

ORDINANCE NO. 2011 - 01

AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TOWN'S UNIFIED LAND DEVELOPMENT CODE (ULDC) BY REPEALING ARTICLE 70. ENTITLED "SIGNS" IN ITS ENTIRETY AND REPLACING ARTICLE 70. ENTITLED "SIGNS" AS ATTACHED AND INCORPORATED HEREIN BY REFERENCE AS EXHIBIT "A"; PROVIDING FOR PURPOSE AND INTENT; PROVIDING DEFINITIONS; IDENTIFYING PROHIBITED SIGNS; REQUIRING SITE PLAN APPROVAL FOR CERTAIN TYPES OF SIGNS; PROVIDING FOR MAINTENANCE AND REMOVAL OF SIGNS; PROVIDING FOR GENERAL DESIGN REQUIREMENTS AND STANDARDS; PROVIDING A TABLE OF PERMITTED SIGNS; PROVIDING FOR ADDITIONAL SIGNS; PROVIDING FOR AGRICULTURAL SIGNS; AND PROVIDING FOR TEMPORARY SIGN PROVISIONS; AMENDING SECTION 010-030. "TERMS DEFINED" OF THE ULDC TO INCLUDE THE DEFINITION FOR THE MEASUREMENT OF THE HEIGHT OF A BERM; AMENDING SECTION 120-010. ENTITLED "MANDATORY SITE PLAN APPROVAL" AND SECTION 120-020. ENTITLED "SUBMISSION REQUIREMENTS" OF THE TOWN'S ULDC TO REQUIRE SITE PLAN APPROVAL FOR THE ERECTION OF CERTAIN SIGNS; PROVIDING FOR INCLUSION IN THE TOWN CODE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, since incorporation on June 6, 2000, the sign code of the Town of Southwest Ranches has not been substantially modified; and

WHEREAS, the existing sign code does not adequately protect the Town's rural lifestyle; and

WHEREAS, the Town finds it is in the best interest of the health, safety, and welfare of its residents to modify the sign code in conformity with the Town Charter, which requires the Town to "preserve, protect, and enhance the quality of life and residential character of Southwest Ranches"; and

WHEREAS, the Town of Southwest Ranches has a substantial interest in regulating the time, place and manner commercial signs; and

WHEREAS, the Town of Southwest Ranches has drafted regulations governing the time, place and manner of signs no more than necessary; and

WHEREAS, the Town has provided for the protection of non-commercial speech to the greatest extent possible; and

WHEREAS, the Town has provided content neutral restrictions; and

WHEREAS, the Town has provided for the timely amortization of both legal and illegal non-confirming signs, including billboards and other off-premise signs, in order to provide the existing signs owners a return on their investment back expectations; and

WHEREAS, the Town has determined that approval process for free-standing signs is essential to ensure the proper adherence to the Town's regulations and such approval process provides a clearly defined standard for review of signs by the Town including timelines and procedural safeguards; and

WHEREAS, the Town has provided regulation governing political signs that are consistent with the other temporary signs process currently in place; and

WHEREAS, the regulations, as adopted promote the public health, safety, comfort, good order, appearance, and general welfare of the Town, protect the character of residential and business areas throughout the Town, conserve the taxable value of land and buildings, and maintain the stability of residential, business and other areas within the Town; and

WHEREAS, such regulations provide for the appropriate signage for the land, buildings or use they identify and are adequate, not excessive, for the intended purpose of identification or advertisement.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF SOUTHWEST RANCHES, FLORIDA:

Section 1: That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance.

Section 2: The Town of Southwest Ranches Code of Ordinances is hereby amended as indicated in attached Exhibit "A", which is incorporated by reference and made a part hereof.

Section 3: Inclusion in the Town Code. It is the intention of the Town Council that the provisions of this Ordinance shall become and be made a part of the Town of Southwest Ranches Code; and that the sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intentions. The Town Clerk is hereby authorized and directed to cause said codification.

Section 4: Conflicts. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

Section 5: Severability. If any word, phrase, clause, sentence or section of this Ordinance is, for any reason, held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this Ordinance.

Section 6: Effective Date. This Ordinance shall take effect immediately upon adoption.

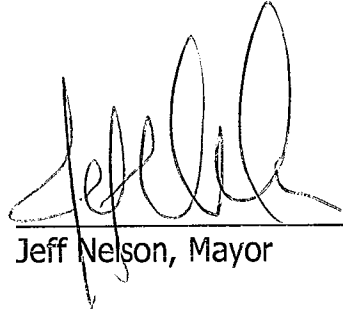
[Signatures on Following Page]

PASSED ON FIRST READING this 20th day of October 2010 on a motion made by Mayor Nelson and seconded by Council Member McKay.

