas and visible from outside of a building.

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

39  
40           *Monument sign.* A freestanding sign located at a commercial center that is  
41 detached from a building and having a support structure that is a solid-appearing  
42 base constructed of a permanent material, such as concrete block or brick.

43  
44           *Nonconforming sign.* A sign existing at the effective date of the adoption of  
45 this article, which could not be built under the terms of this article.

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

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

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

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

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

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

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

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  
34 temporary basis, advertising the real property upon which the sign is located for  
35 rent or for sale.

36  
37           *Residential transitory sign*. A sign which is which may be displayed on  
38 residential property for a period of time less than three (3) weeks and often  
39 shorter. Residential transitory signs shall comply with all of the requirements  
40 applicable to temporary signs, and if deemed a safety hazard may be removed  
41 without notice by any public personnel.  
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1            *Right-of-way.* A strip of land, dedicated or deeded to the perpetual  
2 use of the public occupied, or intended to be occupied, by a street, crosswalk,  
3 railroad, canal, road, electric transmission line, oil or gas pipeline, water supply  
4 main, sanitary sewer, storm drain, or for any other special use.

5  
6            *Roofline.* A horizontal line intersecting the highest point or points of a roof.

7  
8            *Roof sign.* A sign placed above the roofline of a building or on or against a  
9 roof slope of less than forty-five (45) degrees.

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

17  
18           *Sign face.* The part of a sign that is or may be used for copy.

19  
20           *Sign face area.* The area of any regular geometric shape, which contains the  
21 entire surface area of a sign upon which copy may be placed.

22  
23           *Sign structure.* Any construction used or designed to support a sign.

24  
25           *Snipe sign.* A sign constructed of any material that is attached to a utility  
26 pole, tree, fence, light post, stake, or similar object located or situated on public or  
27 private property.

28  
29           *Special event sign.* A temporary sign displayed in connection with the  
30 opening of a business, a community event, and community program or festival.

31  
32           *Street.* A public or private right-of-way for vehicular traffic, including, but  
33 not limited to, highways, thoroughfares, lanes, roads, ways, and boulevards.

34  
35           *Temporary sign.* A sign, which is intended to be displayed for a limited time  
36 only, including real estate signs, construction signs, special events signs, and other  
37 temporary signage as described herein.

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

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

4  
5           *Under canopy sign.* A building sign, which is mounted, attached, or  
6 suspended perpendicular to the building, beneath an awning, canopy, or marquee.

7  
8           *Unit.* That part of a multiple occupancy complex housing one occupant.

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

17  
18           *Wall sign.* See *building wall sign*.

19  
20 **45-102. Prohibited signs.**

21  
22 A.    *Generally.* It shall be unlawful to install, place or keep any sign not  
23 expressly authorized by, or exempted from, this article.

24  
25 B.    *Specifically.* The following signs are expressly prohibited:

- 26  
27       1.    Signs that are in violation of the Florida Building Code.  
28  
29       2.    Any sign that constitutes a safety hazard.  
30  
31       3.    Blank temporary signs.  
32  
33       4.    Signs with visible moving, revolving, or rotating parts or visible  
34 mechanical movement of any description or other apparent visible  
35 movement achieved by electrical, electronic, or mechanical means.  
36  
37       5.    Signs with the optical illusion of movement by means of a design  
38 that presents a pattern capable of giving the illusion of motion or  
39 changing of copy.  
40  
41       6.    Signs with lights or illuminations that flash, move, rotate, scintillate,  
42 blink, flicker, or vary in intensity or color.  
43  
44       7.    Outline neon lighting used on commercially developed parcels for  
45 commercial purposes.  
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8. Signs, commonly referred to as wind signs, consisting of one or more banners, flags, pennants, ribbons, spinners, streamers, or captive balloons, or other objects or materials fastened in such a manner as to move upon being subjected to pressure by wind.
  9. Signs that incorporate projected images, emit any sound that is intended to attract attention, or involve the use of live animals.
  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.

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- 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.
- 22. Portable signs.
- 23. Marquee signs.
- 24. Roof signs.
- 25. Painted signs or murals on walls or roofs of buildings.
- 26. Neon tube signs located inside or outside a building.
- 27. Off-site/off-premises signs, except as provided in section 45-107.
- 28. Signs placed on boats or watercraft that are located on public or private property other than the boat's or watercraft's name, the manufacturer's name or required license numbers.
- 29. Time-temperature-date signs.
- 30. Snipe signs.
- 31. ~~Vehicle signs.~~ [Signs attached to or displayed on vehicles, except as permitted by section 45-104.G. of this Article.](#)
- 32. Abandoned signs.
- 33. Inflatable signs and balloons, unless expressly authorized by a special events permit issued by the village.
- 34. "A" frame/sandwich board signs.
- 35. Signs on fences.
- 36. Pole signs.
- 37. [Changeable copy signs, except as permitted by section 45-112 of this article.](#)

1           387. Any other sign not specifically permitted by this article.  
2  
3

4       **Sec. 45-103. Exempt signs.**  
5

6       The following signs are exempt from these sign regulations, and from the  
7       requirement in this code that a permit be obtained for the erection of permanent  
8       signs, provided they are not placed or constructed to create a hazard of any kind:  
9

- 10       A.     Signs located internally to a site that are not visible from any street or  
11             adjoining property, including waterways.  
12  
13       B.     Signs necessary to promote health, safety and welfare, and other regulatory,  
14             statutory, traffic control, or directional signs erected on public property with  
15             permission as appropriate from the State of Florida, the United States  
16             government, Palm Beach County, or the village.  
17  
18       C.     Legal notices and official instruments.  
19  
20       D.     Government identification signs.  
21  
22       E.     Memorial signs, names of buildings and dates of erection when cut into any  
23             masonry surface or when constructed of bronze or other incombustible  
24             materials and attached to the surface of a building.  
25  
26       F.     Signs incorporated into machinery or equipment by a manufacturer or  
27             distributor, which identify or advertise only the product or service dispensed  
28             by the machine or equipment, such as signs customarily affixed to  
29             newspaper racks, telephone booths, and gasoline pumps.  
30  
31       G.     ~~Advertising and identifying signs located on affixed to~~ taxicabs, buses,  
32             trailers, trucks, ~~or other business vehicles or vehicle bumpers, subject to the~~  
33             ~~regulations of this article for the purpose of identifying the owner or~~  
34             ~~operator and business function of the vehicle.~~  
35  
36       H.     Public warning signs to indicate the dangers of trespassing, swimming,  
37             animals, or similar hazards.  
38  
39       I.     Signs carried by a person.  
40  
41       J.     Religious displays.  
42  
43       K.     Sponsorship signs, i.e., signs supporting a non-profit or government  
44             organization (temporary sign), if approved through the special events or  
45             temporary use process.  
46

1 L. Parking space numbers and labels for reserved spaces, if approved as part  
2 of the site plan.

3  
4 M. Names and addresses on mailboxes.

5  
6 ~~N. Ornamented figurines (three dimensional), used for decorative purposes  
7 and not related to the operation of a commercial enterprise.~~

8  
9 ~~NQ.~~ Decorative flags and bunting for a celebration, convention, or  
10 commemoration of significance to the entire community when authorized  
11 by the village manager for a period not to exceed thirty (30) days.

12  
13 ~~OP.~~ Holiday lights and decorations, erected during the appropriate holiday  
14 season, shall comply with all building and electrical codes. Holiday lights  
15 and decorations may be erected no earlier than four (4) weeks prior to the  
16 subject holiday, with the exception of the Christmas/Hanukkah holidays.  
17 Christmas/Hanukkah lights and decorations may be erected no earlier than  
18 October 15th. All holiday lights and decorations must be removed within  
19 two (2) weeks following the holiday.

20  
21 ~~PQ.~~ Merchandise displays behind storefront windows so long as no part of the  
22 display moves or contains flashing lights.

23  
24 **Sec. 45-104. Permanent Signs – Sign permit not required.**

25  
26 A. *Flags.*

27  
28 1. *Number.* Not more than three (3) flags or insignias of governmental,  
29 religious, charitable, fraternal, or other organizations may be  
30 permanently displayed on any one parcel of land.

31  
32 2. *Size.* The maximum distance from top to bottom of any flag or flags  
33 shall be thirty (30) percent of the total height of the flagpole, or in  
34 the absence of a flagpole, thirty (30) percent of the distance from the  
35 top of the flag or insignia to the ground. The maximum height of a  
36 flagpole within the R-1 single-family dwelling district and the R-2  
37 multiple-family dwelling district shall be twenty (20) feet. The  
38 maximum height of a flagpole within the R-3 apartment dwelling  
39 district and all non-residential zoning districts shall be thirty-five  
40 (35) feet.

41  
42 B. *Utility signs.* Public utility signs that identify the location of underground  
43 utility lines and facilities, high voltage lines and facilities, and other utility  
44 facilities and appurtenances are permitted so long as they do not exceed  
45 three (3) feet in height, and so long as the sign face does not exceed one-  
46 half (½) square foot.

1  
2 C. *Removable signs.* A removable sign affixed by permanent brackets within  
3 the sign face area of a ground sign indicating that units within the same  
4 parcel are for sale or for lease and including a contact phone number. The  
5 brackets and sign cannot cover any other portion of the sign copy, including  
6 any lettering, logo, or address.  
7

8  
9 E. *Window signs.* The combined area of permanent and temporary signs on or  
10 behind windows shall not exceed twenty (20) percent of the total window  
11 area at the same floor level on the side of the building or unit, which the  
12 signs are displayed.  
13

14 F. *Street numbers.*  
15  
16 1. *Generally.* Every building in the village shall have its street number  
17 so affixed to the building or the premises upon which the building  
18 is located that it is both visible and legible from the public street.  
19  
20 2. *Commercial buildings.* Every commercial building with a wall  
21 facing an alley shall have each individual tenancy street number  
22 affixed to the building above or next to the rear door serving each  
23 tenancy so that the number is both visible and legible from the alley.  
24 The street numbers shall be reflective.  
25  
26 3. *Height—Color.* All street numbers shall be a minimum of three (3)  
27 inches in height on residential buildings and a minimum of six (6)  
28 inches on commercial buildings. ~~Maximum height of all street~~  
29 ~~numbers shall be eight (8) inches.~~ All street numbers shall be a  
30 sharply contrasting color with the building.  
31  
32 4. *Maintenance.* It shall be the duty of the owner of the building to  
33 maintain the numbers on the building in good condition.  
34

35 G. *Vehicle signs.* ~~Vehicle signs are allowed subject to the following~~  
36 ~~requirements:~~

- 37  
38 (1) ~~Vehicle signs must be painted on or flush-mounted to the side or rear~~  
39 ~~panel(s) of the vehicle, with the exception of taxicab roof signs.~~  
40 (2) ~~Vehicle signs shall not exceed a total of ten (10) square feet per vehicle.~~  
41 (3) ~~When not actively in use for the conduct of business, vehicles bearing~~  
42 ~~signs may not be parked for more than sixty (60) consecutive minutes:~~  
43 ~~(a) Within thirty (30) feet of the public right-of-way, if parked on the~~  
44 ~~premises of the business being advertised; or~~  
45 ~~(b) Within one hundred (100) feet of the public right of way, if parked~~  
46 ~~on any other commercially zoned property.~~

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1 (3) Vehicles displaying signage pursuant to this section shall also comply  
2 with section 18-34 of this code with respect to parking.

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4  
5 **Sec. 45-105. Administration and Enforcement.**

- 6  
7 A. These sign regulations are intended to complement the requirements of the  
8 building codes adopted by the village. All signs are subject to permitting  
9 requirements, district sign allowances, and other regulations under this  
10 article, except to the extent expressly exempted herein. Wherever there is  
11 inconsistency between these regulations and the building code, the more  
12 stringent requirements shall apply.  
13
- 14 B. A sign permit is required for all signs except signs that are exempt signs  
15 pursuant to section 45-103, permanent signs for which no permit is required  
16 pursuant to section 45-104, or temporary signs governed by section 45-114.  
17
- 18 C. *Persons authorized to perform work.* The work necessary to construct,  
19 install, place, illuminate, paint, or modify signage within the village shall  
20 conform with the following:  
21
- 22 1. The following work may be performed by a property owner or  
23 lessee:  
24
    - 25 a. Painting the face of any freestanding or wall sign;
    - 26 b. Installation or attachment of any individual letters, which  
27 does not require electrical service or structural modification  
28 of the surface or wall to which such letters are being  
29 attached; or
    - 30
  - 31 2. The following work shall be performed by a sign contractor, general  
32 contractor, or building contractor licensed with the village to  
33 perform such work:  
34
    - 35 a. Construction, installation, or electrical connection of any  
36 sign which is illuminated;
    - 37 b. Construction, installation, or placement of any freestanding  
38 sign requiring wind load calculations;
    - 39 c. Construction, installation, or placement of any sign which is  
40 located above a pedestrian walkway or on the front fascia of  
41 a canopy over a pedestrian walkway;
    - 42
    - 43
    - 44
    - 45

1 d. Construction, or installation of any projecting sign permitted  
2 by this article which shall be designed by a Florida registered  
3 architect or engineer.  
4

5 D. *Unsafe signs.*  
6

- 7 1. If the building official determines any sign or sign structure to be in  
8 an unsafe condition, he/she shall immediately notify the owner of  
9 such sign in writing, and the owner shall correct such condition  
10 within forty-eight (48) hours.  
11  
12 2. If the correction has not been made within forty-eight (48) hours,  
13 the building official may have the sign removed if it creates a danger  
14 to the public safety or have any necessary repairs or maintenance  
15 performed at the expense of the sign owner or owner or lessee of the  
16 property upon which the sign is located.  
17

18  
19 E. *Variances.* Any increase or decrease in the dimensional restrictions (size,  
20 height, setbacks, sign copy area, type face, and other measurable standards)  
21 or other deviation from the requirements set forth in this article shall  
22 require a variance approved by the Planning, Zoning and Adjustment  
23 Board. Any increase in the height or size of a sign or the required setback  
24 shall not exceed thirty percent (30%) of the requirements of this code.  
25

- 26 1. The Planning, Zoning and Adjustment Board shall hear and rule on  
27 all applications for variances to this article. All the provisions of  
28 article VI, chapter 45 of this code, shall apply to applications for  
29 variance to this code.  
30  
31 2. All applications for variances to dimensional regulations established  
32 by this article shall be filed with the community development  
33 department upon a form supplied by the village. The application shall  
34 be accompanied by the filing fee established in the master fee  
35 schedule.  
36  
37 3. Public notice of all hearings conducted in accordance with this  
38 section shall be provided as required by section 21-3 of this code.  
39

40 F. *Maintenance; Removal.*  
41

- 42 1. All signs, including their supports, braces, guys and anchors,  
43 electrical parts, and lighting fixtures, and all painted and display  
44 areas, shall be maintained in accordance with the requirements of  
45 the building code and shall present a neat and clean appearance. The  
46 vegetation around the base of ground signs shall be neatly trimmed

1 and free of unsightly weeds, and no rubbish or debris that would  
2 constitute a fire or health hazard shall be permitted under or near the  
3 sign. Examples of unacceptable maintenance and repair include  
4 the following:

- 5
- 6 a. Cracked, ripped, or peeling paint present on more than ten  
7 percent (10%) of the surface area of a sign;
- 8
- 9 b. Bent, broken, loose, or otherwise insufficiently attached  
10 supports, struts, or other appendages;
- 11
- 12 c. Partial illumination for more than fourteen (14) calendar  
13 days;
- 14
- 15 d. Obstruction of sign face by weeds, vines, or other  
16 vegetative matter; and
- 17
- 18 e. Maintaining a position that is more than fifteen (15)  
19 degrees from vertical for more than ten (10) successive  
20 calendar days.
- 21

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

25 3. *Discontinuance of Occupancy.*

- 26
- 27
- 28 a. Evidence of discontinuance of occupancy shall include  
29 failure to: maintain a valid certificate of use or business tax  
30 receipt; occupy the location indicated by the sign for thirty  
31 (30) days; maintain the listed phone number in service;  
32 answer the listed phone number; or, in combination with any  
33 of the preceding, pay a utility bill.
- 34
- 35 b. It shall not be a "discontinuance of occupancy" where an  
36 occupant first provides the village manager with written  
37 notification that the use will be closed for renovation,  
38 summer season, or some other defined period after which the  
39 occupant will resume activity, provided that the occupant  
40 does resume the activity on the specified date, as may be  
41 extended by the village manager upon request by the  
42 occupant.
- 43
- 44 c. Prior to a discontinuance of occupancy, all signs relating to  
45 the occupant shall be removed as provided in this section.  
46 Failure to comply with this section shall subject the sign to

1 removal and disposition pursuant to the provisions of this  
2 article.

3  
4 1. All signs attached to a building shall be removed,  
5 including window signs and awning signs. Upon  
6 removal of a sign from a surface, the surface shall be  
7 restored to its original condition, including the filling  
8 and repainting of anchor holes to match the  
9 surrounding surface. An awning shall be refinished  
10 as necessary to eliminate any evidence of the  
11 removed sign, including faded color on the valance  
12 outlining the former copy.

13  
14 2. The face of a ground sign cabinet shall be removed  
15 and replaced with a new sign face having an opaque  
16 background of a neutral color, and constructed of a  
17 material that complements the sign structure and  
18 building. Any channel letters shall be removed and  
19 the background surface restored pursuant to  
20 subsection (1). Single-occupant identity signs shall  
21 not be illuminated during any period that occupancy  
22 has been discontinued. In the case of a multiple-  
23 occupant sign, the panel of an occupancy that has  
24 been discontinued shall be replaced with a new panel  
25 (either a blank panel, or a panel of an occupancy that  
26 is active) of a material and color that matches the  
27 other panels.

28  
29 G. *Enforcement.* The community development director or the building official,  
30 or their respective designee(s), may initiate code enforcement actions under  
31 chapter 2, article VI to obtain compliance with this code.

32  
33 H. *Review of administrative decisions.* Any final decision of an administrative  
34 official under this article may be appealed to the Planning, Zoning and  
35 Adjustment board as provided in section 45-52, except for code  
36 enforcement actions which are governed by Article VI of the village code.

37  
38 **Section 45-106. Nonconforming signs; amortization; abandoned signs.**

39  
40 All signs lawfully in existence as of the date of adoption of this article, that do not  
41 conform to the provisions of this article, are declared nonconforming signs. It is the  
42 intent of this article to recognize that the eventual elimination of nonconforming  
43 signs as expeditiously and fairly as possible is as much a subject of health, safety,  
44 and welfare as is the prohibition of new signs that would violate the provisions of  
45 this article.  
46

1 A. *Legal nonconforming signs.* Signs that become nonconforming upon  
2 adoption of this article may be maintained as legal nonconforming signs for the  
3 duration of the amortization period as provided in subsection C. below, subject to  
4 the following requirements:  
5

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

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

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

18 (a) Is not increased in area or height to exceed the limits of the  
19 zoning district in which it is located;

20 (b) Remains structurally unchanged except for reasonable  
21 repairs or alterations;

22 (c) Is placed in the most similar position on the remaining  
23 property that it occupied prior to the relocation; and

24 (d) Is relocated in a manner to comply with all applicable  
25 safety requirements.

