

ORDINANCE NO. 16-_____

**AN ORDINANCE OF THE TOWN OF MIAMI LAKES,
FLORIDA, AMENDING THE TOWN OF MIAMI LAKES
LAND DEVELOPMENT CODE BY AMENDING ARTICLE
IX, SECTIONS 13-1901 THROUGH 13-1905, ADDING
SECTIONS 13-1906 AND 13-1907; PROVIDING FOR
INCORPORATION OF RECITALS; PROVIDING FOR
REPEAL OF LAWS IN CONFLICT; PROVIDING FOR
SEVERABILITY; PROVIDING FOR INCLUSION IN
CODE; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, Objective 1.2 of the Town of Miami Lakes (“Town”) Comprehensive Plan states that the Town shall maintain an effective and efficient Land Development Code (LDC); and

WHEREAS, in June 2015, the United States Supreme Court issued a decision in the case *Reed v. Town of Gilbert*, which necessitates changes in the Town’s signage regulations to be in compliance with the decision; and

WHEREAS, the amendments to the Town’s Sign Code in this ordinance are written to address the *Reed* decision, as well as to provide better organization and clarity in the Sign Code, and to address signage types not previously addressed; and

WHEREAS, the Town’s Planning and Zoning Board, as the Local Planning Agency, considered the proposed amendments at a duly advertised Public Hearing on April 19, 2016, continued to April 27, 2016, and voted to recommend approval; and

WHEREAS, after conducting a properly noticed public hearing, hearing public comments, and considering the recommendations of the Local Planning Agency, Town staff, and the public, the Town Council wishes to adopt the amendments to the Town LDC attached hereto as Exhibit A; and

WHEREAS, the proposed amendments are in conformance with all applicable requirements of the Town’s Code of Ordinances, including the LDC; and

WHEREAS, the proposed amendments will not be in conflict with the public interest, and are consistent and in harmony with the purpose and intent of the Town’s Comprehensive Plan; and

WHEREAS, the Town Council hereby finds and declares that adoption of this Ordinance is necessary, appropriate and advances the public interest.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The foregoing recitals are true and correct and are incorporated herein by this reference.

Section 2. Adoption of Amendments to Town Code. The Town Council hereby adopts the amendments to Article IX, of the Town LDC, which are attached hereto as Exhibit A and incorporated herein.¹

Section 3. Repeal of Conflicting Provisions. All provisions of the Code of the Town of Miami Lakes that are in conflict with this Ordinance are hereby repealed.

Section 4. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 5. Inclusion in the Town Code. It is the intention of the Town Council, and it is hereby ordained, that the provisions of Exhibit A of this Ordinance shall become and be made part of the Town Code and that if necessary the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word “Ordinance” shall be changed to “Article”, “Division” or other appropriate word.

Section 6. Effective date. This Ordinance shall become effective immediately upon its adoption on second reading.

¹ Additions to the text are shown in underline and deletions from the text are shown in ~~strikethrough~~. Changes since first reading are shown in double underline and ~~double strikethrough~~.

FIRST READING

The foregoing ordinance was offered by Councilmember _____ who moved its adoption on first reading. The motion was seconded by Councilmember _____ and upon being put to a vote, the vote was as follows:

Mayor Michael A. Pizzi, Jr.	_____
Vice Mayor Tim Daubert	_____
Councilmember Manny Cid	_____
Councilmember Tony Lama	_____
Councilmember Ceasar Mestre	_____
Councilmember Frank Mingo	_____
Councilmember Nelson Rodriguez	_____

Passed and adopted on first reading this 5st day of April, 2016.

THIS SPACE INTENTIONALLY LEFT BLANK

SECOND READING

The foregoing ordinance was offered by Councilmember _____ who moved its adoption on second reading. The motion was seconded by Councilmember _____ and upon being put to a vote, the vote was as follows:

Mayor Michael A. Pizzi, Jr.	_____
Vice Mayor Tim Daubert	_____
Councilmember Manny Cid	_____
Councilmember Tony Lama	_____
Councilmember Ceasar Mestre	_____
Councilmember Frank Mingo	_____
Councilmember Nelson Rodriguez	_____

Passed and adopted on second reading this 26th day of July, 2016.

Michael A. Pizzi, Jr.
MAYOR

Attest:

Gina Inganzo
TOWN CLERK

Approved as to form and legal sufficiency:

Raul Gastesi, Jr.
Gastesi & Associates, P.A.
TOWN ATTORNEY

EXHIBIT A

Chapter 13 LAND DEVELOPMENT CODE

ARTICLE IX. SIGNS

Sec. 13-1901. - Scope, purpose, substitution and severability.

- (a) *Scope.* The provisions of this article shall govern the number, size, location, and character of all signs which may be permitted ~~either as a main or accessory use~~ under the terms of this article. No signs shall be permitted on a plot or parcel ~~either as a main or accessory use~~ except in accordance with the provisions of this article and all other applicable provisions of this chapter.
- (b) *Purpose.* This article shall be known as the "Town of Miami Lakes Sign Code." The purpose of this article is to regulate and restrict signs and other advertising devices within the Town in order to protect and enhance the scenic, historic and aesthetic qualities of the Town and the safety, convenience and general welfare of its inhabitants. This article is implemented so as to support and complement land use objectives as set forth in the Comprehensive ~~Development Master~~ Plan.
- (c) *Substitution of noncommercial speech for commercial speech.* Notwithstanding any provisions of this article to the contrary, to the extent that this article permits a sign containing commercial copy, it shall permit a noncommercial sign to the same extent. The noncommercial message may occupy the entire sign area or any portion thereof, and may substitute for or be combined with the commercial message. The sign message may be changed from commercial to noncommercial, or from one noncommercial message to another, as frequently as desired by the sign's owner, provided that the sign is not prohibited and the sign continues to comply with all requirements of this article.
- (d) *Severability.*
 - (1) *Generally.* If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this article is declared unconstitutional by the final and valid judgment or decree of any court of competent jurisdiction, this declaration of unconstitutionality or invalidity shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this article.
 - (2) *Severability where less speech results.* This section shall not be interpreted to limit the effect of Subsection (d)(1) of this section, or any other applicable severability provisions in this Code of Ordinances or any adopting ordinance. The Town Council specifically intends that severability shall be applied to these sign regulations even if the result would be to allow less speech in the Town, whether by subjecting currently exempt signs to permitting or by some other means.
 - (3) *Severability of provisions pertaining to prohibited signs.* This section shall not be interpreted to limit the effect of Subsection (d)(1) of this section, or any

other applicable severability provisions in this Code of Ordinances or any adopting ordinance. The Town Council specifically intends that severability shall be applied to Subsection 13-1903(l), pertaining to prohibited signs, so that each of the prohibited sign types listed in that section shall continue to be prohibited irrespective of whether another sign prohibition is declared unconstitutional or invalid.

- (4) *Severability of prohibition on off-premises signs.* This section shall not be interpreted to limit the effect of Subsection (d)(1) of this section, or any other applicable severability provisions in this Code of Ordinances or any adopting ordinance. If any or all of the Sign Code in this article or any other provision of this Code of Ordinances is declared unconstitutional or invalid by the final and valid judgment of any court of competent jurisdiction, the Town Council specifically intends that the declaration shall not affect the prohibition on off-premises signs in Section 13-1903(l)5.

Sec. 13-1902. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. Where there is a question as to the correct classification or definition of a sign, it shall be the prerogative of the Administrative Official Director to place said sign in the strictest category and/or classification. For any term used in this Article which is not specifically defined herein, the definitions contained in Subsection 13-1(a) shall apply.

~~*Attraction board* means a sign or portion of a sign on which copy is changed periodically, advertising special sales, bargains, etc. Said attraction board may be incorporated into the sign permitted.~~

Awning, canopy, roller curtain or umbrella sign means any sign, stamped, perforated, or stitched on the surface area of an awning, canopy, roller curtain or umbrella.

Cantilever means that portion of a building, projecting horizontally, whether it be on the same plane as the roof line or not.

Cantilever sign means any sign which is mounted on a cantilever. No cantilever sign may extend beyond the cantilever.

Changeable copy sign means a sign or portion of a sign on which copy is changed periodically.

Detached sign means any sign not attached to a building, but which is affixed and permanently attached to the ground. Permanently attached as used herein shall mean that the supporting structure of the sign is attached to the ground by a concrete foundation.

Directional sign means a sign which guides or directs the public and contains no advertising. The name of the facility (such as store name), which the sign is giving direction to, may be included when specified conditions in this article are complied with.

~~*Director* means the Director of Planning, Zoning and Code Compliance or his designee.~~

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

Flat sign means any sign attached to and erected parallel to the face of, or erected or painted on the outside wall of any building, and supported throughout its length by such wall or building.

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

Marquee sign means any sign attached to or hung from a marquee.

Noncommercial sign means a sign not connected with a commercial enterprise.

Off-premises (~~commercial advertising signs~~) means any sign which advertises or otherwise promotes and/or provides the location of a business or institution other than one or more which is/are located on the same site as the said sign. ~~which is used for any purpose other than that of advertising to the public the legal or exact firm name of business carried on the premises, or for advertising any service or product or products actually and actively being offered for sale on the premises. Off premises signs may be in the form of a billboard, bulletin board, or poster board, or may be affixed flat to a building or painted thereon.~~

Person includes any individual, corporation, society, association, partnership trust or other entity.

Point of sale sign. Any sign advertising or designating the use, occupant ~~of the premises, or merchandise and products sold,~~ on the premises same site as the sign, ~~shall be deemed to be a point of sale sign and shall be located on the same premises whereon such is situated or the products sold.~~

Portable sign means any sign not attached to or painted on a building and not affixed or permanently attached to the ground.

Projecting sign means any sign which is an independent structure, which is attached to the building wall, and which extends at any angle from the face of the wall. ~~No projecting sign shall extend above the roof or parapet wall in any residential district.~~

Public right-of-way means a strip of land acquired by reservation, dedication, forced dedication, prescription, or condemnation and intended to be occupied or occupied for public purposes by a road, crosswalk, railroad, electric transmission lines, oil or gas pipeline, water line, waterway, sanitary storm sewer, and other similar uses. ~~any public road and includes a private road that is open to public use.~~

Pylon means a vertical extension of a building, constructed integrally and concurrently with the building, or in connection with a major remodeling or alteration of a building. To classify as a pylon for sign purposes, the pylon structure must be an integral part of the building structure, extending to ground level. ~~In business and industrial districts only, the material and construction may~~

~~vary from the materials and type of construction of the exterior walls of the building, but same must be approved by the Director. In all cases, the pylon shall have the appearance of a solid structure.~~

~~*Pylon sign* means a flat sign attached to or painted on the face of a pylon. The outer edge of the sign shall not extend beyond the pylon nor above the roof line.~~

~~*Roof sign* means any sign which is fastened to or supported by the roof or erected over the roof.~~

~~*Semaphore* means any sign consisting of two dual face signs extending horizontally from a light standard. Such sign projecting from opposite sides of such light standard, and such signs must be located in the parking lot of a shopping center to identify the location of parking areas. No advertising is permitted on the sign.~~

Sign means any display of characters, letters, logos, illustrations or any ornamentation designed or used as an advertisement, announcement, or to indicate direction that is on a public right-of-way or on private property within public view of a public right-of-way or public park. Use of merchandise, products, vehicles, equipment, inflated balloons, flags, or the like as an attention attractor or advertising device, with or without a printed or written message or advertisement, shall be considered a sign. The above definition shall include signs located inside a window but shall not include the display of merchandise visible through such window.

Sign Walker means a person who wears, holds, or balances a sign in order to convey a message.

Site means a contiguous area of land which contains, or is proposed to contain, a single, unified development or use. A site shall be interpreted to include, at a minimum, the whole of a platted lot or parcel, unless such lot or parcel has specifically been divided into separate development areas by an approved site plan or other development plan approved by the Town; however, where an approved site plan or other development plan approved by the Town unites more than one lot or parcel into a unified development or use, those lots or parcels together shall be considered one site.

