



**Town of Surfside  
Joint Workshop  
Town Commission and Planning and Zoning Board  
AGENDA  
May 22, 2014  
7:30 p.m.**

Town Hall Commission Chambers - 9293 Harding Ave, 2<sup>nd</sup> Floor  
Surfside, FL 33154

**1. Opening**

- A. Call to Order**
- B. Roll Call of Members**
- C. Pledge of Allegiance**

**2. Review and Discussion on Issues Related to the Sign Code Update – Sarah Sinatra,  
Town Planner**

**3. Adjournment**

Respectfully submitted,

Michael P. Crotty  
Town Manager

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THIS MEETING IS OPEN TO THE PUBLIC. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, ALL PERSONS THAT ARE DISABLED; WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE OFFICE OF THE TOWN CLERK AT 305-861-4863 EXT. 226 NO LATER THAN FOUR DAYS PRIOR TO SUCH PROCEEDING.

IN ACCORDANCE WITH THE PROVISIONS OF SECTION 286.0105, FLORIDA STATUTES, ANYONE WISHING TO APPEAL ANY DECISION MADE BY THE TOWN OF SURFSIDE COMMISSION, WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING OR HEARING, WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE WHICH RECORD SHALL INCLUDE THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

AGENDA ITEMS MAY BE VIEWED AT THE OFFICE OF THE TOWN CLERK, TOWN OF SURFSIDE TOWN HALL, 9293 HARDING AVENUE. ANYONE WISHING TO OBTAIN A COPY OF ANY AGENDA ITEM SHOULD CONTACT THE TOWN CLERK AT 305-861-4863. A COMPLETE AGENDA PACKET IS ALSO AVAILABLE ON THE TOWN WEBSITE AT [www.townofsurfsidefl.gov](http://www.townofsurfsidefl.gov)

**TWO OR MORE MEMBERS OF OTHER TOWN BOARDS MAY ATTEND THIS MEETING.**

**THESE MEETINGS MAY BE CONDUCTED BY MEANS OF OR IN CONJUNCTION WITH COMMUNICATIONS MEDIA TECHNOLOGY, SPECIFICALLY, A TELEPHONE CONFERENCE CALL. THE LOCATION 9293 HARDING AVENUE, SURFSIDE, FL 33154, WHICH IS OPEN TO THE PUBLIC, SHALL SERVE AS AN ACCESS POINT FOR SUCH COMMUNICATION.**

**TOWN OF SURFSIDE**

**SUMMARY OF EDITS (REVISED 5/14/2014)**

**Table of Contents**

<b>Existing</b>	<b>Proposed</b>
Sec. 90-68 General and miscellaneous provisions	Sec. 90-68 General and miscellaneous provisions
Sec. 90-69 Sign design parameters	Sec. 90-69 Definitions
Sec. 90-70 Sign permits	Sec. 90-70 Sign permits
Sec. 90-71 Permanent signs by district	Sec. 90-71 Sign design and appearance
Sec. 90-72 Exempt signs	Sec. 90-72 Sign removal
Sec. 90-73 Prohibited signs	Sec. 90-73 Permanent signs by district
Sec. 90-74 Temporary signs	Sec. 90-74 Temporary signs by district
Sec. 90-75 Non-conforming signs	Sec. 90-75 Prohibited signs
Sec. 90-76 Sign construction and maintenance	Sec. 90-76 Prohibited sign locations
	Sec. 90-77 Non-conforming signs
	Sec. 90-78 Non-complying signs

**Sec 90-68 General and miscellaneous provisions**

- (b) Deleted language related to Supreme Court case studies and legal references
- (e) Removed "Definitions" from this section and created a new section solely containing terms and definitions

**Definitions**

<b>Removed</b>	<b>Removed and Replaced</b>	<b>Amended</b>
Directory & upper floor sign	Blade sign (see Projecting sign)	"Cabinet sign" definition
Murals	Community interest sign (see <i>Special Event Banner</i> )	"Changeable copy" definition
V-box	Grand opening banner (see <i>Special Event Banner</i> )	"Monument sign" definition
	Menu holders (see <i>Menu sign</i> )	"Non-conforming sign" definition
	Pedestrian sign (see <i>Projecting sign</i> )	"Sign" definition
	Primary occupancy sign (see <i>Primary Business sign</i> )	"Temporary sign" definition
	Sandwich or "A" frame (see <i>Portable Sign</i> )	"Window sign" definition
	Sidewalk café signage (see <i>Portable Sign</i> )	
	Sign area (see <i>Area</i> )	
	Pest control warning sign (see <i>Fumigation warning sign</i> )	

Definitions continued.....

Added		
Area	Frontage, Building and Street	Pole mounted sign
Awning sign	Fumigation warning sign	Portable sign
Bandit sign	Home business sign	Primary business sign
Balloon sign	Individually mounted letter sign	Push-through sign
Banner sign	Illuminated	Raceway
Billboard sign	Marquee	Reverse channel sign
Business hours sign	Menu sign	Sign Face
Commercial sign	Non-commercial sign	Secondary business sign
Conforming sign	Non-complying sign	Umbrella sign
Copy	Open/Closed sign	Wall sign
Frontage	Pan Channel Letter	
Freestanding sign	Permanent sign	

**Sec 90-69 Sign Design Parameters**

- Changed section heading to “Sign Design and Appearance”
- (b) (c) Use of streets, waterways, sidewalks, public property and vacant lots language moved to a new section entitled “Prohibited Sign Locations”
- (d) Sign removal language moved to a new section entitled “Sign Removal” which outlines the time limitations and parameters for removal of both permanent and temporary signs
- (e) Moved “Pest control warning sign” language to the “Sign Permit” section under “Exempt Signs.” Renamed “Pest control warning sign” “Fumigation Warning sign” as it is officially referenced by the Department of Agriculture and Consumer Services. Under Florida State Administrative Code “Fumigation Warning signs” already have specific design and placement requirements; as such, all references to design parameters for this type of sign were removed. (See RULE 5E-14.122 of the Florida State Administrative Code: “Fumigation Requirements – Pre-fumigation Inspections, Evacuation, Warning Notices (Signs), Special Safety Precautions and Responsibilities.”)
- Added new language to this section which speaks more directly to design parameters and sign appearance such as appropriate scale, size, sensitivity to surrounding buildings and street context, incorporating complementary colors in sign design, use of weather resistant materials and proper sign maintenance and upkeep
- Extended time frame within which damaged or defective conforming signs must be removed and repaired from 30 days to 90 days.
- Required any damaged or defective non-conforming signs to be replaced with a sign that meets the requirement of the most current sign code.