26 After relocation pursuant to this subsection, the legal nonconforming sign  
27 shall be subject to all provisions of this section in its new location.

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

32  
33 B. *Signs for a legal nonconforming use.*

34 1. New or additional signs for a nonconforming use shall not be  
35 permitted. A change in ownership shall require a nonconforming sign to  
36 be removed or brought into conformity.

37 2. A nonconforming sign for a nonconforming use that ceases to be  
38 used for a period of thirty (30) consecutive days or is replaced by a  
39 conforming use, shall be considered a prohibited sign and shall be  
40 removed or brought into conformance upon establishment of a conforming  
41 use.

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46

~~C. — Amortization of Non-conformities. Except as provided in paragraph (c) below, all non-conforming signs shall be brought into compliance within five (5) years, as follows:~~

~~1. — Legally existing signs, other than temporary signs, that become non-conforming as of the effective date of this article shall maintain legal non-conforming status for a period of five (5) years from the effective date of this article, with exceptions as herein contained. At the end of the five (5) year period, all signs not in compliance shall become illegal signs.~~

~~2. — All legally existing temporary signs shall be in compliance with the provisions of this Schedule within ninety (90) days of the effective date of this Ordinance.~~

~~3. — Annexation. All nonconforming signs or sign structures within an area annexed into the city after the effective date of the Ordinance which do not conform to city code shall, within five (5) years of the effective date of annexation, be removed or rebuilt into a conforming configuration in the event of any renovation, remodeling, or reconstruction of an existing building or site requiring a Special Exception, or where the value of the construction work is equal to or more than twenty five (25) percent of the value of the building as indicated by the Palm Beach County Property Appraiser.~~

D. *Abandoned signs.*

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

1 specified time in such order, the community development  
2 department is hereby authorized to cause removal of such sign and  
3 any expenses incident thereto shall be paid by the owner of the  
4 building or structure to which said sign is attached.

- 5  
6 5. Removal of an abandoned nonconforming sign shall include all sign  
7 support components, angle irons, poles, and other remnants of the  
8 discontinued sign that are not currently in use, or proposed for  
9 immediate reuse as evidenced by a sign permit application for a  
10 permitted sign.

11  
12 **Section 45-107. ~~Off-premises signs~~ Reserved.**

13  
14 ~~A. In cases where unique situations exist regarding limited access to the~~  
15 ~~property as determined by the community development director, the sign~~  
16 ~~owner may request to locate a sign in an adjacent property or right of way,~~  
17 ~~provided that the applicant can meet the following criteria:~~

- 18  
19 1. ~~Provide written authorization from the property or right of way~~  
20 ~~owner to receive the sign stating that he/she does not object to the~~  
21 ~~location of the sign in the adjacent property or right of way.~~  
22  
23 2. ~~Provide a hold harmless agreement with the property or right of~~  
24 ~~way owner to receive the sign recorded in the public records.~~  
25  
26 3. ~~Provide a written agreement with the village and property owner that~~  
27 ~~within ten (10) days of receiving written notice from the property~~  
28 ~~or right of way owner requesting removal, the sign owner, will~~  
29 ~~remove the sign and return said property or right of way to a~~  
30 ~~finished condition.~~

31  
32 ~~B. Off-premises sign types shall be limited to directory or directional sign~~  
33 ~~types and shall follow all setback, design, construction, distance separation,~~  
34 ~~sight visibility, and any other applicable provision of this code to protect~~  
35 ~~the village's and right of way owner's interests.~~

36  
37 ~~C. A maximum of one off premises sign is permitted per right of way or~~  
38 ~~legally bound parcel.~~

39  
40 ~~D. In no instance shall any off premises sign be placed within twenty five (25)~~  
41 ~~feet of an existing sign installed on the ground within the same right of~~  
42 ~~way, and final placement of the sign shall be at the discretion of the~~  
43 ~~community development director to ensure the village's corridors remain~~  
44 ~~free of visual advertisement clutter.~~  
45

1 ~~E. The business being advertised by the off-premises sign must not have road~~  
2 ~~frontage that would provide an opportunity for an advertising sign on~~  
3 ~~premises.~~

4  
5 ~~F. Permits issued for off-premises signs shall automatically become void upon~~  
6 ~~vacation of the existing business for which the off-premises sign was~~  
7 ~~originally issued. The new owner or tenant of the business shall apply for a~~  
8 ~~new building permit for the off-premises sign according to the provisions~~  
9 ~~set forth in this article and provide a copy of the lease to the community~~  
10 ~~development department indicating occupancy of the premises for which~~  
11 ~~the off-premises sign was originally issued. This does not preclude the~~  
12 ~~removal of the existing off-premises sign; however, a new sign permit will~~  
13 ~~be required for any alterations to the sign including sign face and copy~~  
14 ~~changes as stipulated by the provisions of this article.~~

15  
16  
17 **Section 45-108. Master Sign Plan Process.**

18  
19 A. *Master sign plan.* A master sign plan shall serve as the controlling  
20 document for review of all applications for sign approval within a  
21 designated development including shopping centers or multi-use buildings  
22 or where multiple signs are proposed for a single site or project to ensure  
23 the compatibility of sign types, locations, sizes, colors and lettering styles,  
24 as well as compatibility and cohesiveness. Renovations and redevelopment  
25 of existing commercial buildings and projects for shopping centers, multi-  
26 use buildings or where multiple signs are proposed on a single site shall also  
27 require submittal of a master sign plan. Applications for site development  
28 or site improvement plan approval shall be accompanied by a graphic and  
29 narrative representation of the master signage plan to be utilized on the site.  
30 Existing commercial buildings and projects shall submit a master sign plan  
31 to the village within five years of the effective date of this article, unless  
32 there is already an existing master sign plan approved by the village, which  
33 covers all aspects of a master sign plan. Building permits for new signs shall  
34 not be issued for commercial buildings which have not submitted a master  
35 sign plan. The master sign plan may be amended and resubmitted for  
36 approval to reflect style changes or changing tenant needs.

37  
38 The purpose and intent of a master sign plan is to provide a master record  
39 of signs on a parcel, ensure compatible signage, and to create unification of  
40 signage within parcels, excluding planned development out-parcels, which  
41 may be treated separately. All master sign plans shall be approved by the  
42 Planning, Zoning and Adjustment Board and shall comply with the  
43 following:

- 44  
45 1. The master sign plan shall be approved prior to the issuance of a  
46 sign permit.

- 1           2.    The master sign plan shall indicate the type, location, size,  
2                    dimensions, illumination, color, materials, and architectural style,  
3                    including the address requirements of the building code and this  
4                    article. The locations shall be illustrated on elevations and on a site  
5                    development plan.
- 6
- 7           3.    When applicable, landscape plans and details shall be part of the  
8                    plan and shall comply with the landscape standards of this code.
- 9
- 10          4.    If a technical deviation is required, the request can be made part of  
11                   the application for a master sign plan.
- 12
- 13

14    B.    *Master Sign plan criteria.* In reviewing the master sign plan, the Planning,  
15           Zoning and Adjustment Board shall determine if the following criteria have  
16           been met:

- 17
- 18          1.    The signage for the project is in keeping with the overall architecture  
19                   and character of the building development.
- 20
- 21          2.    The signage for the project is designed to meet the directional needs  
22                   of the project for communication, identification, way finding, and  
23                   ensure that regulatory and informational messages are in keeping  
24                   with the overall architectural theme of the development or project;
- 25
- 26          3.    The signage proposed is legible, conspicuous, and easily readable;
- 27
- 28          4.    The visibility and impact of the type of sign, number of signs,  
29                   design, size, method of, construction, illumination and location of  
30                   the proposed signs comply with the minimum standards of this  
31                   section, and do not adversely impact adjoining properties or create  
32                   a hazard of health risk; and
- 33
- 34          5.    The proposed signage is consistent and not in conflict with the intent  
35                   and interests of the village.
- 36

37    C.    *Submittal.* A master sign plan or request for a technical deviation shall be  
38           reviewed and approved by the Planning, Zoning and Adjustment Board. All  
39           applications and supporting documentation as listed on the community  
40           development department application shall be submitted to the department  
41           in a format determined by the Village.. The community development  
42           department shall review the application and create a staff report or memo,  
43           which shall include a recommendation. The staff report shall be provided to  
44           the applicant prior to the meeting. An authorized representative of the  
45           applicant must attend the Planning, Zoning and Adjustment board meeting.

1 If a representative is not present, then the board has the right to postpone  
2 the agenda item to a future meeting date.

3  
4 D. *Fees.* Master sign plan requests shall be charged in accordance with the  
5 development application fee schedule and paid to village at the time of  
6 submittal.

7  
8 E. *Effect of master sign plan approval.*

9  
10 1. After approval of a master sign plan or amendment, all new  
11 signs and alterations to signs shall comply with the master sign plan,  
12 and any violation of such approved plan shall be a violation of this  
13 chapter. In case of any conflict between a provision of a master sign  
14 plan and one or more provisions of this article, the stricter of the two  
15 shall apply.

16  
17 2. The village shall not consider a request to deviate from an approved  
18 master sign plan. However, a master sign plan may be amended or  
19 replaced by a new master sign plan. Amendments that are specific  
20 to a single occupancy shall not be approved unless the proposed  
21 amendment responds to the unique location or architecture of the  
22 occupancy that is not generally applicable elsewhere in the property  
23 subject to the master sign plan. The Planning, Zoning and  
24 Adjustment Board shall evaluate any proposed amendment within  
25 the context of the entire approved master sign plan.

26  
27  
28 F. *Multi-tenant signs.* For commercial projects occupied by multiple retail or  
29 service establishments where the total area of the project, including  
30 outparcels, exceeds five (5) acres, a ground sign may, subject to Planning,  
31 Zoning and Adjustment Board review and approval of the sign design in  
32 accordance with the criteria set forth in this article, depict the name of the  
33 project and the names of up to five (5) tenants or occupants of the project.  
34 A "for sale" or "for lease" sign may be substituted for one (1) of the tenant  
35 or occupant signs if the space within the project is being actively marketed  
36 for sale or lease.

37  
38  
39 **Section 45-109. Sign permit process.**

40  
41 A. *Permits required:* Except as otherwise provided in this article, it shall be  
42 unlawful for any person to erect, construct, enlarge, post, alter, maintain,  
43 move, or convert any sign in the village, or cause the same to be done,  
44 without first obtaining a sign permit for each such sign as required by this  
45 article. These requirements shall not be construed to require any permit for  
46 the repainting, cleaning, and other normal maintenance or repair of a sign

1 or sign structure for which a sign permit has previously been issued, so long  
2 as the sign or sign structure is not modified in any way. All signs shall be  
3 constructed in accordance with the building code, including obtaining all  
4 required building permits. No sign shall be approved for use unless it has  
5 been inspected and found to comply with all the requirements of this section  
6 and applicable codes.

7  
8 B. *Approval.* After submittal of a complete application and the requisite  
9 application fee(s), the following signs, when determined by the building  
10 official to be consistent with and in compliance with the criteria set forth  
11 herein, shall receive a sign permit without review by the Planning, Zoning  
12 and Adjustment Board:

- 13  
14 1. Model sales office signs and model name signs;
- 15  
16 2. Signs in a shopping center, planned commercial development,  
17 planned industrial development, or planned office park, which are  
18 consistent with a previously approved master signage plan for the  
19 development;
- 20  
21 3. Temporary signs not exempted from permitting by section 45-  
22 114(B).

23 All other signs shall require permits approved by the Planning, Zoning and  
24 Adjustment Board.

25  
26  
27 C. *Sign permit application:* Applications for a sign permit shall be made in a  
28 format and upon forms provided by the village and shall provide the  
29 following information:

- 30  
31 1. Name, address, and telephone number of the property owner. No  
32 person shall erect, construct, or maintain any sign upon any property  
33 or building without the consent of the owner or person entitled to  
34 possession of the property or building if any, or their authorized  
35 representatives.
- 36  
37 2. Name, address, and telephone number of the contractor.
- 38  
39 3. Property address, property control number (PCN), and legal  
40 description of the building, structure, or lot to which or upon which  
41 the sign is to be installed or affixed.
- 42  
43 4. A drawing to scale showing the design, colors, and materials of the  
44 sign, including dimensions, sign size, sign copy/area, method of  
45 attachment, source of illumination, and showing the relationship to  
46 any building or structure to which it is, or is proposed to be, installed

1 or affixed, (elevation) or to which it relates, signed and sealed by a  
2 professional architect or engineer registered in the State of Florida.

- 3  
4 5. A fully dimensioned survey or site plan, to scale, indicating the  
5 location of the sign relative to property lines, rights-of-way, streets,  
6 easements, sidewalks, and other buildings or structures, including  
7 any ground mounted signs, on the premises.  
8  
9 6. If a monument sign, landscape plan showing the screening of the  
10 base or foundation of the sign.  
11  
12 7. Cost estimate.

13  
14 D. *Application procedure and review (original submittal)*: A sign permit  
15 application on a form provided by village shall be electronically filed  
16 together with all documentation as provided for in this section. Upon the  
17 electronic submission of a complete sign permit application and all required  
18 documentation, the village shall review the application based on whether it  
19 complies with this article and all other code requirements, or an approved  
20 master sign plan, if applicable, and provide comments to the applicant  
21 through the electronic review portal.  
22

23 E. *Application procedure and review (resubmittals)*: Upon resubmission of  
24 the sign permit application through the electronic review portal, the village  
25 shall determine whether the applicant's revisions comply with this article  
26 and all other code requirements. If the revisions do not comply with this  
27 article, the village will again provide the applicant comments through the  
28 electronic review portal. This process shall continue until the applicant has  
29 submitted an application that meets all applicable requirements. If the  
30 application meets all requirements of this article and other code  
31 requirements or an approved master sign plan, if applicable, the sign permit  
32 shall be approved. If the application fails to meet the requirements of the  
33 code, the application shall be denied.  
34

35 F. *Application fees*: Sign permit application fees for signs shall be charged in  
36 accordance with the building division fee schedule and paid to the village  
37 for each sign for which a permit is required by this article. Application fees  
38 shall be paid at time of application and any such sign permit fees are  
39 required to be paid prior to a permit being issued.  
40

41 **Sec. 45-110. Sign regulations – In general.**  
42

43 A. *Physical sign types allowed*. Except as may be otherwise provided in this  
44 section, a permanent sign may be a permanent ground (freestanding) sign, ,  
45 a permanent building wall sign, or a window sign .  
46

1 B. *Measurement and Dimensions.*

- 2
- 3 1. *Computation of sign area and number.* The area of each face of a
- 4 sign shall be the area of the smallest circle, triangle, or
- 5 parallelogram, which contains all content, background, and
- 6 structural elements of the sign. Sign area shall not include structural
- 7 elements, which function solely as support for the sign or cover of
- 8 structural elements.
- 9
- 10 2. *Certain support structures exempted from computation of area*
- 11 *of freestanding signs.* Support structures which are part of a
- 12 decorative landscape wall or screen wall shall not be considered part
- 13 of a freestanding sign.
- 14
- 15 3. *Determination of the number of signs.* Any collection of sign
- 16 content, sign background, and sign structure may be considered to
- 17 be one sign face if the area of such sign face is measured as only one
- 18 circle or only one triangle or only one parallelogram, provided that
- 19 the area so measured conforms to the maximum sign area
- 20 requirements of this article.
- 21
- 22 4. *Façade area.* The façade area shall be measured by determining the
- 23 area within a two-dimensional geometric figure coinciding with the
- 24 edges of the walls, windows, doors, parapets, marquees, and roof
- 25 slopes greater than forty-five (45) degrees that form a side of a
- 26 building or unit.
- 27
- 28 5. *Back-to-back signs.* Where two (2) sign faces are placed back-to-
- 29 back on a single sign structure, and the faces are at no point more
- 30 than four (4) feet apart, the area of the sign shall be counted as the
- 31 area of one (1) of the faces.
- 32
- 33 6. *Sign height.* The height of a sign shall be measured as the vertical
- 34 distance from the finished grade, ~~as set by flood elevation~~
- 35 ~~requirements on the property,~~ excluding berms, at the base of the
- 36 supporting structure to the top of the sign, or its frame or
- 37 supporting structure, whichever is higher.
- 38

39 C. *Content*

40

41 Signs permitted pursuant to this article may contain any ~~noncommercial~~ message,

42 which is not harmful to minors as defined in this chapter, or otherwise contrary

43 to law. A permanent accessory sign may only display any combination of the

44 following:

45

- 46 1. Street address number and/or name.

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2  
3  
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2. A logo symbol for the building or the building occupant, which does not exceed fifty percent (50%) of the allowable sign area.
3. Letters depicting the nature of the business and that are a maximum of fifty percent (50%) of the height of the letters depicting the name of the building or building occupant.

~~4. Non commercial messages. Any sign erected pursuant to the provisions of this article may, at the option of the applicant, contain either a non commercial message or a commercial message, provided that:~~

- ~~a. The size and design criteria conform to the applicable portions of this article;~~
- ~~b. The sign conforms to the requirements of the applicable zoning designation;~~
- ~~c. The sign is not otherwise prohibited by this article; and~~
- ~~d. Permits are obtained where required.~~

~~The sign face may be changed from commercial to non-commercial messages as frequently as desired by the owner of the sign. For the purposes of this sign code, non-commercial messages shall never be deemed off premises.~~

D. *Placement and aesthetic appearance.*

1. It is the intent of these sign regulations to preserve and enhance the aesthetic quality of the environment by reducing the visual discordance which can result from:

- a. The haphazard placement of signs on buildings; and
- b. The use of an array of different sign constructions on one building.

It is recognized that this intent may be met by approaches other than those specifically set forth in this section. Accordingly, this section makes provisions for approval of signs which conform to the intent of this section but which do not conform to the specific requirements of this section.