PASSED AND ADOPTED ON SECOND READING this 3rd day of November 2010, on a motion made by Council Member Breitkreuz and seconded by Council Member Jablonski.


| | |
|------------|------------|
| Nelson | <u>AYE</u> |
| Fisikelli | <u>AYE</u> |
| Breitkreuz | <u>AYE</u> |
| Jablonski | <u>AYE</u> |
| McKay | <u>AYE</u> |

| | |
|------------|----------|
| Ayes | <u>5</u> |
| Nays | <u>0</u> |
| Absent | <u>0</u> |
| Abstaining | <u>0</u> |



Jeff Nelson, Mayor

Attest:



Debra Doré-Thomas, CMC, Town Clerk

Approved as to Form and Correctness:



Keith M. Poliakoff, J.D., Town Attorney
ACTIVE: 3108146_1

SIGN REGULATIONS

PURPOSE AND INTENT

Sec. 070-010. Purpose, Non-commercial copy and Severability.

(A) The purpose of this Article is to create the framework for a comprehensive but balanced system of sign control for the Town thereby facilitating clear and pleasant communications and reducing traffic or structural hazards. It is the belief of the Town Council that the nature of signs is to provide an index to needed goods and services. It is the intention of this Article to develop specific sign criteria which:

- (1) Are compatible with their surroundings;
- (2) Are legible under circumstances in which they are seen;
- (3) Are expressive of the identity of individual businesses or organizations or the community as a whole;
- (4) Promote the aesthetic appearance of the community;
- (5) Effectively and efficiently communicate the intent and nature of the business;
- (6) Improve pedestrian and traffic safety;
- (7) Lessen the visual clutter that may otherwise be caused by the proliferation, improper placement, illumination, animation, excessive height, and excessive size (area) of signs which compete for the attention of pedestrian and vehicular traffic;
- (8) Protect property values by precluding to the maximum extent possible sign-types that create a nuisance to the occupancy or use of other properties as a result of their size, height, illumination, brightness, or movement;
- (9) Protect property values by ensuring that sign-types, as well as the number of signs, are in harmony with buildings, neighborhoods, and conforming signs in the area;
- (10) Regulate the appearance and design of signs in a manner that promotes and complements the natural surroundings of the Town in an effort to sustain the Town as an attractive place to live and conduct business.
- (11) Not regulate signs more than necessary to accomplish the objectives described herein; and
- (12) Enable the fair and consistent enforcement of these sign regulations.

(B) Substitution of noncommercial speech for commercial speech; content-neutrality as to sign message (viewpoint).

- (1) Notwithstanding anything to the contrary contained in this Chapter, it is not the purpose of this Article to regulate or control the copy, content or viewpoint of signs. Nor is it the intent of this Article to afford greater protection to commercial speech than to noncommercial speech. Any sign, display or device allowed under this Article may contain, in lieu of any other copy, any otherwise lawful noncommercial message that complies with all other requirements of this Article.

(2) Notwithstanding anything to the contrary contained in this Chapter, any sign permitted by this Code may be permitted to substitute or change the lettering on said sign face to convey noncommercial messages as often as the person owning or in control of the sign wishes, provided that all other criteria of this Code relating to design criteria, size, setbacks, etc. are satisfied. 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 Chapter.

(C) *Severability.*

(1) If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Chapter 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 paragraph shall not be interpreted to limit the effect of paragraph (1) above, or any other applicable severability provisions in the code 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 requiring previously exempt signs to obtain permits or by some other means.

(3) *Severability of provisions pertaining to prohibited signs.* This paragraph shall not be interpreted to limit the effect of paragraph (1) above, or any other applicable severability provisions in the code or any adopting ordinance. The Town Council specifically intends that this severability clause shall be applied to sec. 070-030 "Prohibited signs," so that each of the prohibited sign types listed in that section shall continue to be prohibited irrespective of whether any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Chapter that pertains to prohibited signs, including specifically those signs and type-signs prohibits and not allowed under section 070-030 of this Chapter. Furthermore, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of section 070-030 is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of 070-030.

(4) *Severability of prohibition on off-premises signs.* This subsection shall not be interpreted to limit the effect of paragraph (1) above, or any other applicable severability provisions in the code or any adopting ordinance. If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Chapter and/or any other code provisions and/or laws are declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect the prohibition on off-premise as contained herein.