**Sec 90-70 Sign Permits**

- Added a list of exempt signs which do not require a permit including temporary signs, national flag, Town banners, numerical address sign, menu sign, hours of operation sign, management sign, open/closed sign, and fumigation warning sign.
- Added a requirement that all illuminated signs shall require a separate electrical permit
- Added a “Local Business Tax Receipt” requirement which says no such receipts shall be issued for a new business until all signs associated with the former business are removed.
- Added evaluation criteria for permit review
- Extended the time period for failure to commence from 90 days to 2 years.





*National Flag*



*Town Banners*



*Numeric Address Sign*



*Open/Closed Sign*



*Business Hours Sign*



*Menu Sign*



*Property Management Sign*



*Fumigation Warning Sign*

### Sec 90-70 Permanent Signs by District

- In addition to V-box signs, the following sign types were **removed** from the permanent signs list:



*Awning Sign*



*Marquee*



*Credit Card Logo*

- The following sign types were **added** to the permanent signs list:



*Projecting Sign*



*Reverse Channel (Halo effect)*



*Push-through letter*



*Pan channel letter*

**SD-B40 Zoning District**

- (d) "Miscellaneous" 'Managed by..' sign type moved to the exempt signs list under "Sign Permits"
- (e) "Location" language moved to a new section entitled "Prohibited Sign Locations"
- (f)(1)(2)(3)(4) Temporary "Window Signs" moved to the "Temporary Signs" section
- (f)(5) Menu sign, hours of operation, and open/closed sign moved to exempt signs list under "Sign Permits".
- (f)(5) List of acceptable materials added to description of permanent "Window Signs" including **painted gold leaf or silver leaf, silk screen, cut or polished metal, cut or frosted vinyl and etched glass**
- (i) Permitted upper floor tenants to have the same signage as lower floor tenants including along the parapet wall but no signage above the eave line of the building.
- Require buildings facing the alley to provide a reflective emergency address sign



*Painted Gold Leaf*



*Painted Silver Leaf*



*Silk-Screen*

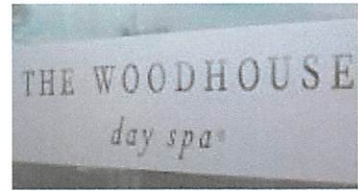




*Cut Vinyl*



*Frosted Vinyl*



*Etched Glass*



*Cut or Polished Metal*

*H30C, H40, MU and H120 Districts*

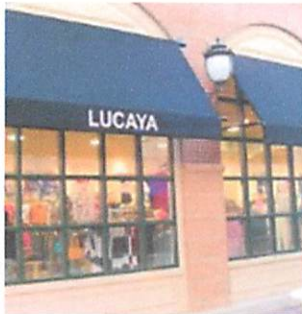
- (b)(3) Edited acceptable wording/lettering for "Supplemental Sign"
- (e)(4) Edited acceptable wording/lettering for "Parking Sign" section
- (e)(6) Added a requirement that "Monument Signs" be landscaped at the base and that internal or external illumination be permitted.

*H30A and H30B Districts*

- (a)(b)(c) Redefined permitted permanent sign type within this district as "Wall Sign"

**Sec 90-73 Prohibited Signs**

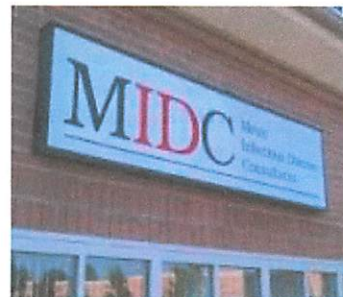
- In addition to Home Business sign and signs which emit smoke, vapor, or noise the following sign types were **added** to the list of prohibited sign types:



*Awning Sign*



*Balloon Sign*



*Cabinet Sign*



*Pole Mounted*



*Changeable Copy / Marquee*



*Bandit Sign*



*Portable Sign*



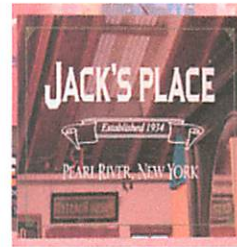
*Snipe/Poster/Handbills*



*Umbrella Sign*



*Sign on Wheels*



*Mirror Sign*



*Digital*

## Sec 90-74 Temporary Signs

- Required all temporary signs to be professionally lettered
- Added Construction Sign to the list of allowable temporary signs
- Added Temporary Window Sign to the list of allowable temporary signs
- Added Special Event Banner Sign to the list of allowable temporary signs



*Construction Sign*



*Temporary Window Sign*



*Special Event Banner*

## Real Estate Signs

- (a) Added a timeframe for sign removal
- (b) Revised the maximum sign area within the SD-B40 District
- (d) Revised the area and height requirement for signs within the residential district in addition to allowing for sign riders
- (e) Allowed for signs to be black and white and to permit logos or symbols
- Added the requirement that signs be made of rigid, weatherproof materials

## Political Sign

- Replaced requirement that sign be "...no closer than ten (10) from any lot line," with "No portion of the sign shall extend across the property line."
- Placed a prohibition on illumination of such signs
- Added language prohibiting placement of political signs on public property
- Placed a maximum height limitation of forty-two (42) inches from the ground for such signs



**Sec 90-75 Non-conforming Signs**

- No amortization period
- Added language that prohibits relocation of non-conforming signs
- Added a section on non-complying signs

**Sec 90-76 Sign Construction and Maintenance**

- This section was deleted and language moved to the "Sign Design and Appearance" section

1 TOWN OF SURFSIDE

2 ARTICLE VI. SIGNS (REVISED 5/14/2014)

3 Table of Contents

Sec. 90-68 General and miscellaneous provisions

Sec. 90-69 Definitions

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Sec. 90-71 Sign design and appearance