Standing sign. A standing sign shall include any and every sign erected on or affixed to the land and any and every exterior sign that is not attached to a building.

Temporary sign means any sign to be erected on a temporary basis, such as signs advertising the sale or rental of the premises on which located; signs advertising a subdivision of property; signs advertising construction actually being done on the premises on which the sign is located; signs advertising future construction to be done on the premises on which located, and special events, such as carnivals, concerts, public meetings, commercial and industrial, or other promotional events, sporting events, political campaigns or events of a similar nature, as determined by the Administrative Official Director.

Wall means, for sign purposes, that portion of the building's exterior, horizontal surface on the same plane, regardless of vertical or horizontal indentations, and including the surface of parapets and pylons projecting from the building. For sign purposes, there shall be considered to be only four planes to any building and it shall be the prerogative of the Director to determine which portion of odd-shaped buildings, such as buildings of hexagon or octagon design, to which flat signs

may be affixed, with such location to be so determined as to prevent a grouping of signs which can be viewed from one direction.

Wall sign means any sign attached to and erected parallel to the face of, or erected and confined within the limits of, the outside wall of any building and supported by such wall or building and which displays only one advertising surface.

Sec. 13-1903. - General requirements for all signs.

- (a) *Interpretation.* Only those signs that are specially authorized by this Sign Code shall be permitted. Those that are not listed or authorized shall be deemed prohibited.
- (b) *Permits required.*
 - (1) *Applications and permits.* No sign, unless excepted by this article, shall be erected, constructed, posted, painted, altered, maintained, or relocated, except as provided in this article and until a permit has been issued by the Town. Before any permit is issued, an application for such permit shall be filed together with ~~three sets of~~ drawings and/or specifications ~~(one to be returned to the applicant)~~ as may be necessary to fully advise and acquaint the issuing department with the location, method of construction, type of materials, manner of illumination, method of erection, securing or fastening, number and type of signs applied for, and advertisement to be carried. All signs which are electrically illuminated by any means shall require a separate electric permit and inspection.
 - (2) *Consent of property owner.* No sign shall be placed on any property unless the applicant has the written consent of the owner and lessee, if any, of the property. In any case where a permit is required for placement of the sign, the property owner must be a signatory of the permit application.
 - (3) *Calculating number of signs.* A single double-sided sign containing copy advertisement on each side shall be counted as one sign. Every other sign, including those with more than one face, shall be counted as a separate sign for each face thereof.
 - (4) *Calculating sign size.*
 - a. For a sign, either freestanding or attached, the area shall be considered to include all lettering, including any ascenders and descenders, wording, and accompanying designs and symbols, together with the background, whether open or enclosed, on which they are displayed, any frame around the sign and any "cutouts" or extensions, but shall not include any supporting framework and bracing incidental to the display itself.
 - b. The Director shall have the discretion of determining the area of any sign which is irregular in shape, and in such cases will be guided by calculations as made by a licensed, registered engineer when same are shown on the drawing.

- (c) *Compliance with codes.*
 - (1) All signs shall conform to the requirements of the building, electrical, and other applicable code requirements, ~~except as may be otherwise provided herein.~~
 - ~~(2) Advertising conflicting with zoning rules. No sign shall be erected or used to advertise any use or matter which would conflict with the regulations for the zoning district in which it is located or be in conflict with the use permitted under the certificate of use or occupancy for the property.~~
- (d) *Qualification and certification of erector.* Where the erection of any sign requires compliance with any Florida Building Code requirement, the erector of the sign shall qualify with the respective examining board.
- (e) *Fees required.* No sign, where a permit is necessary shall be exhibited unless the required permit fees are paid.
- (f) *Time limitation of permits.* All signs shall be erected on or before the expiration of 180 days from the date of issuance of the permit. If the sign is not erected within said 180 days, the permit shall become null and void, and a new permit required; provided, however, that the Administrative Official ~~Director~~ may extend such permit for a period of 90 days from the date of the expiration of the permit if written application for such extension is received ~~and approved~~ by the Administrative Official ~~Director~~ prior to the expiration date of the initial permit and provided that the proposed sign complies with all requirements in effect at the date of such renewal.
- ~~(g) *Reserved. Identification of permit holder on sign.* Each sign requiring a permit shall carry the permit number and the name of the person or firm placing the sign on the premises; such marking shall be permanently attached and clearly visible from the ground.~~
- (h) *Responsibility for sign.* The owner and/or tenant of the premises, and the owner and/or erector of the sign shall be held responsible for any violation of this article; provided, however, that when the sign has been erected in accordance with this article, the sign company shall be relieved of further responsibility after final approval of the sign.
- (i) *Inspection.* No sign, temporary or permanent, where a permit is required, shall be approved for use, unless the same shall have been inspected by the Department issuing the permit, and no sign shall be erected or used unless it complies with all the requirements of this article and applicable Florida Building Code requirements. The ~~holder of a permit for a sign shall request inspections of a sign as follows:~~
 - ~~(1) Foundation inspection (this shall include method of fastening to building or other approved structure).~~
 - ~~(2) Shop inspection (electrical and/or structural where indicated on the permit and/or approved plan).~~
 - ~~(3) Final inspection (this shall include structural framing, electrical work, identification of permit number and erector of sign, etc.).~~

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

(j) *Maintenance of signs.*

- (1) All signs shall be properly maintained in a safe and legible condition at all times. In the event that a use having a sign is discontinued for a period of 45 days, all signs and all component parts which identified the use are to be removed from the site, and the site on which the sign was located left in a presentable manner. Sign removal shall be the responsibility of the owner of the property.
- (2) Latticework, painting, etc. Where the rear of any sign is visible from a street, waterway, park or residence, or from another property under different ownership ~~RU, RO, RM, BU, TC or IU District~~, the exposed structural members of such sign shall be either concealed by painted latticework, slats or be suitably painted or decorated, and such back screening shall be designed, painted and maintained to the satisfaction of the Administrative Official Director.
- (3) Cutting weeds. The owner of each sign not attached to a building shall be responsible for keeping the weeds cut on his property within a radius of 50 feet from the sign or to the nearest highway or waterway.
- (4) Removal of dilapidated signs. The Administrative Official Director may cause to be removed any sign which shows neglect or becomes dilapidated or where the area around such sign is not maintained as provided herein after due notice has been given. The owner of the sign and/or the property shall be financially responsible for the removal of the sign.

(k) *Signs permitted without a sign permit.* The following signs may be erected or constructed without a permit when in accordance with the Florida Building Code and all other provisions of this article:

- (1) Temporary signs ~~not exceeding six square feet in area~~, and not electrically illuminated, except where installation of the sign otherwise require a building permit, or as otherwise specifically provided by this article will not require a sign permit, but must otherwise comply with this article and applicable building codes.
- (2) Traffic signs, provisional warnings and signs indicating bona fide danger ~~are exempt from this article. Such exempted signs shall not contain any commercial advertisement.~~
- (3) Awning, canopy, roller curtain, or umbrella ~~sign or signs. Such signs shall be limited to eight-inch letters in height or, up to twelve inch letters in height when in lieu of signage attached to a building per 13-1904(3)b., may be up to twelve inch letters in height. and shall not exceed a total coverage of 24 square feet.~~ Any such sign shall ~~be limited to the identification of the occupant and/or use of the property~~ not exceed a total coverage of 24 square

- ~~feet. No sign permit shall be required for the awning, canopy, roller curtain or umbrella sign, but the same shall comply with applicable technical codes.~~
- (4) ~~Disabled, baby stroller or handicapped parking signs. Signs required by State law or County or Town ordinance for parking spaces reserved for disabled or handicapped persons, shall not require a sign permit, and signs required for parking spaces reserved for persons transporting young children, and baby stroller parking signs and similar signs shall not require a sign permit. These signs shall be in addition to the number of signs otherwise allowed by this article.~~
- (5) Signs not exceeding 1.5 square feet in area such as (but not limited to) those commonly used to indicate ~~and bearing only~~ property street numbers, post box numbers, ~~and~~ ~~or~~ name of occupant of premises.
- (6) Flags when installed upon a pole or upon a mounting device attached to a building, where the pole or mounting device was legally installed, with all required permits, for the purpose of displaying flags, and insignia of any government, except when displayed in connection with commercial promotion. Installation of a permanent flagpole or other permanent mounting device shall require a building permit.
- (7) Legal notices, identification, information, or directional signs erected by or on behalf of governmental bodies.
- (8) ~~Integral decorative and architectural features of buildings except letters, logos, trademarks, moving parts or moving lights. Reserved.~~
- (9) Signs within enclosed buildings or structures which are so located that they are not visible from public or private streets or adjacent properties such as signs in interior areas of malls, commercial buildings, ballparks, stadiums and similar structures or uses, providing said signs are erected in such a manner as not to be hazardous. If illuminated, the necessary electrical permits shall be obtained.
- (10) Temporary holiday and special event decorations and lighting as otherwise allowed in this Article ~~provided said decorations and lighting are displayed no more than 30 days prior to and no more than 30 days after the holiday or event. Said decorations shall carry no advertising matter.~~
- (11) In the RU zoning districts, signs that do not require a building permit to install, do not exceed an area of four square feet and are limited to a height of no greater than six feet above grade, such as (but not limited to) those commonly used to indicate "Danger," "No Parking," "Post No Bills," "Bad Dog," "No Trespassing," towing warnings and similar warning signs; provided such signs do not exceed an area of 1.5 square feet. Signs shall be provided in keeping with zoning district regulations.
- (12) Banners and other decorative materials in conjunction with an special event, provided that the Town has issued a Special Event permit that authorizes the

~~banners or other decorative materials conducted pursuant to a dedication or a grand opening are permitted without a sign permit. Such banners and decorative materials shall comply with the requirements of Section 13-1903(p). not be more than 40 square feet (aggregate)~~

(13) Signs required by law including signs required for notification or other purposes by Town ordinance.

(14) ~~"No Trespassing" signs, provided such signs do not exceed an area of 1.5 square feet. Signs shall be provided in keeping with zoning district regulations.~~

(15) Window signs, as allowed by Subsection (o) below.

~~A permanent sign displaying noncommercial copy not exceeding an area of 1.5 square feet. Signs shall be provided in keeping with zoning district regulations.~~

(I) *Prohibited signs.*

(1) No sign shall be so located as to constitute a danger to public safety, as determined by the Administrative Official. ~~Signs which are incorporated within benches and shelters are prohibited.~~

(2) No sign shall exhibit thereon any lewd or lascivious matter.

(3) No sign shall be attached to trees, utility poles or any other unapproved supporting structure, as determined by the Administrative Official ~~Director.~~

(4) Roof signs are prohibited in all the districts.

(5) Off-premises ~~(commercial advertising signs)~~ are prohibited in all districts, except temporary signs specifically authorized by Subsection (p) of this Section. ~~A real estate open house sign shall not be considered an off-premises sign/billboard.~~

(6) No signs shall be erected or painted on fence and wall enclosures in residential districts. Signs on Fences and wall enclosures signs shall also be prohibited in the residential, commercial and industrial districts, unless approved by the Administrative Official ~~Director~~ as a Temporary sign, pursuant to Subsection (p) of this Section. Notwithstanding the above, however, such signs referenced sentence, warning signs with the approval of the Director or if shall be allowed where the sign is required by Florida Statutes or determined by the Administrative Official to be necessary for public safety and the required message cannot reasonably be provided on any other type of allowed sign shall be allowed.

