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ORDINANCE NO. 08-20

AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE VILLAGE'S CODE OF ORDINANCES, CHAPTER 30 ENTITLED "ZONING," CREATING DIVISION 90, ENTITLED "SIGN REGULATIONS;" PROVIDING FOR PROHIBITED AND PERMITTED SIGNS; SIZE, LOCATION, LIGHTING, AND TYPE OF SIGNS ALLOWED; MAINTENANCE STANDARDS; WHICH DIVISION SHALL BE PART OF THE VILLAGE'S LAND DEVELOPMENT CODE; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Mayor and Village Council of the Village of Palmetto Bay pursuant to the Village's adopted Comprehensive Plan have pledged to develop a Land Development Code tailored to the needs of the Village's residents and properties; and,

WHEREAS, the Village has created Chapter 30 of the Village's Code of Ordinances entitled "Zoning," which Chapter shall be divided into Divisions relating to separate subjects and which Chapter shall be considered the Village's Land Development Code; and,

WHEREAS, the Mayor and Village Council find and determine that the Village's sign regulations are intended to maintain and improve the aesthetics, quality of life, and safety of the Village and its residents, while meeting the need for signage that clearly identifies locations, advertises businesses, and otherwise communicates commercial and noncommercial messages; and,

WHEREAS, sign regulations that advance governmental purposes of aesthetics have been upheld by the state and federal courts; and,

WHEREAS, the United States Supreme Court recognized that the "concept of public welfare is broad and inclusive," in *Berman v. Parker*, 348 U.S. 26, 33 (1954), which was followed by *State v. Miami Beach Redevelopment Agency*, 392 So.2d 875 (Fla. 1980); and,

WHEREAS, sign regulations have been held to advance these aesthetic purposes and advance the public welfare in *City of Lake Wales v. Lamar Advertising Ass'n of Lakeland, Florida*, 414 So.2d 1030 (Fla. 1982); and,

WHEREAS, the Mayor and Village Council finds and determines that the Village's land development regulations are required to regulate signs as provided by section 163.3202(2)(f), Florida Statutes; and,

WHEREAS, the Mayor and Village Council finds and determines that this Ordinance is consistent with all applicable policies of the Village of Palmetto Bay Comprehensive Plan; and,

1 unincorporated Miami-Dade County. The Village of Palmetto Bay shall adhere to these minimum
2 standards unless the specifications of this Division are more stringent, in which case the Village's
3 more stringent code shall prevail.

4
5 **30-90.3 FINDING OF FACT.**

6
7 The Village Council finds that:

8
9 (a) The manner of the erection, location and maintenance of signs affects and may
10 endanger the public health, safety, morals, and welfare of the people of this community.

11
12 (b) The safety of motorists, cyclists, pedestrians, and other users of the public streets are
13 affected by the number, size, location, lighting and movement of signs that divert the attention of
14 drivers and may jeopardize pedestrian or vehicular traffic safety.

15
16 (c) The size and location of signs may, if uncontrolled, constitute an obstacle to
17 effective fire-fighting techniques.

18
19 (d) The construction, erection and maintenance of large signs suspended from or placed
20 on the tops of buildings, walls or other structures may constitute a direct danger to pedestrian and
21 vehicular traffic below, especially during periods of strong winds, and hurricane events.

22
23 (e) Uncontrolled, unlimited and signs not maintained may degrade the natural and
24 manmade attributes of the community and thereby undermine the economic value of tourism,
25 visitation, business operations and permanent economic growth.

26
27 (f) The creation of sign regulations is required as failure to do so may mislead, confuse,
28 or obstruct the vision of people seeking to locate or identify uses or premises and may cause sign
29 pollution.

30
31 (g) The above recitals (Whereas clauses) set forth above are true and correct and
32 incorporated by reference into this section.

33
34 **30-90.4 PURPOSE AND INTENT.**

35
36 (a) The Village Council recognizes that there are various persons and entities that have
37 an interest in communicating with the public through the use of signs that serve to identify
38 businesses and services, residences and neighborhoods, and also to provide for expression of
39 opinions. The Council is also responsible for furthering the Village's obligation to its residents and
40 visitors to maintain a safe and aesthetically pleasing environment where signs do not create excessive
41 visual clutter and distraction or hazards for pedestrians and vehicles; where signs do not adversely
42 impact the predominantly residential character of the Village and where signs do not conflict with
43 the natural and scenic qualities of the Village. These regulations are intended to ensure that
44 permitted signs will not, because of size, location, method of construction, installation or manner of
45 display endanger the public safety, create distractions that may jeopardize pedestrian or vehicular

1 traffic safety; mislead, confuse or obstruct the vision of people seeking to locate or identify uses or
2 premises; or destroy or impair visual qualities of the Village which is essential to general welfare and
3 economic viability.
4

5 It is the intent of the Council that the regulations contained in this Division shall provide
6 uniform sign criteria, which regulate the size, height, graphic character, lighting, number and
7 placement of signs in a manner that is compatible to the scale and character of the Village, and
8 which shall place the fewest possible restrictions on personal liberties, property rights, free
9 commerce, and the free exercise of Constitutional rights, while achieving the Village's goal of
10 creating a safe, healthy, attractive and aesthetically pleasing environment that does not contain
11 excessive clutter or visual distraction from right-of-ways and adjacent properties; the surrounding
12 natural coastal environment and residential neighborhoods, and to ensure consistency with the
13 Village's Comprehensive Plan.
14

15 (b) Scope. The provisions of this Division shall govern the number, size, location, and
16 character of all signs which may be permitted. No sign shall be permitted on a plot or parcel except
17 in accordance with the provisions of this Division.
18

19 (c) Substitution of noncommercial speech for commercial speech. Notwithstanding any
20 provisions of this Division to the contrary, to the extent that this article permits a sign containing
21 commercial copy, it shall permit a noncommercial sign to the same extent. The noncommercial
22 message may occupy the entire sign area or any portion thereof, and may substitute for or be
23 combined with the commercial message. The sign message may be changed from commercial to
24 noncommercial messages, or from one noncommercial message to another, as frequently as desired
25 by the sign's owner, provided that the sign is not prohibited, and the sign continues to comply with
26 all requirements of this Division.
27

28 (d) Severability.
29

30 (1) Generally. If any part section, subsection, paragraph, subparagraph,
31 sentence, phrase, clause, term or word of this Division is declared unconstitutional by the final and
32 valid judgment or decree of any court of competent jurisdiction, this declaration of
33 unconstitutionality or invalidity shall not affect any other part, section, subsection, paragraph,
34 subparagraph, sentence, phrase, clause, term or word of this Division.
35

36 (2) Severability where less speech results. This subsection shall not be
37 interpreted to limit the effect of subsection (1), above, or any other applicable severability provision
38 in the code of ordinances or any adopting ordinance. The Village Council specifically intends that
39 severability shall be applied to these regulations even if the result would be to allow less speech in
40 the Village, whether by subjecting currently exempt signs to permitting or by some other means.
41

42 (3) Severability of provisions pertaining to prohibited signs. This subsection
43 shall not be interpreted to limit the effect of subsection (1) above, or any other applicable
44 severability provision in the code of ordinances or any adopting ordinance. The Village Council
45 specifically intends that severability shall be applied to the section entitled "Prohibited signs" so that

1 each of the prohibited sign types listed in that section shall continue to be prohibited irrespective of
2 whether another sign prohibition is declared unconstitutional or invalid.
3

4 (4) Severability of prohibition on off-premises signs. This subsection shall not
5 be interpreted to limit the effect of subsection (1) above, or any other applicable severability
6 provision in the code of ordinances or any adopting ordinance. If any or all of this Division or any
7 other provision of the Village's Code is declared unconstitutional or invalid by the final and valid
8 judgment of any court of competent jurisdiction, the Village Council specifically intends that the
9 declaration shall not affect the prohibition of off-premises signs, as provided under this Division.
10

11 **30-90.5 DEFINITIONS.**

12
13 The following words, terms and phrases, when used in this Division, shall have the meanings
14 ascribed to them in this section, except where the context clearly indicates a different meaning.
15 Where there is a question as to the correct classification or designation of a sign, it shall be the
16 prerogative of the Planning & Zoning Director to place the sign in the strictest category and/or
17 classification.
18

19 Animated sign. Shall mean any sign or part of a sign, including the advertising message,
20 which changes physical position by any means of movement.
21

22 Attraction board. Shall mean a sign or portion of a sign on which copy is changed
23 periodically, advertising special sales and bargains.
24

25 Attached sign. Shall mean a sign which is attached to or supported by a building, wall or
26 other structure. The definition of attached sign shall not include a sign painted directly on the wall
27 face of a building or structure.
28

29 Automated changeable sign. Shall mean any sign, which through a mechanical, electrical,
30 solar, or other power source is capable of delivering messages, which rotate or appear to rotate,
31 change or move at any time and in any way, including tri-vision or any multi-prism sign faces. It
32 shall also mean any electrical or electronically controlled sign where different messages or copy
33 changes are shown, and shall include any sign or portion thereof, where any light source, including
34 but not limited to incandescent bulbs or light-emitting diodes (LEDs), constitutes the sign text or
35 image. This type of sign includes, but is not limited to electronic message boards; television screens;
36 plasma screens; digital screens; flat screens; LED screens; video boards; other types of electric and
37 electronic display boards and screens; and holographic displays.
38

39 Awning, canopy, or umbrella sign. Shall mean any sign painted, stamped, perforated, or
40 stitched on the surface area of an awning, canopy, or umbrella. These signs should be mounted in
41 locations that respect the design of the building and not obscure ornamental features.
42

43 Billboard. Shall mean a type of permanent freestanding sign, where the bottom of the sign is
44 at least 20 feet above the ground and which is at least 200 square feet in area.
45

1 Building sign. Shall mean a type of permanent sign displayed upon or attached to any part
2 of the exterior of a building, including walls, windows, doors, parapets, or marquees.
3

4 Cabinet sign. Shall mean a sign that is mounted on a wall or structure and contains all the
5 text and/or logo symbols within a single enclosed cabinet and may, or may not be illuminated. A
6 cabinet sign may also be referred to as a "Can" sign.
7

8 Can sign. Shall mean cabinet sign.
9

10 Cantilever. Shall mean that portion of a building, projecting horizontally, whether it is on
11 the same plane as the roof line or not.
12

13 Cantilever sign. Shall mean any sign mounted on a cantilever and shall not extend beyond
14 the cantilever.
15

16 Changeable copy sign (manual). Shall mean any sign displaying a message which can be
17 changed by hand through the use of removable characters.
18