Sec. 90-72 Sign removal

Sec. 90-73 Permanent signs by district

Sec. 90-74 Temporary signs by district

Sec. 90-75 Prohibited signs

Sec. 90-76 Prohibited sign locations

Sec. 90-77 Non-conforming signs

Sec. 90-78 Non-complying signs

4 **Sec. 90-68. General and miscellaneous provisions.**

- 5 (a) *Scope:* The provisions of this article shall govern the number, size, location, and character of all  
6 signs which may be permitted either as a main or accessory use under the terms of this article. No  
7 signs shall be permitted on a plot or parcel either as a main or accessory use except in accordance  
8 with the provisions of this article.
- 9 (b) *Purpose:* This article shall be known as the "Town of Surfside Sign Code." The purpose of the code  
10 is to improve and advance the governmental purpose of aesthetics, quality of life, and safety of the  
11 town and its residents, while meeting the need for signage that clearly identifies locations, advertises  
12 businesses, and otherwise communicates commercial and noncommercial messages.
- 13 (c) *Substitution of non-commercial speech for commercial speech:* Notwithstanding any provisions of  
14 this article to the contrary, to the extent that this article permits a sign containing commercial copy, it  
15 shall permit a non-commercial sign to the same extent. The non-commercial message may occupy  
16 the entire sign area or any portion thereof, and may substitute for or be combined with the  
17 commercial message. The sign message may be changed from commercial to non-commercial, or  
18 from one non-commercial message to another, as frequently as desired by the sign's owner,  
19 provided that the sign is not prohibited and the sign continues to comply with all requirements of this  
20 article.
- 21 (d) *Severability:*
- 22 (1) *Generally:* If any part, division, subsection, paragraph, subparagraph, sentence, phrase, clause,  
23 term, or word of this article is declared unconstitutional by the final and valid judgment or decree  
24 of any court of competent jurisdiction, this declaration of unconstitutionality or invalidity shall not  
25 affect any other part, division, subsection, paragraph, subparagraph, sentence, phrase, clause,  
26 term, or word of this article.

27

- 1 (2) *Severability where less speech results:* This article shall not be interpreted to limit the effect of  
2 subsection 90-68(d)(1), or any other applicable severability provisions in the Code of  
3 Ordinances or any adopting ordinance. The Town Commission specifically intends that  
4 severability shall be applied to these sign regulations even if the result would be to allow less  
5 speech in the town, whether by subjecting currently exempt signs to permitting or by some  
6 other.....
- 7 (3) *Severability of provisions pertaining to prohibited signs:* This division shall not be interpreted to  
8 limit the effect of subsection 90-68(d)(1) above, or any other applicable severability provisions in  
9 the Code of Ordinances or any adopting ordinance. The Town Commission specifically intends  
10 that severability shall be applied to 90-75, "Prohibited signs," so that each of the prohibited sign  
11 types listed in that section shall continue to be prohibited irrespective of whether another sign  
12 prohibition is declared unconstitutional or invalid.
- 13 (4) *Severability of prohibition on off-premises signs:* This division shall not be interpreted to limit the  
14 effect of subsection 90-68(d)(1) above, or any other applicable severability provisions in the  
15 Code of Ordinances or any adopting ordinance.

16

17 **Sec. 90-69. Definitions.**

18 Words and terms not defined shall be interpreted in accord with the normal dictionary meaning and  
19 the customary usage of the word shall apply.

20 *Area:* The entire perimeter of a sign which encloses visually communicative copy such as  
21 letters, symbols, or logos, including the advertising surface and any framing, trim, or molding but not  
22 including the supporting structure. When a sign is a monument sign, the sign area shall be  
23 calculated by measuring from the ground to the maximum height multiplied by the width.

24 *Awning sign:* a sign that is a part of or attached to an awning, canopy, or other material or  
25 structural protective cover mounted over a door, entrance, window, or outdoor service area.

26 *Bandit sign:* A sign made of corrugated cardboard or similar material placed on wire support  
27 poles typically placed within right-of-ways or on private property.

28 *Balloon sign:* An inflatable sign which may be tethered.

29 *Banner sign:* A sign composed of lightweight, flexible material suspended between two points.

30 *Billboard sign:* A significantly large sign designed to dramatically attract the attention of the  
31 travelling public. Such signs are used to advertise or communicate goods or services typically not  
32 sold, generated, or provided on the site where the sign is located.

33 *Business hours sign:* A small sign indicating the hours during the day in which business is  
34 commonly conducted.

35 *Cabinet sign:* Any sign, the face of which is enclosed, bordered, or contained within a box-like  
36 structure, frame, or other device.

37 *Changeable copy:* A sign or portion thereof on which letters, illustrations or symbols are  
38 replaced automatically or manually.

39 *Commercial sign:* A sign that identifies, advertises or otherwise attracts attention to a product or  
40 business.

41 *Conforming sign:* A sign that is legally installed in accordance with local ordinances.

42 *Construction sign:* A temporary sign identifying those engaged in construction or remodeling on  
43 a building site, including the developer, contractor, subcontractor, architect, engineer or artisans  
44 involved in the project.



1           **Copy:** The content of a sign including words, letters, numbers, figures, designs, logos,  
2 graphics, colors, or other symbolic representation incorporated into a sign for the purpose of  
3 attracting attention.

4           **Flag:** A piece of fabric or bunting with a color or pattern that represents a government, or other  
5 non-commercial organization or idea.

6           **Freestanding sign:** a sign mounted on one or more supports including uprights, braces,  
7 columns, poles, posts, or other similar structural components which are placed on or into the ground,  
8 and not attached to a building.

9           **Frontage, Building:** The length of the exterior building wall of a single premise oriented towards  
10 the public way or other properties it faces.

11           **Frontage, Street:** The distance along which the lot line of a property adjoins a public street.

12           **Fumigation warning sign:** A sign indicating a lethal gas to exterminate pests is in use in a  
13 building, residence or premise. Warning signs are posted in plainly visible locations or the  
14 immediate vicinity of all entrances. Absolutely no people or pets may enter a structure with a posted  
15 warning sign.

16           **Home business sign:** A sign indicating a small business operating from the owner's home office  
17 or residence.

18           **Individually-mounted letter sign:** A wall sign using letter forms which are singularly affixed to the  
19 sign surface.