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

1 horizontal or vertical building lines. This requirement will be  
2 considered met if none of the following types of lines are broken:

- 3 a. Cornice line;
- 4
- 5 b. Lintel lines, actual and extended;
- 6
- 7 c. Sill lines, actual and extended;
- 8
- 9 d. Belt course lines;
- 10
- 11 e. Column and pilaster lines including but not limited to
- 12 building recesses.
- 13
- 14

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

20  
21 ~~3. *Vertical dimension of wall-mounted signs in relations to building*~~  
22 ~~*facade elements. The maximum vertical dimension of a wall-*~~  
23 ~~*mounted sign shall be no more than forty percent (40%) of the*~~  
24 ~~*vertical face dimension of the facade element (parapet, spandrel,*~~  
25 ~~*fascia, or other facade element) on which it is mounted. This*~~  
26 ~~*requirement shall be considered met even if all or a portion of a sign*~~  
27 ~~*exceeds in vertical dimension forty percent (40%) of the vertical*~~  
28 ~~*dimension of the facade element on which it is mounted if the*~~  
29 ~~*building is designed so that a permitted sign cannot be located*~~  
30 ~~*without exceeding the forty percent (40%) limit of any building*~~  
31 ~~*facade element.*~~

32  
33 ~~34. *Coordination of construction type of wall-mounted signs.*~~ Whenever  
34 more than ~~one two (12)~~ wall-mounted signs ~~is are~~ permitted on any  
35 one building, and all must be of the same construction type (cabinet,  
36 individual pan-channel letters, individual reverse pan-channel  
37 letters, or other). In addition, all ~~may be and all except one~~ must  
38 have the same base line if they are individual letters mounted on the  
39 building facade, and must have the same base and top line if they  
40 are of any other construction type.

41  
42 ~~45. *Finish of sign background and sign structure.*~~ Low freestanding  
43 signs shall have a background and structure, which are of materials,  
44 colors, and finishes that are used extensively for the building to  
45 which the sign is accessory. Materials, colors, and finishes will be  
46 considered to be used extensively if they cover more of the non-

1 glass portions of the highly visible surfaces of the building than does  
2 any other material, or if they cover at least thirty percent (30%) of  
3 the non-glass portions of the highly visible surfaces of the building.  
4

5 56. *Placement standards.*

- 6
- 7 a. *In right-of-way.* Supports for signs or sign structures shall  
8 not be placed in or upon a public right-of-way or public  
9 easement
  - 10
  - 11 b. *Over right-of-way.* No ground sign shall project over a  
12 public right-of-way.
  - 13
  - 14 c. *Blocking exits, fire escapes, etc.* No sign or sign structure  
15 shall be erected that impedes the use of any fire escape,  
16 emergency exit, or standpipe.
  - 17
  - 18 d. All ground sign shall be erected within landscaped areas.  
19 Minimum distance from the edge of the landscaped area to  
20 the sign base shall be three (3) feet. The landscaping shall  
21 consist of shrubbery a minimum of thirty (30) inches high  
22 creating a hedge or individual shrubs of the same or varying  
23 species thirty (30) inches high spaced not more than  
24 eighteen (18) inches apart at their base.

25

26 67. *Appearance Plan.* Per the village's appearance plan:

- 27
- 28 a. All signs shall be part of the architectural concept. Size,  
29 color, lettering, location, and arrangement shall be  
30 harmonious with the building design and shall be  
31 compatible with signs on adjoining buildings. Signs shall  
32 have good proportions.
  - 33
  - 34 b. Ground signs shall be designed to be compatible with the  
35 architecture of the building. The same criteria applicable to  
36 wall signs shall apply to ground signs.
  - 37
  - 38 c. Identification signs of a prototype design shall conform to  
39 the criteria for building and ground signs.
  - 40
  - 41 d. Materials used in signs shall have good architectural  
42 character and be harmonious with building design and  
43 surrounding landscape.
  - 44
  - 45 e. Every sign shall have good scale in its design and in its  
46 visual relationship to buildings and surroundings.

- 1  
2 f. Colors shall be used harmoniously and with restraint.  
3 Excessive brightness and brilliant colors shall be avoided.  
4 Lighting shall be harmonious with the design. If external  
5 spot or floor lighting is used, it shall be arranged so that the  
6 light source is shielded from view.  
7  
8

9 E. *Structural Requirements.*

- 10  
11 1. All structural, electrical, and mechanical components utilized in the  
12 construction, installation or placement, and operation of signs shall  
13 be concealed except for vertical supports of other supporting  
14 components which are designed and arranged to be an integral part  
15 of the aesthetic composition of a sign. Raceway/wireway mounting  
16 of letters and J-boxes are prohibited unless existing structural  
17 building conditions, such as certain glass structures, warrant this  
18 type of mounting.  
19  
20 2. Clearance standards  
21  
22 a. Canopy signs hung from a canopy, bracket arm or covered  
23 structure shall have a minimum vertical clearance of nine (9)  
24 feet above grade to the bottom of the sign ~~and shall not~~  
25 ~~exceed three (3) square feet in area.~~  
26  
27 b. All signs over vehicular ways shall provide a minimum of  
28 thirteen (13) feet, six (6) inches of clearance.  
29  
30 ~~3. All sign copy, text, or logos four (4) inches or larger on permanent~~  
31 ~~signs shall extrude from or intrude into the sign face a minimum of~~  
32 ~~three eighths (3/8) of an inch.~~  
33  
34 34. A building wall sign shall not project more than four (4) feet  
35 perpendicularly from the surface to which it is attached nor shall it  
36 extend beyond any edge of the surface to which it is attached or  
37 disrupt a major architectural feature of the building.  
38  
39 45. All wood permitted to be used, whether for new permanent signs,  
40 for replacement of existing permanent signs, or for any part thereof,  
41 shall be rot and termite resistant.  
42  
43 56. Wwires visibly connected to individual letters shall be permitted.  
44

1           67. Every sign and all components of such sign shall be kept in good  
2 structural condition and be in conformance with the applicable  
3 building code at the time of permitting.

4  
5           78. Every sign shall be constructed in a manner as to comply with the  
6 wind load requirements of the Florida Building Code. . All sign  
7 contractors shall sign a certificate stating wind loading will meet  
8 requirements of this chapter where signs under thirty-two (32)  
9 square feet are submitted. For signs thirty-two (32) square feet or  
10 over, the applicant shall provide a certification sealed by a state  
11 registered engineer or architect stating that the design will meet the  
12 requirements of this code as submitted.

13  
14 F.       *Dimensional and distance requirements.*

15  
16           1. The height of a permanent sign shall not extend beyond the  
17 building height including parapets.

18  
19           2. ~~All signs shall be setback a minimum of ten (10) feet from all  
20 property lines to any portion of the sign, and no sign shall be  
21 permitted to overhang into the minimum sign setback. The  
22 community development director may grant a reduction in the  
23 minimum sign setback based on physical site constraints on a case-  
24 by case basis through a written request from the property owner or  
25 their authorized designee.~~

26  
27           23. Signs shall not obstruct sight distance triangles mandated by this  
28 code or as determined by the Florida Department of Transportation  
29 roadway design criteria, as may be amended from time to time.

30           34. Once a sign is erected, no additional signs may be attached to or  
31 displayed on any sign on a temporary or permanent basis.

32  
33  
34           45. No sign shall create a traffic or fire hazard, be dangerous to the  
35 general welfare, or interfere with the free use of public rights-of-  
36 way.

37  
38           56. Sign locations shall not interfere with public alarms, signals, or  
39 signs. No sign or support shall be placed in such position or manner  
40 as to obstruct or interfere, either physically or visually, with any  
41 fire alarm, police alarm, traffic signal or sign, or any devices  
42 maintained by or under public authority.

43  
44 **Sec. 45-111. Sign Illumination.**

- 1 A. All permanent signs, other than window signs, may be internally  
2 illuminated, backlit, or externally illuminated unless otherwise provided in  
3 this article.  
4
- 5 B. Temporary signs shall not be illuminated unless otherwise provided in this  
6 article.  
7
- 8 C. Lighted signs shall be automatically controlled to be disconnected daily at  
9 midnight or at the close of business if the advertised closing time is later  
10 than midnight.  
11
- 12 D. *Intensity.*
- 13
- 14 1. The intensity of sign illumination (brightness of a sign) shall not  
15 exceed 700 candelas per square meter (cd/m<sup>2</sup>) for any sign.  
16
- 17 2. Intensity shall be measured from the period beginning one-half hour  
18 after apparent sunset and ending one-half hour before apparent  
19 sunrise, both as determined by the National Oceanic and  
20 Atmospheric Administration (NOAA), United State Department of  
21 Commerce for Miami, Florida for the specific date of measurement.  
22
- 23 3. Intensity shall be measured by a foot-candle meter held at a pre-set  
24 distance from the sign determined as follows: the square root of the  
25 product of the sign area (in square feet) and 100 ( $\sqrt{A * 100} = D$ ,  
26 where A = sign area and D = distance in feet).  
27
- 28 E. *Design.* Illumination of a sign using an exposed, unshielded light source is  
29 not permitted. All lighting for signs shall be designed to prevent light  
30 spillage outside the boundaries of the sign face, and shall not be of such  
31 intensity or brilliance as to cause glare or visual distraction.  
32
- 33 F. *Uniformity.*
- 34
- 35 1. Lighting on all permanent signs throughout a single development or  
36 project shall be consistent in terms of color or intensity, unless  
37 differentiation is specifically provided for pursuant to an  
38 approved master sign plan in which there is variety in facade design  
39 or building type.  
40
- 41 2. Lighting shall be evenly diffused throughout a sign so as not to  
42 produce areas with blotchy or differential illumination (i.e.,  
43 "hotspots" or "cold spots").  
44
- 45 G. *External illumination.*  
46

1. External illumination shall be permitted only for address signs, ground identity signs, ingress/egress signs, wayfinding signs, and limited instances where such lighting is specifically authorized pursuant to a master sign plan or sign permit, which shall only be granted for signs mounted on buildings through use of architectural, overhead, full-cutoff lighting fixtures integrated into the design of the sign or facade.
2. External illumination shall be stationary and directed only upon the sign face and architectural elements of the sign structure.
3. The source of the light used in external illumination shall be screened from view of public streets and residential uses, including upper story residential uses. The light intensity shall not cause glare or light spillover onto other property or a public street.
4. No illuminated signs shall face a residential use in such a way as to be a distraction at night to the persons living in the residential structure.
5. Only white light shall be used to illuminate signs.

H. *Internally illuminated ground sign cabinets.* Internally illuminated cabinets may be incorporated into permanent ground signs provided that only the sign copy is illuminated and the background material is opaque. Changeable copy signs, where permitted, are not subject to the restrictions of this subsection.

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

#### **Sec. 45-112. Changeable Copy Signs.**

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

~~A. A changeable copy sign shall comprise not more than twenty percent (20%) of the permitted sign area, except as described in this section.~~

AB. Motor vehicle service stations and convenience stores with gasoline pumps may utilize up to twenty percent (20%) of permitted sign area for changeable prices of gasoline and the words “cash” and “credit” only.

1 BC. Movie theaters and other performance or entertainment facilities may utilize  
2 up to eighty percent (80%) of permitted sign area for display of names of  
3 films, plays, or other performances currently showing. Such changeable  
4 copy areas shall be included as part of the permitted sign area.  
5

6 CD. Changeable copy signs shall be prohibited for office, industrial, and  
7 residential uses but allowed for public, charitable and religious institutions  
8 and signs in the Public zoning district.  
9

10 DE. Use of changeable copy signs as part of permitted wall sign area is  
11 prohibited  
12

13 EF. *Dwell time.* The changeable copy may change no more than once every ten  
14 seconds.  
15

16 EG. Electronic number changeable copy signage.  
17

18 1. Freestanding monument signs are permitted electronic number  
19 changeable copy for a price section only. Such electronic copy area  
20 shall be for static display only. Flashing, animated, coursing and the  
21 appearance of any movement other than an instantaneous change  
22 from one price to another are explicitly prohibited.  
23

24 2. Electronic number changeable copy (LED or similar) signage  
25 displays shall not have the capability to have dynamic displays even  
26 if not used. Only one (1) continuous LED (or similar) display area  
27 for numbers only is allowed on a sign face and may include the time  
28 or temperature. Multiple-copy signs adjacent to each other are  
29 permissible in a sign face.  
30

31 .  
32  
33 3. Only the numbers themselves may be lit with the remaining  
34 background non-lit or black. No neon or similar lighting shall be  
35 permitted in conjunction with a sign using electronic number  
36 changeable copy signage.  
37

38 4. Brightness or glare shall be controlled to avoid distractions to  
39 vehicular traffic, pedestrians, and adjoining properties. Adjustments  
40 shall be made upon written request from the village.  
41

42 5. All electronic copy number signs shall be installed with an ambient  
43 light monitor.  
44

- 1 6. Dimmer control electronic number changeable copy signs must have  
 2 an automatic dimmer control that automatically adjusts the sign's  
 3 brightness in direct correlation with ambient light conditions.  
 4  
 5 7. *Brightness*. No electronic number changeable copy sign shall  
 6 exceed a brightness level of 0.3 foot-candles above ambient light  
 7 conditions, as measured using a foot-candle (Lux) meter at a preset  
 8 distance depending on sign area. The measurement distance shall be  
 9 calculated with the following formula: The square root of the  
 10 product of the sign area times 100. Example:  $\sqrt{(30 \text{ square feet} \times$   
 11  $100)}$  54 feet.  
 12  
 13 8. The maximum height of changeable numbers shall be twelve (12)  
 14 inches.  
 15  
 16 H. *Photometric plan*. Each application for a digital sign shall be accompanied  
 17 by a photometric plan. The photometric plan shall demonstrate the digital  
 18 sign's maximum light intensity, in foot-candles above ambient light, at  
 19 locations identified by the applicant or village staff that may be impacted  
 20 within three hundred (300) feet of the proposed digital sign location. This  
 21 plan may be reviewed by a third-party lighting specialist selected by the  
 22 village, and all costs associated with third party review shall be paid by the  
 23 applicant to the village.

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

- 25  
 26  
 27 A. *Sign allowances (number, area, height, and setbacks)*. Permitted signs  
 28 shall be subject to limitations as to total number of signs and maximum  
 29 dimensions based upon the zoning district where the sign will be located.  
 30 Measurement determinations shall be made as provided in section 45-  
 31 110(B) of this article.  
 32  
 33 B. The following chart sets out sign allowances for all zoning districts except  
 34 the Commercial Northlake (C-NB) zoning district:  
 35

36 **Table 45-1**  
 37 **Permitted Signs by District Zoning:**

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

**Commented [SG1]:** Last column (P and OS signs) removed because not currently regulated

**Sec. 45-35. - Public district.**

Within any P **public** district, uses shall be restricted to those necessary or essential to the administration and operation of the village or any other governmental agency, including, but not limited to, village hall, recreation facilities, waterworks, pumping stations and sewage facilities.

**Sec. 45-35.2. - OS conservation and open space district.**

*A.Intent.* The intent of this section is to provide for land uses and activities within land areas designated for the primary purpose of conserving or protecting natural resources of environmental quality.

*B.Uses permitted.* Within any part of the OS conservation and **open space** district, no building, structure, land or water shall be used, except for one (1) or more of the following uses:

- 1.Passive recreation;
2. Flood control;
3. Protection of quality or quantity of ground water or surface water;
4. Floodplain management;
5. Fisheries management;
6. Protection of vegetative community or wildlife habitats;
7. Residential and administrative buildings for the protection of the OS district;
8. Single-family dwellings with accessory buildings customarily incident thereto.

*C. Building height regulations.* No main building shall exceed two (2) stories in height and no accessory building more than one (1) story.

*D. Building site area regulations.* The minimum lot or building site for each single family dwelling shall be one (1) acre of upland area and have at least one (1) lot dimension, width or length, of a minimum of one hundred fifty (150) feet.

*E. Yard space regulation.* No building or portion thereof shall occupy a position fifty (50) feet or less from the upland/wetland boundary of the property.

*F. Coastal zone protection.* The Village of North Palm Beach adopts, by reference, the Palm Beach County Coastal Protection Ordinance No. 90-2 in its entirety.

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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

**Notes:**

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

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

- 1           1.    *Directional or wayfinding signs.* One (1) parking area directional  
2 sign may be erected at each point of ingress and egress to a parking  
3 lot or parking area. Such signs shall not exceed two (2) square feet  
4 in background area nor exceed three (3) feet in height. Such signs  
5 shall not create a traffic or pedestrian hazard.  
6  
7           2.    *Signs at entrances to residential developments.*  
8  
9           a.    ~~One (1) sign is permitted at only one (1) entrance into the~~  
10 ~~development from each abutting street. The sign may be a~~  
11 ~~single sign with two (2) faces of equal size or may be two~~  
12 ~~(2) single faced structures of equal size located on each side~~  
13 ~~of the entrance. No face of the sign shall exceed thirty-two~~  
14 ~~(32) square feet in size, and the signs may be illuminated in~~  
15 ~~a steady light only.~~  
16  
17           ab.   The placement of such entry signs shall consider the location  
18 of public utilities, sidewalks, and future street widening.  
19  
20           be.   The developer shall ensure that such signs shall be  
21 maintained perpetually by the developer, the owner of the  
22 sign, a community association, or some other person or  
23 entity legally accountable under a maintenance arrangement  
24 approved by the village council. If no accountable person  
25 accepts legal responsibility to maintain the signs and no  
26 other provision has been made for their maintenance, the  
27 developer or owner shall remove the signs.  
28  
29           cd.   The sign shall only include the name of the development.  
30  
31           3.    *Automated Teller Machine (ATM) machine signage.*  
32  
33           a.    ATMs are permitted one (1) sign per machine not to exceed  
34 eight (8) square feet in sign area.  
35  
36           b.    The ATM sign shall be located adjacent to the machine and  
37 shall not exceed nine (9) feet in height.  
38  
39           c.    ATM signs shall display only the business name and/or  
40 business logo offering or maintaining the ATM.  
41

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

- 43  
44 A.    *General standards:*  
45

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 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. A property owner may place a sign no larger than eight and one-half~~  
2 ~~(8.5) inches by eleven (11) inches in one window visible from a~~  
3 ~~public right of way on the property at any time.~~

4  
5 23. *Additional temporary non-commercial sign before an election:*

- 6  
7 a. One temporary noncommercial sign totaling no more than  
8 five square feet per one quarter (0.25) acre of land may be  
9 located on the owner's property for a period of thirty (30)  
10 days prior to an election taking place in the jurisdiction  
11 where the property on which the sign(s) is(are) placed is  
12 located.  
13  
14 b. Where the size of the property is smaller than 0.25 acres and  
15 has a lawfully existing principal building, one temporary  
16 noncommercial sign totaling no more than (5) five square  
17 feet may be located on the owner's property for a period of  
18 thirty (30) days prior to an election affecting the property on  
19 which the sign is located.  
20  
21 c. Temporary non-commercial signs shall be removed within  
22 seven (7) days following the election or referendum vote.