19 Commercial advertising sign. Shall mean any sign which is used for any purpose other than
20 that of advertising to the public the legal or exact firm name of business carried on the premises, or
21 for advertising any service or product(s) actually and actively being offered for sale on the premises,
22 or which is designed and displayed solely to offer for sale or rent the premises or to advertise
23 construction being done, or proposed to be done, on the premises, or advertising special events.
24

25 Detached sign. Shall mean any sign not attached to or painted on a building, but which is
26 affixed and permanently attached to the ground, and which is not a monument sign as defined
27 herein. Permanently attached as used herein shall mean that the supporting structure of the sign is
28 attached to the ground by a concrete foundation or other support anchored in the ground.
29

30 Directional sign. Shall mean a sign which guides or directs the public and contains no
31 advertising. The name of the facility which the sign is giving direction to may be included when in
32 compliance with specified conditions of this Division.
33

34 Entrance feature. Shall mean any combination of decorative structures and landscape
35 elements located at the entrance to a development, which identifies or draws attention to the
36 development and/or exercises control of ingress and egress to the development. An entrance
37 feature may include, although not necessarily be limited to, ornamental walls, fences, identifying
38 lettering, logos, works of art, and other decorative structures, earthworks, water bodies, fountains,
39 trees, plantings, and other landscape elements, as well as gatehouses, either singularly or in any
40 combination thereof.
41

42 Facade area. Shall mean the area of a building coinciding with the outer edges of the walls,
43 windows, doors, parapets or marquees that is owned by or under lease to a single occupant.
44

1 Flag. Shall mean a piece of fabric with a color or pattern representing a government or other
2 organization, entity, or idea.

3
4 Flat sign. Shall mean any sign attached to and erected parallel to the face of, or erected or
5 painted on the outside wall of any building, and supported throughout its length by the wall or
6 building.

7
8 Freestanding sign. Shall mean any sign which is incorporated into or supported by
9 structures or supports in or upon the ground, independent of support from any building.
10 Freestanding signs include pole, pylon, ground, monument or A-frame types.

11
12 Illuminated sign. Shall mean any sign which contains a source of light or which is designed
13 or arranged to reflect light from an artificial source including indirect lighting, neon, incandescent
14 lights, back-lighting, and also shall include signs with reflectors that depend upon automobile
15 headlights for an image.

16
17 Marquee. Shall mean a covered structure projecting from, and supported by the building
18 with independent roof and drainage provisions, and which is erected over a doorway or entranceway
19 as protection against the weather.

20
21 Marquee sign. Shall mean any signed attached to or hung from a marquee.

22
23 Monument sign. Shall mean a freestanding, self-supported structure of solid construction,
24 not attached or affixed in any way to a building or any other primary structure, and with concealed
25 means of support that is built into the ground that could not be construed to be a pole sign.

26
27 Multifamily office sign. Shall mean a sign identifying the location of the management office
28 of a multifamily residential property.

29
30 Noncommercial sign. Shall mean a sign containing only noncommercial copy.
31 "Noncommercial" shall mean not-for-profit or commercial gain. Regardless of the content of the
32 copy a noncommercial sign shall not be construed to be an off-premises sign.

33
34 Nonconforming sign. Shall mean a sign located within the Village limits of the effective date
35 of this Code or existing in an area annexed by the Village after the effective date of this Code, or any
36 amendments hereto, which by its height, type, area, design, colors, materials, location, use or
37 structural support, conformed to the Code prior to the effective date of this ordinance, but does not
38 conform to the requirements of this Code after enactment. This shall include signs that had been
39 granted variances that were approved, and signs that were issued a construction permit by the
40 Village of Palmetto Bay or Miami-Dade County prior to the effective date of this ordinance.

41
42 Off-premises sign. Shall mean a sign that directs attention to a commercial business,
43 commodity, service, product, or activity not conducted, sold, offered, or available on the premises
44 where such sign is located, the copy of which may be intended to be changed periodically. This

1 definition includes a sign displayed on a trailer or the bed of a truck that advertises something other
2 than the identity of the truck, the driver, or its contents.

3
4 On-premises sign. A sign that is located on the premises of the occupant, business or
5 property identified on the sign. The occupant business or property is the principal use of the
6 property, and the sign is an accessory use of the property on which it is located.

7
8 Permanent sign. Shall mean any sign which is designed and installed for more than short-
9 term use, including freestanding and building signs.

10
11 Point of sale sign. Shall mean any sign advertising or designating the use, occupant of the
12 premises, or merchandise and product(s) sold on the premises and shall be located on the same
13 premises where such is situated or the products sold.

14
15 Pole sign. A sign erected upon a pole, poles, post, or "pole-like" structure that is visible and
16 wholly independent of any building or structure for support. A pole sign is not a monument sign.

17
18 Portable sign. Shall mean any sign not attached to or painted on a building and not affixed
19 or permanently attached to the ground.

20
21 Projecting sign. Shall mean any sign which is an independent structure attached to the
22 building wall and which extends at any angle from the face of the wall. No sign may project more
23 than one (1) foot from a building wall. No projecting sign shall extend above the roof or parapet
24 wall in any residential district.

25
26 Pylon. Shall mean a vertical extension of a building, constructed integrally and concurrently
27 with the building, or in connection with a major remodeling or alteration of a building. To classify
28 as a pylon for sign purposes, the pylon structure must be an integral part of the building structure,
29 extending to ground level. In business and mixed-use districts only, the material and construction
30 may vary from the materials and type of construction of the exterior walls of the building and must
31 be approved by the Director. In all cases, the pylon shall have the appearance of a solid structure.

32
33 Pylon sign. Shall mean a flat sign attached to or painted on the face of a pylon. The outer
34 edge of the sign shall not extend beyond the pylon nor above the roof line.

35
36 Roof line. Shall mean a horizontal line intersecting the highest point(s) of a roof.

37
38 Roof sign. Shall mean a sign which is attached to, painted on, fastened to, or supported by
39 the roof or erected over the roof.

40
41 Semaphore. Shall mean any sign consisting of two (2) dual-face signs extending horizontally
42 from a light standard. It may be located in the parking lot of a shopping center to identify the
43 location of parking areas. No advertising is permitted on the sign.

1 Shopping center. Shall mean an area zoned for business where at least 250 feet of street
2 frontage has been zoned for commercial purposes under one (1) application and under (1)
3 ownership, and where it contains at least two (2) tiers of in-front parking, contains two (2) or more
4 retail uses, and is subject to site plan or plot use approval as a condition of the applicable resolution
5 or ordinance.
6

7 Sign. Shall mean any display of characters, letters, logos, identification, description,
8 illustration, ornamentation, or device illuminated or non-illuminated, which is visible from any
9 outdoor place and which directs attention to a product, service, place, activity, person, institution, or
10 business. A sign includes any permanently installed or situated merchandise; or any emblem,
11 painting, banner, pennant, placard, designed to advertise, announce, identify, indicate direction, or
12 convey information. Exempted from the definition of a sign are customary window displays, official
13 public notices required by Federal, State or local regulations, newspapers, leaflets and books
14 intended for individual distribution to members of the public, attire that is being worn, badges, and
15 similar personal gear. The term shall also exclude architectural features, or part thereof, not
16 intended to communicate information. Use of merchandise, products, vehicles, equipment, inflated
17 balloons, or the like as an attention attractor or advertising device, with or without a printed or
18 written message or advertisement, shall be considered a sign.
19

20 Sign area. Shall mean the area within the smallest regular geometric shape which contains
21 the entire sign copy, but not including any supporting framework, braces, or supports.
22

23 Sign copy. Shall mean the linguistic or graphic content, including trim and borders, of a
24 sign.
25

26 Sign face. Shall mean the part of a sign that is or may be used to display sign copy.
27

28 Sign height. Shall mean the vertical distance from the finished grade at the base of the
29 supporting structure to the top of the sign, or its frame or supporting structure, whichever is higher.
30

31 Sign structure. Shall mean any construction used or designed to support a sign.
32

33 Snipe sign. Shall mean any sign of any material, including paper, plastic, cardboard, wood or
34 metal when tacked, nailed or attached in any way to trees, poles, stakes, fences, the ground, or other
35 objects where such sign may or may not be applicable to the present use of the property upon which
36 such sign is located.
37

38 Special event. Shall mean a dedication, ground breaking event, holiday event, celebration,
39 anniversary, unique event associated with a business, going out of business and/or grand opening
40 announcement, relocation of business, or announcement relating to sporting events, festivals,
41 carnivals, or any public, charitable, educational or religious events or functions.
42

43 Temporary sign. Shall mean any sign which is designed or installed on a short-term basis. A
44 permanent sign with periodic changes to the message shall not be considered a temporary sign.
45

1 Vehicle sign. Shall mean any sign affixed to a vehicle.

2
3 Wall. Shall mean for sign purposes, that portion of the building's exterior, horizontal surface
4 on the same plane, regardless of vertical or horizontal indentations, and including the surface of
5 parapets and pylons projecting from the building. A plane is defined, for purposes of this Division,
6 as a continuous architectural façade which may include projections and/or recesses.

7
8 Wall sign. Shall mean any sign painted on or attached to and erected parallel to the face of,
9 or erected and confined within the limits of the outside wall of any building and supported by such
10 wall or building and which displays only one (1) advertising surface.

11
12 Wind sign. Shall mean any device, including but not limited to, one (1) or more banners,
13 flags, pennants, ribbons, spinners, streamers, captive balloons, or other objects or materials fastened
14 in such a manner as to move upon being subjected to wind pressure.

15
16 Window sign. A sign located on the inside of a window or within a building or other
17 enclosed structure, where the sign face is visible and legible from the exterior through a window or
18 other opening.

19
20 **30-90.6 MAINTENANCE OF SIGNS.**

21
22 (a) All signs allowed by this Division, including their supports, braces, guys and anchors,
23 electrical parts and lighting fixtures, and all painted and display areas, shall be maintained in
24 accordance with building and electrical codes.

25
26 (b) Signs and sign structures shall be properly maintained in a safe, legible and good
27 condition.

28
29 (c) The vegetation and landscaping around, in front of, behind, and underneath the base
30 of freestanding signs for a distance of 50 feet or to the nearest right-of-way or waterway shall be
31 neatly trimmed and free of unsightly weeds, and no rubbish or debris that would constitute a fire or
32 health hazard shall be permitted under or near the sign.