(7) Even if not classified as a sign, blinking or flashing lights, moving or rotating signs, strobes, light races, etc.; streamer lights; pennants; banners (unless otherwise approved pursuant to this Article); streamers; and all fluttering, spinning or other type of attention attractors or advertising devices are prohibited, with the exception of items that are part of a holiday decoration display pursuant to Subsection 13-1903(p). ~~Further,; for national flags, as~~

~~otherwise allowed by this Article, shall not be considered to be regulated by this Subsection (I)(7) flags of bona fide civic, charitable, fraternal and welfare organizations and further except during recognized holiday periods such attention attractors that pertain to such holiday periods may be displayed on a temporary basis during such periods. The flags permitted by this Subsection (I)(7) shall not be used in mass in order to circumvent this subsection by using said flags primarily as an advertising device.~~

- (8) No revolving or rotating sign shall be permitted or erected. No automatic electric changing (ACS) sign shall be permitted unless erected by or on behalf of governmental bodies.
- (9) Any signs which are not bona fide traffic signs, ~~which use the word "stop" or "danger" or present or imply the need or requirement of stopping, or which are copies or imitations of official signs, which use colors or lights in such a way as to mimic traffic or other official cautionary devices or which otherwise are likely to confuse members of the public in such a way as to be, in the judgment of the Administrative Official, a danger to public safety. Red, green or amber (or any color combination thereof) revolving or flashing light giving the impression of a police or caution light is a prohibited sign, whether on a sign or on an independent structure.~~
- (10) Portable and pylon signs, ~~except where unless otherwise authorized by law, or approved by the Administrative Official Director~~ in accordance with an approved Special Event permit, ~~pursuant to this article~~, shall be prohibited, including those that are tied down with metal straps, chaining, or otherwise ~~temporarily~~ anchored to an existing structure or other similar method of anchoring.
- (11) Any sign within the limits of any Town-, State- or County-maintained right-of-way is prohibited, ~~except that. The right of way includes, but is not limited to, all roadsides, sidewalks, utility poles, and highway median strips. The~~ Director of Public Works may authorize certain ~~non-commercial~~ signage to be placed in the Town right-of-way where necessary for public safety and/or the proper functioning of the right-of-way.
- (12) Signs painted or affixed in any manner to any vehicle, vessel, trailer or pickup truck, van or similar transportable device and which is used merely, mainly or primarily to display a sign ~~to advertise a place of business or activity~~ as viewed from a public road, shall be prohibited. This shall not be interpreted to prohibit identification of commercial vehicles provided such vehicles are operational and engaged in the usual business and regular work of the owner ~~moved and used daily for delivery or service purposes~~ and are not used, or intended for use, as portable signs. This sign prohibition shall also not be interpreted to apply to buses, taxicabs, and similar common carrier vehicles, or to incidental messages which are common and customary on personal

~~vehicles, such as bumper stickers which are licensed or certified by the Town or other governmental agency.~~

- (13) ~~The following shall be considered sign types or sign components that are not to be permitted:~~

~~a.~~

~~Moving or rotating signs, or signs with moving or flashing lights, strobes, light races, etc.~~

~~b.~~

~~Signs employing exposed raceways, ballast boxes, or transformers.~~

~~c.~~

- (14) Signs exhibiting the names, stamps, or decals of the sign manufacturer or installer.

~~d.~~

- (15) Signs of box or cabinet type employing luminous plastic panels. Note, however, that certain signs of a box or cabinet type may be approved under certain standards, pursuant to Subsection 13-1904(3)d.3(iv), employing plastic or routed metal face with protruding or cut out letters, and/or designed to have an appearance of a monument sign and employing internal illumination (wherein only the letters are illuminated) may be approved if said signs are consistent or compatible with the architecture of the principal structure and other signage on the property as determined by the Director.

~~e.~~

- (16) Signs employing luminous or nonluminous vacuum-formed type plastic letters.

~~f.~~

- (17) Cloth, wood, paper, or cardboard signs, stickers, decals, or temporary painted signs around or on exterior surfaces (doors and/or glass) ~~of the demised commercial establishment.~~

~~g.~~

- (18) Signs employing the use of any soundmaking or noisemaking devices or components.

~~h.~~

- (19) Signs, letters, symbols, or identification of any nature painted directly on exterior surfaces ~~exterior to the demised commercial establishment.~~

~~i.~~

- (20) ~~Signs on any vehicle, trailer, etc., permanently parked so as to attract attention to a place of business. Reserved.~~

~~j.~~

- (21) Any permanent or temporary advertising device using flags, a hot air balloon or any aerial device, illuminated or nonilluminated, shall be prohibited, except

where the Town has issued a Special Event permit that specifically authorizes use of said materials on a temporary basis, consistent with the requirements of Subsection 13-1903(p) as may be permitted in writing by the Director for special events in accordance with this article.

- (m) *Movement.* No sign shall contain any visible moving or movable parts, except such ~~portions of a sign as consist solely of indicators of time and/or temperature and except further~~ that only for changeable copy signs permitted pursuant to Subsection 13-1904(3)d.3(iii), nonprofit institutions individual letters and/or numerals that make up the message of sign that are normally and routinely removed and replaced on a regular basis shall not be considered movable parts. No sign shall be portable except when used as temporary signs pursuant to this Sign Code.
- (n) *Illumination.* No sign shall be illuminated ~~between the hours of 11:00 p.m. and 7:00 a.m. unless, in the case of a sign, the premises on which it is located are open for business, and~~ except as provided in Section 13-1904, and in accordance with the following provisions:
- (1) No sign shall contain any moving, flashing, intermittent, rotating, chasing or animated lights, except as otherwise specifically provided in this Article for certain temporary signs ~~such portions of a sign as consist solely of indicators of time and/or temperature.~~
 - (2) No illumination shall be permitted of an intensity that might pose safety hazards to drivers and pedestrians, or that casts glare onto pedestrians or any portion of any street that would, in the opinion of the Public Works Director Town Engineer, constitute a driving hazard.
 - ~~(3) The provisions of this section shall apply not only to exterior signs, but also to interior signs that are designed or placed to show through windows of buildings.~~
- (o) *Window signs.* ~~Nonilluminated signs in the RO, BU, TC or IU Districts, where retail and/or service retail occur on the ground floor, nonilluminated signs may be placed on the inside of the glass of a window that is directly adjacent to an area of pedestrian activity. shall be permitted at a~~ The maximum area of said window signs shall be measured in terms of the percent of the surface of each ground floor window. The maximum area shall be 30 percent of the window for permanent signs, with an additional 20 percent allowed for temporary signs (total 50 percent) eight square feet in the aggregate, and temporary signs provided that the aggregate area of such signs does not exceed 25 percent of the area of the window glass on the ground floor and shall be located on the same premises whereon such is situated or the products sold. Such signs shall be permitted for no more than 14 calendar days in a three-month calendar quarter period. Ground floor window signs for an atrium multistory glass curtain wall shall not exceed a maximum square footage of ten percent of the one face of the total glass to which the sign is attached, and must otherwise comply with this article and applicable building codes. Window signs shall

not require a sign permit, unless a permit is otherwise required by the Building Code or other regulations.

- (p) *Temporary signs.* Before a temporary sign ~~(other than a sign placed in a window)~~ shall be put in place, a permit shall be obtained unless specified by Subsection (k) of this Section. Temporary signs that conform with all regulations of this article shall be permitted for a maximum of 90 days, unless otherwise specified herein, from the date of issuance of the permit or another date specified by the permit. Temporary signs for which no permit is required (per subsection (k) of this section) may remain in place for no more than 90 days, unless otherwise specified herein. Unless otherwise specifically provided, all temporary signs shall be of one of the following materials: metal, plastic, wood, pressed wood, cardboard or paper. Any post used for mounting of a temporary sign shall be of one of the following materials: metal, plastic, wood or pressed wood. or if no permit is required as outlined below The following temporary signs shall be allowed:

(1) *RU zoned properties.* Properties in the RU districts may have temporary signs as follows:

- a. Developed lots, or undeveloped lots less than two acres in size, may have up to two temporary signs at any time. Each may be up to 22 inches by 28 inches, at a maximum height of four feet above grade and set back at least five feet from all property lines; provided, however, that this setback requirement shall not apply if a sign is attached to an existing building.
- b. Undeveloped lots at least two acres in size shall be governed by the regulations for temporary signs applicable in the BU districts.

(2) *Non-RU zoned properties.* Properties not located in the RU districts may have temporary signs as follows:

<u>Type of Signs</u>	<u>Size</u>	<u>Number</u>	<u>Setback and Spacing</u>	<u>Illumination</u>	<u>Maximum Height</u>	<u>Special Conditions</u>
<u>Construction signs</u>	<u>Maximum of 40 square feet for a detached sign, including construction signs painted on an approved construction shed</u>	<u>1 general sign to include each trade provided the total sign area does not exceed 40 square feet</u>	<u>15 feet from official R.O.W. 15 feet to property under different ownership or centered between interior property lines</u>	<u>Same as real estate signs</u>	<u>Same as subdivision signs</u>	<u>Same as real estate signs</u>
<u>Future construction signs</u>	<u>Maximum of 40 square feet in BU, TC AU, RO, RM, GU</u>	<u>1 sign</u>	<u>Same as subdivision signs</u>	<u>Same as real estate signs</u>	<u>Shall not exceed 15 feet from ground level</u>	<u>Same as real estate signs</u>

	and IU District				to top of sign	
<u>Real estate</u>	<u>Real estate signs in an AU/GU District (not of a residential character) and all BU, TC and IU Zones shall be limited to 40 square feet. Real estate signs in AU and GU Districts (of a residential character) shall be limited to 22 inches by 28 inches. RM, and RO Districts shall be limited to 24 square feet</u>	<u>1 sign only</u>	<u>Real estate signs shall be no closer than 5 feet to an official R.O.W. line unless attached to an existing building 15 feet to an interior side property line or centered on a lot between interior side property lines</u>	<u>Permitted. See general provision on illumination</u>	<u>Real estate signs shall not exceed 10 feet measured from grade to top of sign</u>	<u>No permit required for signs that are no larger than 6 square feet and which are not electrically illuminated. Real estate signs shall only be permitted on premises advertised for rent or for sale. No temporary sign shall be maintained on the premises for a period to exceed 90 days, unless justifiable reason is shown to the satisfaction of the Director and approval is secured upon proper application. Upon the expiration of the approved period, the sign shall be removed from the premises</u>
<u>Subdivision signs</u>	<u>Maximum of 3 40 square feet per sign. Subdivisions of 200 feet or more lineal street frontage the total square footage for all signs shall not exceed 120 square feet</u>	<u>per subdivision</u>	<u>Not closer than 15 feet to official R.O.W. Not closer than 15 feet to property under a different ownership</u>	<u>Same as real estate signs</u>	<u>Shall not exceed 15 feet from ground to top of sign</u>	<u>Same as real estate signs</u>
<u>Special events signs include carnivals, concerts, public meetings, real estate open house events, sports events, political campaigns, noncommercial</u>	<u>Maximum size of 22 inches by 28 inches except as to site of use which shall be governed by applicable zoning district regulations</u>	<u>Signs shall be unlimited in number as to off-site locations and limited to, number as permitted in the zoning district for on-site</u>	<u>5 feet from official R.O.W. and 5 feet from property under different ownership, except for site of use which shall</u>	<u>Same as real estate signs</u>	<u>Not applicable, except for in RM Districts political signs shall be permitted at a height not</u>	<u>Special events signs shall be removed within 10 days after the special event or last election which candidate or issue was on the ballot. Promoters, and sponsors and candidates shall be</u>

speech and other uses of a similar nature		locations (point of sale by signs). Except applicable real estate zoning district regulations be permitted only in the RM Districts and the total number of signs per open house event shall be 4 signs, one per property with written consent of the property owner	be governed		exceed 2 feet, measured from grade to top of sign	responsible for compliance with the provisions of this section and shall remove signs promoting or endorsing their respective special events or candidacies when such signs are displayed or used in violation of this section
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~~(1) Sign in connection with active building permit.~~

~~a. In the single family and two family residential districts, where there is a valid, open building permit for construction of a new principal structure upon an individual lot, one sign shall be allowed subject to the following restrictions:~~

~~i. Area: 22 inches by 28 inches;~~

~~ii. Maximum height: six feet above grade;~~

~~iii. Minimum setback from front property line: five feet;~~

~~iv. Minimum setback from rear and side property lines: 15 feet, except where the lot width is insufficient to allow a setback of 15 feet from each side, in which case it shall be centered on the property between the side lot lines.~~