(D) Non-commercial signs erected by the Town of Southwest Ranches shall be exempt from the regulations as set forth herein.

Sec. 070-020. Definitions.

In addition to terms defined in Article 10, "Definition of Terms," 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:

Abandoned sign means any sign that no longer pertains to any person, organization, product, service, activity or business located on or available at the premises where such sign is displayed; any sign that no longer contains a message; and/or any sign in a state of disrepair; and any sign located within a swale without a valid permit.

Address sign means a sign listing at least the numerical prefix of the street address, and where applicable, the bay, suite, or unit number.

Animated sign means a sign which utilizes motion, or the optical illusion of motion or change, of any part by any means, including but not limited to use of: movement powered by wind; changes in color; flashing; rotating; scintillating; blinking; sequencing; oscillating, or intermittent lighting, or lighting that flickers or changes intensity; scrolling electronic messages or moving video images; or, emission of visible smoke, vapor, particles, noise, or sounds. The definition of animated sign shall not include changeable copy signs, as defined herein, and shall not apply to any portion of a sign containing time-temperature information, or game information on a scoreboard.

Area of sign means the total area of each sign face which may be used to display copy, including background, but not including the frame and structural supporting elements. Where a sign is composed of individual letters, characters or symbols applied directly to a canopy, marquee, mansard, fascia, facade, parapet, awning, wall or fence, the area of the sign shall be the smallest rectangle, triangle or circle which will enclose all of the letters, characters or symbols. The area of a double-faced sign shall be the area of each sign face.

Arterial street. for the purpose of this Article, means Sheridan Street east of Dykes Road, Griffin Road east of SW 163rd Avenue, Flamingo Road, and US-27.

Awning or umbrella means a shelter made of fabric, plastic, vinyl or other nonrigid material supported by a metal frame.

Awning sign means a sign that is painted, stitched, stamped, perforated, painted or otherwise affixed to an awning or umbrella.

Balloon sign means a temporary, three (3) dimensional sign of nonrigid material, inflated by air or other means to a point of semi-rigidity and used for advertising purposes, with or without copy.

Banner or pennant sign means a sign, with or without a frame and with or without characters, letters, symbols or illustrations, made of cloth, fabric, paper, vinyl, plastic or other nonrigid material for the purpose of gaining the attention of persons.

Bench sign means any sign painted on or affixed to a bench or to a shelter for persons awaiting public transportation.

Billboard sign means a sign, also known as an off-premise sign, which directs attention to a business, commodity, service, product, activity or ideology not conducted, sold, offered, available or propounded on the premises where such sign is located and the copy of which is intended to be changed periodically.

Box or cabinet sign means any sign, other than a banner or pennant sign, the sign face of which is enclosed, bordered or contained within a boxlike structure or cabinet, frame or other similar device.

Building frontage means the distance along a building or portion thereof occupied by a single tenant, as applicable which:

- 1) Is situated on a plot, with vehicular access, fronting a collector or arterial street; or
- 2) Contains a shopfront regardless of street frontage or lack thereof.

Building identification sign means a sign listing at least the numerical prefix of the street address and, in certain cases, the bay, suite or unit number, and/or the name of a building or complex other than a single-family dwelling or subdivision of single-family dwellings. The sign may be part of a permitted building wall or freestanding sign.

Building wall sign means a sign where its entire area is displayed upon or attached to any part of the exterior of a building wall, façade or parapet, approximately parallel to and not more than twelve (12) inches from the face of the wall upon which it is displayed or attached. Signs that meet the definition of window signs, but which are placed higher than eight (8) feet above the lowest finished floor elevation of a building, shall be considered wall signs.

Canopy or marquee means a permanent, unenclosed shelter attached to and extending from a building or a free-standing permanent shelter.

Canopy sign means a sign that is painted on or otherwise affixed to the fascia of a canopy, marquee or mansard roof.

Changeable copy means a static display sign with copy that can be changed either manually, electronically or by other method without altering the sign face, through the use of: attachable letters, numbers, symbols or changeable pictorial panels, and other similar characters; internal rotating or moveable parts; a matrix of light emitting diodes or other light source; light apertures; or, other methods.

Collector street, for the purpose of this Article, means Sheridan Street west of Dykes Road, Griffin Road west of SW 163rd Avenue, SW 148th Avenue, and Dykes Road.

Commercial message. Any sign wording, logo, or other representation or image that directly or indirectly names, advertises, or calls attention to a product, service, sale or sales event or other commercial activity.