23  
24 34. *Additional temporary signs when a property is being offered for sale*  
25 *or lease:* One temporary sign, totaling no more than three (3) square  
26 feet, may be located on a property:

- 27  
28 a. When that property is being offered for sale or lease through  
29 a licensed real estate agent; or  
30  
31 b. If not offered for sale or lease through a licensed real estate  
32 agent, when the sign is owned by the property owner and that  
33 property is offered for sale by the owner; and  
34  
35 c. Such signs may remain for a period of fifteen (15) days  
36 following the date on which a contract of sale has been  
37 executed.

38  
39 45. *Additional temporary sign when a property being offered for sale or*  
40 *lease is open to the public:* One temporary sign, totaling no more  
41 than three (3) square feet, may be located on the owner's property  
42 on the day prior to and on the day when a property owner is opening  
43 the property to the public.

44  
45 C. *Temporary signs –zoning permit required.* The following signs authorized  
46 by this subsection require a zoning permit for a temporary sign.

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1. ~~Construction fence banner signs, commercial:~~

~~a. Banners shall be securely fastened and flush against a temporary construction fence along street frontages and shall not be illuminated.~~

~~b. The maximum area devoted to text shall be twelve (12) square feet, which may be repeated every one hundred (100) feet. Remaining area of the construction fence banner sign may be graphics.~~

~~e. The maximum height of the banners shall be six (6) feet or the height of the fence, whichever is smaller.~~

~~d. Banners shall be removed when temporary construction fencing is removed or when there are no active permits for the site of the fencing.~~

2. *Post and panel sign, commercial and noncommercial:*

a. A maximum of one (1) sign per street frontage per property with a maximum height of eight (8) feet. The sign shall be oriented parallel with the street frontage to permit visibility of only one sign face.

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

c. The sign shall be permitted:

- (1) During times that the commercial property is being developed or marketed for sale or lease until the property is sold or leased; or
- (2) While there is an active building permit on the property until a certificate of occupancy/completion is issued; or
- (3) The first thirty (30) days after an opening of a new business; or
- (4) For a period of thirty (30) days prior to an election in accordance with the additional temporary non-

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1 commercial signs before an election regulations  
2 above.

3  
4 23. *Building banner sign, commercial:*

- 5  
6 a. A maximum of one (1) banner per ground floor tenant of a  
7 commercial building with a maximum sign area of thirty-two  
8 (32) square feet if authorized through a special events  
9 permit. Signs shall be securely fastened to the building  
10 facade and shall not extend above the roofline or parapet.  
11  
12 b. Banner placement is limited in duration to no more than  
13 fourteen (14) days prior to and fourteen (14) days after the  
14 date of the event or activity to which they relate, or the first  
15 thirty (30) days after an opening of a new business.  
16  
17 c. When a temporary banner is associated with the  
18 manufacturing and installation of a permanent affixed sign,  
19 the banner shall be removed within sixty days, or  
20 immediately upon installation of the permanent sign,  
21 whichever first occurs.  
22

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

- 24  
25 A. *Residential transitory signs.* Residential transitory signs are directional  
26 signs intended to facilitate garage sales, open houses, moving sales, yard  
27 sales, and similar events, subject to the following requirements.  
28  
29 1. In addition to one (1) sign at the residence where the activity is  
30 occurring, no more than three (3) directional signs may be  
31 permitted within the swale area of any two (2) lane street bounded  
32 on both sides by residential properties.  
33  
34 2. Directional signs will not be permitted in the median or on any  
35 sidewalk, and must be set back at least five (5) feet from edge of  
36 pavement.  
37  
38 3. The signs may not exceed ~~a height and area of~~ four (4) square feet  
39 in area and four feet in height measure to the top of the sign.  
40  
41 4. The signs must be erected and taken down on the same calendar  
42 day.  
43  
44 5. The signs may only be posted on a Saturday or Sunday or legal  
45 holiday, and shall on each day be limited to a display period no  
46 earlier than 5:00 a.m. and no later than 5:00 p.m.  
47

- 1           6.     The signs may only be staked to or pressed into the ground.  
2  
3           7.     Where the public interest in the road right-of-way is limited to an  
4           easement, the consent of the owner of the underlying property is  
5           required to post signs in the right-of-way.  
6

7     B.     *Transitory special event signs, banners, and directional signs.*  
8

- 9           1.     The special event must be located within the municipal limits of  
10           the village.  
11  
12           2.     A temporary special event permit must be approved by the village.  
13           The permit may list locations where special event signage may be  
14           displayed on private or public property. For private property  
15           locations, a letter from the property owner with a diagram showing  
16           the designated location for the sign must be submitted to the village  
17           along with the permit application for the event. For public property  
18           locations, the consent of the governmental agency owning or  
19           controlling such property is required (if the public interest is an  
20           easement, the consent of the landowner shall likewise be required).  
21  
22           3.     One (1) sign not to exceed sixteen (16) square feet in area, directing  
23           the attention of the public to the special event may be permitted on  
24           each street frontage of the property where the special event occurs.  
25           One (1) banner for the special event, not to exceed forty (40) square  
26           feet in area, directing the attention of the public to the special  
27           event, may be permitted to be attached to a building housing the  
28           event, or may be attached to a perimeter wall or fence adjacent to  
29           a street frontage on the property where the event is located. A  
30           special event sign or banner may be erected two (2) weeks prior to  
31           the event and must be removed within two (2) days after the event.  
32  
33           4.     Special event signs can contain the names or logo of a specific  
34           agency or business that is sponsoring the event/activity. Special  
35           event directional signs shall not exceed four (4) square feet per sign  
36           face and may be constructed of plastic or paper. Special event  
37           directional signs can be placed the day before the event begins and  
38           must be removed no later than the day after the event.  
39

40     **Sec. 45-116. Commercial Northlake (C-NB) District.**  
41

42     A.     *Business signs permitted.* A permanent sign advertising a business or  
43           establishment shall consist of the following:  
44

- 45           1.     A canopy or awning sign;  
46

2. A ground or monument sign with one (1) or two (2) faces;
3. A wall sign with one (1) face; and/or
4. A window sign not to exceed twenty (20) percent of the total window area covered.

B. *Sign type and criteria.*

1. *Canopy or awning* signs. Notwithstanding limitations of this article on the projection of signs from the wall of a building, signs shall be permitted on canopies and awnings subject to the following:
  - a. The sign shall indicate only the name of the building or the name of the principal occupant of the building;
  - b. The sign shall be painted or printed directly on the canopy or awning; and
  - c. The sign shall be counted in determining the area of wall-mounted signs permitted on the wall from which the canopy or awning projects.
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

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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.
- (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 with a max. of 2 signs per business	1	1 sq. ft. per 1-½ × the length of wall sign is attached to.	Mounting height is 6" below roof at 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.
2. *For-sale signs.* Such signs shall comply with the regulations of this article.
3. *Grand opening signs.* To announce the opening of a new business or the change of ownership of an established business shall be permitted in addition to other signs, which may be permitted by this regulation. Signs shall not remain in place for more than seven (7) days commencing immediately upon the opening of a new business or the change of ownership of an established business.
4. *Special event signs.* Such signs shall be placed no more than fifteen (15) days prior to the beginning of the event and provided further that all such signs shall be removed within forty-eight (48) hours after the event. Approval of the size and locations of the signs by the village is required.

D. *Permissible size, height, location, and number of temporary signs.*

**Table 45-3  
Permitted Temporary Signs**

Sign Type	Max. Number	Max. # of Signs Faces	Maximum Area	Maximum Height/Dimensions	Other Limitations
Construction	1 per 500 linear feet	1	32 sq. ft.	8 ft.	20' min. setback from property line and right-of-way time frame: 60 days before/removal at the certificate of occupancy
For-sale					Signs shall comply with the regulations of the village.
Grand Opening	1 per parcel	1	32 sq. ft.	6 ft.	20' min. setback from property line and right-of-way time frame: 7 calendar days total
Special Event	1 per parcel	2	32 sq. ft.	8 ft.	20' min. setback from property line and right-of-way time frame: 15 days before/48 hours after.

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E. *Accessory Signs permitted.* A permanent accessory sign may be a ground or monument sign with one (1) or two (2) faces or wall signs with one (1) face.

1. *Accessory sign types and criteria.*

a. *Gasoline signs.*

b. *Parking area directional signs.* Parking area directional signs may be erected at each point of ingress and egress to a parking lot or parking area shall not be counted as part of 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.*

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**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 or regress	2	2 sq. ft./face	3 ft. height freestanding 4 ft. max. height from crown of paving or road	

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**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.

1 B. *Severability where less speech results.* Without diminishing or limiting in  
2 any way the declaration of severability set forth above in subsection (a),  
3 above, or elsewhere in this article, this Code, or any adopting ordinance, if  
4 any part, section, subsection, paragraph, subparagraph, sentence, phrase,  
5 clause, term, or word of this article is declared unconstitutional by the valid  
6 judgment or decree of any court of competent jurisdiction, the declaration  
7 of such unconstitutionality shall not affect any other part, section,  
8 subsection, paragraph, subparagraph, sentence, phrase, clause, term, or  
9 word of this article, even if such severability would result in a situation  
10 where there would be less speech, whether by subjecting previously exempt  
11 signs to permitting or otherwise.

12  
13 C. *Severability of provisions pertaining to prohibited signs.* Without  
14 diminishing or limiting in any way the declaration of severability set forth  
15 above in subsection (a) above, or elsewhere in this article, this Code, or any  
16 adopting ordinance, if any part, section, subsection, paragraph,  
17 subparagraph, sentence, phrase, clause, term or word of this article or any  
18 other law is declared unconstitutional by the valid judgment or decree of  
19 any court of competent jurisdiction the declaration of such  
20 unconstitutionality shall not affect any other part, section, subsection,  
21 paragraph, subparagraph, sentence, phrase, clause, term, or word of this  
22 article that pertains to prohibited signs, including specifically those signs  
23 and sign-types prohibited and not allowed under section 6-113 of this  
24 article. Furthermore, if any part, section, subsection, paragraph,  
25 subparagraph, sentence, phrase, clause, term, or word of section 6-113 is  
26 declared unconstitutional by the valid judgment or decree of any court of  
27 competent jurisdiction, the declaration of such unconstitutionality shall not  
28 affect any other part, section, subsection, paragraph, subparagraph,  
29 sentence, phrase, clause, term, or word of section 6-113, thereby ensuring  
30 that as many prohibited sign-types as may be constitutionally prohibited  
31 continue to be prohibited.

32  
33 Section 8. The provisions of this Ordinance shall become and be made a part of the Code of  
34 the Village of North Palm Beach, Florida.

35  
36 Section 9. If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for  
37 any reason held by a court of competent jurisdiction to be unconstitutional, inoperative, or void,  
38 such holding shall not affect the remainder of this Ordinance.

39  
40 Section 10. All ordinances or parts of ordinances and resolutions or parts of resolutions in  
41 conflict herewith are hereby repealed to the extent of such conflict.

42  
43 Section 11. This Ordinance shall take effect immediately upon adoption.

44  
45 PLACED ON FIRST READING THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2024.

1 PLACED ON SECOND, FINAL READING AND PASSED THIS \_\_\_\_\_ DAY OF  
2 \_\_\_\_\_, 2024.

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6 (Village Seal)

\_\_\_\_\_

MAYOR

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ATTEST:

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VILLAGE CLERK

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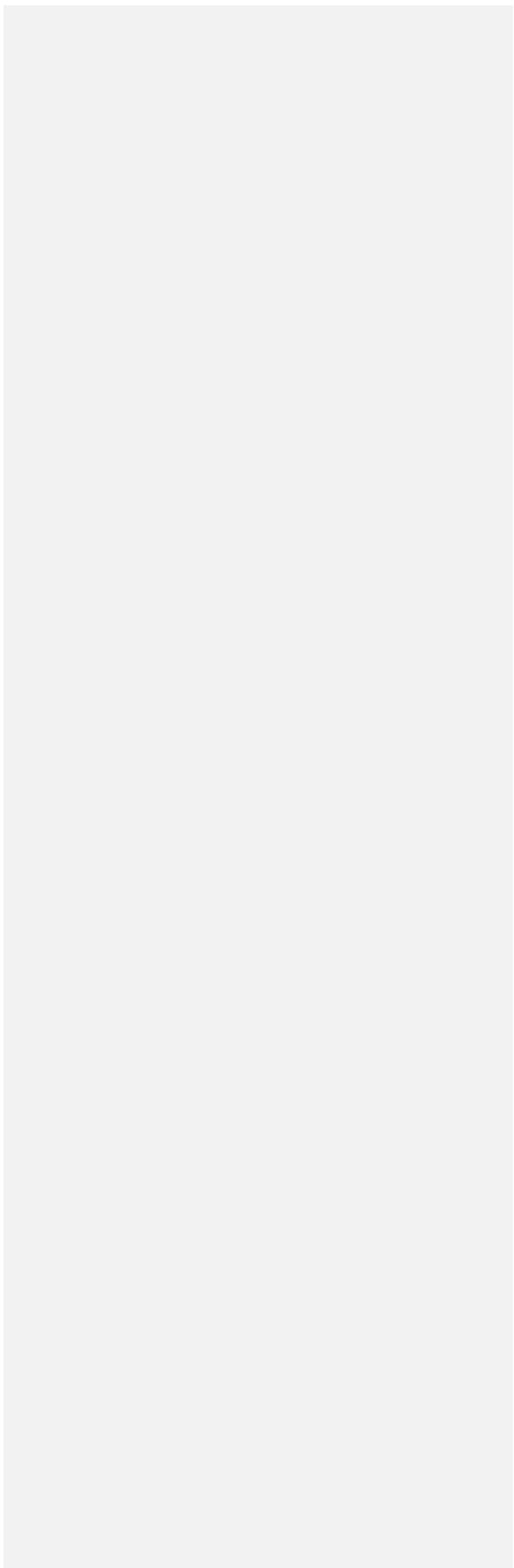
1 APPROVED AS TO FORM AND  
2 LEGAL SUFFICIENCY:

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VILLAGE ATTORNEY



**CLEAN COPY**  
**SIGN CODE ORDINANCE**

**CLEAN COPY 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 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, on August 6, 2024, the Planning, Zoning and Adjustment Board, sitting as the Local Planning Agency, conducted a public hearing 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 business 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.

1  
2 2. *Communication.* Signs should not deny other persons or groups the  
3 use of sight lines on public rights-of-way, should not obscure  
4 important public messages and should not overwhelm readers with  
5 too many messages. Signs can and should help individuals to  
6 identify and understand the jurisdiction and the character of its  
7 subareas.  
8

9 3. *Preservation of the community's beauty.* Smaller residential  
10 municipalities such as the village rely heavily on their natural  
11 surroundings and beautification efforts to retain their unique  
12 character. This concern is reflected through the active and objective  
13 regulations of the appearance and design of signs.  
14

15 B. *Scope.* The provisions of this article shall regulate the location, number,  
16 size, use, appearance, construction, and maintenance of all signs permitted  
17 in each zoning district. This article is not intended to and does not apply to  
18 signs constructed, maintained, or otherwise posted, owned, or leased by the  
19 village, Palm Beach County, the State of Florida, or the federal government  
20 and does not regulate official traffic control devices.  
21

22 C. *Purpose:* The regulations in this chapter are not intended to regulate or  
23 censor speech based on its content or viewpoint, but rather to regulate the  
24 secondary effects of speech that may adversely affect the village's  
25 substantial and compelling governmental interests in preserving scenic  
26 beauty and community aesthetics, and in vehicular and pedestrian safety in  
27 conformance with the First Amendment to the United States Constitution.  
28 It is therefore the purpose of this article to promote aesthetics and the public  
29 health, safety, and general welfare, and assure the adequate provision of  
30 light and air within the village through reasonable, consistent, and  
31 nondiscriminatory standards for the posting, displaying, construction, use,  
32 and maintenance of signs and sign structures that are no more restrictive  
33 than necessary to achieve these governmental interests.  
34

35 D. *Findings.* The village council, acting in its legislative capacity for the  
36 purpose of regulating signage, hereby makes the following findings of fact:  
37

38 The reasonable regulation of the location, number, size, use, appearance,  
39 construction, and maintenance of signs within the village serves a  
40 compelling governmental interest, for the following reasons:  
41

42 1. *Florida Constitution.* Article II, Section 7 of the Florida  
43 Constitution provides that “[i]t shall be the policy of the state to  
44 conserve and protect its natural resources and scenic beauty. . . .” A  
45 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  
2           *Awning sign.* A sign painted on, printed on or attached flat against the  
3 surface of an awning.

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

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

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

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

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

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

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

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

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

1           *Channel letter sign.* A sign comprised of individually fabricated, three-  
2 dimensional letters with metal sides and backing, and typically an acrylic or  
3 polycarbonate face, where each letter is mounted directly to a supporting structure.  
4 Any internal illumination is directed through the translucent face of the letter except  
5 for a "reverse channel letter sign," which utilizes a translucent back that directs the  
6 light onto the wall or similar surface upon which the letter is mounted, typically  
7 with an offset from the mounting surface that produces a "halo" effect.  
8

9           *Commercial message.* Any sign that, directly or indirectly, names,  
10 advertises, or calls attention to a business, product, service, or other commercial  
11 activity.  
12

13           *Construction sign.* A temporary sign identifying those engaged in  
14 construction on any building site. This includes the builder, contractor, developer,  
15 architect, engineer, painter, plumber or other persons or artisans involved in such  
16 construction.  
17

18           *Copy.* The linguistic or graphic content of a sign.  
19

20           *Digital sign:* A sign that utilizes an electronic display including but not  
21 limited to liquid crystal display or light emitting diodes (LCD or LED), plasma  
22 display, or projected images that can be changed automatically.  
23

24           *Directional sign or wayfinding sign:* An on-premises sign designed to guide  
25 or direct pedestrians or vehicular traffic.  
26

27           *Discontinuance of occupancy.* The occupant identified on a sign has ceased  
28 to operate, offer services or products, or conduct activity consistent with a current  
29 BTR or certificate of use in the location indicated by the sign, for a period of thirty  
30 (30) consecutive days. It shall not be a "discontinuance of occupancy" when an  
31 occupant first provides the village manager with written notification that the use  
32 will be closed for renovation, summer season, or other defined period after which  
33 the occupant will resume activity, provided that the occupant does resume the  
34 activity on the specified date, as may be extended by the village manager upon  
35 request by the occupant.  
36

37           *Double-faced sign.* A single sign with two faces that are parallel to each  
38 other.  
39

40           *Electric sign.* Any sign containing electric wiring.  
41

42           *Electronic changeable copy sign.* A sign that utilizes an electronic display  
43 including, but not limited to, liquid crystal display or light emitting diodes (LCD or  
44 LED), plasma display, or projected images, on which the copy is changed  
45 electronically. The following definitions pertain to electronic signs.  
46

- 1           1.       *Dwell time.* The minimum amount of time that a message must be  
2                           static on an electronic sign. The dwell times shall not include any  
3                           transition time.
- 4
- 5           2.       *Static.* A display that is fixed, and unchanging with no portion of  
6                           the display being in motion, flashing or changing in color or light  
7                           intensity.
- 8
- 9           3.       *Transition.* A visual effect used on an electronic sign to change  
10                          from one (1) message to another.