20           **Illuminated:** A sign which is lighted by either an internal electrical source, an external source  
21 separate from the sign itself, or back-lit.

22           **Marquee:** A roof-like sign structure commonly placed over the entrance to a hotel or theater  
23 often identifiable by a surrounding cache of intermittent or chasing lights.

24           **Menu sign:** A sign indicating food items or products served on the premises.

25           **Monument sign:** A free-standing sign generally having a low profile where the base of the sign  
26 structure is on the ground independent of the building.

27           **Non-commercial sign:** A sign that does not contain copy that advertises or promotes the  
28 availability of any merchandise, service, institution, residential area, entertainment, or activity. Such  
29 sign typically conveys an opinion, idea, or concept; or displays a civic, political, religious, seasonal or  
30 personal message.  
31

32           **Non-complying sign:** Any unlawful sign that has not been erected in accordance with one (1) or  
33 more standards or regulations of the Code.

34           **Non-conforming sign:** A sign or advertising structure which was lawfully erected and maintained  
35 prior to the enactment or amendment of the Code, which by its height, type, square foot area,  
36 location, use or structural support does not conform to the current standards or regulations in effect.

37           **Off-premise sign:** Any sign advertising a commercial establishment, activity, product, service or  
38 entertainment, which is sold, produced, manufactured, available or furnished at a place other than on  
39 the property on which the sign is located.

40           **Open/Closed sign:** a small sign usually hung in a storefront window announcing a place of  
41 business is open or closed for business.

42           **Permanent sign:** A sign attached to a building, structure, or the ground that is entirely  
43 constructed out of durable materials designed to resist environmental loads, such as wind, and is  
44 fixed in place in such a manner as to inhibit easy removal or movement of the sign.

45           **Pole-mounted sign:** A free-standing sign mounted on a pole, post, or other vertical support.

1           **Political sign:** Any sign which indicates the name, cause or affiliation of anyone seeking public  
2 office or which references a ballot issue.

3           **Portable sign:** Any sign mounted on or supported by a moveable frame or object of any kind  
4 including A-frame, sandwich board, signs attached to mannequins, signs mounted on tables or  
5 chairs or any other similar type of signage primarily designed to attract the attention of sidewalk  
6 traffic.

7           **Projecting Sign:** Small pedestrian sign typically supported by a decorative chain or bracket that  
8 projects perpendicular from the face of the building, located above the storefront entry and oriented  
9 to the pedestrian

10           **Primary business sign:** An establishment's principal sign which identifies the business to a  
11 passerby, communicating the most pertinent information.

12           **Push-through sign:** lettering or logo image cut through the sign face and backing material which  
13 is mounted or inlaid in such a way that the sign looks as if the lettering or image has been pushed  
14 through, up, and out of the sign.

15           **Raceway:** a horizontal or vertical structural element on which sign letters are mounted that  
16 houses electrical conduit for illumination.

17           **Real estate sign:** A temporary sign erected by the owner or agent indicating property which is  
18 for rent, sale or lease, including signs pointing to a property which is open for inspection by a  
19 potential purchaser (open house sign) or a sign indicating "shown by appointment only" or "sold."

20           **Reverse channel sign:** A sign comprised of individual letters or images that are independently  
21 mounted to a wall or other surface, with lights mounted behind the letters. The lights face the wall  
22 behind the letters illuminating the space around the letters rather than the letters themselves,  
23 creating a "reverse" lighting effect or "halo" effect.

24           **Roof sign:** A sign erected over, across or on the roof of any building, which is dependent on the  
25 roof, parapet or upper walls of a building for support.

26           **Secondary business sign:** A sign which communicates or identifies accessory information or  
27 uses other than the primary business or use.

28           **Sign:** Any structure and all parts composing the same, together with the frame, background or  
29 support, or any other object used for display or advertising purpose designed to attract the attention  
30 of the public.

31           **Sign Face:** The portion of a sign on which copy is intended to be placed, exclusive of any  
32 supporting structures.

33           **Snipe sign:** A sign which is tacked, nailed, posted, pasted, glued or otherwise attached to trees,  
34 poles, stakes, walls, trash receptacles or fences, or to other objects, and the advertising matter  
35 appearing thereon is not applicable to the present use of the premises upon which such sign is  
36 located. Legal notices required by law are exempt.

37           **Temporary sign:** A sign which is allowed for a limited amount of time such as a special event  
38 banner sign, construction sign, political sign or real estate sign.

39           **Umbrella sign:** A sign located on an umbrella commonly used as shelter for sidewalk tables.

40           **Wall sign:** A sign attached directly to an exterior wall of a building or dependent upon a building  
41 for support with the exposed face of the sign located in such a way as to be substantially parallel to  
42 such exterior building wall to which it is attached or supported by.

43           **Window sign:** Any sign that is visible from the exterior of a building through an open or closed  
44 window or door including signs attached to, suspended behind, placed on or near, or painted upon  
45 such window or door.

1 **Sec. 90-70. Sign permits.**

2 (a) *Sign permit required.* Except as otherwise provided in this Code, no permanent or temporary sign  
3 shall be erected, constructed, posted, painted, altered, maintained, or relocated until a sign permit  
4 has been issued by the town.

5 (b) *Exempt Signs.* The following signs are allowed and exempt from permit requirements:

6 (1) National flag.

7 (2) Banners erected by the Town including street pole banners.

8 (3) Non-illuminated numerical address.

9 (4) Non-illuminated Open/Closed sign suspended behind a glass window or door provided the sign  
10 does not exceed one (1) square foot.

11 (5) Non-illuminated business hours sign suspended behind a glass window or door provided the  
12 sign does not exceed one (1) square foot.

13 (6) All temporary signs as provided in Section 90-74.

14 (7) Menu sign not exceeding two (2) square feet displayed on the wall, window, or front door of a  
15 sit-down restaurant within the SD-B40 District only.

16 (8) Plastic or metal wall sign not larger than sixteen (16) inches in width and five (5) inches in  
17 height stating "Managed by \_\_\_\_\_" with the name of the individual, partnership or  
18 corporation that manages a building.

19 (9) Fumigation warning sign as required by the Department of Agriculture and Consumer Services.