Contractor sign means a temporary sign identifying those engaged in construction or remodeling on a building site, including the developer, contractor, subcontractor, architect, engineer or artisans involved in the project.

Copy means the linguistic and graphic content of a sign, either in permanent or removable form.

Directory sign means a sign consisting of an index containing the names of tenants in an office building, shopping center or other multitenant complex.

Disrepair (sign) means a state of neglect or dilapidation to the extent that:

- (1) The message of the sign has become obliterated, unreadable or indiscernible and has remained in such a state for at least one hundred twenty (120) days; or
- (2) Approximately twenty-five (25) percent or more of the structural components of the sign are in a visibly bent, broken, leaning or otherwise dilapidated condition.

Double-faced sign means a sign with two (2) sign faces which are parallel to each other and back to back.

Edge of pavement (EOP) means the outermost edge of the outermost automobile travel lane, not including shoulders, curb or gutter.

Election sign means a temporary sign indicating the name, cause or affiliation of any person seeking office or which indicates any issue or referendum question for which any election is scheduled to be held. This includes, but is not limited to, signs advertising candidates, referendums or any campaign information.

Electronic copy means copy that is formed by an array of light emitting diodes or other light sources, a cathode ray tube, a liquid crystal display, a plasma display, a digital light processing display, or image projection. Electronic copy may be part of an animated sign but is not considered an animated sign.

Embellishment means an extension of the sign face which contains a portion of the message or informative content and which is added, modified or removed when the message is changed.

Facade means that portion of any exterior building elevation extending from grade to the top of roofline building frontage. See also *signable facade area*.

Fascia means the flat, outside horizontal member of a cornice, roof, soffit, canopy or marquee.

Flag means a piece of fabric, often attached to a staff, containing distinctive colors, patterns or symbols, identifying a government or political subdivision.

Free-standing sign means any self-supported sign not attached or affixed in any way to a building or other structure.

Free-standing wall sign means a sign attached to and erected parallel to the face of, or painted on, a fence or free-standing wall and supported solely by such fence or free-standing wall.

Grand opening sign means a temporary sign announcing the opening of a newly licensed business not previously conducted at the location by the same person.

Graphic sign means a sign which is an integral part of the building facade in that it is carved in, or otherwise permanently embedded in the facade.

Hanging sign means a sign hung or suspended from a free-standing wood or metal frame, such frame being not higher than five (5) feet, nor wider than three (3) feet.

Holiday or seasonal sign means temporary lighting, garlands, wreaths or other decorations relating to a particular regional or nationally recognized holiday and containing no advertising.

Identification sign means a sign indicating the name, owner, address, use, and/or service of a particular activity located on the premises where such sign is displayed.

Illuminated sign means any sign that is wholly or partially illuminated by one or more artificial lights or luminous tubes designed for that purpose, whether or not said lights or tubes are physically attached to the sign. Signs that utilize an arrangement of lights or pixels to form the sign copy are not classified as illuminated signs for the purpose of this Article.

Internal illumination. A light source concealed or contained within the sign which becomes visible by shining through a translucent surface.

Incidental sign means a sign that does not contain any commercial advertising or names of tenants or residents, that:

- (1) directs the public to a facility or services, directs and controls on-premises traffic, such as entrance and exit signs, often using or shaped as arrows
- (2) warns or notifies the public regarding the premises where the sign is located, such as "caution," "no trespassing," "no parking," "tow-away zone," "disabled parking," "restrooms," etc.

Interior sign means any sign inside a building which is not clearly visible from and not intended to be seen from the exterior of the building.

Internal illumination means a light source concealed or contained within the sign which becomes visible by shining through a translucent surface, but does not electronic signs.

Logo means a sign consisting only of a symbol used to signify or represent an organization, corporation, business, service or product, whether registered or not.

Mansard roof (or wall) means a false roof projecting over the front of a building; a sloping section of an exterior wall above the functional roofline or deck of a building at an angle with the exterior wall from which it extends. It may be covered with roofing material to simulate a roof, but serves as an aesthetic rather than functional purpose.

Menu sign means a sign indicating food items, products, services or activities provided on the premises. Such signs are commonly, but not necessarily, associated with fast-food restaurants at the entrance to drive-through facilities.

Model sign means a sign which designates a particular dwelling unit design which is not for sale, but rather represents other units of a similar design that are for sale.

Monument sign means a free-standing sign supported by an internal structural framework or integrated into a solid structural feature other than support poles.