11

12                   *Election sign.* A temporary sign that is displayed during the thirty (30) day  
13                   period immediately preceding any local, state, or federal election.

14

15                   *Entry feature sign:* An architectural feature or element with signage that is  
16                   typically located at the entrance to a development project but is not attached to a  
17                   perimeter wall.

18

19                   *Façade.* The entire building wall, including wall face, parapet, fascia,  
20                   windows, doors, and facade projections on any single elevation.

21

22                   *Flag.* Any fabric displaying a message, color(s), logo, or other design,  
23                   which is attached to a flagpole at one side of the flag, with the length of the flag  
24                   perpendicular to a singular flagpole when fully extended.

25

26                   *Frontage.* The length of the property line of any one parcel along the  
27                   principal street or waterway on which it borders.

28

29                   *Grade, finished.* A reference plane representing the highest point of the  
30                   crown of any public or private street or roadway, which lies contiguous to the  
31                   property or building site. In the event that the abutting streets or roadways are  
32                   unimproved, grade shall be measured from the nearest paved roadway.

33

34                   *Ground sign (also known as a freestanding sign).* Any sign that is erected  
35                   on the ground, when no part of the sign is attached to any part of a building or  
36                   structure. A ground sign shall be supported by a base no greater than three (3) feet  
37                   in height. Pole signs are not permitted ground signs.

38

39                   *Harmful to minors.* Any description, depiction, or representation, in  
40                   whatever form, of nudity, sexual conduct, or sexual excitement, when it:

41

- 42           1.       Predominately appeals to the prurient, shameful, or morbid interest  
43                          of minors in sex; and
- 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  
44

1           *Install or place a sign.* To construct, reconstruct, build, relocate, raise,  
2 assemble, place, affix, attach, create, paint, draw, or in any other way bring into  
3 being or establish a sign, but shall not include routine maintenance.  
4

5           *Logo.* Any symbol, trademark, picture, or other graphic representation,  
6 which is used to signify or identify the particular business or organization.  
7

8           *Marquee.* A structure projecting from and completely supported by a  
9 building and which extends beyond the building line or property line and fully or  
10 partially covers a sidewalk, public entrance, or other pedestrian way.  
11

12           *Marquee sign* means any sign painted or printed onto or otherwise attached  
13 to a marquee.  
14

15           *Master sign plan.* A comprehensive document that contains a set of sign  
16 criteria unique to a specific shopping center, commercial property, building or  
17 development. It includes drawings and plans that illustrate the sign program for the  
18 overall development, including, but not limited to, size, location, type, architectural  
19 design, dimensions, and other design standards including materials, color, and sign  
20 illumination.  
21

22           *Memorial sign.* A building or freestanding sign memorializing a person,  
23 structure, site, or event.  
24

25           *Menu board sign.* A sign erected as part of a drive-through facility and used  
26 to display and order products and services available in association with the drive-  
27 through business.  
28

29           *Neon tube sign.* A sign electrically lighted by exposed tubes containing inert  
30 gas and visible from outside of a building.  
31

32           *Mobile sign.* A sign mounted on top or on the rear of a vehicle or bicycle  
33 or a sign attached to or located on a trailer or other equipment towed by a vehicle  
34 or bicycle; signs of a portable or mobile nature attached after-market, including  
35 signs mounted on top of or on the rear of a vehicle, and signs attached to or located  
36 on a trailer or other equipment towed by a vehicle. A mobile sign shall not be  
37 construed to include any sign mounted on a vehicle or trailer by the original  
38 manufacturer.  
39

40           *Monument sign.* A freestanding sign located at a commercial center that is  
41 detached from a building and having a support structure that is a solid-appearing  
42 base constructed of a permanent material, such as concrete block or brick.  
43

44           *Nonconforming sign.* A sign existing at the effective date of the adoption of  
45 this article, which could not be built under the terms of this article.  
46

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

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

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

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

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

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

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

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

27  
28           *Projecting sign.* A sign attached to a building extending more than twenty-  
29 four (24) inches beyond the building or wall face to which it is attached. Also  
30 referred to as a vertical blade sign.

31  
32           *Real estate sign.* Any sign installed by the owner or his agent on a  
33 temporary basis, advertising the real property upon which the sign is located for  
34 rent or for sale.

35  
36           *Residential transitory sign.* A sign which is which may be displayed on  
37 residential property for a period of time less than three (3) weeks and often  
38 shorter. Residential transitory signs shall comply with all of the requirements  
39 applicable to temporary signs, and if deemed a safety hazard may be removed  
40 without notice by any public personnel.

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

5  
6           *Roofline.* A horizontal line intersecting the highest point or points of a roof.  
7

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

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

17  
18           *Sign face.* The part of a sign that is or may be used for copy.  
19

20           *Sign face area.* The area of any regular geometric shape, which contains the  
21 entire surface area of a sign upon which copy may be placed.  
22

23           *Sign structure.* Any construction used or designed to support a sign.  
24

25           *Snipe sign.* A sign constructed of any material that is attached to a utility  
26 pole, tree, fence, light post, stake, or similar object located or situated on public or  
27 private property.  
28

29           *Special event sign.* A temporary sign displayed in connection with the  
30 opening of a business, a community event, and community program or festival.  
31

32           *Street.* A public or private right-of-way for vehicular traffic, including, but  
33 not limited to, highways, thoroughfares, lanes, roads, ways, and boulevards.  
34

35           *Temporary sign.* A sign, which is intended to be displayed for a limited time  
36 only, including real estate signs, construction signs, special events signs, and other  
37 temporary signage as described herein.  
38

39           *Traffic control device.* A sign, signal, marking, or other device used to  
40 regulate, warn, or guide traffic, placed on, over, or adjacent to a street, highway,  
41 private road open to public travel, pedestrian facility, or shared use path by  
42 authority of a public agency or official having jurisdiction placed by a public body  
43 or, in the case of a private road open to public transit, by authority of the private  
44 owner or private official having jurisdiction.  
45

1           *Traffic-control sign.* A sign constructed or approved by a government entity  
2 used to direct and assist vehicle operators and pedestrians in the guidance and  
3 navigational tasks required to traverse safely any facility open to public travel.  
4

5           *Under canopy sign.* A building sign, which is mounted, attached, or  
6 suspended perpendicular to the building, beneath an awning, canopy, or marquee.  
7

8           *Unit.* That part of a multiple occupancy complex housing one occupant.  
9

10          *Window sign.* Any sign, including logos, graphics, pictures, advertising,  
11 and lettering (excluding the business address), which is within thirty-six (36) inches  
12 of a building opening or a transparent or translucent covered opening (for example,  
13 a window, door or arch), and which is facing such opening so that the message on  
14 the sign is visible from outside the building. This includes business identification,  
15 logos or symbols, and commercial messages on window treatments, solar screens,  
16 and perforated vinyl or tint films.  
17

18          *Wall sign.* See *building wall sign.*  
19

20       **45-102. Prohibited signs.**  
21

22       A.     *Generally.* It shall be unlawful to install, place or keep any sign not  
23 expressly authorized by, or exempted from, this article.  
24

25       B.     *Specifically.* The following signs are expressly prohibited:  
26

- 27           1.     Signs that are in violation of the Florida Building Code.
- 28           2.     Any sign that constitutes a safety hazard.
- 29           3.     Blank temporary signs.
- 30           4.     Signs with visible moving, revolving, or rotating parts or visible  
31                mechanical movement of any description or other apparent visible  
32                movement achieved by electrical, electronic, or mechanical means.
- 33           5.     Signs with the optical illusion of movement by means of a design  
34                that presents a pattern capable of giving the illusion of motion or  
35                changing of copy.  
36           6.     Signs with lights or illuminations that flash, move, rotate, scintillate,  
37                blink, flicker, or vary in intensity or color.
- 38           7.     Outline neon lighting used on commercially developed parcels for  
39                commercial purposes.  
40           41     42     43     44     45     46

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- 8. Signs, commonly referred to as wind signs, consisting of one or more banners, flags, pennants, ribbons, spinners, streamers, or captive balloons, or other objects or materials fastened in such a manner as to move upon being subjected to pressure by wind.
- 9. Signs that incorporate projected images, emit any sound that is intended to attract attention, or involve the use of live animals.
- 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.

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- 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.
- 22. Portable signs.
- 23. Marquee signs.
- 24. Roof signs.
- 25. Painted signs or murals on walls or roofs of buildings.
- 26. Neon tube signs located inside or outside a building.
- 27. Off-site/off-premises signs, except as provided in section 45-107.
- 28. Signs placed on boats or watercraft that are located on public or private property other than the boat's or watercraft's name, the manufacturer's name or required license numbers.
- 29. Time-temperature-date signs.
- 30. Snipe signs.
- 31. Signs attached to or displayed on vehicles, except as permitted by section 45-104.G. of this Article.
- 32. Abandoned signs.
- 33. Inflatable signs and balloons, unless expressly authorized by a special events permit issued by the village.
- 34. "A" frame/sandwich board signs.
- 35. Signs on fences.
- 36. Pole signs.
- 37. Changeable copy signs, except as permitted by section 45-112 of this article.

1                   38. Any other sign not specifically permitted by this article.  
2  
3

4                   **Sec. 45-103. Exempt signs.**  
5

6                   The following signs are exempt from these sign regulations, and from the  
7                   requirement in this code that a permit be obtained for the erection of permanent  
8                   signs, provided they are not placed or constructed to create a hazard of any kind:  
9

- 10                  A. Signs located internally to a site that are not visible from any street or  
11                  adjoining property, including waterways.  
12
- 13                  B. Signs necessary to promote health, safety and welfare, and other regulatory,  
14                  statutory, traffic control, or directional signs erected on public property with  
15                  permission as appropriate from the State of Florida, the United States  
16                  government, Palm Beach County, or the village.  
17
- 18                  C. Legal notices and official instruments.  
19
- 20                  D. Government identification signs.  
21
- 22                  E. Memorial signs, names of buildings and dates of erection when cut into any  
23                  masonry surface or when constructed of bronze or other incombustible  
24                  materials and attached to the surface of a building.  
25
- 26                  F. Signs incorporated into machinery or equipment by a manufacturer or  
27                  distributor, which identify or advertise only the product or service dispensed  
28                  by the machine or equipment, such as signs customarily affixed to  
29                  newspaper racks, telephone booths, and gasoline pumps.  
30
- 31                  G. Signs affixed to taxicabs, buses, trailers, trucks, or other business vehicles,  
32                  for the purpose of identifying the owner or operator and business function  
33                  of the vehicle.  
34
- 35                  H. Public warning signs to indicate the dangers of trespassing, swimming,  
36                  animals, or similar hazards.  
37
- 38                  I. Signs carried by a person.  
39
- 40                  J. Religious displays.  
41
- 42                  K. Sponsorship signs, i.e., signs supporting a non-profit or government  
43                  organization (temporary sign), if approved through the special events or  
44                  temporary use process.  
45
- 46                  L. Parking space numbers and labels for reserved spaces, if approved as part  
47                  of the site plan.

- 1  
2 M. Names and addresses on mailboxes.  
3  
4  
5 N. Decorative flags and bunting for a celebration, convention, or  
6 commemoration of significance to the entire community when authorized  
7 by the village manager for a period not to exceed thirty (30) days.  
8  
9 O. Holiday lights and decorations, erected during the appropriate holiday  
10 season, shall comply with all building and electrical codes. Holiday lights  
11 and decorations may be erected no earlier than four (4) weeks prior to the  
12 subject holiday, with the exception of the Christmas/Hanukkah holidays.  
13 Christmas/Hanukkah lights and decorations may be erected no earlier than  
14 October 15th. All holiday lights and decorations must be removed within  
15 two (2) weeks following the holiday.  
16  
17 P. Merchandise displays behind storefront windows so long as no part of the  
18 display moves or contains flashing lights.  
19

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

- 21  
22 A. *Flags.*  
23  
24 1. *Number.* Not more than three (3) flags or insignias of governmental,  
25 religious, charitable, fraternal, or other organizations may be  
26 permanently displayed on any one parcel of land.  
27  
28 2. *Size.* The maximum distance from top to bottom of any flag or flags  
29 shall be thirty (30) percent of the total height of the flagpole, or in  
30 the absence of a flagpole, thirty (30) percent of the distance from the  
31 top of the flag or insignia to the ground. The maximum height of a  
32 flagpole within the R-1 single-family dwelling district and the R-2  
33 multiple-family dwelling district shall be twenty (20) feet. The  
34 maximum height of a flagpole within the R-3 apartment dwelling  
35 district and all non-residential zoning districts shall be thirty-five  
36 (35) feet.  
37  
38 B. *Utility signs.* Public utility signs that identify the location of underground  
39 utility lines and facilities, high voltage lines and facilities, and other utility  
40 facilities and appurtenances are permitted so long as they do not exceed  
41 three (3) feet in height, and so long as the sign face does not exceed one-  
42 half (½) square foot.  
43  
44 C. *Removable signs.* A removable sign affixed by permanent brackets within  
45 the sign face area of a ground sign indicating that units within the same  
46 parcel are for sale or for lease and including a contact phone number. The

1 brackets and sign cannot cover any other portion of the sign copy, including  
2 any lettering, logo, or address.

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4  
5 E. *Window signs.* The combined area of permanent and temporary signs on or  
6 behind windows shall not exceed twenty (20) percent of the total window  
7 area at the same floor level on the side of the building or unit, which the  
8 signs are displayed.

9  
10 F. *Street numbers.*

11  
12 1. *Generally.* Every building in the village shall have its street number  
13 so affixed to the building or the premises upon which the building  
14 is located that it is both visible and legible from the public street.

15  
16 2. *Commercial buildings.* Every commercial building with a wall  
17 facing an alley shall have each individual tenancy street number  
18 affixed to the building above or next to the rear door serving each  
19 tenancy so that the number is both visible and legible from the alley.  
20 The street numbers shall be reflective.

21  
22 3. *Height—Color.* All street numbers shall be a minimum of three (3)  
23 inches in height on residential buildings and a minimum of six (6)  
24 inches on commercial buildings. All street numbers shall be a  
25 sharply contrasting color with the building.

26  
27 4. *Maintenance.* It shall be the duty of the owner of the building to  
28 maintain the numbers on the building in good condition.

29  
30 G. *Vehicle signs.* Vehicle signs are allowed subject to the following  
31 requirements:

32  
33 (1) Vehicle signs must be painted on or flush-mounted to the side or rear  
34 panel(s) of the vehicle, with the exception of taxicab roof signs.

35 (2) Vehicle signs shall not exceed a total of ten (10) square feet per vehicle.

36 (3) When not actively in use for the conduct of business, vehicles bearing  
37 signs may not be parked for more than sixty (60) consecutive minutes:

38 (a) Within thirty (30) feet of the public right-of-way, if parked on the  
39 premises of the business being advertised; or

40 (b) Within one hundred (100) feet of the public right of way, if parked  
41 on any other commercially zoned property.

42 (3) Vehicles displaying signage pursuant to this section shall also comply  
43 with section 18-34 of this code with respect to parking.

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46 **Sec. 45-105. Administration and Enforcement.**

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

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

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

1. The following work may be performed by a property owner or lessee:

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

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

- a. Construction, installation, or electrical connection of any sign which is illuminated;
- b. Construction, installation, or placement of any freestanding sign requiring wind load calculations;
- 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 areas, shall be maintained in accordance with the requirements of the building code and shall present a neat and clean appearance. The vegetation around the base of ground signs shall be neatly trimmed and free of unsightly weeds, and no rubbish or debris that would constitute a fire or health hazard shall be permitted under or near the sign. Examples of unacceptable maintenance and repair include the following:

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- a. Cracked, ripped, or peeling paint present on more than ten percent (10%) of the surface area of a sign;
  - b. Bent, broken, loose, or otherwise insufficiently attached supports, struts, or other appendages;
  - c. Partial illumination for more than fourteen (14) calendar days;
  - d. Obstruction of sign face by weeds, vines, or other vegetative matter; and
  - e. Maintaining a position that is more than fifteen (15) degrees from vertical for more than ten (10) successive calendar days.
2. In all cases, the sign's aesthetic appearance shall be maintained in its originally approved condition, subject to the regulations of this article governing nonconforming signs, as applicable.
3. *Discontinuance of Occupancy.*
- a. Evidence of discontinuance of occupancy shall include failure to: maintain a valid certificate of use or business tax receipt; occupy the location indicated by the sign for thirty (30) days; maintain the listed phone number in service; answer the listed phone number; or, in combination with any of the preceding, pay a utility bill.
  - b. It shall not be a "discontinuance of occupancy" where an occupant first provides the village manager with written notification that the use will be closed for renovation, summer season, or some other defined period after which the occupant will resume activity, provided that the occupant does resume the activity on the specified date, as may be extended by the village manager upon request by the occupant.
  - 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

1 removal of a sign from a surface, the surface shall be  
2 restored to its original condition, including the filling  
3 and repainting of anchor holes to match the  
4 surrounding surface. An awning shall be refinished  
5 as necessary to eliminate any evidence of the  
6 removed sign, including faded color on the valance  
7 outlining the former copy.  
8

9 2. The face of a ground sign cabinet shall be removed  
10 and replaced with a new sign face having an opaque  
11 background of a neutral color, and constructed of a  
12 material that complements the sign structure and  
13 building. Any channel letters shall be removed and  
14 the background surface restored pursuant to  
15 subsection (1). Single-occupant identity signs shall  
16 not be illuminated during any period that occupancy  
17 has been discontinued. In the case of a multiple-  
18 occupant sign, the panel of an occupancy that has  
19 been discontinued shall be replaced with a new panel  
20 (either a blank panel, or a panel of an occupancy that  
21 is active) of a material and color that matches the  
22 other panels.  
23

24 G. *Enforcement.* The community development director or the building official,  
25 or their respective designee(s), may initiate code enforcement actions under  
26 chapter 2, article VI to obtain compliance with this code.  
27

28 H. *Review of administrative decisions.* Any final decision of an administrative  
29 official under this article may be appealed to the Planning, Zoning and  
30 Adjustment board as provided in section 45-52, except for code  
31 enforcement actions which are governed by Article VI of the village code.  
32

33 **Section 45-106. Nonconforming signs; amortization; abandoned signs.**  
34

35 All signs lawfully in existence as of the date of adoption of this article, that do not  
36 conform to the provisions of this article, are declared nonconforming signs. It is the  
37 intent of this article to recognize that the eventual elimination of nonconforming  
38 signs as expeditiously and fairly as possible is as much a subject of health, safety,  
39 and welfare as is the prohibition of new signs that would violate the provisions of  
40 this article.  
41

42 A. *Legal nonconforming signs.* Signs that become nonconforming upon  
43 adoption of this article may be maintained as legal nonconforming signs for the  
44 duration of the amortization period as provided in subsection C. below, subject to  
45 the following requirements:  
46

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

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

8 3. Legal nonconforming signs that are located on a parcel of property  
9 that is severed from a larger parcel of property and acquired by a public  
10 entity for public use by condemnation, purchase, or dedication may be  
11 relocated on the remaining parcel without extinguishing the legal  
12 nonconforming status of that sign provided that the nonconforming sign:

13 (a) Is not increased in area or height to exceed the limits of the  
14 zoning district in which it is located;

15 (b) Remains structurally unchanged except for reasonable  
16 repairs or alterations;

17 (c) Is placed in the most similar position on the remaining  
18 property that it occupied prior to the relocation; and

19 (d) Is relocated in a manner to comply with all applicable  
20 safety requirements.