20 (c) *Application.* Before any permit is issued, a written application, in the form provided by the town, shall  
21 be filed, together with such drawings and specifications as may be necessary to fully advise the town  
22 with the location, construction, materials, manner of illuminating, method of securing or fastening,  
23 the number of signs applied for, the consent of the property owner, and the wording of the sign.  
24 Upon the submission of an application, staff shall have ten (10) working days to determine whether it  
25 is complete. If staff finds that the application is not complete, they shall provide the applicant with  
26 written notice of the deficiencies within the ten (10) working days period. Upon resubmission of the  
27 application, staff shall have five (5) additional working days to determine whether the applicant's  
28 revisions are sufficient to complete the application. If they are not, staff will again inform the  
29 applicant of any remaining deficiencies in writing. This process shall continue until the applicant has  
30 submitted a complete application, or demands that the application be reviewed "as is."

31 (d) *Building code requirements.* Structural and safety features and electrical systems shall be in  
32 accordance with the requirements of the Town's adopted building code. No sign shall be approved  
33 for use unless it has been inspected and found to be in compliance with all the requirements of this  
34 chapter and applicable Codes.

35 (e) *Electrical permit requirements.* All signs that are electrically illuminated shall require a separate  
36 electrical permit and inspection.

37 (f) *Local Business Tax Receipt requirements.* No Local Business Tax Receipt shall be issued for a new  
38 business until all signs associated with the former business have been removed.

39 (g) *Permit review.* All signs, unless otherwise exempt, shall be subject to review by the design review  
40 board. In evaluating an application for a sign permit the board shall consider the following:

41 (1) Whether or not the sign complies with the requirements of the code.

42 (2) The quality of materials used and their relationship to the architecture of the structure and  
43 streetscape.

44 (3) The overall concept associated with the proposed sign.

45 (4) The detail of the design including text and graphics proposed.



1 (5) The illumination, surface colors, finish, width, depth, and dimensions of the proposed sign.

2 (6) The appropriateness of the sign to the spirit and intent of the Code.

3 (h) *Failure to commence.* Every sign permit issued by the Town shall become null and void if installation  
4 is not commenced within two (2) years from the issue date of such permit. If work authorized by such  
5 permit is suspended or abandoned for one-hundred and eighty (180) calendar days any time after  
6 the work is commenced, a new permit must be obtained and approved by the design review board.  
7 The fee will be the full amount required for a new permit for such work.

8 (i) *Revocation.* The Town may suspend or revoke, in writing, a permit issued under provisions of this  
9 code, whenever the permit is issued on the basis of a misstatement of fact or fraud. The written  
10 revocation shall describe the appeal process. The Town shall send the revocation by certified mail,  
11 return receipt requested, to the sign owner. Any person having an interest in the sign or property  
12 may appeal the revocation, by filing a written notice of appeal with the town commission within  
13 fifteen (15) calendar days after receipt of the written notice of revocation. The town commission shall  
14 hear the appeal within thirty (30) calendar days after the date of receiving the written notice of  
15 appeal.

16 **Sec. 90-71. Sign design and appearance.**

17 (a) Signs shall be professional in appearance.

18 (b) Signs shall not be the dominant feature of a location and shall be scaled in accordance with the size  
19 of conforming signs on adjacent and nearby properties.

20 (c) Signs shall be well designed, unique, and integrated into the building façade so as not to detract  
21 from the architectural character of the building or the context of the surrounding streetscape.

22 (d) Sign colors shall be complementary to or enhance the main color of the building façade. The use of  
23 established business colors or company logos or trademarks shall not be prohibited by this  
24 requirement.

25 (e) Signs shall have a proportional and dimensional relationship between the building, text, graphics,  
26 and spacing.

27 (f) Sign copy shall be simple and concise without excessive description of goods, services, products.  
28 Unless otherwise provided in this Code commercial copy shall be limited to the trade name or  
29 franchise name of the business or the primary product or service.

30 (g) Signs shall be weather resistant and professionally constructed of high-quality, durable material in  
31 accordance with the Florida Building Code unless otherwise exempt.

32 (h) All exterior electrical outlets for signs shall terminate in a galvanized or plastic box with a blank  
33 cover, which shall be flush with and not protrude beyond the finished surface of the exterior wall.  
34 Transformer boxes and other accessory equipment for any sign shall be placed so as not to be  
35 visible from the street level. Wooden signs shall not have electric lights or fixtures attached in any  
36 manner.

37 (i) Signs shall be properly maintained and kept in proper working order. Any damaged or defective  
38 conforming signs shall be removed and repaired within ninety (90) calendar days. Damaged or  
39 defective non-conforming signs shall be replaced with a conforming sign that meets the  
40 requirements of this Code.

41 **Sec. 90-72. Sign removal.**

42 (a) *Permanent signs.* Upon the vacation of a premise, any sign associated with the previous owner or  
43 lessee including letters, numbers, logos, or any other visual communication associated with the  
44 vacated premise, shall be removed by the current owner or lessee within thirty (30) days of the  
45 transfer of ownership or cessation of the previous business activity. Any visible holes shall be  
46 painted and filled. Sign structure may remain in place provided no identifying features of the

1 previous business activity are visible and the sign structure is conforming per the requirements of the  
2 code.

- 3 (b) *Temporary signs.* Notwithstanding the time limitations set forth in Section 90-74, all outdoor  
4 temporary signs shall be removed immediately upon the issuance of a hurricane warning by a  
5 recognized government agency.

6 **Sec. 90-73. Permanent signs by district.**

7 (a) *SD-B40 Zoning District.*

8 (1) *Content.* Commercial signs may only include the trade name, logo of the establishment, the  
9 nature of business or services rendered, or products sold on the premises. Signs may not include  
10 phone numbers or any reference to price.

11  
12 (2) *Signage for upper floor tenants.* Each upper floor tenant shall be entitled to erect permanent  
13 signage on the upper floor provided such sign meets all of the requirements of this subsection. In  
14 addition, each upper floor tenant shall be entitled to erect a single sign, not over one-hundred and  
15 eight (108) square inches in size, at the entrance or lobby of the building which provides egress to  
16 the upper floor.