33
34 (d) Where the rear of any sign is visible from a street, waterway, park, residence or
35 business, the exposed structural members shall be either concealed or painted latticework, slats, or
36 be painted or decorated, and the back screening shall be designed, painted, and maintained.

37
38 **30-90.7 INTERPRETATION.**

39
40 Only those signs that are specially authorized by this Division shall be permitted. Those that are not
41 listed or authorized shall be deemed prohibited.

1 **30-90.8 PERMIT REQUIRED; COMPLIANCE WITH CODES.**

2
3 (a) No sign, unless exempted by this Division, shall be constructed, posted, painted,
4 erected, installed, operated, used, maintained, enlarged, illuminated, relocated, or altered without first
5 obtaining a permit. Before any permit is issued, an application for a permit shall be filed, together
6 with two (2) sets of drawings and/or specifications to describe the location; method of construction;
7 type of materials; manner of illumination; method of erection, securing or fastening; number and
8 type of signs; and, advertisement content.

9
10 (b) The application for a permit shall describe the size, shape, and nature of the
11 proposed advertisement, advertising sign or advertising structure, and its actual or proposed
12 locations with sufficient accuracy to ensure its proper identification.

13
14 (c) A separate permit application is required for each building elevation. All sign-face
15 changes shall require a separate permit. Electrically illuminated signs shall require a separate
16 electrical permit.

17
18 (d) No sign shall be placed on any property unless the applicant has the written consent
19 of the owner and the lessee, if any, or the authorized agents of the property.

20
21 (e) For multiple occupancy complexes, individual occupants may apply for a sign permit,
22 but they shall be issued in the name of the lot owner or agent, rather than in the name of the
23 individual occupants. The lot owner, and not the Village, shall be responsible for allocating
24 allowable sign area to individual occupants.

25
26 (f) No sign shall be erected or used to advertise any use or matter which would conflict
27 with the regulations for the applicable zoning district in which it is located or be in conflict with the
28 use permitted under the certificate of use, or certificate of occupancy for the property.

29
30 (g) No sign, where a permit is necessary, shall be exhibited unless the required permit
31 fees are paid.

32
33 (h) Each sign requiring a permit shall carry the permit number and the name of the
34 person or firm placing the sign on the premises. The markings shall be permanently attached and
35 clearly visible from the ground.

36
37 (i) The owner and/or tenant of the premises, and the owner and/or erector of the sign
38 shall be held responsible for any violation of this Division; provided, however, that when the sign
39 has been erected in accordance with the provisions of this Division, the sign company shall be
40 relieved of further responsibility after final inspection of the sign.

41
42 (j) All signs shall be erected on or before 90 days from the date of issuance of the
43 permit. Upon written application for an extension prior to the expiration of the initial permit, the
44 Village may provide up to an additional 90 day extension upon a showing of good cause. Failure to

1 erect the sign or obtain an extension prior to expiration of the permit shall result in the permit being
2 null and void.

3
4 (k) For traffic signs, street name signs, directional signs erected by governmental
5 authorities within public rights-of-way, a detailed specification plan shall be submitted for review
6 and approval by the Village.

7
8 **30-90.9 RIGHT OF ENTRY FOR INSPECTION.**

9
10 (a) No sign shall be approved for use nor erected unless it complies with all
11 requirements of this Division and applicable technical codes. The holder of a permit for a sign shall
12 request inspections as follows:

13
14 (1) Foundation inspection to include the method of fastening to building or
15 other approved structure;

16 (2) Shop inspection to include electrical and/or structural where indicated on the
17 permit and/or approved plan;

18 (3) Final inspection to include structural framing, electrical work, identification
19 of permit number and erector of sign; and,

20 (4) Any additional inspections which may be specified on the permit and/or
21 approved plans.

22
23 (b) Appropriate Village employees in the performance of their functions and duties and
24 under the provisions of this Division may enter into and upon any land upon which advertising
25 signs or advertisements are displayed and make examinations and surveys as may be relevant, subject
26 to constitutional limitations and state law.

27
28 **30-90.10 SIGNS PERMITTED WITHOUT A SIGN PERMIT.**

29
30 (a) Within all zoning districts, the following signs, whether temporary or permanent,
31 when not electrically illuminated shall be permitted and exempt from the requirement to obtain a
32 sign permit.

33 (1) Emergency signs erected by governmental authorities within public rights-of-
34 way

35 (2) Legal notices, identification, or informational signs erected by or on behalf of
36 governmental bodies.

37
38 (3) Signs as required by law to display building permits or other similar required
39 public notices.

40
41 (4) Construction signs not exceeding six (6) square feet.

42
43 (5) No trespassing and private property signs not exceeding two (2) square foot
44 in area.

1 (6) Vacancy/no vacancy signs not exceeding two (2) square foot in area.

2
3 (7) Address and street number signs not exceeding two (2) square feet.

4
5 (8) Personal expression signs limited to one (1) per lot or parcel, or in the case of
6 multi-family uses, one (1) per dwelling unit, expressing personal views or opinions not
7 exceeding four (4) square feet in area, providing such signs are otherwise in compliance with
8 applicable local, state and federal laws.

9
10 (9) Signs placed within interior courtyards, the inside fence line of recreational
11 fields and on golf courses, provided these signs are visible only to those persons visiting the
12 site.

13
14 (10) Disabled, handicapped or child and baby stroller parking signs, non-
15 structural in nature.

16
17 (11) Warning signs, including: "danger," "no parking," "bad dog," not exceeding
18 two (2) square feet.

19
20 (12) Temporary on-premises real estate signs. Not more than one (1) temporary
21 real estate sign on premises, per street face advertising the sale, rental or lease of only the
22 premises on which the sign is located. The signs shall not exceed 10 inches by 14 inches in
23 size in residential zoning districts and six (6) square feet in area in all other zoning districts.
24 No more than two (2) riders to the principal temporary real estate sign may be added of a
25 dimension not to exceed the length of the principal sign and each rider shall not exceed four
26 (4) inches in height. One (1) temporary "Open House" sign shall be permitted on-premises
27 as provided under section (13), below.

28
29 (13) Temporary off-premises real estate signs, otherwise known as "Open House"
30 signs shall be permitted to advertise residential property for sale, rent or lease on premises
31 other than the property for sale, rent or lease in all districts, provided the size of the sign is
32 no greater than two (2) feet by two (2) feet measured from grade to top of sign, with one (1)
33 "Open House" sign allowed on the premises being advertised, and no more than three (3)
34 off-site to be located five (5) feet from edge of roadway pavement or back of curb, which
35 signs may not be illuminated. The "Open House" signs are permitted only within the hours
36 of 11:00 a.m. to 6:00 p.m. The attachment of balloons, streamers, flags, or other attention
37 attracting devices is prohibited and shall be a violation of this Division.

38
39 (14) Garage sale signs. Up to four (4) signs providing directions to a garage sale
40 are permitted to be placed off-site from the location of the garage sale; two (2) of the signs
41 advertising a garage sale are permitted to be displayed on private property where the garage
42 sale is being held. The signs advertising a garage sale shall not be displayed until the first day
43 of the sale and shall be removed at the end of the last day of the sale. Signs shall not be
44 larger than 22 inches by 28 inches. The garage sale signs shall include the property address
45 of the garage sale and the garage sale permit number. Charitable, civic, educational, or

1 religious organizations shall additionally be allowed to display one (1) banner not to exceed
2 three (3) feet by ten (10) feet in size at the site of the sale, provided the sale occurs at the
3 location of the organization. No off-site banners are allowed.

4 (15) Temporary political campaign signs announcing the candidacy of a candidate
5 for public office not exceeding 22 inches by 28 inches in size in residential zoning districts
6 and six (6) square feet in area in all other zoning districts. Setback and location shall be at
7 least five (5) feet from the official right-of-way and five (5) feet from property under
8 different ownership.
9

10 Temporary political campaign signs shall be removed within seven (7) days after the
11 last election or within seven (7) days of withdrawal of a candidate from running for elected
12 office. If such signs are not removed within this period of time, the Village may remove
13 such signs and may charge the candidate the actual cost for such removal. Failure to remove
14 signs is a violation of this Code and is enforceable pursuant to the Village's code
15 enforcement ordinance.
16

17 (16) Religious symbols.
18

19 (17) Holiday and seasonal decorations shall not be construed as signs, providing
20 that these contain no commercial advertising message, and further provided that such
21 decoration is not up more than 60 days for a single holiday and is removed within seven (7)
22 days after the holiday ends.
23

24 (18) Flags and insignia, except as provided in this Code.
25

26 (19) Signs within a building or structure not visible from the exterior of the
27 building or structure, provided they are not hazardous nor require electrical permits.
28

29 (20) Temporary window signs placed from within the interior of a building or
30 structure, provided coverage does not exceed twenty-five (25) percent of the total window
31 coverage.
32

33 (b) Within all non-residential districts, the following signs, whether temporary or
34 permanent, when not electrically illuminated shall be permitted and exempt from the requirement to
35 obtain a sign permit.
36

37 (1) Decals, limited to those as required by law, which are affixed to or painted
38 upon store windows, store equipment, fuel pumps or other types of vending equipment used
39 for dispensing retail products.
40

41 (2) Lettering only, for the purpose of providing ownership, licensing and
42 emergency contact information, when placed upon doors and windows of lawfully licensed
43 businesses, with letters not exceeding three (3) inches in height and limited to a maximum
44 area of two (2) square feet.

1
2 (3) Building signs, historical markers, memorial signs, tablets or plaques, or the
3 name of a building and the date of erection, when cut into any masonry surface or when
4 constructed of bronze or other permanent material.

5
6 (4) Professional nameplates for physicians, surgeons, dentists, lawyers, architects,
7 teachers and other professional persons placed on the premises occupied by the person(s),
8 not exceeding two (2) square foot in sign face area, provided the professional has a valid
9 occupational license.

10
11 (5) Signs denoting the name and profession of an occupant of a building, placed
12 flat against the exterior surface of the building and not exceeding two (2) square feet in sign
13 face area, and provided the occupant has a valid occupational license.

14
15 (6) Restaurant menu boards, in accordance with section 30-90.22(a) of this
16 Division.

17
18 **30-90.11 PROHIBITED SIGNS.**

19
20 (a) Signs that violate the building code or electrical code.

21
22 (b) Any sign that presents safety, traffic or pedestrian hazard including signs which
23 obstruct visibility.

24
25 (c) Blank signs.