~~v. Time period allowed: The sign allowed herein may remain only as long as there is an active building permit for vertical construction activities described above. In determining the number of temporary signs allowed, allowances provided by Subsections 13-1003(p)(1)a. and b. shall be exclusive and shall not be combined.~~

~~b. In single family and two family residential districts, where there is one or more valid, open building permits, coordinated development of four or more principal structures upon immediately adjacent lots, or for construction of infrastructure required by a plat approval, one sign~~

~~shall be allowed for each street upon which the sign fronts, subject to the following restrictions:~~

- ~~i. Area: 22 inches by 28 inches, where the sign fronts on a local street; 40 square feet, where the sign fronts on a collector or arterial street;~~
- ~~ii. Maximum height: six feet above grade, where the sign fronts on a local street; 15 feet above grade, where the sign fronts on a collector or arterial street;~~
- ~~iii. Minimum setback from front property line: five feet, where the sign fronts on a local street; 15 feet, where the sign fronts on a collector or arterial street;~~
- ~~iv. Minimum setback from rear and side property lines: 15 feet.~~
- ~~v. Time period allowed: The sign allowed herein may remain only as long as there is an active building permit for vertical construction, or for infrastructure, for the activities described above.~~
- ~~vi. Combination with other provisions: In determining the number of temporary signs allowed, allowances provided by Subsections 13-1903(p)(1)a. and b. shall be exclusive and shall not be combined.~~

~~c. In districts other than single family and two family residential districts, where there is a valid, open building permit for construction of a new principal structure or, in non-RU districts, for a renovation affecting 50 percent or more of existing building floor area or 50 percent or more of non building site area, one sign shall be allowed, subject to the following restrictions:~~

- ~~i. Area: 40 square feet;~~
- ~~ii. Maximum height: 15 feet above grade;~~
- ~~iii. Minimum setback from front property line: 15 feet;~~
- ~~iv. Minimum setback from rear and side property lines: 15 feet.~~
- ~~v. Time period allowed: The sign allowed herein may remain only as long as there is an active building permit for the activities described above.~~

~~d. In determining the number of temporary signs allowed, allowances provided by Subsections 13-1903(p)(1), (2) and (3) shall be exclusive and shall not be combined.~~

- ~~(2) Sign upon approval of final plat. One or more signs shall be allowed for a period of 90 days following approval of a final plat by the Town Council, subject to the same restrictions as those in Subsection 13-1903(p)(1). However, in calculating the number of temporary signs allowed, those allowed by Subsections 13-1901(p)(1), (2) and (3) shall be exclusive, and shall not be combined.~~
- ~~(3) Sign where property is offered for sale or rent. One sign shall be allowed per property where the owner of said property has placed the property for sale or rent on the open market, subject to the following restrictions:~~

~~a. Maximum Area:~~

- ~~i. 40 square feet in all BU, TC and IU districts; in RM and RO districts where five or more properties are offered for sale or rent, where said properties are part of the same subdivision plat and the sign is placed fronting a collector or arterial street; and, in AU or GU districts on properties that are not of a residential character;~~
- ~~ii. 24 square feet in the RM and RO districts not meeting the conditions of Subsection 13-1903(p)(3)a.i, above; and;~~
- ~~iii. 22 inches by 28 inches in the RU districts, and in the AU or GU districts on properties that are of a residential character;~~

~~b. Maximum height:~~

- ~~i. 10 feet above grade in all RM, RO, BU, TC and IU districts, on undeveloped properties in the RU districts with street frontage of at least 250 feet and in AU or GU districts on properties that are not of a residential character;~~
- ~~ii. six feet above grade on properties in the RU districts that are developed and/or with street frontage of less than 250 feet, and in AU or GU districts on properties that are of a residential character;~~

~~c. Minimum setback from front property line: 5 feet, provided that this setback requirement shall not apply if the sign is attached to an existing building;~~

~~d. Minimum setback from rear and side property lines: 15 feet, except where the lot width is insufficient to allow a setback of 15 feet from each side, the sign shall be centered on the property between the side lot lines. Provided, however, that this setback requirement shall not apply if the sign is attached to an existing building;~~

~~e. Time period allowed: The sign allowed herein shall not be maintained for greater than 90 days, unless an extension is approved by the Administrative Official. No extension shall be approved by the~~

~~Administrative Official unless the applicant for such extension submits sufficient evidence that the property owner has been actively attempting to sell or rent the property. Only one such extension may be granted, and shall be limited to an additional 90 days. Upon the expiration of the time allowed to maintain this sign (including an extension, if granted), the sign shall be removed and no sign pursuant to this Subsection 13-1903(p)(3) shall be allowed for 180 days from the time the previous sign was removed.~~

~~f. Combination with other provisions: In determining the number of temporary signs allowed, allowances provided by Subsections 13-1903(p)(1), (2) and (3) shall be exclusive and shall not be combined.~~

~~(4) Special events. Temporary signs are allowed as specified herein for only where a Special Event Permit has been issued by the Town per Section 13-1616.5.~~

~~a. On any site in the GU, GP, AU, RM, RO, BU, TC and IU Districts that contains a non residential use or is vacant, there may be up to two temporary signs allowed on that site. The total size of such signs shall not exceed an aggregate of 40 square feet for every 250 feet of street frontage or portion thereof, and shall be limited to a maximum height of 10 feet above grade.~~

~~b. On any site in an RU District, and on any site in a GU or AU district that contains a residential use, one temporary sign shall allowed on the site. Each such sign may be a maximum of 22 inches by 28 inches and a maximum height of four feet above grade.~~

~~c. Banners and other decorative materials are permitted without a sign permit, but any such materials identifiable as a sign shall be included in the total number allowed per Subsections 13-1903(p)(4) a. and b., above, as applicable. Such banners and other decorative materials shall be set back at least 5 feet from an official right of way line and at least 15 feet from each rear interior side property line, or if the lot width is insufficient to allow a setback of 15 feet from each side, shall be centered on the property between the side lot lines. Provided, however, that these setback requirements shall not apply if the sign is attached to an existing building. The maximum height of this sign shall be the same as the maximum building height allowed in the applicable zoning district.~~

~~d. In zoning districts other than the RU Districts, the Administrative Official may allow, as part of a Special Event permit, the use of flags, hot air balloons or other aerial devices, upon a finding that such devices will not be a nuisance to nearby properties. Additionally,~~

~~these devices shall be included in the total number of signs allowed per a. and b., above.~~

~~f. Duration: Temporary signs placed in conjunction with a Special Event permit issued by the Town shall be placed no sooner than 30 days preceding the event, and shall be removed no later than ten days following the event.~~

~~g. Combination with other provisions: In determining the number of temporary signs allowed, allowances provided by this Subsection 13-1903(p)(4) shall be in addition to all other temporary signs allowed.~~

~~(5) Additional temporary signs allowed in proximity to election: Additional temporary signage shall be allowed beginning 30 days before an official election involving all or a portion of the geographic area within the municipal boundaries of Town of Miami Lakes until ten days after said official election, subject to the following restrictions:~~

~~a. Number: The number of signs allowed shall be equal to the number of offices to be decided, plus the number of issues to be decided, on the upcoming election ballot that involves all or a portion of the Town of Miami Lakes. If the number of offices to be decided plus the number of issues to be decided is not equal throughout the Town, the highest such number shall apply throughout the Town. This shall not be construed to mean that subject matter or content is limited, except as such subject matter or content may otherwise be limited by this Article.~~

~~b. Maximum sign area: Each sign shall be limited to 22 inches by 28 inches.~~

~~c. Maximum height: Four feet above grade. Provided, however, that where due to existing, permanent obstructions, a sign must be placed higher in order to be seen from at least one right of way, the sign may be placed at the minimum height required to be seen from at least one right of way. For purposes of this provision, right of way shall include private streets, and the burden shall be on the property owner to demonstrate that there is no other reasonable location on the property where the sign would be visible from a right of way at a maximum height of four feet above grade.~~

~~d. Minimum front and side street setbacks: None.~~

~~e. Minimum rear and interior side setbacks: Five feet.~~

~~f. Combination with other provisions: In determining the number of temporary signs allowed, allowances provided by this Subsection 13-1903(p)(5) shall be in addition to all other temporary signs allowed.~~

- ~~(6) *Repair of permanent sign or opening of new business.* In non-RU districts, there may be one temporary sign maintained on each site for a period not to exceed 90 days upon application to the Town Building Official showing that said temporary sign is required as a result of the repair and/or reconstruction of the existing permitted sign, or where a new business is opening and no permanent sign has been installed. Said temporary sign may be no larger than the permitted sign which is being repaired, or in the case of a new business the largest permanent sign that would be allowed. In determining the number of temporary signs allowed, allowances provided by this Subsection 13-1003(p)(6) shall be in addition to all other temporary signs allowed.~~
- ~~(7) *Temporary holiday or seasonal decorations.* Each property may display temporary holiday or seasonal decorations for no more than 45 consecutive days, and no more than an aggregate total of 60 days, during each calendar year. This provision shall not be interpreted to suspend or preempt other provisions of the Town Code, including but not limited to provisions regarding nuisances, noise and other matters.~~
- ~~(8) *Sign Walkers.* Sign walkers shall be allowed as temporary signs, subject to the following restrictions:~~
- ~~a. Sign walkers shall only be allowed in districts other than the RU districts.~~
 - ~~b. The prohibition of off premises signs in Subsection 13-1003(l)(5) shall specifically apply to sign walkers.~~
 - ~~c. Sign walkers shall be at least five feet from all property lines and shall not be allowed on the public right of way.~~
 - ~~d. Sign walkers must have the written consent of the property owner or property manager of the site on which the sign walker is operating.~~
 - ~~e. Sign walkers shall not be located in parking aisles or stalls, in driving lanes, on any structure, in any location within 30 feet of another sign walker, or in any location that would obstruct the path or movement of vehicles, pedestrians or bicyclists.~~
 - ~~f. Sign walkers shall only be present during the hours that at least one establishment on the property is operating.~~
 - ~~g. Sign walker signs shall not exceed eight square feet in area, and shall not exceed eight feet in height when held or in place.~~
 - ~~h. Sign walker signs that include any of the following are prohibited:~~
 - ~~i. Any form of illumination, including flashing, blinking or rotating lights;~~
 - ~~ii. Animation on the sign itself; or,~~
 - ~~iii. Spinning, waving, throwing the sign in the air or any other such erratic movement intended to attract attention.~~

~~i. Combination with other provisions: In determining the number of temporary signs allowed, allowances provided by this Subsection 13-1903(p)(8) shall be in addition to all other temporary signs allowed.~~

Type of signs permitted: Real estate; subdivision; construction; future construction; special events. No permit required for signs that are no larger than six square feet and which are not electrically illuminated.