17  
18 (3) *Permitted signs.*

19 a. *Projecting sign.* The maximum sign area for projecting signs shall be eight (8) square feet.  
20 The maximum lettering height shall be six (6) inches unless otherwise integrated into a  
21 creative graphic design as approved by the design review board. Signs shall not project  
22 more than five feet from any main building wall nor shall they be mounted above the floor of  
23 the second story, parapet wall, or eave line of the building. Encroachment into the right-of-  
24 way including sidewalks shall only be permitted where it can be demonstrated that there is  
25 a minimum vertical clearance of eight (8) feet. Decorative bracket treatments are  
26 encouraged. Projecting signs shall not have electric lights, attached electric fixtures, or any  
27 manner of illumination.

28 b. *Individually-mounted letter sign.* The total area of all individually-mounted letter signs shall  
29 be one (1) square foot for each lineal foot of frontage of the lot or portion of the lot upon  
30 which the operating enterprise is located. For frontages less than twenty-five (25) feet, a  
31 total sign area up to twenty-five (25) square feet maximum shall be permitted. In no case  
32 shall the total sign area on any single operating enterprise exceed one-hundred and fifty  
33 (150) square feet and no single sign shall exceed forty-five (45) square feet.

34 1. *Types.* The following types of individually-mounted letter signs shall be permitted. No  
35 open face channel letters shall be permitted.

- 36 i. Reverse channel letter  
37 ii. Push-through letter  
38 iii. Pan channel letter  
39 iv. Raceway mounted letter

40 2. *Illumination.* All letters, logos or trademarks must be lit with white illumination derived  
41 from a concealed source. Lighting shall meet all applicable electrical codes. Intensities  
42 of illumination shall be approved by the Building Official of the Town before issuance of  
43 a sign permit.

44 c. *Permanent window sign.* One (1) primary sign may be applied to the inside or outside  
45 surface of any one glass window or door or displayed within twelve (12) inches of a glass  
46 window or door. Such signs shall only be permitted on primary and side street level  
47 frontages. Sign area inclusive of logos or trademarks shall not exceed twenty (20%)  
48 percent of the area of the glass window or door in which the sign is displayed. Lettering

1 shall not exceed eight (8) inches in height. Acceptable materials include painted gold leaf  
2 or silver leaf, silk-screened, cut or polished metal, cut or frosted vinyl, and etched glass.  
3

- 4 d. *Emergency sign.* Commercial buildings in Blocks number 3, 4, 5, and 6 of Altos Del Mar  
5 Subdivision Number 6 shall be required to provide an emergency sign on the alley side of  
6 the building clearly identifying the address of the establishment. Signage may be wall  
7 mounted or posted on a rear door. Sign material shall consist of weatherproof reflective 3-  
8 inch or 4-inch address panels.  
9

10  
11 (b) *H30C, H40, MU and H120 Zoning Districts.*  
12

- 13 (1) Signage on the outside of a hotel, multifamily building, or other similar structure which identifies  
14 a secondary business within the same structure is prohibited. Supplemental signs as permitted  
15 in this subsection shall be exempt from this requirement.  
16

- 17 (2) *Content.* Commercial signs may only include the trade name, logo of the establishment, the  
18 nature of business or services rendered, or the products sold on the premises, except as  
19 otherwise provided in this Code. Signs may not include any reference to rates.  
20

21 (3) *Permitted signs.*

- 22 a. *Individually-mounted letter sign.* Permitted as under the requirements of Section 90.73  
23 (a)(3)(b.), except total sign area for multi-family dwellings within the H30C and H40 districts  
24 shall not exceed seventy-five (75) square feet.

- 25 b. *Monument Sign.* One monument sign shall be permitted per street frontage. The  
26 maximum sign area shall not exceed twenty-five (25) square feet. The maximum height  
27 shall not exceed five (5) feet from the ground. Signs shall maintain a five (5) feet setback  
28 from all property lines and no portion shall be permitted to project within this five (5) feet  
29 setback area. Signs are required to be landscaped at the base. Signs may be internally or  
30 externally illuminated.

- 31 c. *Supplemental sign.* A sign for any establishment reading "Office," "Vacancy," "Private  
32 Beach," "Swimming Pool," "Cabanas," "Coffee Shop," "Restaurant," or other such wording  
33 shall be considered a supplemental sign. Such signs shall be limited to three (3) square  
34 feet in size; except in the H120 district, a hotel with a restaurant may display an individual  
35 sign not to exceed five (5) square feet in size containing the name of the restaurant. The  
36 total combined square footage of individual supplemental signs shall not exceed eight (8)  
37 square feet per main building. Such signs shall not be included in calculating the total  
38 maximum sign area for the lot. Signs shall be dignified in character and shall be restricted  
39 to the wording described above.

- 40 d. *Parking sign.* Parking signs not over four (4) square feet in size may be erected at each  
41 exit or entrance of parking lots serving buildings in these zoning districts. Such signs may  
42 be illuminated by indirect lighting only. Lettering on these signs shall be limited to the name  
43 and address of the primary business, multifamily building or hotel, and the words  
44 "Entrance" or "Entrance Only," "Exit" or "Exit Only," "Parking," "Resident Parking," "Guest  
45 Parking," "Visitor Parking," "Private Parking," "Valet Parking," or "Customer Parking."

- 46 e. *Emergency sign.* Buildings on the east side of Collins Avenue abutting the beach walking  
47 path shall be required to provide an emergency sign identifying the name and address of  
48 the building. Sign shall be mounted on a free-standing post not to exceed eighteen (18)  
49 inches in height and twenty-four (24) inches in width. Address letters and numbers shall not  
50 exceed two (2) inches in height and name shall not exceed one (1) inch in height. Sign  
51 material shall be weatherproof and reflective so as to be clearly visible at night.

52 (c) *H30A and H30B Zoning Districts.*



- 1 (1) *Wall sign.* Sign shall be attached to the main façade of the building and shall not exceed four  
2 (4) square feet. Sign shall be installed and secured tightly to the building. No loose, non-  
3 secure attachments shall be allowed. Sign shall be rigid and weatherproof. Sign shall not be  
4 illuminated in any manner.