26
27 (d) Animated signs.

28
29 (e) Signs with visible moving, revolving, or rotating parts or visible mechanical
30 movement of any description or other apparent visible movement achieved by electrical, electronic,
31 or mechanical means, except for governmental traffic devices and signs and Automated Changeable
32 Signs in business (B) districts.

33
34 (f) Signs with the optical illusion of movement by means of a design that presents a
35 pattern capable of giving the illusion of motion or changing of copy.

36
37 (g) Signs with lights or illuminations that flash, move, rotate, scintillate, blink, flicker, or
38 vary in intensity or color, to include animated signs and automatic changeable message devices.

39
40 (h) Strings of light bulbs used on commercially developed parcels for commercial
41 purposes, other than traditional holiday decorations.

42
43 (i) Wind, balloon or inflatable signs.

44 (j) Signs that incorporate projected images, emit any sound that is intended to attract
45 attention, or involve the use of live animals.

1
2 (k) Signs that emit audible sound, odor, or visible matter such as smoke or steam.
3

4 (l) Signs or sign structures that interfere with free use of any fire escape, emergency exit,
5 or standpipe, or that obstruct any window to such an extent that light or ventilation is reduced to a
6 point below that required by any provision of this Code.
7

8 (m) Non-governmental signs that resemble any official sign or marker erected by any
9 governmental agency, or that by reason of position, shape or color, would conflict with the proper
10 functioning of any traffic sign or signal, or be of a size, location, movement, content, color, or
11 illumination that may be reasonably confused with or construed as, or conceal, a traffic-control
12 device.
13

14 (n) Non-governmental signs that use the words "stop," "look," "danger," or any similar
15 word, phrase, or symbol, or which is a copy or imitation of an official sign that may be reasonably
16 confused with or construed as, or conceal a traffic device.
17

18 (o) Off premises signs, vehicles carrying portable billboards or advertisements or off-
19 premises signs. and/or signs painted or affixed in any manner to any vehicle, trailer, or pickup truck,
20 van, or similar transportable device and which is used to advertise a place of business or activity as
21 viewed from a public road. This shall not be interpreted to prohibit identification of commercial
22 vehicles provided such vehicles are operational, move, and are used daily for delivery or service
23 purposes and are not used, or intended for use, as portable signs. This sign shall also not be
24 interpreted to apply to buses, taxicabs, and similar common carrier vehicles which are licensed or
25 certified by Miami-Dade County or other governmental agencies. Prima facie evidence of a vehicle
26 sign being used as a prohibited portable sign shall be: (1) when the vehicle is parked and visible from
27 a distance of 100 feet of the street right-of-way for more than 60 consecutive minutes (not in the
28 midst of commercial service or delivery enterprise); and/or (2) is not regularly used in the conduct
29 of the business advertised on the vehicle.
30

31 (p) Signs that obstruct the vision of pedestrians, cyclists, or motorists traveling on or
32 entering public streets thereby creating a safety hazard for the public.
33

34 (q) Signs, within ten (10) feet of public right-of-way or 100 feet of traffic-control lights,
35 that contain red or green lights that might be confused with traffic control lights, thereby creating a
36 safety hazard for the public.
37

38 (r) Signs that are of such intensity or brilliance as to cause glare or impair the vision of
39 any motorist, cyclist, or pedestrian using or entering a public way, or that are a hazard or a nuisance
40 to occupants of any property because of glare or other characteristics.
41

42 (s) Signs that contain any lighting or control mechanism that causes unreasonable
43 interference with radio, television or other communication signals.

44 (t) Searchlights used to advertise or promote a business or to attract customers to a
45 property.

1
2 (u) Signs that are painted, pasted, or printed on any curbstone, flagstone, pavement, or
3 any portion of any sidewalk or street, and traffic control signs.
4

5 (v) Signs placed upon benches, bus shelters or waste receptacles, except as may be
6 authorized in writing pursuant to section 337.407, Florida Statutes.
7

8 (w) Signs erected over or across any public street except as may otherwise be expressly
9 authorized by this Code.
10

11 (x) Vehicles carrying advertising signs for any reason, including dealing with the
12 candidacy of individuals for elected office are prohibited as a visual nuisance. Political campaign
13 signs shall not be used as advertising on vehicles viewable from the public rights-of-way.
14

15 (y) Portable signs, including those that are tied down with metal straps, chaining, or
16 otherwise temporarily anchored to an existing structure or building and including A-Frame signs.
17

18 (z) Roof signs.
19

20 (aa) Signs placed, posted, or erected upon land adjacent to adjoining public streets and
21 highways, without the written consent of the owner.
22

23 (bb) Signs placed upon any tree, utility pole, lamp post, hydrant or fence.
24

25 (cc) Signs on any public building or property without a properly issued permit.
26

27 (dd) Billboards.
28

29 (ee) Signs with obscene, lewd or lascivious language or graphic representation of the
30 human body.
31

32 (ff) Snipe signs located in public rights-of-way.
33

34 (gg) Political campaign signs shall be prohibited on Village property, other public
35 property or on public rights-of-way. Illegally placed political campaign signs shall be removed by the
36 Village's Code Compliance Officer(s) without notice to the candidate or abutting property owner or
37 occupant.
38

39 (hh) Vehicles carrying advertising signs, advertising propositions to be submitted and
40 voted upon by the people.
41

42 (ii) Wall signs in residential districts.
43

44 (jj) Signs attached to fences in all districts.
45

1 (kk) Advertisement(s) placed or affixed onto any face of a building or structure.

2
3 (ll) Freestanding signs projecting over a public right-of-way.

4
5 (mm) Pole signs.

6
7 (nn) Cabinet signs.

8
9 **30-90.12 MOBILE SIGNS EXEMPTION.**

10
11 Mobile signs or off-premises signs that are parked on public or private property shall be
12 prohibited. This prohibition, however, does not apply to:

13
14 (a) Identification of a firm or its principal products on a vehicle operating during the
15 normal hours of business or parked at the owner's residence; provided, however, that no such
16 vehicle shall be parked on public or private property with signs attached or placed on a vehicle for
17 the purpose of advertising a business or firm or calling attention at the location of a business or
18 firm.

19
20 (b) Vehicles which require governmental identification, markings or insignias of a local,
21 state or federal government agency.

22
23 **30-90.13 SIGN AREA, NUMBER, COMPUTATION.**

24
25 (a) For freestanding signs, the sign area shall be the area within the smallest geometric
26 shape that touches the outer points or edges of the sign face.

27
28 (b) For building signs, the sign area shall be the area within the smallest geometric shape
29 that touches the outer points of raised portions of the sign or of all borders or trims, or in the
30 absence of such border or trim, the outer points of the letters or pictures.

31
32 (c) For freestanding signs, where two (2) sign faces are placed back to back on a single
33 sign structure, and the faces are at no point more than four (4) feet apart, the sign area shall be the
34 area of one (1) of the faces.

35
36 (d) For freestanding signs, where four (4) sign faces are arranged in a square, rectangle,
37 or diamond, the sign area shall be the area of the two (2) largest faces.

38
39 (e) Where a freestanding or building sign is in the form of a three-dimensional object,
40 the sign area shall be the area within the smallest geometric shape that touches the outer points or
41 edges of the largest possible two-dimensional outline of the three-dimensional object and
42 multiplying that area by two (2).

43
44 (f) In calculating the number of signs, a single sign shall be permitted to contain
45 advertisement on each side thereof, and shall be counted as one sign.

1
2 (g) In calculating the sign size, the area of a sign shall include borders and framing.
3 Heights shall be measured to the top extremity of the sign and distances to the farthest point. The
4 square footage in a circular rotating, or revolving sign shall be determined by multiplying one-half
5 (1/2) of the circumference by the height of the rotating sign, except in the case of the flat rotating
6 sign, the area will be determined by the square footage of one (1) side of the sign. The Director
7 shall have the discretion of determining the area of any sign which is irregular in shape and in such
8 cases will be guided by calculations as made by a licensed, registered engineer when same are shown
9 on the drawing.

10
11 (h) Permitted temporary signs shall not be counted as part of allowable area for
12 freestanding, monument, or buildings signs.

13
14 **30-90.14 ILLUMINATION STANDARDS.**

15
16 (a) Illumination for wall signs shall be channel letter or reverse channel letter.

17
18 (b) Sign lighting may not be designed or located to cause confusion with traffic lights.

19
20 (c) Illumination of the sign is permissible, provided that none of the light emitted shines
21 directly onto an adjoining property or into the eyes of motorists or pedestrians using or entering
22 public streets.

23
24 (d) Illuminated signs shall not have lighting mechanisms that project more than 18
25 inches perpendicularly from any surface of the sign over public space.

26
27 (e) All permanent signs, and the illumination thereof, shall be designed, constructed, and
28 maintained in conformity with applicable provisions of the Florida Building Code.

29
30 (f) Electrical transformer boxes, raceways, conduit and junction boxes shall be
31 concealed from public view. Any exposed metal surfaces of the raceway should be finished to
32 match the background wall or integrated into the overall design of the sign.

33
34 **30-90.15 PLACEMENT STANDARDS.**

35
36 (a) In right-of-way. Supports for signs or sign structures shall not be placed in or upon
37 a public right-of-way or public easement, except under the terms of a lease between the owner of
38 the easement or right-of-way and the owner of the sign or with the written approval of the Village of
39 Palmetto Bay.

40
41 (b) Blocking exits and/or fire escapes. No sign or sign structure shall be erected that
42 impedes use of any fire escape, emergency exit, or standpipe.

43
44 (c) Near certain properties. No sign or sign structure shall be within 15 feet of the
45 outside boundary of any public highway or within 200 feet of any church, school, cemetery, public

1 park, public playground or residential district. The distance to the sign shall be measured along the
 2 public highway on which the advertisement is located; provided, however, that signs may be erected
 3 on any business lot within 120 feet of any residential district or may be affixed or painted upon any
 4 business building located within any business district.

5
 6 **30-90.16 CLEARANCE STANDARDS.**

7
 8 (a) Over pedestrian ways. All signs over pedestrian ways shall provide a minimum of
 9 seven (7) feet six (6) inches of clearance.