21 After relocation pursuant to this subsection, the legal nonconforming sign  
22 shall be subject to all provisions of this section in its new location.

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

27  
28 B. *Signs for a legal nonconforming use.*

29 1. New or additional signs for a nonconforming use shall not be  
30 permitted. A change in ownership shall require a nonconforming sign to  
31 be removed or brought into conformity.

32 2. A nonconforming sign for a nonconforming use that ceases to be  
33 used for a period of thirty (30) consecutive days or is replaced by a  
34 conforming use, shall be considered a prohibited sign and shall be  
35 removed or brought into conformance upon establishment of a conforming  
36 use.

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40 D. *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.

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

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

- A. *Master sign plan.* A master sign plan shall serve as the controlling document for review of all applications for sign approval within a designated development including shopping centers or multi-use buildings or where multiple signs are proposed for a single site or project to ensure the compatibility of sign types, locations, sizes, colors and lettering styles, as well as compatibility and cohesiveness. Renovations and redevelopment of existing commercial buildings and projects for shopping centers, multi-use buildings or where multiple signs are proposed on a single site shall also require submittal of a master sign plan. Applications for site development or site improvement plan approval shall be accompanied by a graphic and narrative representation of the master signage plan to be utilized on the site.

1 Existing commercial buildings and projects shall submit a master sign plan  
2 to the village within five years of the effective date of this article, unless  
3 there is already an existing master sign plan approved by the village, which  
4 covers all aspects of a master sign plan. Building permits for new signs shall  
5 not be issued for commercial buildings which have not submitted a master  
6 sign plan. The master sign plan may be amended and resubmitted for  
7 approval to reflect style changes or changing tenant needs.  
8

9 The purpose and intent of a master sign plan is to provide a master record  
10 of signs on a parcel, ensure compatible signage, and to create unification of  
11 signage within parcels, excluding planned development out-parcels, which  
12 may be treated separately. All master sign plans shall be approved by the  
13 Planning, Zoning and Adjustment Board and shall comply with the  
14 following:  
15

- 16 1. The master sign plan shall be approved prior to the issuance of a  
17 sign permit.
- 18 2. The master sign plan shall indicate the type, location, size,  
19 dimensions, illumination, color, materials, and architectural style,  
20 including the address requirements of the building code and this  
21 article. The locations shall be illustrated on elevations and on a site  
22 development plan.
- 23 3. When applicable, landscape plans and details shall be part of the  
24 plan and shall comply with the landscape standards of this code.
- 25 4. If a technical deviation is required, the request can be made part of  
26 the application for a master sign plan.  
27  
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29

30  
31 B. *Master Sign plan criteria.* In reviewing the master sign plan, the Planning,  
32 Zoning and Adjustment Board shall determine if the following criteria have  
33 been met:  
34

- 35 1. The signage for the project is in keeping with the overall architecture  
36 and character of the building development.
- 37 2. The signage for the project is designed to meet the directional needs  
38 of the project for communication, identification, way finding, and  
39 ensure that regulatory and informational messages are in keeping  
40 with the overall architectural theme of the development or project;  
41
- 42 3. The signage proposed is legible, conspicuous, and easily readable;  
43
- 44 4. The visibility and impact of the type of sign, number of signs,  
45 design, size, method of, construction, illumination and location of  
46

1 the proposed signs comply with the minimum standards of this  
2 section, and do not adversely impact adjoining properties or create  
3 a hazard of health risk; and  
4

5 5. The proposed signage is consistent and not in conflict with the intent  
6 and interests of the village.  
7

8 C. *Submittal.* A master sign plan or request for a technical deviation shall be  
9 reviewed and approved by the Planning, Zoning and Adjustment Board. All  
10 applications and supporting documentation as listed on the community  
11 development department application shall be submitted to the department  
12 in a format determined by the Village.. The community development  
13 department shall review the application and create a staff report or memo,  
14 which shall include a recommendation. The staff report shall be provided to  
15 the applicant prior to the meeting. An authorized representative of the  
16 applicant must attend the Planning, Zoning and Adjustment board meeting.  
17 If a representative is not present, then the board has the right to postpone  
18 the agenda item to a future meeting date.  
19

20 D. *Fees.* Master sign plan requests shall be charged in accordance with the  
21 development application fee schedule and paid to village at the time of  
22 submittal.  
23

24 E. *Effect of master sign plan approval.*  
25

26 1. After approval of a master sign plan or amendment, all new  
27 signs and alterations to signs shall comply with the master sign plan,  
28 and any violation of such approved plan shall be a violation of this  
29 chapter. In case of any conflict between a provision of a master sign  
30 plan and one or more provisions of this article, the stricter of the two  
31 shall apply.  
32

33 2. The village shall not consider a request to deviate from an approved  
34 master sign plan. However, a master sign plan may be amended or  
35 replaced by a new master sign plan. Amendments that are specific  
36 to a single occupancy shall not be approved unless the proposed  
37 amendment responds to the unique location or architecture of the  
38 occupancy that is not generally applicable elsewhere in the property  
39 subject to the master sign plan. The Planning, Zoning and  
40 Adjustment Board shall evaluate any proposed amendment within  
41 the context of the entire approved master sign plan.  
42

43  
44 F. *Multi-tenant signs.* For commercial projects occupied by multiple retail or  
45 service establishments where the total area of the project, including  
46 outparcels, exceeds five (5) acres, a ground sign may, subject to Planning,

1 Zoning and Adjustment Board review and approval of the sign design in  
2 accordance with the criteria set forth in this article, depict the name of the  
3 project and the names of up to five (5) tenants or occupants of the project.  
4 A "for sale" or "for lease" sign may be substituted for one (1) of the tenant  
5 or occupant signs if the space within the project is being actively marketed  
6 for sale or lease.

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9 **Section 45-109. Sign permit process.**

10  
11 A. *Permits required:* Except as otherwise provided in this article, it shall be  
12 unlawful for any person to erect, construct, enlarge, post, alter, maintain,  
13 move, or convert any sign in the village, or cause the same to be done,  
14 without first obtaining a sign permit for each such sign as required by this  
15 article. These requirements shall not be construed to require any permit for  
16 the repainting, cleaning, and other normal maintenance or repair of a sign  
17 or sign structure for which a sign permit has previously been issued, so long  
18 as the sign or sign structure is not modified in any way. All signs shall be  
19 constructed in accordance with the building code, including obtaining all  
20 required building permits. No sign shall be approved for use unless it has  
21 been inspected and found to comply with all the requirements of this section  
22 and applicable codes.

23  
24 B. *Approval.* After submittal of a complete application and the requisite  
25 application fee(s), the following signs, when determined by the building  
26 official to be consistent with and in compliance with the criteria set forth  
27 herein, shall receive a sign permit without review by the Planning, Zoning  
28 and Adjustment Board:

- 29  
30 1. Model sales office signs and model name signs;
- 31  
32 2. Signs in a shopping center, planned commercial development,  
33 planned industrial development, or planned office park, which are  
34 consistent with a previously approved master signage plan for the  
35 development;
- 36  
37 3. Temporary signs not exempted from permitting by section 45-  
38 114(B).

39  
40 All other signs shall require permits approved by the Planning, Zoning and  
41 Adjustment Board.

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43 C. *Sign permit application:* Applications for a sign permit shall be made in a  
44 format and upon forms provided by the village and shall provide the  
45 following information:  
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1. Name, address, and telephone number of the property owner. No person shall erect, construct, or maintain any sign upon any property or building without the consent of the owner or person entitled to possession of the property or building if any, or their authorized representatives.
2. Name, address, and telephone number of the contractor.
3. Property address, property control number (PCN), and legal description of the building, structure, or lot to which or upon which the sign is to be installed or affixed.
4. A drawing to scale showing the design, colors, and materials of the sign, including dimensions, sign size, sign copy/area, method of attachment, source of illumination, and showing the relationship to any building or structure to which it is, or is proposed to be, installed or affixed, (elevation) or to which it relates, signed and sealed by a professional architect or engineer registered in the State of Florida.
5. A fully dimensioned survey or site plan, to scale, indicating the location of the sign relative to property lines, rights-of-way, streets, easements, sidewalks, and other buildings or structures, including any ground mounted signs, on the premises.
6. If a monument sign, landscape plan showing the screening of the base or foundation of the sign.
7. Cost estimate.

D. *Application procedure and review (original submittal):* A sign permit application on a form provided by village shall be electronically filed together with all documentation as provided for in this section. Upon the electronic submission of a complete sign permit application and all required documentation, the village shall review the application based on whether it complies with this article and all other code requirements, or an approved master sign plan, if applicable, and provide comments to the applicant through the electronic review portal.

E. *Application procedure and review (resubmittals):* Upon resubmission of the sign permit application through the electronic review portal, the village shall determine whether the applicant's revisions comply with this article and all other code requirements. If the revisions do not comply with this article, the village will again provide the applicant comments through the electronic review portal. This process shall continue until the applicant has submitted an application that meets all applicable requirements. If the application meets all requirements of this article and other code

1 requirements or an approved master sign plan, if applicable, the sign permit  
2 shall be approved. If the application fails to meet the requirements of the  
3 code, the application shall be denied.

4  
5 F. *Application fees:* Sign permit application fees for signs shall be charged in  
6 accordance with the building division fee schedule and paid to the village  
7 for each sign for which a permit is required by this article. Application fees  
8 shall be paid at time of application and any such sign permit fees are  
9 required to be paid prior to a permit being issued.

10  
11 **Sec. 45-110. Sign regulations – In general.**

12  
13 A. *Physical sign types allowed.* Except as may be otherwise provided in this  
14 section, a permanent sign may be a permanent ground (freestanding) sign, ,  
15 a permanent building wall sign, or a window sign .

16  
17 B. *Measurement and Dimensions.*

18  
19 1. *Computation of sign area and number.* The area of each face of a  
20 sign shall be the area of the smallest circle, triangle, or  
21 parallelogram, which contains all content, background, and  
22 structural elements of the sign. Sign area shall not include structural  
23 elements, which function solely as support for the sign or cover of  
24 structural elements.

25  
26 2. *Certain support structures exempted from computation of area*  
27 *of freestanding signs.* Support structures which are part of a  
28 decorative landscape wall or screen wall shall not be considered part  
29 of a freestanding sign.

30  
31 3. *Determination of the number of signs.* Any collection of sign  
32 content, sign background, and sign structure may be considered to  
33 be one sign face if the area of such sign face is measured as only one  
34 circle or only one triangle or only one parallelogram, provided that  
35 the area so measured conforms to the maximum sign area  
36 requirements of this article.

37  
38 4. *Façade area.* The façade area shall be measured by determining the  
39 area within a two-dimensional geometric figure coinciding with the  
40 edges of the walls, windows, doors, parapets, marquees, and roof  
41 slopes greater than forty-five (45) degrees that form a side of a  
42 building or unit.

43  
44 5. *Back-to-back signs.* Where two (2) sign faces are placed back-to-  
45 back on a single sign structure, and the faces are at no point more

1 than four (4) feet apart, the area of the sign shall be counted as the  
2 area of one (1) of the faces.  
3

- 4 6. *Sign height.* The height of a sign shall be measured as the vertical  
5 distance from the finished grade, excluding berms, at the base of  
6 the supporting structure to the top of the sign, or its frame or  
7 supporting structure, whichever is higher.  
8

9 C. *Content*

10 Signs permitted pursuant to this article may contain any message, which is not  
11 harmful to minors as defined in this chapter, or otherwise contrary to law. A  
12 permanent accessory sign may only display any combination of the following:  
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14

- 15 1. Street address number and/or name.  
16  
17 2. A logo symbol for the building or the building occupant, which  
18 does not exceed fifty percent (50%) of the allowable sign area.  
19  
20 3. Letters depicting the nature of the business and that are a maximum  
21 of fifty percent (50%) of the height of the letters depicting the name  
22 of the building or building occupant.  
23

24 D. *Placement and aesthetic appearance.*

- 25  
26 1. It is the intent of these sign regulations to preserve and enhance the  
27 aesthetic quality of the environment by reducing the visual  
28 discordance which can result from:  
29

- 30 a. The haphazard placement of signs on buildings; and  
31  
32 b. The use of an array of different sign constructions on one  
33 building.

34 It is recognized that this intent may be met by approaches other than  
35 those specifically set forth in this section. Accordingly, this section  
36 makes provisions for approval of signs which conform to the intent  
37 of this section but which do not conform to the specific requirements  
38 of this section.  
39

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

1 d. All ground sign shall be erected within landscaped areas.  
2 Minimum distance from the edge of the landscaped area to  
3 the sign base shall be three (3) feet. The landscaping shall  
4 consist of shrubbery a minimum of thirty (30) inches high  
5 creating a hedge or individual shrubs of the same or varying  
6 species thirty (30) inches high spaced not more than  
7 eighteen (18) inches apart at their base.  
8

9 6. *Appearance Plan.* Per the village's appearance plan:  
10

11 a. All signs shall be part of the architectural concept. Size,  
12 color, lettering, location, and arrangement shall be  
13 harmonious with the building design and shall be  
14 compatible with signs on adjoining buildings. Signs shall  
15 have good proportions.  
16

17 b. Ground signs shall be designed to be compatible with the  
18 architecture of the building. The same criteria applicable to  
19 wall signs shall apply to ground signs.  
20

21 c. Identification signs of a prototype design shall conform to  
22 the criteria for building and ground signs.  
23

24 d. Materials used in signs shall have good architectural  
25 character and be harmonious with building design and  
26 surrounding landscape.  
27

28 e. Every sign shall have good scale in its design and in its  
29 visual relationship to buildings and surroundings.  
30

31 f. Colors shall be used harmoniously and with restraint.  
32 Excessive brightness and brilliant colors shall be avoided.  
33 Lighting shall be harmonious with the design. If external  
34 spot or floor lighting is used, it shall be arranged so that the  
35 light source is shielded from view.  
36

37  
38 E. *Structural Requirements.*  
39

40 1. All structural, electrical, and mechanical components utilized in the  
41 construction, installation or placement, and operation of signs shall  
42 be concealed except for vertical supports of other supporting  
43 components which are designed and arranged to be an integral part  
44 of the aesthetic composition of a sign. Raceway/wireway mounting  
45 of letters and J-boxes are prohibited unless existing structural

1 building conditions, such as certain glass structures, warrant this  
2 type of mounting.

3  
4 2. Clearance standards

5  
6 a. Canopy signs hung from a canopy, bracket arm or covered  
7 structure shall have a minimum vertical clearance of nine (9)  
8 feet above grade to the bottom of the sign.

9  
10 b. All signs over vehicular ways shall provide a minimum of  
11 thirteen (13) feet, six (6) inches of clearance.

12  
13  
14 3. A building wall sign shall not project more than four (4) feet  
15 perpendicularly from the surface to which it is attached nor shall it  
16 extend beyond any edge of the surface to which it is attached or  
17 disrupt a major architectural feature of the building.

18  
19 4. All wood permitted to be used, whether for new permanent signs,  
20 for replacement of existing permanent signs, or for any part thereof,  
21 shall be rot and termite resistant.

22  
23 5. Wires visibly connected to individual letters shall be permitted.

24  
25 6. Every sign and all components of such sign shall be kept in good  
26 structural condition and be in conformance with the applicable  
27 building code at the time of permitting.

28  
29 7. Every sign shall be constructed in a manner as to comply with the  
30 wind load requirements of the Florida Building Code. . All sign  
31 contractors shall sign a certificate stating wind loading will meet  
32 requirements of this chapter where signs under thirty-two (32)  
33 square feet are submitted. For signs thirty-two (32) square feet or  
34 over, the applicant shall provide a certification sealed by a state  
35 registered engineer or architect stating that the design will meet the  
36 requirements of this code as submitted.

37  
38 F. *Dimensional and distance requirements.*

39  
40 1. The height of a permanent sign shall not extend beyond the  
41 building height including parapets.

42  
43  
44 2. Signs shall not obstruct sight distance triangles mandated by this  
45 code or as determined by the Florida Department of Transportation  
46 roadway design criteria, as may be amended from time to time.

- 1           3.     Once a sign is erected, no additional signs may be attached to or  
2           displayed on any sign on a temporary or permanent basis.
- 3
- 4
- 5           4.     No sign shall create a traffic or fire hazard, be dangerous to the  
6           general welfare, or interfere with the free use of public rights-of-  
7           way.
- 8
- 9           5.     Sign locations shall not interfere with public alarms, signals, or  
10          signs. No sign or support shall be placed in such position or manner  
11          as to obstruct or interfere, either physically or visually, with any  
12          fire alarm, police alarm, traffic signal or sign, or any devices  
13          maintained by or under public authority.
- 14

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

- 16
- 17       A.     All permanent signs, other than window signs, may be internally  
18       illuminated, backlit, or externally illuminated unless otherwise provided in  
19       this article.
- 20
- 21       B.     Temporary signs shall not be illuminated unless otherwise provided in this  
22       article.
- 23
- 24       C.     Lighted signs shall be automatically controlled to be disconnected daily at  
25       midnight or at the close of business if the advertised closing time is later  
26       than midnight.
- 27
- 28       D.     *Intensity.*
- 29
- 30           1.     The intensity of sign illumination (brightness of a sign) shall not  
31           exceed 700 candelas per square meter ( $\text{cd/m}^2$ ) for any sign.
- 32
- 33           2.     Intensity shall be measured from the period beginning one-half hour  
34           after apparent sunset and ending one-half hour before apparent  
35           sunrise, both as determined by the National Oceanic and  
36           Atmospheric Administration (NOAA), United State Department of  
37           Commerce for Miami, Florida for the specific date of measurement.
- 38
- 39           3.     Intensity shall be measured by a foot-candle meter held at a pre-set  
40           distance from the sign determined as follows: the square root of the  
41           product of the sign area (in square feet) and 100 ( $\sqrt{A * 100} = D$ ,  
42           where A = sign area and D = distance in feet).
- 43
- 44       E.     *Design.* Illumination of a sign using an exposed, unshielded light source is  
45       not permitted. All lighting for signs shall be designed to prevent light

1 spillage outside the boundaries of the sign face, and shall not be of such  
2 intensity or brilliance as to cause glare or visual distraction.