Type of Signs	Size	Number	Setback and Spacing	Illumination	Maximum Height	Special Conditions
Construction signs	Maximum of 40 square feet for a detached sign, including signs painted on approved construction shed, 22 inches by 28 inches in RU Districts	1 general sign to include each trade sign provided the total sign area does not exceed 40 square feet, except for in or centered between the sign may not exceed 22 inches by 28 inches	15 feet from official R.O.W. to property ownership lines	Same as real estate signs	Same as subdivision signs	Same as real estate signs
Future construction signs	Maximum of 40 square feet in BU, TC AU, RO, RM, GU and IU District, 22 inches by 28 inches in RU Districts	1 sign	Same as subdivision signs	Same as real estate signs	Shall not exceed 15 feet from ground level to top of sign	Same as real estate signs
Real estate	Real estate signs in an AU/GU District (not of a residential character) and all BU, TC and IU Zones shall be limited to 40 square feet. Real estate signs in AU and GU Districts (of a residential character) and RU shall be limited to 22 inches by 28 inches. RM,	1 sign only	Real estate signs shall be no closer than 5 feet to an official R.O.W. line unless attached to an existing building 15 feet to an interior side property line or centered on a lot between interior side property lines	Permitted. See general provision on illumination	Real estate signs shall not exceed 10 feet measured from grade to top of sign	No permit required for signs that are no larger than 6 square feet and which are not electrically illuminated. Real estate signs shall only be permitted on premises advertised for rent or for sale. No temporary sign shall be maintained on the premises for a period to exceed 90 days, unless justifiable reason is shown to the

	and _____ RO Districts shall be limited to 24 square feet					satisfaction of the Director _____ and approval is secured upon _____ proper application. Upon the expiration of the _____ approved period, the sign shall be removed from the premises
Subdivision signs	Maximum of 3 _____ per 40 square feet subdivision per sign. Subdivisions of 200 feet or more lineal street frontage the total square footage for all signs shall not exceed 120 square feet	3 _____ per subdivision	Not closer than 15 feet to official R.O.W. Not closer than 15 feet to property under _____ a different ownership	Same as real estate signs	Shall not exceed 15 feet from ground to top of sign	Same as real estate signs
Special events signs include carnivals, concerts, public meetings, real estate open house events, sports events, political campaigns, noncommercial speech _____ and other uses of a similar nature	Maximum size of 28 _____ inches except as to off-site locations and which shall be limited to, number as permitted in the zoning district regulations	Signs shall be unlimited in off-site locations and property under different ownership, except for site of use which shall be governed by applicable zoning regulations	5 feet from official R.O.W. and 5 feet from property under different ownership, except for site of use which shall be governed by applicable zoning regulations	Same as real estate signs	Not applicable, except for residential RU and RM Districts political signs shall be permitted at a height not to exceed 2 feet, measured from grade to top of sign	Special _____ events signs shall be removed within 10 days after the last election which candidate or issue was on the ballot. Promoters, _____ and sponsors _____ and candidates shall be responsible for compliance with the provisions of this section and shall remove signs promoting _____ or endorsing their respective special events _____ or candidacies when such signs are displayed or used in violation of this section

		owner				
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- (q) ~~Reserved. Roof signs.~~ A sign that projects above the top of the wall to which it is attached (but not including a canopy, marquee, or roof-type decorative shelter) and a sign primarily placed on top of a structure shall not be permitted.
- (r) ~~Construction and maintenance.~~ No sign shall be painted or posted on the exterior surface of any wall but all signs must be painted, posted or otherwise securely affixed to a substantial intermediary removable surface that shall be securely affixed to the building. The foregoing, however, shall not prevent installation of a sign by individual letters or devices securely affixed to the exterior wall of a building. All signs, together with their structural elements, shall be kept in good working repair and in a proper state of preservation to the reasonable satisfaction of the Administrative Official Director.

Sec. 13-1904. – Sign regulations by zoning district. ~~Additional requirements for signs.~~

No sign shall be permitted except signs that meet the general requirements of Section 13-1903 and, where applicable, the following additional requirements:

- (1) ~~Single Residence (RU-1, RU-1B, RU-1A, RU-1Z, RU-2), Townhouse Residence (RU-TH), and Multi-Density Residential (RM-13, RM-23, RM-36, RM-50) RU Districts.~~ No sign shall be erected or maintained on any lot in a Single Residence, Townhome Residence, Multi-Density Residential District except as hereafter expressly permitted:

- a. Permanent signs. The following permanent signs shall be allowed:
1. Two signs facing the front property line, each limited to one and one-half square feet, which may be either a standing or attached sign and which, if standing, shall be set back at least five feet from all property lines. Signs which, for example, display the street address number would count as one of the signs allowed herein.
 2. One sign not exceeding 80 square inches. Signs which, for example, include warnings such as “No Trespassing,” “Danger,” “No Parking,” “Post No Bills,” “Bad Dog,” and similar would count as the sign allowed herein.

~~Number and size.~~ There may be one such sign for each lot indicating only the name of the owner or occupant, the street number. Such sign may be a standing sign but shall not exceed 1.5 square feet.

- b. Temporary signs. Temporary signs shall be allowed as specified There may be one temporary unlighted sign on each lot as permitted in Subsection 13-1903(p). This shall include, for political

~~campaign signs, one temporary special event sign for each candidate and one temporary special event sign for each issue.~~

~~c. Permanent sign. One permanent sign displaying noncommercial copy not exceeding an area of 1.5 square feet.~~

~~d. Warning sign. There may be one warning sign, such as "No Trespassing," "Danger," "No Parking," "Post No Bills," "Bad Dog," provided such sign does not exceed an area of 80 square inches. Notwithstanding the above-referenced sentence, if a Florida Statute or the Code of Metropolitan Dade County requires a specific size, location, number, or color of such signage the Florida Statute or Code of Metropolitan Dade County requirement shall apply.~~

~~ec. Illumination. No sign shall be illuminated except:~~

- ~~1. By a white, steady, stationary light of reasonable intensity, shielded and directed solely at the sign; or~~
- ~~2. By interior nonexposed lights of reasonable intensity.~~

~~The foregoing is not applicable to temporary holiday decorations or Town entry features.~~

~~fd. Color. No permanent sign shall contain more than two colors; temporary signs may contain multiple colors. No sign shall contain red or green lights if such colors would, in the opinion of the Public Works Director Town Engineer, constitute a driving hazard. Both black and white are considered separately as colors for enumeration under this section.~~

~~e. Non-Residential Uses in RU Districts. Notwithstanding other provisions in this Section, where a site in an RU District contains an allowed non-residential use (such as a religious institution, park or school), but specifically not including a group home, then the provisions below governing signs in the RM Districts shall apply.~~

(2) ~~Multi-Density Residential (RM-13, RM-23, RM-36, RM-50) RM Districts.~~

~~a. Permanent signs. The following permanent signs shall be allowed:~~

- ~~1. Two signs, limited to one and one-half square feet, which may be either a standing or attached sign and which, if standing, shall be set back at least five feet from all property lines. Signs which, for example, display the street address number would count as one of the signs allowed herein.~~
- ~~2. One sign not exceeding 80 square inches. Signs which, for example, include warnings such as "No Trespassing," "Danger," "No Parking," "Post No Bills," "Bad Dog," and similar would count as the sign allowed herein.~~

4. One sign adjacent to a leasing office, if any, limited to a maximum of two square feet and not exceeding a height of eight feet above grade.
 5. *Additional On-Site Signage.* Each site may have two additional on-site signs for each entry/exit. These signs shall not be directed toward adjacent streets. For purposes of calculating the allowed number of signs per this provision, an Applicant may elect to use building entries/exits, or vehicular entries/exits to the site, but not both. These signs shall be no larger than four square feet, with a maximum height of six feet above grade. Design and color for this signage must be consistent with other signage on the site. The Administrative Official may increase the allowed number of additional on-site signs through the administrative site plan review process, upon a finding that the size and/or character of the site necessitate additional signs. While subject matter or content is not restricted except as otherwise provided in this Article, such additional on-site signs might include directional and wayfinding signs.
 6. One standing or attached (wall) sign with a maximum area of 40 square feet; provided, however, that sites with linear street frontage of 200 feet or more may have one additional standing sign, also with a maximum area of 40 square feet, spaced at least 100 feet from any other standing sign. All signs must either be fabricated of one-fourth-inch aluminum plate with appropriate internal structuring to properly support each sign face, or constructed of concrete. All copy must be white on a dark background color (Matthew's Dark Bronze 41-313 or similar) or the reverse, dark copy on a background color resembling the building's color. If attached, the sign shall not exceed ten percent of the one face of the building to which it is attached. If a standing sign, it must be set back at least seven feet from all property lines, and cannot exceed a height of six feet above grade; or if to be located on a mound, cannot exceed a height of eight feet above the crown of the closest adjacent road. Any standing sign must not interfere with clear sight distance triangle for driveways.
- b. *Temporary signs.* Temporary signs shall be allowed as specified in Subsection 13-1903(p).
 - c. *Illumination.* No sign shall be illuminated except:

1. By a white, steady, stationary light of reasonable intensity, shielded and directed solely at the sign; or
2. By interior nonexposed lights of reasonable intensity.

The foregoing is not applicable to temporary holiday decorations or Town entry features.

- d. Color. No permanent sign shall contain more than two colors; temporary signs may contain multiple colors. No sign shall contain red or green lights if such colors would, in the opinion of the Public Works Director, constitute a driving hazard. Both black and white are considered separately as colors for enumeration under this section.

- a. ~~There may be one sign where a leasing office is set out, two square feet in area and shall not exceed a height above the ground of eight feet.~~

- b. ~~In addition to the number of signs allowed in Section 13-1904(1)a, a standing or attached sign is allowed subject to the following requirements:~~

1. ~~Total size of sign cannot exceed 40 square feet. All signs must be fabricated of one fourth inch aluminum plate with appropriate internal structuring to properly support each sign face or concrete. All copy must be white on a dark background color (Matthew's Dark Bronze 41 313 or similar) or the reverse, dark copy on a background color resembling the building's color. The subdivision logo is permitted as well as the subdivision name attached to the subdivision wall. One additional standing sign may be permitted for sites with linear street frontage of 200 feet or more, spaced 100 feet from any standing sign;~~
2. ~~The height of the sign from its base to its top cannot exceed six feet in height;~~
3. ~~If the sign is to be located on a mound, the height of the top of the sign cannot exceed eight feet above the crown of the closest adjacent road; and~~
4. ~~Sign location on site must respect a setback for all property lines of seven feet for a sign not exceeding 40 square feet and not interfere with clear sight distance triangle for driveways.~~

- (3) ~~GP, RO, BU, TC and IU Districts. Mix Use (RO-13, RO-50, TC); Business (BU-1, BU-1A, BU-2, BU-3) and Industrial Districts (IU-1, IU-2, IU-3, IU-C). No sign shall be permitted in an area zoned (RO), (BU), (TC) or (IU) District except signs permitted under this section and the following: There~~

may be one sign where a leasing office is set out, two square feet in area and shall not exceed a height above the ground of eight feet.

a. Permanent wall-mounted signs. The following permanent wall-mounted signs shall be allowed:

1. Except as provided for below, each building may have two wall-mounted signs, one sign affixed to each wall of the primary structure or structure in which an entrance is located (accessory buildings shall not include signs). The maximum capital letter height for such signs shall be 30 inches (including any ascenders and descenders). Provided, however, that each business establishment that is situated on a site that abuts the Red Road Canal right-of-way (regardless of the underlying zoning designation and the size of the occupancy) shall be permitted to have a maximum letter height of 42 inches for a sign that faces Red Road (NW 57 Avenue). The sign shall be parallel to the wall to which it is affixed, and shall extend no closer than one foot to the edge of such wall. Further, the sign shall not project more than 16 inches from the wall to which it is affixed.

Location.

1. ~~A sign shall be affixed to a building except as hereinafter provided as to standing signs.~~
2. ~~A sign affixed to a building shall be parallel with a wall of the building and shall not project beyond the face of any other wall to which it is affixed.~~
3. ~~The base of the sign shall not project more than 16 inches from the wall to which it is affixed, in the case of a sign parallel with the wall.~~

b. ~~Criteria for signage attached to building.~~

1. ~~Except as specifically provided for hereinafter, no more than two wall mounted signs with a maximum letter height of 30 inches (including any ascenders and descenders) shall be permitted per building, one sign affixed to each wall in which an entrance is located.~~
2. ~~Where retail and/or service retail occur on the ground floor, individual point of sale ground floor tenant signage may occur in a signage band on the building, marquee or canopy, provided it is done in a coordinated manner and it complies with Subsection (3)b.5 of this section. Buildings in the BU or TC Districts offering ground floor retail space (retail~~

~~storefronts) and in the RO, IU Districts a business consisting of more than one building~~ may include individual ground floor tenant signage in a signage band on the building, marquee or canopy. In order to include such signage, shall submit a comprehensive signage program shall be submitted to the Administrative Official Director through the administrative site plan review process for review and approval on a building-by-building basis. There shall not be more than one such sign affixed to the building for each such business establishment. Maximum capital letter height for each such sign shall be 24 inches. (See Figures 1 and 2 for required dimensions.)