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

13
 14 **30-90.17 TEMPORARY SIGNS REQUIRING A PERMIT.**

15
 16 (a) Real estate, subdivision, construction, and future construction signs that exceed the
 17 sizes established in 30-90.10 require a permit.
 18

Type of Signs	Size	No.	Setback and Spacing	Illumination	Maximum Height	Special Conditions
Real estate	In business and mixed use districts: up to 40 sq.ft. In agricultural and residential districts: up to 1.5 sq.ft.	One (1)	No closer than five (5) ft to an official R.O.W. line unless attached to an existing building; 15 ft to an interior side property line or centered on a lot between interior side property lines.	Permitted	Signs shall not exceed 8 ft. measured from grade to top of sign.	Only permitted on premises advertised for rent or for sale. No sign shall be maintained on the premises for more than 90 days, without an approved extension. Upon the expiration of the approved period, the sign shall be removed from the premises
Sub-	Maximum of up to	Three	Not closer than 15 ft	Permitted	Signs shall not exceed	No sign shall be maintained on the

Division	40 sq.ft. each	(3)	to official R.O.W.; not closer than 15 ft to property under a different ownership		8 ft. measured from grade to top of sign.	premises for more than 90 days, without an approved extension. Upon the expiration of the approved period, the sign shall be removed from the premises
Construction	Maximum of up to 40 sq.ft. When construction signs are painted on an approved construction shed, there is no size limitation	One (1) general sign and one (1) for each trade provided the total sign area does not exceed 256 sq.ft.	15 ft from official R.O.W.; 15 ft to property under different ownership or centered between interior property lines.	Permitted	Signs shall not exceed 8 ft. measured from grade to top of sign.	No sign shall be maintained on the premises for more than 90 days, without an approved extension. Upon the expiration of the approved period, the sign shall be removed from the premises.
Future construction signs	Maximum of 40 sq.ft. in business and mixed use districts: 24 sq.ft. in agricultural and residential districts	One (1)	Not closer than 15 ft to official R.O.W.; not closer than 15 ft to property under a different ownership	Permitted	Shall not exceed 8 ft from ground level to top of sign	No sign shall be maintained on the premises for more than 90 days, without an approved extension. Upon the expiration of the approved period, the sign shall be removed from the premises. Shall be removed within 30 days of

						issuance of C.O. or C.U. or if construction ceases.
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(b) Permanent point of sale signs for single-family, two-family, and townhouse residential zoning districts. Type of signs permitted: detached and flat. All lettering or numbering shall be a minimum of three (3) inches in height, and placed in location visible to public right-of-way for identification purposes. A nonconforming use(s) in a residential district is permitted a flat sign only of the same size as if the use was established on a property in a zoning district permitting the use concerned. Religious facilities, schools and universities when located in these districts shall be permitted one (1) freestanding, detached sign not to exceed 24 square feet. Religious facilities, schools, universities, and governmental uses may in addition provide a flat, wall, awning, or canopy attached building sign per use, not to exceed six square feet per attached sign.

Type of Signs	Size	Number	Setbacks and Spacing	Illumination	Maximum Height	Special Conditions
Detached	1.5 sq.ft.	One (1)	15 ft. from R.O.W. line five (5) ft. to interior property line	See general section on illumination Lighting permitted if does not conflict with adjacent property	20 feet from grade to top of sign	No permit, if sign is not illuminated and sign is 1.5 sq.ft. or less
Flat (wall and cantilever)	1.5 sq.ft.	One (1)	Not applicable	Same as detached	Not applicable	No permit, if sign is not illuminated and sign is 1.5 sq.ft. or less

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(c) Permanent point of sale signs for AU. Type of signs permitted: detached and/or flat. Religious facilities, schools and universities when located in this district shall be permitted one (1) sign not to exceed 24 square feet. Religious facilities, schools, universities, and governmental uses may in addition provide a flat, wall, awning, or canopy attached building sign per use, not to exceed six square feet per attached sign.

1

	Size	Number	Setbacks and Spacing	Illumination	Maximum Height	Special Conditions
Detached	24 sq.ft.	One (1)	15 ft. from R.O.W. line five (5) ft. to interior property line	See general section on illumination Lighting permitted if does not conflict with adjacent property	20 ft. from grade to top of sign	Permit required
Flat (wall and cantilever)	24 sq.ft.	One(1)	Not applicable	Same as detached	Not applicable	Permit required

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(d) Permanent point of sale signs in R-3, R-3B and R-3M districts. Type of signs permitted: detached, flat, awning, canopy, projecting and marquee.

Type of Signs Permitted	Size	Number	Setbacks and Spacing	Illumination	Maximum Height	Special Conditions
Detached	R-3 permitted six (6) sq. ft. except for religious facilities, schools and universities which are permitted 24 sq.ft. R-3B and R-3M permitted 24 sq.ft.	One (1) An additional office sign of not more than 1.5 sq.ft. is permitted	15 ft. from R.O.W. five (5) ft. from interior side property	Illumination permitted; see general provision on illumination	20 ft. from grade to top of sign	Not applicable
Flat (wall and cantilever)	Same as detached	Same as detached	Not applicable	Same as detached	Cantilever signs shall not extend vertically	Not applicable

					above the roof line or parapet wall, whichever is higher	
Awning, canopy	Same as detached	Same as detached	15 ft. from R.O.W. five (5) ft. to interior side property line	No illumination permitted	Not applicable	No permit required Letters attached or painted to fabric shall be limited to the identification of the occupant and/or use of the property
Projecting	Same as detached	Same as detached	Same as detached	Same as detached	9 ft. from grade to bottom of sign	Not applicable
Marquee	Same as detached	Same as detached	Same as detached	Same as detached	Not applicable	Not applicable

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(e) Permanent point of sale signs in the R-4L zoning district. Type of signs permitted: detached, flat, marquee, awning, canopy, projecting, and pylon.

Type of Signs	Size	Number	Setbacks and Spacing	Illumination	Maximum Height	Special Conditions
Detached	24 sq.ft.	Two (2); and an additional office sign no more than 1.5 sq.ft. is permitted	15 ft. from R.O.W. line five (5) ft. to interior side property line	Illumination permitted; see general provision on illumination	20 ft from grade to top of sign	Not applicable
Flat (wall)	40 sq.ft.	Same as	Not	Same as	Cantilever	Not applicable

and cantilever)	for a building not exceeding 15 ft. in height; thereafter, a fourth (.4) of a sq.ft. for each foot of building height above 15 ft. measured to the lowest point of the sign on the building	detached	applicable	detached	signs shall not extend vertically above the roof line or parapet wall	
Marquee	40 sq.ft.	Same as detached	Same as detached	Same as detached	Not applicable	Not applicable
Awning, canopy, and umbrella	24 sq.ft.	Same as detached	Same as detached	No illumination	Not applicable	No permit required Letters attached or painted to fabric shall be limited to eight (8) inches in height and shall be limited to the identification of the occupant and/or use of the property
Projecting	24 sq.ft.	Same as detached	Same as detached	Same as detached	Not applicable	Not applicable

Pylon	40 sq.ft.	Same as detached	Not applicable	Same as detached	Not applicable	See definition for pylon sign
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(f) Permanent point of sale signs in the R-4 zoning districts. Type of signs permitted: detached, marquee, flat, awning, canopy, projecting or pylon. General conditions within R-4: hotels, motels and apartment hotels may use signs to advertise cocktail lounge, swimming pool, cabanas, coffee shop and other facilities approved and available on the premises providing the sign indicates that the use is available and restricted to their patrons only. The advertisement of these incidental uses must be incorporated in the sign, advertising the name of the hotel, apartment hotel or motel. The lettering advertising the incidental facilities and uses shall be the same size as the restriction notifying the public that the use is available for patrons only, and in no event shall either exceed four (4) inches in height. Hotels and motels in addition to all other signs authorized for their use shall be permitted one (1) additional sign for the sole purpose of advertising and displaying credit club membership or association insignia, provided the sign or display shall be of a box type with glass or plastic sides with inner illumination, constructed in accordance with existing sign regulations and electrical code requirements, and shall contain an overall area not in excess of 25 square feet, with lettering not to exceed 12 inches in height; provided further, that such signs or displays may only advertise or display the proprietor's membership in credit clubs or other association, or such club or association insignia but the same may in addition thereto include the identification of the hotel or motel so advertising (these signs are permitted in addition to the two (2) signs permitted below) An additional office sign of no more than one and a half (1.5) square feet is permitted.

Type of Signs	Size	Number	Setbacks and Spacing	Illumination	Maximum Height	Special Conditions
Detached	24 sq.ft.	Two (2)	15 ft. from R.O.W. five (5) ft. from interior side property line 10 ft. between signs.	Illumination permitted; see general provision on illumination	20 ft. from grade to top of sign	See general comments above
Marquee	Total of 40 sq.ft.	Two (2)	Same as detached	Same as detached	Not applicable	See general comments above
Flat (wall)	40 sq.ft. for	Two (2)	Not	Same as	Cantilever	See general

and cantilever)	a building not exceeding 15 ft. in height; thereafter, an eighth (.8) of a sq.ft. for each foot of building height above 15 ft. measured to the lowest point of the sign on the building		applicable	detached	signs shall not extend vertically above the roof line or parapet wall	comments above
Awning, canopy	24 sq.ft.	Two(2)	Same as detached	No illumination	Not applicable	No permit required
Projecting	24 sq.ft.	Two (2)	Not applicable	Same as detached	Not applicable	See general comments above
Pylon	40 sq.ft.	Two (2)	Not applicable	Same as detached	Not applicable	Same as detached

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(g) Permanent point of sale signs for the R-5 zoning districts. Type of sign permitted: Only flat (wall or cantilever) sign.