5 **Sec. 90-74. Temporary signs.**

6  
7 (a) *Real estate sign.*

- 8  
9 (1) *SD-B40 District.* One (1) professionally lettered real estate sign shall be permitted per building  
10 frontage. The maximum sign area shall be three (3) square feet. The sign shall be mounted flat  
11 against the building wall or a minimum of twelve (12) inches from a window, and shall not  
12 project above the eave line of the building.
- 13 (2) *All Other Zoning Districts.* One (1) professionally lettered real estate sign shall be permitted  
14 per street frontage. The sign shall be wall mounted flat against the building wall or securely  
15 fastened to a wood or metal freestanding stake or post of sufficient strength. The maximum  
16 sign panel area shall be eighteen (18) inches by twenty-four (24) inches. Up to two (2) riders  
17 shall be permitted above and/or below the main sign panel not to exceed six (6) inches by  
18 twenty-four (24) inches per rider for in-ground signs. The maximum sign height for in-ground  
19 signs including support frame shall not exceed forty-two (42) inches from the ground to the top  
20 of the sign. Such sign shall be located outside of any sight visibility triangle. No portion of the  
21 sign shall extend across the property line.
- 22 (3) All real estate signs shall be black and white and may include a trademarked logo or symbol.
- 23 (4) Sign shall be constructed of rigid, weather proof materials.
- 24 (5) Sign shall not be lighted or illuminated in any manner.
- 25 (6) Sign shall be removed within seven (7) days of a lot, building, residence or tenant space being  
26 leased, rented or sold.

27  
28 (b) *Political sign.*

- 29 (1) *SD-B40 District.* One (1) professionally lettered political sign shall be permitted per building  
30 frontage. The maximum sign area shall be three (3) square feet. The sign shall be mounted flat  
31 against the building wall or a minimum of twelve (12) inches from a window, and shall not project  
32 above the eave line of the building.
- 33 (2) *All Other Zoning Districts.* One (1) professionally lettered political sign shall be permitted per  
34 street frontage. The sign shall be wall mounted flat against the building wall or securely  
35 fastened to a wood or metal freestanding stake or post of sufficient strength. The maximum sign  
36 area shall be three (3) square feet. Sign face shall be constructed of metal, plastic, wood,  
37 pressed wood or cardboard. The maximum sign height for in-ground signs including support  
38 frame shall not exceed forty-two (42) inches from the ground to the top of the sign. Such sign  
39 shall be located outside of any sight visibility triangle. No portion of the sign shall extend across  
40 the property line.
- 41 (3) Signs shall be not be erected more than 90 days prior to the subject election date or ballot vote  
42 and shall be removed no later than seven (7) days after the subject election date or ballot vote.
- 43 (4) Sign shall not be lighted or illuminated in any manner.
- 44 (5) It shall be unlawful for any person to paste, glue, print, paint, affix, or attach by any means  
45 whatsoever to the surface of any public street, right-of-way, easement, sidewalk, curb, or to any  
46 property of any governmental body or public utility, any political sign, poster, placard, or sticker

1 designed or intended to advocate or oppose any ballot issue or the nomination or election of any  
2 candidate.

3  
4 (c) *Construction sign.*

5 (1) One (1) professionally lettered construction sign shall be permitted per site or development  
6 subject to the issuance of a building permit for the project. Such sign shall be removed  
7 immediately if the building permit for the project expires and construction has not commenced,  
8 and/or the permit is not renewed.

9 (2) Sign content is limited to the following:

- 10 a. Project name  
11 b. Parties involved in construction and financing  
12 c. Contact information such as phone number, email address or website  
13 d. Unit prices not to exceed ten (10%) percent of the total sign area. Numbers shall not  
14 exceed six (6) inches in height.

15 (3) Maximum sign area is sixteen (16) square feet.

16 (4) Sign may be freestanding affixed to posts, a flat wall sign, or mounted to a construction fence.  
17 Freestanding signs shall be a minimum of ten (10) feet from the property line and shall be a  
18 maximum of five (5) feet in height from the ground to the top of the sign. Wall signs shall not  
19 extend above the floor of the second story, parapet wall, or eave line of the building.

20 (5) Rigid weatherproof board is required.

21 (6) Such sign must be removed within seventy-two (72) hours of the issuance of a certificate of  
22 occupancy.

23  
24 (d) *Temporary window sign.*

25 It shall be unlawful for temporary window signs of any nature to be attached to glass windows or  
26 doors, or mounted within 12 inches of a glass window or door, except as provided in this subsection  
27 or otherwise exempt by code.

28 (1) One (1) professionally lettered temporary sign shall be permitted per window.

29 (2) Such sign may be displayed within a business window providing the sign is more than twelve (12)  
30 inches from the glass surface it is facing. Sign may not be displayed more than sixty (60)  
31 calendar days unless otherwise provided in this subsection.

32 (3) The total area for temporary signs shall not exceed twenty (20%) percent of the glass window  
33 they are facing unless otherwise provided in this subsection.

34 (4) Temporary signs pertaining to a going-out-of-business sale or everything-must-go clearance  
35 event shall be permitted to be displayed within a window for a period not to exceed ninety (90)  
36 calendar days.

37 (5) A temporary sign not exceeding one (1) square foot may be affixed to any window or glass door  
38 stating special hours or closing days due to holidays, or bona fide business or personal  
39 emergencies. There shall not be more than one (1) such sign per window or door. Sign shall not  
40 be maintained for more than fourteen (14) calendar days.

41 (6) Signs not in excess of six (6) square inches, listing merchandise price, may be attached to items  
42 displayed in display windows.

43 (7) Temporary signs which are removed and redisplayed within thirty (30) calendar days of removal  
44 shall be deemed in violation of this subsection. Display merchandise signs listing price not  
45 exceeding six (6) square inches shall be exempt from this requirement.