3. Additionally, buildings in the BU Districts offering ground floor retail space (retail storefronts), and where a colonnade or arcade is located, individual ground floor tenant signage may occur in hanging signs, placed over each tenant's building entry. Such sign shall not to exceed six square feet in size, with a maximum letter height of six inches. Additionally, such sign shall be either wood with painted copy, or routed metal face. Sufficient vertical clearance shall be provided to allow the passage of pedestrians. There shall not be more than one such sign affixed to the building for each such tenant, except that where a tenant is located on a corner, a hanging sign may be placed above the entrance (if any) on each street. In order to include such signage, a comprehensive signage program shall be submitted to the Administrative Official through the administrative site plan review process for review and approval. Three dimensional "symbol" signs may only be allowed through the granting of a variance.

~~All signs shall be individual letters pin mounted to the building, unless otherwise specified in this article. (No exposed neon or box type signs employing luminous plastic panels permitted.) Signs of a box or cabinet type employing luminous plastic or routed metal face with protruding or cut-out letters and employing internal illumination (wherein only the letters are illuminated) may be approved if said signs are consistent or compatible with the architecture of the principal structure and other signage on the property as determined by the Director.~~

4. ~~Maximum square footage of a sign must not exceed ten percent of the one face of the building to which the sign is attached. For purposes of applying this maximum space~~

~~limitation, any intermediary removable surface to which a sign is affixed shall be deemed part of the sign; and any sign composed of separate letters or devices cut into or affixed to a wall shall be deemed to occupy the entire area within a single continuous perimeter enclosing the extreme limits of the sign, including any structural elements.~~

54. In the RO and IU Districts, or in the case of an office building in a BU or TC District, ~~If a single building consists of more than one business establishment, there shall not be more than one exterior point of sale sign affixed to the building for each such business establishment, except as specifically provided for hereinafter. Maximum capital letter height on any service retail tenant sign in a multitenanted shopping or office building shall be 48 inches (including any ascenders and descenders) for tenants occupying less than 5,000 square feet and 24 inches for tenants occupying greater than 5,000 square feet. Maximum capital letter height (including ascenders and descenders) for single tenanted buildings of less than 20,000 square feet shall be 24 inches. Maximum capital letter height (including ascenders and descenders) for single tenanted buildings exceeding 20,000 square feet shall be 30 inches. Maximum square footage of a sign must not exceed ten percent of the one face of the occupied building area to which the sign is attached. If a business establishment in the IU District consists of more than one building, a secondary sign may be affixed to a wall of each such building. The secondary sign or signs for any business establishment shall not exceed 50 percent of the maximum permissible area for a single sign for said business. Each business establishment that is situated on land that abuts the Red Road Canal right of way (regardless of the underlying zoning designation and the size of the occupancy) shall be permitted to have a maximum letter height of 42 inches for a sign that faces Red Road (NW 57 Avenue). Where a building in the TC District consists of more than one business establishment, a tenant occupying a corner space with frontage on two streets may have one exterior point of sale sign on each façade, up to a maximum of two signs.~~
6. ~~A semaphore sign consisting of two dual face signs extending horizontally from a light standard. Such sign projecting from opposite sides of a light standard, should be located in the~~

- parking lot of a (BU District) shopping center with over 100 parking spaces to identify the location of parking areas. No advertising is permitted on the sign.
7. ~~All signage on the should exhibit a uniform color and design scheme. No permanent sign shall contain more than two colors, no sign shall contain red or green lights if such colors would, in the opinion of the Town Engineer, constitute a driving hazard. Both black and white are considered separately as colors for enumeration under this section.~~
8. ~~On a BU or TC District building where a colonnade or arcade is located and where retail and/or service retail occur on the ground floor, individual point of sale ground floor tenant signage may occur in a hanging sign not to exceed six square feet in size placed on the building over the entry, provided it is done in a coordinated manner and it complies with Subsection (3)b.5 of this section. Buildings in a BU or TC District offering ground floor retail space (retail storefronts) and in the RO, IU Districts a business consisting of more than one building shall submit a comprehensive signage program to the Director through the administrative site plan review process for review and approval on a building by building basis. Three dimensional "symbol" signs shall be permitted after a public hearing. (See Figures 1 and 2 for required dimensions.)~~
9. ~~Registered corporate logos will be permitted subject to the approval of the Director or his/her designee. In such cases they will be reviewed in conjunction with the corporate name, if any, in determining compliance with the guidelines provided herein.~~
405. In addition to the foregoing sign or signs, one additional sign directory of the business establishments occupying a building may be affixed to the exterior wall of the building at each entrance to the building. Such sign directory shall not exceed an area determined on the basis of one square foot for each establishment occupying the building.
6. One sign adjacent to a leasing office, if any, limited to a maximum of two square feet and not exceeding a height of eight feet above grade.
447. In addition to the wall signs allowed by the provisions above, buildings in the IU, BU or RO Districts abutting the following Limited Access Expressways (SR State Route 826 and or I-

75) are permitted one wall mounted sign directly facing said roadway ~~the Limited Access Expressway~~. Any such signs shall be limited to a maximum square footage not to exceed ten percent of the one face of the building to which the sign is attached, and the total aggregate of all signs on any one face shall be limited to ten percent of the building face, and shall be subject to a maximum letter height (including ascenders and descenders) of 42 inches for a sign located in the RO Districts and 54 inches for a sign located in the IU ~~and~~ or BU Districts. This allowed sign area may be divided between tenants of the building, but in such case shall be subject to the following restrictions (in addition to the provisions above):

- (i) The minimum letter height for all copy shall be 24 inches.
- (ii) There shall be a minimum of six inches between the portions of the sign devoted to individual tenants.
- (iii) The total aggregate square footage of all signs on any one face of the building shall not exceed ten percent of the square footage of that building face.

428. In the TC District, where a building includes active uses, as defined in this Code, that front directly on a Type 1 Street, there may be one additional sign in addition to those otherwise allowed by this chapter. Said sign may be located anywhere on the building and may face in any direction. Said sign shall occupy no greater than ten percent of the building face to which it is attached, and shall be subject to the same construction, materials, illumination and other restrictions, except size restrictions, that are otherwise applicable.

eb. Permanent Standing signs. ~~In addition to the number of signs allowed in Subsection (3)b of this section, the Town Manager or his designee through the administrative site plan review process may authorize a special permit for a standing sign after finding that the nature and use of the premises or the location of the building with reference to the street or streets is such that a standing sign may be permitted in harmony with the general purpose and intent of this Sign Code subject to the following requirements: The following permanent standing signs shall be allowed:~~

- 1. Signs located in parking lots with over 100 parking spaces. One such sign shall be allowed per 50 parking spaces. The maximum area of the sign face shall be eight square feet, and be located either on a light pole or pole erected solely for the

purpose of holding the sign. The maximum height of the sign shall be 15 feet above finished grade. While subject matter or content is not restricted except as otherwise provided in this Article, such additional on-site signs might include wayfinding signs to identify the location of parking areas with a numbering or letter system or similar.

2. One standing sign with a maximum area of 40 square feet; provided, however, that sites with linear street frontage of 200 feet or more may have one additional standing commercial advertising sign, also with a maximum area of 40 square feet, spaced at least 100 feet from any other standing sign. All signs must be fabricated of one-fourth-inch aluminum plate with appropriate internal structuring to properly support each sign face or concrete. All copy must be white on a dark background color (Matthew's Dark Bronze 41-313 or similar) or the reverse, dark copy on a background color resembling the building's color. The sign must be set back at least seven feet from all property lines, and cannot exceed a height of six feet above grade; or if to be located on a mound, cannot exceed a height of eight feet above the crown of the closest adjacent road. Any standing sign must not interfere with clear sight distance triangle for driveways.

~~Total size of sign cannot exceed 40 square feet, except as hereinafter specifically provided. All signs must be fabricated of one fourth inch aluminum plate with appropriate internal structuring to properly support each sign face or concrete. All copy must be white on a dark background color (Matthew's Dark Bronze 41-313 or similar) or the reverse, dark copy on a background color resembling the building's color. The corporate logo is permitted as well as the corporate name.~~

- ~~2. The height of the sign from its base to its top cannot exceed six feet in height, except as provided for hereinafter.~~
- ~~3. If the sign is to be located on a mound, the height of the top of the sign cannot exceed eight feet above the crown of the closest adjacent road.~~
- ~~4. Sign location on site must respect a setback for all property lines of seven feet for a sign not exceeding 40 square feet and not interfere with clear sight distance triangle for driveways. One additional standing sign may be permitted for sites with linear street frontage of 200 feet or more, spaced 100 feet from any standing sign.~~

3. Menu type signs. One of the standing signs authorized by 2. above may be a menu type sign, with space divided into up to four spaces within the sign, or one space for each 10,000 square feet of building floor area, if the result is greater than four. The copy for such a sign shall include the building's postal address number. Copy shall be one of the following: (i) cutout metal letters pin-mounted; (ii) routed through face and internally illuminated; (iii) letter photographically silk-screened; or, (iv) applied as white vinyl die-cut or Scotchlite letters. All such copy is to be photographically or mechanically reproduced from a standard typeface. No hand lettering is permitted. The maximum height of letters and other graphical elements (such as logos) shall be 24 inches.
4. Additional On-Site Signage. Each site may have two additional on-site signs for each entry/exit. These signs shall not be directed toward adjacent streets. For purposes of calculating the allowed number of signs per this provision, an Applicant may elect to use building entries/exits, or vehicular entries/exits to the site, but not both. These signs shall be no larger than four square feet, with a maximum height of six feet above grade. Design and color for this signage must be consistent with other signage on the site. The Administrative Official may increase the allowed number of additional on-site signs through the administrative site plan review process, upon a finding that the size and/or character of the site necessitate additional signs. While subject matter or content is not restricted except as otherwise provided in this Article, such additional on-site signs might include directional and wayfinding signs.
5. Additional standing signs along the Red Road Canal Right-of-Way in the BU districts.
 - (a) In the BU Districts, each building of at least 7,500 square feet that fronts on the Red Road Canal Right-of-Way shall be permitted one detached standing sign facing or situated so as to be directed toward motorists on this roadway. Any such sign shall be on a fully supported base that is architecturally consistent with the sign its supports, any other signs on the same parcel and any buildings on the same parcel.
 - (b) This standing sign shall be located at least 100 feet from any other standing sign on the same parcel, and shall be

set back at least seven feet from any Right-of-Way and at least 15 feet from any other property lines.

- (c) The maximum height for this sign shall be 20 feet.
- (d) This standing sign shall be limited to a maximum area of 40 square feet for the first 50 feet of initial frontage on the Red Road Canal Right-of-Way, plus 0.75 square foot for each additional foot of frontage to a maximum sign size of 300 square feet.
- (e) No sign allowed by this sub-section shall interfere with clear sight distance triangle for driveways.

6. Additional standing signs along SR 826 in the BU districts. In addition to any other standing signs allowed by this section, properties adjacent to the SR 826 right-of-way shall be eligible for additional standing signs, as provided below, provided such properties meet all of the following criteria: are located within a BU District; the property has both frontage and vehicular access on the SR 826 right-of-way and such vehicular access directly faces the motorists on the main travel lanes of this roadway; and, the property is wholly located within 1,400 linear feet of a crossing of SR 826 with another roadway (interchange or overpass; distance to be measured from the center of the interchange or overpass). Additionally, notwithstanding other provisions to the contrary, the number of signs allowed under this sub-section shall be limited to one sign per each 300 feet of linear frontage on the SR 826 right-of-way (but including a minimum allowed of one per parcel).