Type of Signs	Size	Number	Setbacks and Spacing	Illumination	Maximum Height	Special Conditions
Flat (wall and cantilever)	12 sq.ft.	One (1) for each street frontage	Not applicable	Illumination permitted; see general provision on illumination	Not applicable	Sign shall be mounted on building wall or on a cantilever parallel with the wall

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(h) Permanent point of sale signs for shopping centers. Type of signs permitted: detached, attraction board, flat, pylon, awning, canopy, umbrella, and semaphore. Service stations in

1 a shopping center are permitted the same type and number of signs that are permitted a service
 2 station in a business districts and shall comply with all applicable regulations.
 3

4 (1) Detached sign setbacks and spacing: Setbacks for all street right-of-ways is seven (7)
 5 feet for a sign not exceeding 40 square feet; thereafter .8125 ft. of additional setback for each 10
 6 square feet of sign (calculated to the nearest half-foot). Interior side setback is a minimum of three
 7 and a half (3.5) feet for a sign not exceeding 40 square feet; thereafter the interior side setback shall
 8 be increased by 10 percent of the calculated street frontage up to 100 lineal feet and by 20 percent
 9 off the calculated street frontage where it exceeds 100 lineal feet but does not exceed 200 lineal feet;
 10 then increases by 30 percent of the calculated street frontage above the 200 lineal feet. Minimum
 11 space between detached signs shall be 20 feet.
 12

Type of Signs	Size	Number	Setbacks and Spacing	Illumination	Maximum Height	Special Conditions
Detached and Monument	Up to 40 sq.ft. for first 50 ft. of frontage plus .75 sq.ft. for each additional foot of frontage to a maximum sign size of 300 sq.ft.	One (1), if less than 500 ft of lineal street frontage; if more than 500 lineal street frontage, then, either one (1) 300-sq.ft. or two (2) 200 sq.ft. signs; shopping centers on a corner lot are permitted an additional 40 sq.ft. sign on a side street	See (h)(1), above	Illumination permitted; see general provision on illumination	30 ft. from grade to top of sign	Sign shall be used only to identify the shopping center and/or as a directory of tenants in the shopping center

Flat (wall and cantilever)	10 % of the wall area for a building that does not exceed 15 ft. in height, then 1.5 % increase for each ft. of building height above grade measured to the bottom of the sign	Two (2)	Not applicable	Illumination permitted; see general provision on illumination	Not applicable	Signs permitted only for individual tenants shopping center must be placed flat against building or on a cantilever or pylon
Awning, canopy, and umbrella	24 sq.ft.	Two (2)	Seven (7) feet from R.O.W.	Illumination permitted; see general provision on illumination	Not applicable	No permit required

1
2 (i) Permanent point of sale signs in the business zoning districts. Type of signs
3 permitted: detached, marquee, monument, flat, awning, canopy, umbrella, projecting, and pylon.
4 Shopping centers shall comply with (h) above. ACS's are permitted in business (B) zoning districts
5 in accordance with the provisions of section 30-90.22(c).
6

7 (1) For detached and monument signs, the following setbacks and spacing shall apply:
8

9 Setbacks and spacing: Setback for all street right-of-ways is seven (7) ft. for a sign
10 not exceeding 40 sq.ft.; thereafter .8125 ft. of additional setback for each 10 sq.ft. calculated to the
11 nearest half (.5) ft; maximum required setback need not be greater than 20 ft. Interior side setback is
12 a minimum of three and a half (3.5) feet for a sign not exceeding 40 square feet; thereafter the
13 interior side setback shall be increased by 10 percent of the calculated street frontage up to 100 lineal
14 feet and by 20 percent of the calculated street frontage where the same exceeds 100 lineal feet but

1 does not exceed 200 lineal feet; then increases by 30 percent where the calculated street frontage is
 2 above the 200 lineal feet.

3
 4 (2) Minimum spacing between detached and/or monument signs shall be 10 feet.

5
 6 (3) For detached and monument signs, the following special conditions shall apply:

7
 8 Type and number of point of sale signs permitted for a single individual business on a lot will be
 9 based on the following formula:

Lot frontage by footage:	Number of signs allowed with dimensions:
11 0--75	11 Two (2) signs but no detached or monument type signs.
12 76--150	12 Three (3) signs, one (1) of which may be detached.
13 151 or more	13 Four (4) signs; one (1) of which may be detached or a 14 monument type sign. In addition, a corner lot with minimum 15 dimensions of 300 feet by 300 feet will be allowed four (4) 16 signs, two (2) of which may be detached or monument signs 17 provided that the second sign is no greater than half the size 18 allowed the first sign and provided the separation between 19 the two (2) signs is at least equal to 50 percent of the total 20 amount of frontage on both streets or roadways. Where 21 multiple businesses are located on a given lot, each business 22 use shall be permitted a wall sign only.

Type of Signs	Size	Number	Setbacks and Spacing	Illumination	Maximum Height	Special Conditions
Detached and Monument	40 sq.ft. maximum for first 50 ft. of initial street frontage, plus .75 sq.ft. for each additional ft. of street frontage to a maximum	See special conditions	See (i)(1), above	See general section on illumination	30 ft. from grade to top of sign	See (i)(2),above

	size of 300 sq.ft.					
Marquee	40 square feet	Same as detached	15 ft. from R.O.W. Five (5) ft. from interior side property line	Same as detached	30 ft. from grade to top of sign	Same as detached. In addition, for purpose of counting signs, each face of a marquee shall count as an individual sign
Flat (wall and cantilever)	10 % of the wall area for a building that does not exceed 15 ft. in height; then 1.5 % increase for each ft. of building height above the 15 ft. measured to bottom of the sign	Same as detached	Not applicable	Same as detached	Not applicable	Not applicable
Awning, canopy, and umbrella	24 sq.ft.	Same as detached	Same as detached	Same as detached	Not applicable	No permit required Eight (8) inch letter height
Projecting	40 sq.ft.	Same as detached	Seven (7) feet from R.O.W. No closer than five	Same as detached	Not applicable	Same as detached

			(5) feet to interior side property line			
--	--	--	---	--	--	--

1
2 (k) Directional signs on private property. Permitted only in connection with the
3 specified uses. Directional signs, to direct traffic flow and locate entrances and exists, shall be
4 permitted in all zoning districts in connection with any permitted use provided they do not exceed
5 three (3) square feet in area and do not exceed four (4) feet in height above grade; and providing
6 they are shown and approved on site plans which indicate sign size, location, and copy. Logos,
7 names, and advertising are not permitted on directional signs.
8

Use	Type	Size	Number	Setbacks	Locations	Maximum Illumination
Colleges	Detached only	Maximum 18 sq.ft.	Depends on site plan approval. The number of signs shall be determined for each facility by site plan review of the facility, the type and number of structures to be identified, and the need for a sign at a given location.	Signs shall be located on private property and no sign shall be closer than 75 ft. to a public R.O.W. Other sign setbacks and spacing will be determined as part of the site plan review process.	Directional signs shall be located at points of entry to the facility from the public road(s) provided that signs may be located elsewhere and/or in addition to entries based on need as determined by the site plan review process.	No neon lighting permitted; also see other requirements under general provisions for illumination. Lighting should be in character with overall design of the project as determined by site plan review.
Hospitals	Same as colleges	Same as colleges	Same as colleges	Same as colleges	Same as colleges	Same as colleges
Housing developments	Same as colleges	Same as colleges	Same as colleges	Same as colleges	Same as colleges	Same as colleges
Shopping	Same as colleges	Same as colleges	Same as colleges	Same as colleges	Same as colleges	Same as colleges

Additions shown by underlining and deletions shown by overstriking

Uses	Height	Minimum Site Size	Special Conditions
Colleges	The maximum height of a directional sign shall be 10 ft. to top of sign with a minimum clearance of four (4) ft. from the bottom of sign to grade; provided, however, that signs that are affixed to the ground need not provide the four (4) ft. clearance.	Minimum 20 net acres	At least two (2) buildings on the site
Hospitals	Same as colleges	Minimum 10 net acres	At least two (2) buildings on the site
Housing developments	Same as colleges	Minimum 10 net acres	At least two (2) buildings on the site
Shopping centers	Same as colleges	Minimum 30 net acres	Minimum of 400,000 sq.ft. of gross leasable floor area and at least two (2) full line department stores as lead tenants. Sign permits shall be issued only to the owner of the shopping center. Only major tenants with a minimum of 75,000 sq.ft. gross leasable floor area may be identified on the sign.

1
2 (l) Permanent point of sale signs for Planned Area Development Zone. Residential
3 signs in accordance with requirements which best reflect the residential use of the PAD as
4 determined by site plan review. Detached signs and signs visible from public roads, for permitted
5 retail convenience facilities, are prohibited. All other uses as permitted in the PAD shall conform to
6 the applicable zoning district requirements for signs.
7

1 (m) Village Mixed Use District. Signage shall be permitted on the exterior of any
2 structure, not to exceed five (5) percent of the square footage area of the exterior facade of any
3 structure. Monument signage shall also be permitted, not to exceed ten (10) feet in height, and shall
4 otherwise comply with shopping center signage requirements.
5

6 (n) Franjo Triangle & U.S. 1 Island Zoning District (FT&I).
7

8 (1) Permanent Point of Sale Signs. Permanent point of sale signs shall be
9 permitted in all sub-districts in conjunction with permitted business uses: building
10 identification, detached, monument, flat-attached, hanging, awning, and cantilever
11 projecting.
12

13 a. Cantilever projecting signs shall be mounted and perpendicular to the
14 building.
15

16 b. The copy of an awning sign shall only be located on the valance of
17 the awning.
18

19 c. The bottom of a hanging sign shall be located at a minimum height
20 of eight (8) feet from the finished floor.
21

22 (2) Maximum size, location, and number of signs shall be as follows:
23

Core	Center	Number of Signs
Building identification at top of building: 150 sq. ft.	Building identification at top of building: 75 sq. ft.	One (1) per building
Flat-attached: 24 sq. ft.		One (1) of each type per tenant per street frontage
Cantilever: eight (8) sq. ft.		
Hanging, awning, detached, six (6) sq. ft.		

24
25 (3) Maximum height shall be eight (8) feet above grade to top of sign for
26 detached or monument signs and shall otherwise comply with shopping center signage
27 requirements. Sign copy on the valance of an awning shall not exceed one (1) foot.
28

29 **30-90.18 SHOPPING CENTER UNIFIED SIGN PLAN.**
30

31 (a) Requirement for a unified sign plan. After the initial effective date of these
32 regulations, all new non-residential development, which shall contain space or units for more than
33 one (1) business or occupant, shall provide a unified sign plan with the application for building
34 permits. All subsequent applications for sign permits shall comply with the approved unified sign
35 plan. The unified sign plan shall comply with the provisions of this Division and shall also
36 demonstrate a consistent theme and architectural design with the associated shopping center with
37 respect to each of the following:
38

- 1 (1) Manner and type of construction including materials to be used, installation
2 method and mounting details;
3 (2) Means of illumination, if any, and hours of illumination; and,
4 (3) Size, color, lettering, location and graphic style.
5

6 (b) Types of permanent point of sale permitted signs for shopping centers: detached,
7 monument, attraction board, flat, pylon, awning, canopy, umbrella, or semaphore.
8

9 (c) Where new or replacement signage is proposed for existing shopping centers, the
10 property owner, or designee, shall establish a sign plan, approved by the Village, that shall be
11 implemented for each replacement sign in the development. Once the plan has been established for
12 a shopping center, the plan shall be applied to the entire center, as well as each individual occupant,
13 and shall remain as long as the center exists, regardless of change of ownership or management. The
14 plan may only be changed if all signs in the shopping center are changed to conform to the new
15 plan, which plan is to be approved by the Village.
16

17 (d) Written consent to the plans and criteria must be provided by the owner of the
18 building, structure or land to which or on which the sign structure is to be erected, relocated,
19 maintained, or altered.
20

21 (e) Requirement to display street number. All businesses shall display the street number
22 in a manner that is prominent and clearly readable to vehicular and pedestrian traffic, as appropriate.
23 Street numbers shall be displayed on all freestanding signs and over front doors or primary
24 entryways.
25

26 **30-90.19 ENTRANCE FEATURES.**
27

28 (a) Entrance features within residential zoning districts shall be limited to:
29

30 (1) For single-family and two-family residential subdivisions and developments
31 containing 10 or more residential lots, where individual lots are accessed from a common internal
32 roadway, one (1) entrance feature, including a sign, identifying the name of the subdivision shall be
33 allowed at each entrance from a collector or arterial street.
34

35 a. Size permitted: 32 total square feet of sign face area.