3  
4 F. *Uniformity.*

- 5  
6 1. Lighting on all permanent signs throughout a single development or  
7 project shall be consistent in terms of color or intensity, unless  
8 differentiation is specifically provided for pursuant to an  
9 approved master sign plan in which there is variety in facade design  
10 or building type.  
11  
12 2. Lighting shall be evenly diffused throughout a sign so as not to  
13 produce areas with blotchy or differential illumination (i.e.,  
14 "hotspots" or "cold spots").  
15

16 G. *External illumination.*

- 17  
18 1. External illumination shall be permitted only for address signs,  
19 ground identity signs, ingress/egress signs, wayfinding signs, and  
20 limited instances where such lighting is specifically authorized  
21 pursuant to a master sign plan or sign permit, which shall only be  
22 granted for signs mounted on buildings through use of architectural,  
23 overhead, full-cutoff lighting fixtures integrated into the design of  
24 the sign or facade.  
25  
26 2. External illumination shall be stationary and directed only upon  
27 the sign face and architectural elements of the sign structure.  
28  
29 3. The source of the light used in external illumination shall be  
30 screened from view of public streets and residential uses, including  
31 upper story residential uses. The light intensity shall not cause glare  
32 or light spillover onto other property or a public street.  
33  
34 4. No illuminated signs shall face a residential use in such a way as  
35 to be a distraction at night to the persons living in the residential  
36 structure.  
37  
38 5. Only white light shall be used to illuminate signs.  
39

40 H. *Internally illuminated ground sign cabinets.* Internally illuminated cabinets  
41 may be incorporated into permanent ground signs provided that only  
42 the sign copy is illuminated and the background material is opaque.  
43 Changeable copy signs, where permitted, are not subject to the restrictions  
44 of this subsection.  
45

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

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

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

- 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 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

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

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

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

A. *Sign allowances (number, area, height, and setbacks).* Permitted signs shall be subject to limitations as to total number of signs and maximum dimensions based upon the zoning district where the sign will be located. Measurement determinations shall be made as provided in section 45-110(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 Zoning<sup>1</sup>**

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
<b>Permanent Ground Sign</b>					
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'
<b>Permanent Building Sign</b>					
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	Maximum 25' setback – 5% of façade area 70' setback – 7% of façade area	Maximum 25' setback – 5% of façade area 70' setback – 7% of façade area	Maximum 25' setback – 5% of façade area 70' setback – 7% of façade area 100' setback –

		100' setback – 10% of façade area	100' setback – 10% of façade area	100' setback – 10% of façade area	10% of façade area
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**Notes:**

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

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

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

2. *Signs at entrances to residential developments.*

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

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

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

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

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

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

- 1  
2 c. ATM signs shall display only the business name and/or  
3 business logo offering or maintaining the ATM.  
4

5 **Sec. 45-114. Temporary signs.**  
6

7 A. *General standards:*  
8

- 9 1. There are generally four (4) types of temporary signs that the  
10 village will permit on private property on a temporary basis. The  
11 first type of temporary sign is erected prior to the time a permanent  
12 sign can be erected and may be generally displayed prior to the  
13 time a permanent sign may be placed. These signs typically relate  
14 to the development or sale of vacant or improving property. The  
15 second type of temporary sign is one which may be placed after  
16 permanent signs are placed. Typically, these signs relate to  
17 promotions of the property such as the sale or lease of property.  
18 The third type of temporary sign that may be placed on property is  
19 a temporary, non-commercial sign. The fourth kind of temporary  
20 sign is a transitory sign.  
21
- 22 2. Temporary signs shall be constructed of durable, weatherproof  
23 material.  
24
- 25 3. A temporary sign shall not directly or indirectly create a traffic or  
26 fire hazard, interfere with the free and unobstructed use of streets,  
27 sidewalks, or building entrances, or obstruct clear vision at the  
28 intersection of any streets, drives, or public or private vehicular  
29 access ways or so that it may be confused with authorized traffic  
30 signs or devices.  
31
- 32 4. All signs shall be setback a minimum of five (5) feet from the  
33 property line, unless otherwise specified in this section, and shall  
34 provide a minimum eighteen (18) inch clearance from rights-of-  
35 way, curbs, sidewalks, and landscaping materials. The village may  
36 require a larger clearance if deemed necessary by the village  
37 engineer.  
38
- 39 5. All signs shall be freestanding signs unless other sign types are  
40 expressly authorized in other sections of this chapter. Temporary  
41 building signs are prohibited unless authorized under a Special  
42 Events Permit.  
43
- 44 6. Temporary signs shall be removed within twenty-four (24) hours  
45 of the issuance of a hurricane warning for any portion of the village

1 by the National Hurricane Center of the National Oceanic and  
2 Atmospheric Association (NOAA).

3  
4 B. *Temporary non-commercial signs – no permit required.*

5  
6 1. A property owner may place a sign or signs totaling no more than  
7 four (4) square feet on the property, compliant with the minimum  
8 setbacks, at any time.

9  
10  
11 2. *Additional temporary non-commercial sign before an election:*

12  
13 a. One temporary noncommercial sign totaling no more than  
14 five square feet per one quarter (0.25) acre of land may be  
15 located on the owner's property for a period of thirty (30)  
16 days prior to an election taking place in the jurisdiction  
17 where the property on which the sign(s) is(are) placed is  
18 located.

19  
20 b. Where the size of the property is smaller than 0.25 acres and  
21 has a lawfully existing principal building, one temporary  
22 noncommercial sign totaling no more than (5) five square  
23 feet may be located on the owner's property for a period of  
24 thirty (30) days prior to an election affecting the property on  
25 which the sign is located.

26  
27 c. Temporary non-commercial signs shall be removed within  
28 seven (7) days following the election or referendum vote.

29  
30 3. *Additional temporary signs when a property is being offered for sale*  
31 *or lease:* One temporary sign, totaling no more than three (3) square  
32 feet, may be located on a property:

33  
34 a. When that property is being offered for sale or lease through  
35 a licensed real estate agent; or

36  
37 b. If not offered for sale or lease through a licensed real estate  
38 agent, when the sign is owned by the property owner and that  
39 property is offered for sale by the owner; and

40  
41 c. Such signs may remain for a period of fifteen (15) days  
42 following the date on which a contract of sale has been  
43 executed.

44  
45 4. *Additional temporary sign when a property being offered for sale or*  
46 *lease is open to the public:* One temporary sign, totaling no more

1 than three (3) square feet, may be located on the owner's property  
2 on the day prior to and on the day when a property owner is opening  
3 the property to the public.  
4

5 C. *Temporary signs –zoning permit required.* The following signs authorized  
6 by this subsection require a zoning permit for a temporary sign.  
7

8  
9  
10 2. *Post and panel sign, commercial and noncommercial:*

11  
12 a. A maximum of one (1) sign per street frontage per property  
13 with a maximum height of eight (8) feet. The sign shall be  
14 oriented parallel with the street frontage to permit visibility  
15 of only one sign face.  
16

17 b. For residential properties of one (1) acre or less, a post and  
18 panel sign is not permitted. For commercial properties one  
19 (1) acre or less or residential properties greater than one (1)  
20 acre in size, a maximum cumulative sign area of sixteen (16)  
21 square feet is permitted. For commercial properties greater  
22 than one (1) acre in size, a maximum cumulative sign area  
23 of thirty-two (32) square feet is permitted.  
24

25 c. The sign shall be permitted:

26  
27 (1) During times that the commercial property is being  
28 developed or marketed for sale or lease until the  
29 property is sold or leased; or  
30

31 (2) While there is an active building permit on the  
32 property until a certificate of occupancy/completion  
33 is issued; or  
34

35 (3) The first thirty (30) days after an opening of a new  
36 business; or  
37

38 (4) For a period of thirty (30) days prior to an election in  
39 accordance with the additional temporary non-  
40 commercial signs before an election regulations  
41 above.  
42

43 2. *Building banner sign, commercial:*

44  
45 a. A maximum of one (1) banner per ground floor tenant of a  
46 commercial building with a maximum sign area of thirty-two

1 (32) square feet if authorized through a special events  
2 permit. Signs shall be securely fastened to the building  
3 facade and shall not extend above the roofline or parapet.  
4

5 b. Banner placement is limited in duration to no more than  
6 fourteen (14) days prior to and fourteen (14) days after the  
7 date of the event or activity to which they relate, or the first  
8 thirty (30) days after an opening of a new business.  
9

10 c. When a temporary banner is associated with the  
11 manufacturing and installation of a permanent affixed sign,  
12 the banner shall be removed within sixty days, or  
13 immediately upon installation of the permanent sign,  
14 whichever first occurs.  
15

16 **Sec.45-115. Transitory signs,**  
17

18 A. *Residential transitory signs.* Residential transitory signs are directional  
19 signs intended to facilitate garage sales, open houses, moving sales, yard  
20 sales, and similar events, subject to the following requirements.  
21

22 1. In addition to one (1) sign at the residence where the activity is  
23 occurring, no more than three (3) directional signs may be  
24 permitted within the swale area of any two (2) lane street bounded  
25 on both sides by residential properties.  
26

27 2. Directional signs will not be permitted in the median or on any  
28 sidewalk, and must be set back at least five (5) feet from edge of  
29 pavement.  
30

31 3. The signs may not exceed four (4) square feet in area and four feet  
32 in height measure to the top of the sign.  
33

34 4. The signs must be erected and taken down on the same calendar  
35 day.  
36

37 5. The signs may only be posted on a Saturday or Sunday or legal  
38 holiday, and shall on each day be limited to a display period no  
39 earlier than 5:00 a.m. and no later than 5:00 p.m.  
40

41 6. The signs may only be staked to or pressed into the ground.  
42

43 7. Where the public interest in the road right-of-way is limited to an  
44 easement, the consent of the owner of the underlying property is  
45 required to post signs in the right-of-way.  
46

47 B. *Transitory special event signs, banners, and directional signs.*

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1. The special event must be located within the municipal limits of the village.
2. A temporary special event permit must be approved by the village. The permit may list locations where special event signage may be displayed on private or public property. For private property locations, a letter from the property owner with a diagram showing the designated location for the sign must be submitted to the village along with the permit application for the event. For public property locations, the consent of the governmental agency owning or controlling such property is required (if the public interest is an easement, the consent of the landowner shall likewise be required).
3. One (1) sign not to exceed sixteen (16) square feet in area, directing the attention of the public to the special event may be permitted on each street frontage of the property where the special event occurs. One (1) banner for the special event, not to exceed forty (40) square feet in area, directing the attention of the public to the special event, may be permitted to be attached to a building housing the event, or may be attached to a perimeter wall or fence adjacent to a street frontage on the property where the event is located. A special event sign or banner may be erected two (2) weeks prior to the event and must be removed within two (2) days after the event.
4. Special event signs can contain the names or logo of a specific agency or business that is sponsoring the event/activity. Special event directional signs shall not exceed four (4) square feet per sign face and may be constructed of plastic or paper. Special event directional signs can be placed the day before the event begins and must be removed no later than the day after the event.

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

- A. *Business signs permitted.* A permanent sign advertising a business or establishment shall consist of the following:
1. A canopy or awning sign;
  2. A ground or monument sign with one (1) or two (2) faces;
  3. A wall sign with one (1) face; and/or
  4. A window sign not to exceed twenty (20) percent of the total window area covered.

1 B. *Sign type and criteria.*

2  
3 1. *Canopy or awning* signs. Notwithstanding limitations of this  
4 article on the projection of signs from the wall of a building,  
5 signs shall be permitted on canopies and awnings subject to the  
6 following:

7  
8 a. The sign shall indicate only the name of the building or the  
9 name of the principal occupant of the building;

10  
11 b. The sign shall be painted or printed directly on the canopy  
12 or awning; and

13  
14 c. The sign shall be counted in determining the area of wall-  
15 mounted signs permitted on the wall from which the  
16 canopy or awning projects.

17  
18 2. *Ground* signs. The name, logo, and address of parcel of land as per  
19 the following standards:

20  
21 a. A minimum of one (1) sign for parcel of land.

22  
23 b. *Overall.* For parcels with greater than three hundred (300)  
24 linear feet of street frontage, one (1) additional sign for  
25 each additional seven hundred (700) linear feet of street  
26 frontage to include intersecting roadways.

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28 c. *Outparcels.* Outparcels of a commercial center are  
29 permitted to have one (1) ground sign:

30  
31 (1) If the outparcel has direct access to Northlake  
32 Boulevard.

33  
34 (2) Overall.

35  
36 i. If the outparcel is entitled to a ground sign,  
37 street frontage calculations for the outparcel  
38 should not be included in the street frontage  
39 calculations for the adjacent commercial  
40 center.

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42 ii. Outparcel information may be provided in  
43 the permitted commercial center ground  
44 signs if internally accessed pursuant to  
45 regulations of this article.  
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- 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.
  - (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 with a max. of 2 signs per business	1	1 sq. ft. per 1-½ × the length of wall sign is attached to.	Mounting height is 6" below roof at 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:

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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.
2. *For-sale* signs. Such signs shall comply with the regulations of this article.
3. *Grand opening* signs. To announce the opening of a new business or the change of ownership of an established business shall be permitted in addition to other signs, which may be permitted by this regulation. Signs shall not remain in place for more than seven (7) days commencing immediately upon the opening of a new business or the change of ownership of an established business.
4. *Special event* signs. Such signs shall be placed no more than fifteen (15) days prior to the beginning of the event and provided further that all such signs shall be removed within forty-eight (48) hours after the event. Approval of the size and locations of the signs by the village is required.

D. *Permissible size, height, location, and number of temporary signs.*

**Table 45-3  
Permitted Temporary Signs**

Sign Type	Max. Number	Max. # of Signs Faces	Maximum Area	Maximum Height/Dimensions	Other Limitations
Construction	1 per 500 linear feet	1	32 sq. ft.	8 ft.	20' min. setback from property line and right-of-way time frame: 60 days before/removal at the certificate of occupancy

For-sale					Signs shall comply with the regulations of the village.
Grand Opening	1 per parcel	1	32 sq. ft.	6 ft.	20' min. setback from property line and right-of-way time frame: 7 calendar days total
Special Event	1 per parcel	2	32 sq. ft.	8 ft.	20' min. setback from property line and right-of-way time frame: 15 days before/48 hours after.

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E. *Accessory Signs permitted.* A permanent accessory sign may be a ground or monument sign with one (1) or two (2) faces or wall signs with one (1) face.

1. *Accessory sign types and criteria.*

a. *Gasoline signs.*

b. *Parking area directional signs.* Parking area directional signs may be erected at each point of ingress and egress to a parking lot or parking area shall not be counted as part of 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
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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.	20 ft. height of pole	max. dimension of flag is 5' x 10'
			length is (2x) max. allowable ht.		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

1 of such unconstitutionality shall not affect any other part, section,  
2 subsection, paragraph, subparagraph, sentence, phrase, clause, term, or  
3 word of this article, even if such severability would result in a situation  
4 where there would be less speech, whether by subjecting previously exempt  
5 signs to permitting or otherwise.  
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7 C. *Severability of provisions pertaining to prohibited signs.* Without  
8 diminishing or limiting in any way the declaration of severability set forth  
9 above in subsection (a) above, or elsewhere in this article, this Code, or any  
10 adopting ordinance, if any part, section, subsection, paragraph,  
11 subparagraph, sentence, phrase, clause, term or word of this article or any  
12 other law is declared unconstitutional by the valid judgment or decree of  
13 any court of competent jurisdiction the declaration of such  
14 unconstitutionality shall not affect any other part, section, subsection,  
15 paragraph, subparagraph, sentence, phrase, clause, term, or word of this  
16 article that pertains to prohibited signs, including specifically those signs  
17 and sign-types prohibited and not allowed under section 6-113 of this  
18 article. Furthermore, if any part, section, subsection, paragraph,  
19 subparagraph, sentence, phrase, clause, term, or word of section 6-113 is  
20 declared unconstitutional by the valid judgment or decree of any court of  
21 competent jurisdiction, the declaration of such unconstitutionality shall not  
22 affect any other part, section, subsection, paragraph, subparagraph,  
23 sentence, phrase, clause, term, or word of section 6-113, thereby ensuring  
24 that as many prohibited sign-types as may be constitutionally prohibited  
25 continue to be prohibited.  
26

27 Section 8. The provisions of this Ordinance shall become and be made a part of the Code of  
28 the Village of North Palm Beach, Florida.  
29

30 Section 9. If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for  
31 any reason held by a court of competent jurisdiction to be unconstitutional, inoperative, or void,  
32 such holding shall not affect the remainder of this Ordinance.  
33

34 Section 10. All ordinances or parts of ordinances and resolutions or parts of resolutions in  
35 conflict herewith are hereby repealed to the extent of such conflict.  
36

37 Section 11. This Ordinance shall take effect immediately upon adoption.  
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39 PLACED ON FIRST READING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.  
40

41 PLACED ON SECOND, FINAL READING AND PASSED THIS \_\_\_\_\_ DAY OF  
42 \_\_\_\_\_, 2024.  
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46 (Village Seal) \_\_\_\_\_

MAYOR

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ATTEST:

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VILLAGE CLERK

1 APPROVED AS TO FORM AND  
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VILLAGE ATTORNEY

**VILLAGE OF NORTH PALM BEACH  
COMMUNITY DEVELOPMENT DEPARTMENT**

---

TO: Members of the Planning, Zoning and Adjustment Board

FROM: Caryn Gardner-Young, Community Development Director

CC: Leonard G. Rubin, Village Attorney

DATE: October 1, 2024

SUBJECT: **Ordinance Amendment to C-NB Zoning District to add Marina/Private Docking as a Special Exception Use**

---

**Background:**

In 2003, through the adoption of Ordinance No. 05-2003, the Village established the Northlake Boulevard Overlay Zoning District (NBOZ), consisting of real property that fronted upon or was adjacent to Northlake Blvd. The NBOZ regulations were amended in 2011 through the adoption of Ordinance No. 2011-02 (adopting regulations restricting pain management clinics) and Ordinance No. 2011-05 (extending the compliance deadline for non-conforming landscaping and signs) and in 2012 through the adoption of Ordinance No. 2012-07 (adopting procedures for review of Conditional and Special Permit uses and adopting a new Land Use Chart in Section 4-2). Finally, in 2020, through the adoption of Ordinance No. 2020-06, the Village Council converted the NBOZ to the Northlake Boulevard Commercial Zoning District (C-NB).