- (a) Each parcel where the property meets the above criteria shall be permitted one detached standing sign facing or situated so as to be directed toward motorists on SR 826. This sign is allowed in addition to any other standing signs allowed by this sub-section. Any such sign shall be on a fully supported base that is architecturally consistent with any buildings on the same parcel.
- (b) Each building of at least 7,500 square feet located on a property that meets the above criteria shall be permitted one detached standing sign facing or situated so as to be directed toward motorists on this roadway, located on the same parcel as said building. This sign is allowed in addition to any other standing signs allowed by this sub-

section. Any such sign shall be on a fully supported base that is architecturally consistent with any buildings on the same parcel.

- (c) The standing signs allowed by (a) and (b) above shall be located at least 100 feet from any other standing sign on the same parcel, and shall be set back at least seven feet from any Right-of-Way and at least 15 feet from any other property line.
- (d) The maximum height of a sign as allowed by (a) above shall be 40 feet.
- (e) The maximum height of a sign as allowed by (b) above shall be 25 feet, except that if any portion of the ~~business advertised on site on which~~ the sign is located is within 400 feet of the crossing of SR 826 with another roadway (interchange or overpass; distance to be measured from the center of the interchange or overpass), the maximum height shall be 30 feet.
- (f) The standing signs authorized by (a) and (b) above shall be limited to maximum area of 40 feet for the first 50 feet of initial frontage on SR 826, plus one square foot for each additional foot of frontage to a maximum sign size (area) of 300 square feet. However, the maximum sign size (area) shall be reduced by ten percent for each five-foot increment of height, or fractional part thereof, greater than 25 feet.

7. *Additional standing signs along the Red Road Canal right-of-way and SR 826 in the IU and RO districts.*

- (a) Each parcel in the IU or RO Districts that fronts on the Red Road Canal Right-of-Way or SR 826 shall be permitted one detached standing sign facing or situated so as to be directed toward motorists on these roadways. Any such sign shall be on a fully supported base that is architecturally consistent with the sign it supports, any other signs on the same parcel and any buildings on the same parcel.
- (b) This standing sign shall be located at least 100 feet from any other standing sign on the same parcel, and shall be set back at least seven feet from any Right-of-Way and at least 15 feet from any other property lines.

- (c) The maximum height for this sign shall be 20 feet for parcels on the Red Road Canal Right-of-Way, and 25 feet for parcels on SR 826.
- (d) This standing sign shall be limited to a maximum area of 40 square feet for the first 50 feet of initial frontage on the Red Road Canal Right-of-Way or SR 826, plus 0.75 square foot for each additional foot of frontage to a maximum sign size of 300 square feet.
- (e) No sign allowed by this sub-section shall interfere with clear sight distance triangle for driveways.

c. Automatic Teller Machine (ATM) Sign. In addition, a site with an automatic teller machine (ATM) may include a sign, integrated into the design of the ATM, whether as part of a building or as part of a freestanding structure. This sign shall be limited to a maximum of four square feet, and may not be internally illuminated. The remainder of the ATM shall be architecturally consistent with structures on the site and may not function as a sign.

d. Drive-Thru Sign. In addition, a site that includes one or more drive-thru service lanes approved via a Town-approved site plan (such as, but not limited to, a fast food restaurant or bank) may have a drive-thru sign for each such lane. Each such drive-thru sign may be a maximum of 30 square feet, and may include signage directed only toward the drive-thru lane which it serves. Provided, however, that any such drive-thru sign must be set back at least ten feet from all property lines, and is limited to a maximum height of six feet, six inches. Installation of a new or replacement drive-thru sign shall require administrative site plan review and approval.

e. Temporary Signs. Temporary signs shall be allowed as specified in Subsection 13-1903(p).

¶f. Standards. The following standards shall apply to signs in the RO, BU and IU Districts.

1. All signage throughout each site shall be the same color and shall exhibit a uniform color and design scheme. No permanent sign shall contain more than two colors. No sign (including temporary signs) shall contain red or green lights if such colors would, in the opinion of the Public Works Director, constitute a driving hazard. Both black and white are considered separately as colors for enumeration under this section.

2. Graphical elements (such as, but not limited to, logos) on both wall signs and standing signs shall comply with all other applicable requirements, including limitations on letter height, color and design.
3. Permanent signs shall only be of one of the following types:
 - (i) Individual letters pin-mounted to a structure (building in the case of a wall sign; monument or other sign structure in the case of a standing sign), except where otherwise specifically allowed for menu signs;
 - (ii) Hanging sign, where mounted on a collanade or marquee, where allowed in Subsection 13-1904(3)a.3, above.
 - (iii) Changeable copy signs, as defined in this Sign Code, shall be permitted in connection with gas stations, eleemosynary and philanthropic institutions, places of worship, cinemas and theaters, and for those signs authorized by Subsection 13-1904(3)a.5, above. A changeable copy area may be a standalone sign, or a portion of another sign. However, in no case shall the changeable copy area exceed 25 square feet.
 - (iv) Signs of a box or cabinet type employing a plastic or routed metal face with protruding or cut-out letters and employing internal illumination (as allowed in Subjection 13-1904(3)d.4, below) may be approved if such sign is consistent with the architecture of the principal structure and other signage on the property, as determined by the Administrative Official.
4. No sign in the RO, BU or IU Districts shall be illuminated, except in compliance with the following:
 - (i) A sign consisting of individual pin-mounted letters (whether a wall sign or a standing sign) may be illuminated either by backlighting by neon, or from a ground mounted source. If backlighting is used, the letters shall be a "reverse channel" type, and the light source shall be hidden from view. If a ground-mounted source is used, the light fixture(s) shall be stationary, shall be screened by landscaping, and shall be shielded such that the light is directed solely at the sign. The light shall be white and steady. There shall be no glare or spillage of light onto adjacent properties or the public right-of-way.

- (ii) Roof-mounted illumination of a wall sign may be permitted if approved through the administrative site plan review process. If approved, the light fixture(s) shall be stationary, shall be screened by landscaping, and shall be shielded such that the light is directed solely at the sign. The light shall be white and steady. There shall be no glare or spillage of light onto adjacent properties or the public right-of-way. The Administrative Official may impose conditions on the site plan to ensure that the roof-mounted lighting will not cause adverse impacts to adjacent properties, or to the aesthetics or safety of the public right-of-way.
- (iii) If a sign is to be internally illuminated, it shall be either a routed metal face, or a box or cabinet type sign, subject to the requirements of Subsection 13-1904(3)d.3.iv, above.
- (iv) Changeable copy signs shall be illuminated from a ground-mounted source. The light fixture(s) shall be stationary, shall be screened by landscaping, and shall be shielded such that the light is directed solely at the sign. The light shall be white and steady. There shall be no glare or spillage of light onto adjacent properties or the public right-of-way.

~~Illuminated signs:~~

- ~~1. If the sign is to be lighted, the letters shall be a "reverse channel" type. Letters must be metal pin mounted off the building and may be illuminated with backlighting by neon.~~
- ~~2. The sign shall be illuminated from a ground mounted source provided the lights are properly screened by landscaping and do not result in any glare or overlighting of adjacent areas or street right of way.~~
- ~~3. No roof mounted illumination will be permitted without special consideration of the Director through the administrative site plan review process.~~
- ~~4. Signs of a box or cabinet type employing a luminous plastic panel or sign face with exposed neon or fluorescent lights are prohibited. Signs of a box or cabinet type employing plastic or routed metal face with protruding or cut-out letters, and/or designed to have an appearance of a monument sign and employing internal illumination (wherein only the letters are illuminated) may be approved if said signs are consistent or~~

~~compatible with the architecture of the principal structure and other signage on the property as determined by the Director.~~

- ~~(i) No sign shall be illuminated except by a white, steady, stationary light shielded and directed solely at the sign; or~~
- ~~(ii) By the interior nonexposed lights of reasonable intensity;~~
- ~~(iii) The foregoing is applicable whether the sign is exterior to a building or designed to be visible through a door or window.~~

~~e. *Illumination of signs.*~~

- ~~1. Routed metal face, internally illuminated signs are preferred.~~
- ~~2. Reverse channel illuminated letters attached to a metal or masonry structure.~~
- ~~3. Ground illuminated signs are allowed provided the lighting does not glare or overlight adjacent areas or into the street. Light sources must be screened by landscaping.~~

~~f. *Menu type signs.*~~

- ~~1. All freestanding menu type signs which display the names of major building tenants must adhere to the height and square footage requirements set forth in Subsection (3)c of this section for standing signs.~~
- ~~2. The copy for the sign shall include: the building's postal address number, the building name, and no more than four major tenants' names or one name per 10,000 square feet of building, whichever is greater.~~
- ~~3. All signs must be fabricated of one fourth inch aluminum plate with appropriate internal structuring to properly support each sign face.~~
- ~~4. Signs may be either illuminated or nonilluminated.~~
- ~~5. All copy for any menu size must be white on a dark background color (Matthew's Dark Bronze 41-313 or similar is suggested) or the reverse, dark copy on a background color resembling the building's color. Copy shall be one of the following:~~
 - ~~(i) Cutout metal letters pin mounted;~~
 - ~~(ii) Routed through face and internally illuminated;~~
 - ~~(iii) Letter photographically silk-screened; or~~
 - ~~(iv) Applied as white vinyl die-cut or Skotchlite letters.~~
- ~~6. All copy is to be photographically or mechanically reproduced from a standard typeface. No hand lettering is permitted.~~

Maximum capital letter height for tenant names and corporate logos is five inches high.

- ~~g. Temporary signs. There may be one temporary sign maintained for a period of not more than 90 days upon application to the Town Building Official showing that said temporary sign is required as a result of the repair and/or reconstruction of the existing permitted sign. Said temporary sign may be no larger than the permitted sign.~~

~~Banners and other decorative materials in conjunction with an event conducted pursuant to a dedication or a grand opening are permitted without a sign permit. Such banners and decorative materials shall not be more than 40 square feet (aggregate) and shall be subject to the same height and setback restrictions as Real Estate signs (13-1903(p)) and shall not be posted more than 30 days preceding the event, and are to be removed within seven days following the grand opening day of the event.~~

~~(4) Miscellaneous type signs.~~

- ~~a. On-site directional type signs may be no larger than four square feet and no taller than four feet above the ground. No more than two per entry or exit may be used. Design and color for this signage must be cohesive with other signage on or about the building. Only directional information is permitted on directional signage.~~
- ~~b. Any directional sign not specifically mentioned in these criteria shall be submitted for administrative site plan approval before it will be allowed to be erected.~~
- ~~c. One sign of a temporary nature may be erected to announce a new business provided that it is approved by the Director prior to being erected. Such a sign may be no larger than a horizontal four feet by eight feet format and no taller than six feet. It may be up no longer than 90 days.~~
- ~~d. All permanent interior signs which are visible from the building's exterior must be submitted to the Director for administrative site plan approval including but not limited to temporary opaque window film or window display which shall be required while construction is occurring or premises are unoccupied.~~
- ~~e. Nonprofit institutions and gas stations. There may be one bulletin or announcement board, identification sign or entrance to the premises upon which a gas station or church, synagogue, school, or other nonprofit organization is located not exceeding all together 25 square feet in area.~~

- ~~f. Commercial and industrial promotional events: The Director may authorize temporary promotional events for commercial and industrial zoned properties to include installation of banners and/or other promotional materials via issuance of a Certificate of Use for a Special Event in accordance with the Town's procedures.~~
- ~~1. Said special event(s) may be conducted for a period of no longer than 2 days and may include installation of banner(s) not to exceed a total aggregate of 120 square feet subject to the height and setback requirements for real estate signs.~~
 - ~~2. Temporary signage and banners associated with special events may be permitted to be installed a maximum of 14 days in advance of said special event and must be removed within a period of two (2) days after the event has occurred.~~
 - ~~3. No off-site signage shall be permitted in conjunction with Special Events described herein.~~

Sec. 13-1905. Flags and flagpoles.

(a) Flagpoles.