36 b. Maximum height of sign: Eight (8) feet.

37 c. Type allowed: Freestanding or monument style. Where more than
38 one (1) sign is allowed, each such sign erected shall be constructed and designed in
39 the same manner.

40 d. These signs shall be externally illuminated with ground mounted
41 lighting only. Any lighting shall project from the ground onto the sign only, and shall
42 not be directed towards any street or residential lot.
43

44 (2) For multi-family residential uses, one (1) entrance feature, to include a sign
45 identifying the name of the multi-family development shall be allowed at each entrance. Internal

1 directional signs and signs identifying buildings shall also be allowed limited to three (3) feet in
2 height and eight (8) square feet in sign face area.

3
4 a. Size permitted: 60 square feet of sign face area.

5 b. Maximum height of sign: Eight (8) feet.

6 c. Type allowed: Freestanding or monument style. Where more than
7 one (1) entrance feature is allowed, each sign erected in conjunction with the
8 entrance feature shall be constructed and designed in the same manner.

9 d. Illumination: The entrance features may only be externally
10 illuminated with ground mounted lighting. Any lighting shall project from the
11 ground onto the feature, and shall not be directed towards any street, vehicular drive
12 or residential unit.

13
14 (b) Entrance features are permitted within all commercial districts provided that:

15
16 (1) shall not exceed 96 square feet in area or eight (8) feet in height;

17 (2) No development shall have more than one (1) freestanding sign, including a
18 monument sign, associated with the entrance feature;

19 (3) They are located consistent with the setback requirements as set forth in this
20 Code.

21 (4) They are not located in the right-of-way.

22
23 (c) Entrance features that are placed on private property shall be continually and
24 properly maintained by the owners. To assure the proper maintenance of entrance features the
25 owners shall execute a covenant stating that all structures shall be maintained in good condition and
26 repair and that all landscaping shall likewise be so maintained. This covenant shall be delivered to
27 the Village for review and, upon approval shall be recorded prior to the issuance of any permits.

28
29 (d) Entrance features may be placed within public rights-of-way provided:

30
31 (1) prior approval is granted by Miami-Dade County or the Village Public Works
32 Department, as applicable, depending upon jurisdiction over the public rights-of-way;

33 (2) a bond is submitted to Miami-Dade County or the Village Public Works
34 Department, as applicable, in an amount to cover the removal of said features if deemed necessary
35 at a later date by the governing authority. The bond shall have an initial ten-year life and shall be
36 renewed for five-year periods thereafter; and,

37 (3) an executed covenant, stating that all structures shall be maintained in good
38 condition and repair and that all landscaping shall likewise be so maintained, shall be delivered to
39 Miami-Dade County or the Village Public Works Department, as applicable, for review and, upon
40 approval, shall be duly recorded prior to the issuance of any permits.

41
42 (e) Entrance features shall be placed so as not to encroach upon utility lines or traffic
43 control devices, whether such lines or devices be located overhead or underground; and where a
44 conflict is indeed encountered, the developer or designated property owner shall be responsible for
45 removal or relocation of the entrance features, or parts thereof.

1 (f) Entrance features shall be placed so as not to cause a visual obstruction and thereby
2 create a traffic hazard, and should the use of illumination be incorporated in said features, such
3 illumination shall be placed so as to be unobtrusive to moving traffic lanes or adjacent properties.
4

5 (g) The character and scale of entrance features shall be of a design such that said
6 features are complementary to the identified development and compatible with the immediate
7 neighborhood insofar as its overall impact is concerned.
8

9 (h) All structures within entrance features shall meet all standard of the Florida Building
10 Code and any other applicable standards, and all water bodies with depths greater than 18 inches
11 shall meet all applicable standard of Chapter 30, applicable to reflecting pools and water features,
12 standards.
13

14 (i) Applications for permits for entrance features shall be made by the fee owner of the
15 property in question and shall be submitted to the Village. Applications shall include an accurately
16 dimensioned plot use plan identifying all structures and landscaping incorporated in the feature(s)
17 and identifying all setbacks and elevations of the feature(s).
18

19 (j) Upon receipt of all necessary information, the documents shall be reviewed by the
20 County and/or Village and shall issue a staff report and render a decision approving, modifying, or
21 denying the request. A copy of the decision shall be published in a newspaper of general circulation.
22 All approvals or modifications shall not be effective until 15 days after the Village's decision is
23 published in a newspaper of general circulation. The decision shall be recorded on the official
24 zoning maps of Miami-Dade County and the Village of Palmetto Bay.
25

26 (k) The applicant, or any aggrieved property owner in the area, may appeal the decision
27 to the Village Council.
28

29 (l) Any person violating any of the provisions of this section shall be punished by a fine
30 not to exceed \$500.00 or by imprisonment in the County Jail for a period not to exceed 60 days, or
31 by both, in the discretion of the County Court. Each day's violation shall be considered a separate
32 violation. Any continuing violations of this section may be enjoined and restrained by injunctive
33 order of the Circuit Court in appropriate proceedings instituted for such purpose.
34

35 (m) Village Mixed Use. Entrance features shall be permitted within the Village Mixed
36 Use Districts upon a showing that the location and means of access do not create a visual
37 obstruction that results in a traffic hazard, are complimentary in character and scale to the
38 development on the property, and are maintained in a manner acceptable to the Village.

39 **30-90.20 FLAG DISPLAY STANDARDS.**
40

41 (a) Maximum height. Except as otherwise provided herein, flags shall be displayed on
42 flag poles. Such poles in nonresidential zoning districts shall not exceed the allowed structure height
43 of the zoning district, or 60 feet, whichever is less. Flag poles may not be placed on top of buildings
44 or light poles. Flag poles in residential districts shall not exceed 20 feet.

1 (b) Maximum number and size.

2
3 (1) The maximum dimensions of any flag shall be proportional to the flag pole
4 height. The hoist side of the flag shall not exceed 20 percent of the vertical height of the pole. In
5 addition, flags are subject to the following limitations:
6

Pole Height	Maximum Flag Size
Up to 25 ft.	24 total sq.ft.
26 to 39 ft.	40 total sq.ft.
40 to 49 ft.	60 total sq.ft.
50 to 60 ft.	150 total sq.ft.

7
8 (2) Each property shall be allowed a maximum of three (3) flag poles. A
9 maximum of two (2) flags shall be allowed per flag pole. References to flag pole height in this
10 Division refer to vertical flag poles. References to the number of flags and flag poles and flag
11 dimensions refer to both vertical flag poles and mast-arm flag poles (staff extending at an angle from
12 a building). On United States and Florida holidays, there shall be no maximum flag size, number of
13 flags or other limitations on manner of display.
14

15 (c) Flags on permanent fixtures other than poles. Flags that are attached to the side of a
16 structure without a pole shall not, individually or cumulatively, cover more than the greater of 24
17 square feet or 10 percent of the façade of the structure on which the flag is mounted. One flag is
18 permitted on up to two building facades.
19

20 (d) Setback. A vertical flag pole shall be set back at least five (5) feet from all property
21 boundaries.
22

23 (e) Condition of flag and pole or other permanent mounting. The flag and flag pole or
24 other permanent mounting shall be maintained in good repair. Flag poles with
25 broken halyards shall not be used, and torn or frayed flags shall not be displayed.
26

27 (f) Use of flags as attention-attractors prohibited. The placement of flags upon
28 merchandise or structures to draw the public's attention to such items shall be considered to render
29 such flags "attention attractors" and shall be prohibited.
30

31 **33-90.21 LANDSCAPING AND FREESTANDING SIGN CONSTRUCTION.**
32

33 (a) A planting bed at least three (3) feet in width shall surround all freestanding signs. In
34 no case shall the planting be less than 18 inches in height. The bed planting shall contain shrubs and
35 supplemental ground cover and shall be shown on the site plan.
36

37 (b) An application for a freestanding sign shall include an accurate and up-to-date survey
38 of the property indicating the lot dimensions, the proposed location of the sign with all setbacks to
39 property lines, and a landscaping plan.