- 1 (e) *Special event banner sign*
- 2 (1) One (1) professionally lettered temporary banner advertising a grand opening associated with a  
3 commercial building or business enterprise is permitted.
- 4 (2) Permitted content shall be limited to "Grand Opening" "Coming Soon" "Now Open" or "Under New  
5 Management" and the date and time of the event where applicable.
- 6 (3) No banner shall exceed thirty-two (32) square feet or five (5%) percent of the building façade that  
7 faces a public street, whichever is less.
- 8 (4) Banners may only be displayed within sixty (60) calendar days from the date an occupational  
9 license is issued.
- 10 (5) No banner shall be displayed for more than thirty (30) consecutive calendar days.
- 11 (6) Banner shall not include changeable copy.
- 12 (7) Banner shall be made of durable materials such as canvas or vinyl. Non-durable material such  
13 as butcher-type paper is not permitted.
- 14 (8) Banner shall be securely attached to a supporting structure such as a street frontage wall and  
15 capable of withstanding continuous wind without deflections or rotations that would cause  
16 deformation or damage.
- 17 (9) No banner shall be attached to a roof structure or above the eave line of the building.

18 **Sec. 90-75. Prohibited signs.**

19 No sign shall be erected, constructed, or affixed in violation of the provisions of these regulations, and  
20 any sign not specifically provided for and permitted by these regulations shall be prohibited. None of the  
21 following signs shall be erected, constructed, or affixed in the Town except as otherwise permitted by  
22 Code:

- 23 (a) Awning signs or any sign printed on or attached to an awning or canopy.
- 24 (b) Balloon signs or other inflatable signs. Balloons may be permitted for a period not to exceed 24-  
25 hours for a temporary, non-commercial event such as a special occasion at a residence.
- 26 (c) Banner signs except as otherwise permitted by code.
- 27 (d) Billboards.
- 28 (e) Cabinet signs.
- 29 (f) Changeable copy signs or marquees.
- 30 (g) Home business signs.
- 31 (h) Flags except as otherwise permitted by code.
- 32 (i) Internally or externally illuminated signs, electronic, LED, neon, digital, or any other category of  
33 electrical signs such as TV monitors or screens except as otherwise permitted by code.
- 34 (j) Lighted signs including strings of lights or lights framing a window
- 35 (k) Mirror devices used as part of a sign.
- 36 (l) Off-premise signs including persons wearing costumes and/or holding temporary signs with  
37 commercial copy.
- 38 (m) Pole-mounted signs.
- 39 (n) Portable signs including A-frame, sandwich board, and moveable make-shift signs such as signs  
40 attached to a mannequin or mounted on a table or chair, or any other similar type of portable sign or  
41 moveable object primarily designed for display purposes or to attract the attention of sidewalk traffic.



- 1 (o) Roof signs.
- 2 (p) Signs whose face is designed or constructed to be placed or transported on wheels
- 3 (q) Snipe or bandit signs except political signs and real estate signs.
- 4 (r) Temporary signs including posters and handbills except as otherwise permitted by code.
- 5 (s) Umbrella signs.
- 6 (t) Signs containing wording which constitutes fraudulent or misleading advertising.
- 7 (u) Signs containing obscene matter or wording which violates any federal, state or county statute,
- 8 ordinance or rule.
- 9 (v) Signs which have spinning devices, or strings of spinning devices, streamers, fluttering or other
- 10 similar advertising devices.
- 11 (w) Signs which emit smoke, visible vapors, particles, sound, or odors.
- 12 (x) Signs not erected by a public authority which simulate, copy, or imply any official traffic sign, signal
- 13 or police caution device.
- 14 (y) Signs that display lights which are intermittent, blinking, moving, revolving, flashing or similar, except
- 15 decorative or flashing illumination may be used between December 10 and January 5.

16

17 **Sec. 90-76 Prohibited sign locations.**

18 Except as otherwise permitted by Code no temporary, permanent, or exempt sign shall be permissible in

19 the following locations:

- 20 (a) Signs which prevent free ingress or egress from any door, window, or fire escape shall be prohibited.
- 21
- 22 (b) Signs shall not be placed in any location which obstructs a motorist's vision of an intersection, traffic
- 23 control signal, other vehicular traffic, or view of pedestrian or bicycle traffic.
- 24
- 25 (c) Signs shall not be placed on or near the rear of a lot or building so as to face a designated zoning
- 26 district other than the one in which the sign is located except as otherwise permitted by Code.
- 27 Provided however, that signs may be installed on the rear walls of commercial buildings in Blocks
- 28 number 3, 4, 5, and 6 of Altos Del Mar Subdivision Number 6, in accordance with Section 90-73(a)
- 29 and Section 90-74. Such signs shall be limited to a maximum area of twenty-five 25 square feet.
- 30 These signs shall not be included in computing total sign area for a given operating enterprise.
- 31
- 32 (d) No sign of any type shall be suspended across any vacant lot, unoccupied building or temporary
- 33 structure nor shall any sign of any description be stenciled, written, painted, posted, printed, nailed
- 34 or otherwise affixed to any vacant lot, unoccupied building or to any temporary structure within the
- 35 Town except as otherwise permitted by Code.
- 36 (e) Except as otherwise authorized by the Town Commission, no sign of any type shall be suspended
- 37 across any public street, right-of-way, sidewalk, easement, alley or waterway; nor shall any sign of
- 38 any description be stenciled, written, painted, posted, printed, nailed or otherwise affixed to any curb,
- 39 sidewalk, tree, light standard, utility pole, hydrant, traffic signal device, street sign and its pole,
- 40 bridge, wall, or any other structure, which is within the property lines of any street, right-of-way,
- 41 easement, alley, waterway or other public property within the town.
- 42 (f) Signs placed without the express permission of the property owner or agent.

43 **Sec. 90-77. Non-conforming signs.**

- 44 (a) All legally permitted signs which become non-conforming by the provisions of this Code shall be
- 45 replaced with a conforming sign if any of the following conditions exist:

- 1 (1) There is additional development of a site
- 2 (2) There is a change in use, occupancy, or tenant
- 3 (3) There is a change in sign copy (with the exception of window signs)
- 4 (4) There is a structural sign alteration or repair
- 5 (5) There is sign damage by any cause which exceeds 50% as determined by the Building Official
- 6 (6) There is removal of a sign
- 7

8 (b) *Sign relocation.* Non-conforming signs shall not be permitted to be relocated.

9 **Sec. 90-78. Non-complying signs.**

10 Signs not in compliance with the code or those installed without a permit shall be considered non-  
11 complying. Such signs shall be removed or replaced immediately or shall otherwise be subject to code  
12 enforcement action, forfeiture to the public, confiscation or removal by the Town at the cost of the owner.

13