- (1) There shall be no more than three flagpoles per nonresidential site, and no more than one flagpole per residential site.
- (2) Maximum height in districts other than RU districts shall be 15 feet for a site with an existing one story building, plus an additional ten feet of flagpole height allowed for each additional floor, up to a maximum flagpole height of 50 feet. Flagpoles in RU districts shall not exceed 20 feet.
- (3) Flags in RU districts shall be permitted in conjunction with holiday decorations pursuant to Subsection 13-1903(p)(7).
- (4) The flag and flagpole or other permanent mounting shall be maintained in good repair. Flagpoles with broken halyards shall not be used.
- (5) Flagpoles shall not be placed on top of buildings or light poles.
- (6) A vertical flagpole must be set back from all property boundaries a distance that is at least equal to the height of the pole.

(b) Flags.

- (1) A maximum of two flags shall be allowed per flagpole.
- (2) If a flag is flown in conjunction with the United States flag, the United States flag shall be equal to or larger than any additional flag.
- (3) On United States and Florida holidays, there shall be no maximum flag size or number or other limitation on manner of display for U.S., State or Town

flags, so long as said flags do not, in the judgment of the Administrative Official, constitute a danger to public safety.

(4) The maximum dimensions of any flag shall be proportional to the flagpole height. The hoist side of the flag shall not exceed 25 percent of the vertical height of the pole. In addition flags are subject to the following dimensional limitations:

a. Pole height: Up to 20 feet with maximum flag size of 27 total square feet.

b. Pole height: 21 to 30 feet with maximum flag size of 50 total square feet.

c. Pole height: 31 to 40 feet with maximum flag size of 75 total square feet.

d. Pole height: 41 to 50 feet with maximum flag size of 100 total square feet.

e. Legal, nonconforming flagpoles greater than 50 feet in height shall be permitted to have flags which do not exceed a maximum of 250 square feet and shall have a hoist dimension to fly length ratio between 1:1.25 and 1:1.9 (hoist:fly) or such other size as specifically indicated on prior permits issued for the particular flag.

~~g. Flagpoles.~~

~~1. The flags must be flown on a regular daily basis or the poles must be removed.~~

~~2. No more than three flagpoles will be allowed per nonresidential site, with corporate logos permitted, and one flagpole per residential site. A maximum of two flags shall be allowed per flagpole. If a flag is flown in conjunction with the United States flag, the United States flag shall be equal to or larger than any additional flag. References to flagpole height in this section refer to vertical flagpoles. References to the number of flags and flagpoles and flag dimensions refer to both vertical flagpoles and mast arm flagpoles (staffs extending at an angle from a building). On United States and Florida holidays, there shall be no maximum flag size or number or other limitation on manner of display for U.S., State or Town flags.~~

~~3. Height will be as follows: one story building will be allowed 15 feet height maximum, with an additional ten feet allowed for each additional floor up to a maximum of 50 feet in height. Except as otherwise provided herein flags shall be displayed on flagpoles. Flagpoles shall not be placed on top of buildings or light poles. Flagpoles in residential districts shall not exceed 20 feet and shall be permitted holiday flags in conjunction with holiday decorations. A vertical flagpole must be set back from all property boundaries a distance that is at least equal to the height of the pole.~~

~~4. The flag and flagpole or other permanent mounting shall be maintained in good repair. Flagpoles with broken halyards shall not be used, and torn or frayed flags shall not be displayed. Giant oversized flags of any type will not be allowed. The maximum dimensions of any flag shall be proportional to the flagpole height. The hoist side of the flag shall not exceed 25 percent of the vertical height of the pole. In addition flags are subject to the following dimensional limitations:~~

- ~~(i) Pole height: Up to 20 feet with maximum flag size of 27 total square feet.~~
- ~~(ii) Pole height: 21 to 30 feet with maximum flag size of 50 total square feet.~~
- ~~(iii) Pole height: 31 to 40 feet with maximum flag size of 75 total square feet.~~
- ~~(iv) Pole height: 41 to 50 feet with maximum flag size of 100 total square feet.~~

~~Flagpoles greater than 50 feet in height established prior to December 1, 2000, located in a Business (BU 1A₁ and BU 2) and/or Industrial (IU C) District on properties adjacent to the Palmetto Frontage Road which have registered with the Town in accordance with the following section shall be permitted to have flags which do not exceed a maximum of 250 square feet and shall have a hoist dimension to fly length ratio between 1:1.25 and 1:1.9 (hoist:fly) or such other size as specifically indicated on prior permits issued for the particular flag.~~

~~5. Notwithstanding any other provision of this Code, all flagpoles in existence prior to December 1, 2000, located in a Business (BU 1A and BU 2) and/or Industrial (IU C) District on properties adjacent to the Palmetto Frontage Road shall be deemed valid preexisting uses, subject to the following:~~

- ~~(i) Within 90 days of the enactment of the ordinance from which this provision is derived, any property owner who claims a preexisting flagpole constructed prior to December 1, 2000, shall file with the Town an affidavit indicating the preexistence of the flagpole with demonstrative evidence in the form of either photographs, aerials, permits, site plan approval or other documentation necessary to support the affidavit. Preexisting flagpoles registered under this section shall not be utilized for flags of a commercial nature or as an advertising device or for any type of banner, pennant, or streamer.~~
- ~~(ii) Nothing contained herein shall be deemed to grant and/or convey any rights, privileges, entitlements or other benefits to other properties located within the zoning districts identified and mentioned in this section.~~

- (iii) ~~In the event that any flagpole that is deemed a valid preexisting use pursuant to this section is damaged by any cause including, but not limited to, the voluntary removal of the flagpole structure, and the cost of repairing or replacing the flagpole is more than 50 percent of the replacement cost, then the valid preexisting status of such flagpole and flag shall be automatically revoked and repairs or replacements shall be made such that the new flagpole meets the requirements of this article.~~

(5)

Sec. 13-1906. Entry features.

~~Entry features. In the RO, BU and IU Districts, the Administrative Official may approve one entry feature to a site. An Applicant for an entry feature shall apply through the administrative site plan review process, including submission of all necessary drawings and other materials necessary to demonstrate compliance with the standards below, and specifically including a comprehensive signage program for the entire site. Where approved, an entry feature need not meet setback requirements otherwise specified in this chapter. In order to approve an entry feature, the Administrative Official shall make a finding that the proposed entry feature meets all of the following standards: Signs for a building or a building complex entry feature for buildings in the BU District offering ground floor retail space (retail storefronts) and in the RO, IU Districts shall submit a comprehensive signage program to the Director through the administrative site plan review process for review and approval on a building-by-building basis. Each entry feature shall be reviewed in compliance with each of the standards enumerated below:~~

- ~~a. Buildings offering ground floor retail space (retail storefronts) shall submit a comprehensive signage program to the Director through the administrative site plan review process for review and approval on a building-by-building basis.~~
- ~~(ba).~~ An executed covenant, stating that all structures shall be maintained in good condition and repair and that all landscaping shall likewise be so maintained, shall be delivered to the Department for review and, upon approval, shall be duly recorded prior to the issuance of any permits.
- ~~(eb).~~ Entrance features shall be placed so as not to encroach upon utility lines or traffic control devices whether such lines or devices be located overhead or underground; and where a conflict is indeed encountered, the developer or designated property owner shall be responsible for the removal or relocation of the said features or a part thereof.
- ~~(dc).~~ Entrance features shall be placed so as not to cause a visual obstruction and thereby create a traffic hazard, and should the use of illumination be incorporated in said features, such illumination shall be placed so as to be unobtrusive to moving traffic lanes or adjacent properties.

- ~~(ed).~~ The character and scale of entrance features shall be ~~of a designed~~ designed such that said features are complementary to the ~~identified~~ development and compatible with the immediate neighborhood ~~insofar as its overall impact is concerned~~.
- ~~(fe).~~ All structures within entrance features shall meet all standards of the Florida Building Code and any other applicable standards, and all water bodies with depths greater than 18 inches shall meet all applicable standards of this chapter, applicable to reflecting pools and water features standards.
- ~~(gf).~~ Prior to issuance of Applications for permits for entrance features shall be made by the fee owner of the property in question and an administrative site plan review application shall be submitted to the Department. Applications shall include an accurately dimensioned plot-use-site plan identifying all structures and landscaping incorporated in said features and identifying all setbacks and elevations of the same. The approval and notice requirements shall be the same as for other administrative site plan review applications, as provided elsewhere in this Code.
- ~~h.~~ Upon receipt of all necessary information, the Administrative Official or his designee shall review the same, and in turn render a decision either approving, modifying, or denying the request. A copy of said decision shall be published in a newspaper of general circulation. The applicant, or any aggrieved property owner in the area, may appeal the decision to the Town Council to be considered at a public hearing.
- ~~i.~~ All approvals or modifications shall not be effective until 15 days after the Town Manager's decision is published in a newspaper of general circulation. The decision of the Town Manager shall be recorded on the official zoning maps of the Town.

Sec. 13-19075. - Preexisting, nonconforming signs; administration.

- (a) *Preexisting nonconforming signs.* Preexisting nonconforming signs shall meet the following provisions:
 - (1) Signs or sign structures made nonconforming upon passage of this article, or on passage of any amendment thereto, shall be governed by the following regulations:
 - a. A sign existing within the Town, or an area subsequently annexed to the Town, upon the passage of this article or any amendment hereof which, because of its height, square foot area, location, or other characteristic, does not conform to this article is hereby declared to be a nonconforming sign.
 - b. A sign prohibited under this article and not attached to a structure must be removed within 60 days from the effective date of the ordinance creating the prohibition.
 - c. A nonconforming sign pursuant to this article must be removed within five years from the effective date of the ordinance creating the nonconformity.

- d. Failure to so remove a nonconforming or prohibited sign under this subsection within the time set forth above shall cause the sign to be declared an illegal sign.
 - e. The status afforded signs under this subsection shall not be applicable to any sign for which no permit or sign permit was ever issued; such signs are deemed noncomplying signs and are subject to the provisions of this article governing noncomplying signs.
 - f. If any nonconforming sign is damaged by any cause and the cost of repairing the sign equals 50 percent or more of the original invoiced costs of the sign, then its classification as a nonconforming sign under this subsection shall be automatically revoked and repairs shall be made so that the sign shall meet the requirements of this article.
 - g. A nonconforming sign shall immediately lose its nonconforming status and shall be immediately brought into compliance (with a new permit) or removed if the sign is altered in any way in structure or copy (except for changeable copy signs and normal maintenance) that ~~tends to or makes the sign less in compliance~~ increases the degree of nonconformity with the requirements of this article ~~than it was before the alteration;~~ including updating the technology used in the sign; or if the sign is relocated to a position ~~making it less in~~ increasing the degree of non-compliance with the requirements of this article; or if the sign is replaced or abandoned.
- (2) Nonconforming sign maintenance and repair. Nothing in this section shall relieve the owner or user of a nonconforming sign or the owner of the property on which the nonconforming sign is located, from the provisions of this article, regarding safety, maintenance or repair of the sign. However, any repainting, cleaning and other normal maintenance or repair of the sign, sign structure, or copy that in any way increases the degree of nonconformity ~~makes it more nonconforming~~, shall cause the sign to lose its legal nonconforming status.
- (b) *Administration.*
- (1) *Enforcement.* This article shall be enforced in accordance with Section 8-10
 - (2) *Permit.* Except for signs allowed pursuant to compliance with Section 13-1903(k), no sign shall be erected, altered or enlarged until a permit has been issued by the Town Building Official. Such permit shall be issued only if the sign complies or will comply with all applicable provisions of this article and any other applicable rules and regulations. A schedule of fees for permits may be determined from time to time by the Town Council. ~~The provisions of this section shall not apply to signs permitted in a residential area or temporary signs to be placed in a window.~~

- (3) *Noncomplying.* Any sign installed or placed on public property, except in conformance with the provisions of this article, shall be prohibited and subject to removal by the Town. In addition to other remedies, the Town shall have the right to recover from the owner or person responsible for the placement of the sign the full costs of its removal and disposal.

Secs. 13-1908~~6~~—13-2000. - Reserved.