1 (c) Solid CBS and stucco construction is required for all permanent monument signs.
2 Structural components shall not be covered by a material that is high gloss, reflective, or illuminated.
3 The solid ground-mounted base of a monument sign shall be equal to or greater than the length of
4 the sign face.
5

6 **30-90.22 MISCELLANEOUS SIGN REGULATIONS.**
7

8 (a) Restaurant menu board sign: A restaurant menu board may be placed temporarily
9 upon a movable stand in conjunction with an approved sidewalk cafe permit or permanently
10 mounted on a building wall at a restaurant pedestrian entrance in accordance with the following
11 conditions:
12

- 13 (1) Maximum number: one (1) per establishment.
- 14 (2) Maximum sign area: six (6) square feet.
- 15 (3) Height: six (6) feet.
- 16 (4) Setback: if placed on a movable stand, the sign may be located at the
17 property sidewalk line provided there is no disruption to pedestrian traffic; otherwise
18 the sign shall be wall mounted adjacent to the establishment front entrance.
- 19 (5) Length of display: movable stand signs shall be displayed only during normal
20 business hours.
- 21 (6) Illumination: indirect light solely for illuminating menu copy.
- 22 (7) In accordance with all accessibility (ADA) requirements.
23

24 (b) Changeable copy signs:
25

26 (1) Drive-through facilities: In addition to other permitted signs, drive-through
27 facilities shall be permitted to have a changeable copy sign showing featured items,
28 provided it has a transparent protective locked cover; it is affixed to a wall of the
29 establishment adjacent to the drive-in service window or located freestanding within
30 and parallel to the drive-in lane area; sign shall not exceed six (6) feet in sign height
31 or 32 square feet in sign area; a landscaped area screening the base of all such signs.
32 Additionally, whenever such sign is visible from a right-of-way a landscape material
33 shall also be required and located so as to screen the sign from the right-of-way.
34

35 (2) All changeable copy signs, other than drive through facilities, are permitted,
36 provided it has a transparent protective locked cover, it is part of a monument sign,
37 and meets the design requirements for a monument sign.
38

39 (c) Automated Changeable Signs (ACS), subject to the following mandatory conditions:
40

41 (1) Shall be limited to B zoning classification business districts on a minimum lot
42 size of ten (10) acres gross of improved land area.
43

44 (2) Provided the ACS is incorporated into a Point of Sale sign.
45

- 1 (3) Provided the ACS does not exceed 48 square feet in area.
2
3 (4) Provided the ACS does not increase the maximum display area permitted.
4
5 (5) Provided the content of an ACS is limited solely to the promotion of
6 products or services offered on the premises. The only fixed message shall be the
7 name of the company possessing a valid Certificate of Use and Occupancy for the
8 subject premises.
9
10 (6) Incandescent lamps/bulbs in excess of 9 watts are prohibited in an ACS.
11 Incandescent lamps/bulbs in an ACS shall not be exposed but shall be covered by a
12 translucent lenses or filter.
13
14 (7) Provided the ACS is equipped with an automatic dimmer control to produce
15 a distinct illumination change from a higher illumination level to a lower level for the
16 time period between one-half hour before sunset to one-half hour before sunrise.
17
18 (8) The following operating modes of an ACS are prohibited:
19
20 (i) Flash – the condition created by displaying the same message
21 intermittently by turning it on and off, on and off, with rapidity, or any other
22 delivery mode that creates a flashing effect. The copy on messages may not
23 move or appear to move. A change of message may occur at no more than
24 six-second intervals.
25
26 (ii) Zoom – the look or condition created by expanding a message from
27 a central point to its full size.
28
29 (iii) Any signs which use the word “stop” or “danger” or imply the need
30 or requirement of stopping, or which are copies or imitations of official
31 signs.
32
33 (iv) Red, green or amber (or any color combination thereof) revolving or
34 flashing light, giving the impression of a police or caution light shall be
35 prohibited.
36
37 (9) An ACS shall be limited to locations only on a major thoroughfare including
38 principal and minor arterials as depicted in the Village’s Comprehensive Plan.
39
40 (10) A freestanding ACS shall be of a monument type and shall comply with the
41 sign height and size regulations for monument signs within business (B) districts.
42
43 (11) A detached ACS shall be surrounded by a minimum of twenty-five (25)
44 square feet of landscaped area. A plan indicating such landscaped area shall be
45 submitted to the Village at time of building permit application.

1 (12) The applicant for an ACS shall file a declaration of use, on a form prescribed
2 and approved by the Village, which will govern the operation of the ACS and
3 contain penalties for abatement and removal of the ACS for violations of the
4 declaration of use and provisions herein.
5

6 (13) An ACS shall conform to all sign size, placement, setback, and quantity
7 limitations as provided elsewhere in this Division and shall comply with all building
8 code requirements.
9

10 (d) Gasoline station canopies. A company logo not to exceed four square feet shall be
11 permitted on each side of a gasoline station canopy. Wall signs shall be prohibited on gasoline
12 station canopies.
13

14 (e) Rear of signs. Where the rear or side of any sign is visible from any street or from
15 any adjoining residential zoning district, such side or rear face shall present a completely finished
16 appearance to screen structural support systems, electrical conduits and boxes, and unpainted
17 surfaces as determined by the Village.
18

19 **30-90.23 LIGHT POLE BANNERS.**
20

21 The installation of light pole banners shall require written approval of the Village. No
22 commercial or for-profit organization banners shall be allowed on public light-poles. The Village
23 shall only grant requests for not-for-profit or governmental events and/or organizations to place
24 banners on light poles within the public rights of way. The maximum duration for a public right of
25 way light pole banner display shall be 45 days. Village banners shall be excluded from compliance
26 with the 45 day requirement of this section. Exceptions to this policy may be granted by the Village
27 Manager, with the consent of the Mayor and Village Council, via resolution. Light pole banners
28 shall be no bigger than: three (3) feet by eight (8) feet and shall otherwise comply with the criteria of
29 this Code as it relates to types of permitted and prohibited signs.
30

31 **30-90.24 SPECIAL EVENT SIGNS.**
32

33 One three (3) foot by ten (10) foot special event banner or other temporary sign is permitted
34 on-premises per special events in commercial and mixed use districts. The banner may be two
35 sided. If the banner is placed on property with more than one folio number, but, one unified use,
36 the banner may be located on any of the folio numbered properties due to the uniform use of the
37 site. No off-premises banners are permitted. The maximum duration for a special event banner
38 display shall be 30 days. All banners shall otherwise comply with the criteria of this code as it relates
39 to the types of permitted and prohibited signs. A special event permit is required. Within residential
40 districts the special event may not be held for a commercial purpose; not-for-profit purposes are
41 allowed.
42

1 **30-90.25 NONCONFORMING SIGNS.**

2
3 (a) A sign existing within the Village, or an area subsequently annexed to the Village,
4 upon the passage of this Ordinance or any future amendment to this division, which because of its
5 height, square foot area, location, or other characteristic, does not conform to this Division in all
6 respects is declared to be a nonconforming sign.

7
8 (b) If any nonconforming sign is damaged by any cause and the cost of repairing the
9 sign equals 50 percent or more of the original cost of the sign structure, then its classification as a
10 nonconforming sign shall be automatically revoked and the sign shall be removed, repaired or
11 replaced to meet all the requirements established in this Division.

12
13 (c) Loss of nonconforming status.

14
15 (1) Immediate loss of nonconforming status. A nonconforming sign shall
16 immediately lose its nonconforming status if:

17
18 (i) the sign is altered in any way that renders the sign less in compliance
19 with the requirements of this division than it was before the alteration
20 (including alteration of the technology used in the sign);

21
22 (ii) the sign is relocated to a position making it less in compliance with
23 the requirements of this division; or

24
25 (iii) the sign is replaced or abandoned for a period of six (6) months or
26 more.

27 If any one of these events occurs, the sign shall be immediately brought into
28 compliance with this Division.

29
30 (2) Nonconforming sign maintenance and repair. Nothing in this division shall
31 relieve the owner or user of a nonconforming sign, or the owner of the property on
32 which the nonconforming sign is located, from the provisions of this Division,
33 regarding safety, maintenance and repair of signs.

34
35 (3) Notification of repair or alteration to nonconforming signs. The owner of a
36 nonconforming sign who desires to make any repair or alteration to a sign shall, in
37 addition to compliance with the applicable building code requirements, submit an
38 application describing the nature of the repair or alteration to the Village. All final
39 determinations as to the nonconforming status of any sign shall be made by the
40 Planning and Zoning Director.

41
42 **30-90.26 VIOLATION CONSTITUTES NUISANCE; ABATEMENT.**

43
44 Any advertisement, advertising sign or advertising structure which is constructed, erected,
45 operated, used, maintained, posted or displayed in violation of this Code is hereby declared to be a

1 public and private nuisance and shall be removed, forfeited to the public, and subject to
2 confiscation. Any portable sign such as snipe signs or real estate signs may be removed without
3 notification of the property owner, if the sign is placed in public rights-of-way. The Village shall
4 have the right to recover the full cost of removal and disposal of the sign from the owner or person
5 placing the sign, or from the benefactor of the sign.

6
7 **30-90.27 REMOVAL FOR REASONS OF SAFETY, OBSOLETE CONTENT,**
8 **LACK OF MAINTENANCE OR ILLEGAL STATUS.**
9

10 (a) Unsafe signs. Where any sign is in eminent danger of falling, is a threat to the safety
11 of persons or property, or otherwise in violation of or in noncompliance with the Florida Building
12 Code, the sign shall be removed, repaired or replaced, if otherwise lawful.

13
14 (b) Lawful signs found to be decrepit, dilapidated or showing neglect shall be removed,
15 repaired, or replaced by the owner of the property after notice.

16
17 (c) Signs advertising obsolete content related to establishments, commodities, or
18 services previously associated with the premises on which the sign is erected, shall be removed
19 within 60 days from the time the activity ceases, or in the case of a painted sign, painted out. Sign
20 removal shall be the responsibility of the owner of the property. If the owner fails to remove the
21 sign the Village is entitled to remove the sign, after issuing notice. The expense associated therewith
22 shall be the property owner and sign owner's financial responsibility.

23
24 (d) All signs that are installed after the enactment of this ordinance that are contrary to
25 the prohibited sign provisions of this Division shall be deemed illegal and shall be removed. A code
26 compliance action may result to remove illegal signs.

27
28 * * *
29

30 Section 2. All ordinances or parts of ordinances in conflict with the provisions of this
31 ordinance are repealed.

32
33 Section 3. This ordinance shall be codified and included in the Code of Ordinances.

34
35 Section 4. If any section, clause, sentence, or phrase of this ordinance is for any reason
36 held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the
37 validity of the remaining portions of this ordinance.

38
39 Section 5. This ordinance shall take effect immediately.
40

1 **PASSED AND ENACTED** this 6th day of October, 2008.

2
3 First Reading: September 8th, 2008

4
5 Second Reading: October 6th, 2008

6
7
8 Attest:


9 Meighan Rader,
10 Village Clerk


Eugene P. Flinn, Jr.,
11 Mayor

12
13 APPROVED AS TO FORM:

14 
15 _____
16 Eve A. Boutsis,
17 Nagin Gallop Figueredo, P.A.
18 Office of Village Attorney

19
20
21 **FINAL VOTE AT ADOPTION:**

- | | |
|------------------------------------|------------|
| 22 Council Member Ed Feller | <u>Yes</u> |
| 23 Council Member Paul Neidhart | <u>Yes</u> |
| 24 Council Member Shelley Stanczyk | <u>Yes</u> |
| 25 Vice-Mayor Linda Robinson | <u>Yes</u> |
| 26 Mayor Eugene P. Flinn, Jr. | <u>No</u> |