**Discussion:**

In August 2015, the Village contracted with the Treasure Coast Regional Planning Council (TCRPC) to develop a master plan for future infill development and redevelopment within the Village's municipal limits. During January and February of 2016, the TCRPC conducted a weeklong economic development and urban design charrette to assist the Village in accomplishing its goals. Working with members of the public and other interested parties, the TCRPC created a report, which was formally adopted by the Village Council, through Resolution 2016-73 and named it "The Village of North Palm Beach Citizens' Master Plan Report". In this report, there were recommendations for the Village to develop a form-based code for the Village's commercial corridors and to consolidate various commercial zoning districts. The Village retained the firm of Dover, Kohl & Partners to implement these changes, which were formally adopted in Ordinance No. 2020-06.

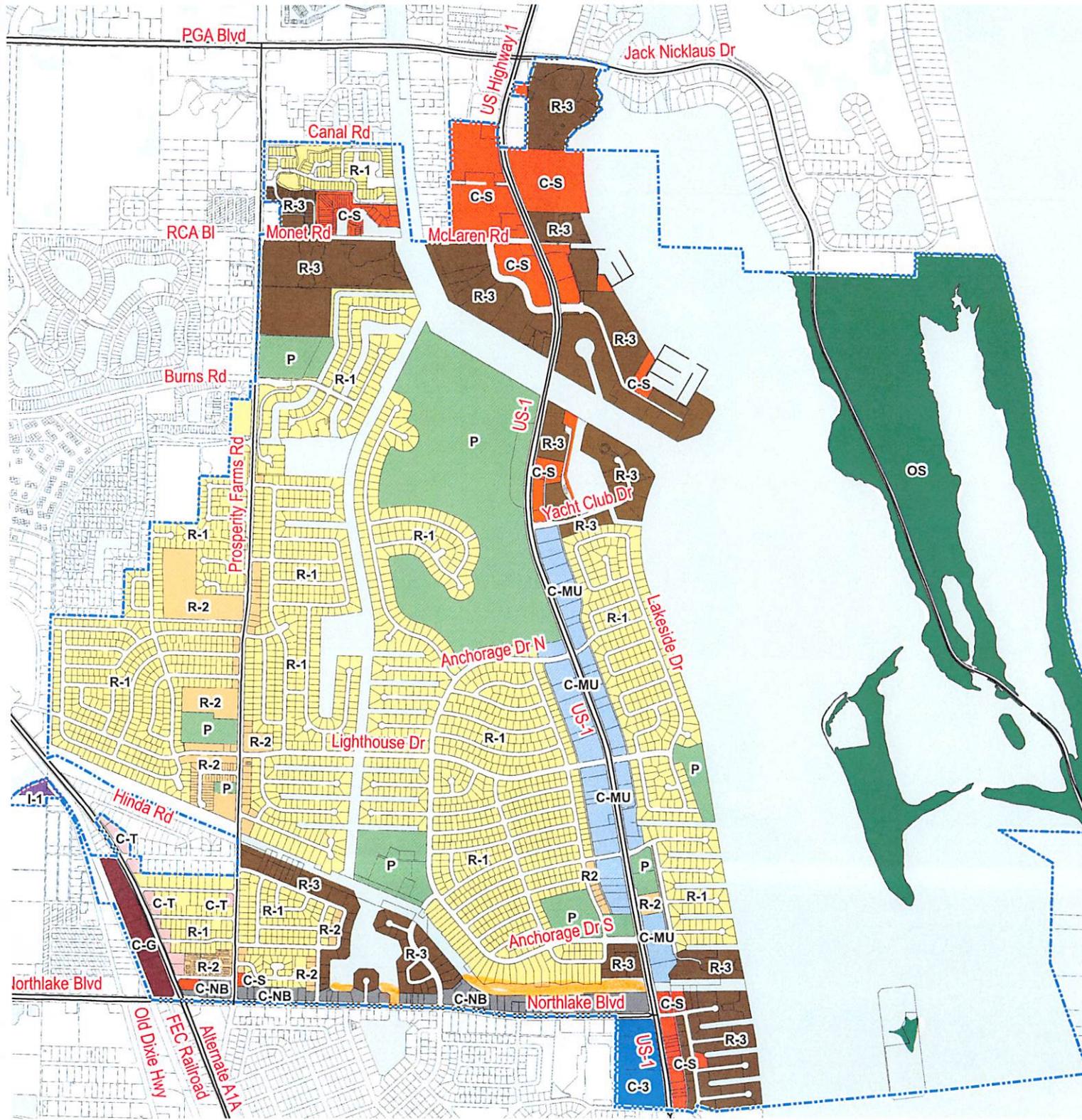
Since the adoption of Ordinance No. 2020-06, the Village discovered that some items contained in the NBOZ were inadvertently omitted from the C-NB. Specifically, a Land Use Chart was included in Section 4-2 of the NBOZ Zoning regulations, which listed the uses permitted and uses requiring a Special Permit or a Conditional Use approval. One of the uses listed in Section 4-2 was marina/private mooring, which required Conditional Use approval. However, this use was not included in the Allowable Uses Table (Table 4-1) of the C-NB Zoning District. While the terms are generally used interchangeably, the Allowable Uses Table for the C-NB used the term "special exception use" in lieu of the term "conditional use."

In the past, this Board and the Village Council have approved the ability of one property owner along Northlake Boulevard to install private mooring facilities under the former NBOZ regulations. Recently, the Village has received another request for private mooring, but based upon the existing regulations, this use is not permitted in the C-NB Zoning District. The Village is seeking to address the oversight of not including marina/private mooring (redesignated marina/private docking) as a Special Exception Use in the C-NB Zoning District.

At the September 10<sup>th</sup> Planning, Zoning and Adjustment Board (PZAB) meeting, the Board directed Village Staff to present the proposed Ordinance to the Waterways Board for a recommendation. The Waterways Board meets September 24<sup>th</sup> at 5:30pm, after distribution of the PZAB agenda packet. As a result, the Waterways Board recommendation will be distributed either at the PZAB meeting or through an email after the 24<sup>th</sup>.

**Recommendation:**

The Village Staff requests that the Planning, Zoning and Adjustment Board review and recommend adoption of the proposed Ordinance amending the Village's C-NB Zoning District to add marina/private docking use as a Special Exception Use and adopt the accompanying definition.

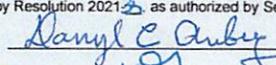
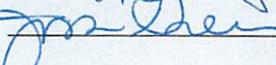


### Village of North Palm Beach Official Zoning Map

- R-1 - Single-Family Dwelling District
- R-2 - Multiple Family Dwelling District
- R-3 - Apartment Dwelling District
- C-T - Transitional Commercial District
- C-S - Shopping Commercial District
- C-G - General Commercial District
- C-MU - US-1 Mixed-Use District
- C-3 - Regional Mixed-Use District
- C-NB - Northlake Bl. Commercial District
- I-1 - Light Industrial District
- P - Public District
- OS - Conservation & Open Space District
- Village of North Palm Beach

**VILLAGE OF NORTH PALM BEACH**  
PALM BEACH COUNTY, FLORIDA

This is to certify that this official zoning map supersedes and replaces the previous official zoning map that had been adopted on January 12, 2006, by Resolution 2006-02. This latest official zoning map was adopted on April 23, 2021, by Resolution 2021-3, as authorized by Section 45-17 of the Village Code.

 Mayor  
 Village Clerk

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Map prepared in March 2021 by Spikowski Planning Associates, Fort M



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**ARTICLE I. – IN GENERAL**

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**Sec. 45-2. – Definitions**

\* \* \*

*Lot of record* is a part of the land subdivision, the map of which has been recorded in the office of the clerk of the court of Palm Beach County, Florida.

Marina/private docking means docks, slips or piers supplying secure moorings for boats. Marinas shall comply with the following supplementary use standards.

- a. A marina shall provide at each boat slip an individual sewer and water hook-up that shall be connected to a sewage and potable water supply system approved by the Palm Beach County Health Department.
- b. All docks shall extend beyond the shallow water depth to the extent authorized in chapter 5 of this code.
- c. An accessory marine store shall be permitted.

*Mechanical equipment* means necessary or accessory equipment mounted on or adjacent to a principal structure, including but not limited to central air conditioning equipment, ventilation equipment, generators, heating equipment, antennas, satellite dishes, refrigeration equipment, household appliances, solar and conventional hot water heaters, elevator machinery and similar type equipment.

\* \* \*

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 45-35.3 to read as follows (additional language is underlined):

**ARTICLE III. – DISTRICT REGULATIONS**

\* \* \*

**Sec. 45-35.3. – C-NB Northlake Boulevard commercial district.**

\* \* \*

**Article 4 Zoning Regulations**

**Sec. 4-1 Development review regulations.**

A. *Allowable Uses.* Table 4-1 indicates allowable uses in the C-NB district.

\* \* \*

	<b>PERMITTED USE</b>	<b>SPECIAL EXCEPTION</b>	<b>NOT PERMITTED</b>
<b>RESIDENTIAL USES</b>			
Mobile home park			•
Dwelling, one family detached			•
Dwelling, all other dwelling types	•		
Live/work unit	•		
Assisted living facility		•	
Community residential home			•
<u>Marina/Private Docking</u>		<u>•</u>	
<b>LODGING USES</b>			
Bed-and-breakfast establishment	•		
Hotel	•		
Motel	•		
Time-share unit	•		
<b>BUSINESS USES</b>			
Offices, general	•		
Office or clinic, medical or dental	•		
Stores & services, general	•		
Stores & services, large format		•	
Adult entertainment			•
Convenience store with fuel		•	
Dog daycare		•	

	<b>PERMITTED USE</b>	<b>SPECIAL EXCEPTION</b>	<b>NOT PERMITTED</b>
Drive-through facility (for any use)		•	
Garage, parking		•	
Heavy commercial and light industrial:			
Contractor and trade operation		•	
Vehicle sales or repair		•	
All other			•
Medical marijuana treatment center			•
Restaurant or cocktail lounge	•		
Telecommunications antennas		•	
<b><u>CIVIC, EDUCATION &amp; RECREATION USES</u></b>			
Child care facility	•		
Church or place of assembly	•		
Civic space	•		
Family day care	•		
Government building	•		
Hospital or medical center		•	
Public space	•		
School, public or private		•	
<u>Marina/private mooring</u>		•	

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Section 4. The provisions of this Ordinance shall become and be made a part of the Code of the Village of North Palm Beach, Florida.

Section 5. If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional, inoperative, or void, such holding shall not affect the remainder of this Ordinance.

Section 6. All ordinances or parts of ordinances and resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 7. This Ordinance shall take effect immediately upon adoption.

PLACED ON FIRST READING THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2024.

PLACED ON SECOND, FINAL READING AND PASSED THIS \_\_\_ DAY OF \_\_\_\_\_, 2024.

(Village Seal)

\_\_\_\_\_

MAYOR

ATTEST:

\_\_\_\_\_  
VILLAGE CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

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VILLAGE ATTORNEY

**VILLAGE OF NORTH PALM BEACH  
COMMUNITY DEVELOPMENT DEPARTMENT**

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TO: Members of the Planning, Zoning and Adjustment Board  
FROM: Caryn Gardner-Young, Community Development Director  
CC: Leonard G. Rubin, Village Attorney  
DATE: October 1, 2024  
SUBJECT: **Creation of Tree Removal Permit Process for Private Properties**

---

The Village of North Palm Beach (Village) Environmental Committee asked Village Staff to present to the Village Council a zoning text amendment to create a Tree Removal Permit process for private properties. The Village Manager asked Village Staff to present the proposed language to the Planning, Zoning and Adjustment Board for a recommendation to the Village Council before an Ordinance is presented to the Village Council.

Florida is renowned for its stunning natural landscapes, with towering trees that provide shade, beauty, and vital ecological benefits. The importance of tree preservation is that trees play a crucial role in maintaining a healthy ecosystem, providing oxygen, preventing soil erosion, and serving as habitats for countless species of wildlife. In Florida, where the subtropical climate nurtures a diverse array of tree species, responsible management and conservation efforts are essential to sustaining this natural treasure.

Presently, the Village regulates trees on commercial properties and trees planted in the Right-of-Way. A resident must obtain approval from the Public Works Department to install landscaping within the Right-of-Way, which includes the Village's swales. Commercial properties are required to remain in compliance with their approved landscape plans, which includes location, types and number of trees on the property. However, the Village does not regulate trees on private property.

There are many private properties within the Village, which have specimen trees that presently the Village cannot prevent from being removed. A Tree Removal Permit, if adopted, would require a property owner to provide a justification for the tree removal and propose tree replacement(s). Village Staff would review the Tree Removal Permit, at a minimal fee, and perform an inspection to confirm compliance with the approved Tree Removal Permit.

However, there are some exceptions to the required permit. One of these includes compliance with State Statute that exempts a property owner from obtaining a Village permit if the tree is located on a single-family detached building lot, and the property owner has documentation from a certified arborist or licensed landscape architect to declare the tree is a risk in accordance with Best Management Practices. Another one is removal of exotic or invasive trees as listed by the Florida Exotic Pest Plan Council.

Village Staff performed a survey on how other municipalities regulate trees on private property. A Tree Removal Permit for single family or duplex properties is not required in Palm Beach Gardens, Palm Beach County, Boca Raton, and Lake Park (except for specimen trees). Others require such a Tree Removal Permit such as Royal Palm Beach, Greenacres, Lake Worth Beach and Riviera Beach.

**Recommendation:**

The Village Staff requests that the Planning, Zoning and Adjustment Board provide a recommendation on whether the Village should adopt an Ordinance to require a Tree Removal Permit on private property.

## CHAPTER 27 – TREES AND SHRUBBERY

### ARTICLE V – TREE REMOVAL PERMIT

#### Sec. 45-95 – Zoning permit for vegetation removal required.

(a) Applicability. Unless otherwise provided in this article, no person, firm, corporation, association, public agency, or agent or employee, shall destroy, remove, or relocate vegetation from any property without first obtaining a zoning permit for vegetation removal from the village.

- (1) For residential developments and subdivisions with approved landscape plans and homeowners associations, a zoning permit is required for vegetation removal. A homeowners association letter of approval must be included in the application. Each tree removed must be replaced with a new tree that meets Village Code requirements, located in accordance with the approved landscape plan.
- (2) For residential developments and subdivisions without approved landscape plans and with a homeowners association, a zoning permit is required for vegetation removal. A homeowners association letter of approval must be included in the application. Each tree removed must be replaced with a new tree that meets current Village Code requirements.
- (3) For residential developments and subdivisions without approved landscape plans and without a homeowners association, a zoning permit is required for vegetation removal. Each tree removed must be replaced with a new tree that meets current Village Code requirements.
- (4) For commercial developments and subdivisions with approved landscape plans, a zoning permit is required for vegetation removal. Each tree removed must be replaced with a new tree that meets current Village Code requirements, located in accordance with the approved landscape plan.
- (5) For commercial developments and subdivisions without approved landscape plans, a zoning permit is required for vegetation removal. Each tree removed must be replaced with a new tree that meets current Village Code requirements

(b) Exemptions.

- (1) Removal of dead trees requires a permit, and may require replacement trees to be planted as provided elsewhere in this article; however, the permit shall be issued at no charge.

- (2) *Residential property.* As referenced in F.S. § 163.045, residential property shall be defined as a single-family, detached building located on a lot that is actively used for single-family residential purposes and that is either a conforming use or a legally recognized nonconforming use in accordance with the village's zoning regulations. Those parcels or lots that comprise the common elements or community property, in whole or in part, within a PUD, and/or MU shall not be defined as or deemed to be "residential property" for the purposes of F.S. § 163.045. Residential properties that utilize the state statute exemption are required to possess the required documentation from an arborist certified by the International Society of Arboriculture or a Florida licensed landscape architect that the tree being removed poses an unacceptable risk to persons or property. A tree poses an unacceptable risk if removal is the only means of practically mitigating its risk below moderate, as determined by the tree risk assessment procedures outlined in Best Management Practices - Tree Risk Assessment, Second Edition (2017). If the residential property meets this requirement, then the tree may be removed without a permit.

(c) Requirements. Each permit application for vegetation removal shall include the following:

- (1) A survey showing the vegetation to be removed; and
- (2) A statement indicating why the removal of vegetation is necessary, as well as the methods to be utilized in removing the vegetation; what steps will be taken to ensure all vegetation required to be preserved will not be damaged or destroyed; and that all work will be conducted in accordance with the provisions of this article and any other applicable village codes or requirements; and any additional information required by the village.
- (3) Fees as established by the village council unless exempted in Section 27-85(b) above.

(d) Any trees being removed, which were installed as part of an approved landscape plan, will be required to be replaced with the same number of trees, which meet the minimum specifications of this article.

(e) The village shall be notified at least twenty-four (24) hours prior to the commencement of any vegetation removal approved through the issuance of a zoning permit for vegetation removal. The village shall inspect the site to determine if the vegetation to be preserved is properly identified and protected and if conformance is maintained with the landscape plan and development order for the site. Failure to notify the village at least twenty-four (24) hours prior to commencing the removal process shall result in the immediate issuance of a stop work order and the processing of a violation notice. Any violation of this article is subject to the enforcement provisions of Chapter 2, Article VI and VII (code enforcement).

(f) A permit for tree removal may be issued when the required application data is supplied and the following conditions exist, as applicable:

- (1) The tree constitutes an unreasonable impediment to continuance or development of a permitted use of the property by virtue of its location in a buildable area or yard area where structures or improvements are to be placed and, at the determination of the village, suitable alternatives do not exist;
- (2) The tree is diseased, injured, in danger of falling; is too close to an existing or proposed structure so as to endanger the structure; interferes with utility services; creates unsafe vision clearances; or conflicts with other ordinances or regulations;
- (3) The tree has been destroyed or died;
- (4) The village requires the tree to be removed;
- (5) The tree proposed to be removed is growing too close in proximity to another tree to permit normal growth and development of the affected tree;
- (6) The tree is not considered a designated historic or specimen tree:
  - a. Older than fifteen (15) years;
  - b. Very large size for its species; and/or
  - c. Of a rare variety.
- (7) The tree cannot be relocated on or off the site;
- (8) The community development director or designee has determined that removal will be in the public interest.

(g) If a prohibited tree species listed as an Exotic Pest & Invasive Plant by the Florida Exotic Pest Plant Council is present on the property, a permit for tree removal in conjunction with (f) above will be issued conditioned upon removal of the prohibited tree species prior to final inspection of the permit.