Mural means a graphic, artistic representation painted on a wall, not including graffiti, which contains no advertisement or relationship to any product, service or activity provided, offered or available on the premises.

Nameplate sign means a sign indicating the address and/or name of a person residing on the premises *Neon sign* means a sign formed by luminous or gaseous tubes in any configuration.

Noncommercial message. A noncommercial message is any message, which is not a commercial message.

Nonconforming sign means a sign or advertising structure which was lawfully erected and maintained prior to the current provisions of this code regulating signs, which by its height, type, square foot area, location, use or structural support does not conform to the requirements of this Article.

Nonilluminated sign means a sign which has no source of artificial or person-made illumination either directly or indirectly.

Off-premises sign means a sign, including a billboard which directs attention to a business, commodity, service, product or activity not conducted, sold, offered or available on the premises where such sign is located.

Opinion Sign/Free expression sign means a sign containing language, wording or an expression not related to the economic interests of the speaker and its audience, such speech generally considered to be ideological, political or of a public interest nature; or a sign indicating belief concerning an issue, name, cause or affiliation which is not scheduled for an election, including, but not limited to, signs advertising political parties or any political information.

Outdoor event sign means a temporary sign identifying an outdoor event which is of general interest to the community.

Panel sign means a sign having the sign face supported between two columns, with no open area between such columns or poles and the sign face.

Parapet means a false front or wall extension above the roofline of a building.

Pennant sign. See "Banner or pennant sign."

Permanent sign means any sign which, when installed, is intended for permanent use. For the purposes of this Article, any sign with an intended use in excess of six (6) months from the date of installation shall be deemed a permanent sign.

Pole sign means a free-standing sign erected upon one pole that is visible and wholly independent of any building or other structure for support.

Primary or principal frontage means that building frontage designated by the owner tenant to be the primary frontage when the building/tenant space has more than building frontage.

Project sign means a temporary sign announcing a project to be under construction or an intended use of the premises, upon which such sign is located, in the immediate future.

Projecting sign means a sign attached to and supported by a building or other structure and which extends at any angle a distance of more than twelve (12) inches.

Promotional sign means a temporary sign promoting a special business event.

Public service sign means a sign erected by a governmental authority, within or immediately adjacent to a right-of-way, indicating the location of public or governmentally owned facilities, such as Town Hall, Public Safety Facilities, schools, parks or indicating street names or other messages of public concern.

Public street. Any street for which public ingress and egress rights are dedicated or granted.

Pylon means an enclosed, tower-like structure which is erected as an extension above or an addition to a building primarily for nonfunctional or decorative purposes.

Pylon sign means a sign affixed to a pylon.

Real estate sign means a temporary sign erected by the owner or his agent indicating property which is for rent, sale or lease, including signs pointing to a property which is open for inspection by a potential purchaser (open house sign), the development team for the project, or a sign indicating "Shown By Appointment Only" or "Sold."

Roof line means the lowest continuous horizontal line of a roof. On a sloping roof, the roof line is the eave. On a flat roof, the roof line is the highest continuous line of the roof or parapet, whichever is higher. On a mansard roof, the roof line is the bottom of the mansard.

Roof sign means a sign erected or placed over or on a roof which is dependent upon the roof, parapet or upper walls of any building for support, or which extends above the roofline of the building.

Sales office sign means a sign identifying a construction project sales office.

Sandwich or sidewalk sign means a movable sign not permanently secured or attached to the ground or to a structure and which may have two faces, usually hinged at the top.

Scoreboard means a sign or portion of a sign that is an accessory structure to an academic school or public park athletic field, and is used for displaying the score and other details of a football, baseball or other athletic game.

Shopfront means a building facade that has a principal public entrance into a tenant space, or which has at least sixty (60) percent fenestration, measured from a height of two (2) feet to eight (8) feet above the abutting grade. When a principal public entrance is at the corner of two (2) building facades, both facades shall be credited as having said entrance.

Shopping center means a building or buildings planned as a single development on the same plot, sharing access and parking, containing at least three (3) tenants and seventy-five thousand (75,000) s.f. of gross leasable floor area. Single and double tenant buildings containing less than seventy-five thousand (75,000) square feet of gross leasable area are not included in this definition.

Sign means every device, frame, letter, figure, graphic, character, mark, permanently fixed object, ornamentation, plane, point, design, picture, logo, stroke, stripe, symbol, trademark, reading matter or other representation for visual communication that is used for the purpose of bringing the subject thereof to the attention of others.

Signable facade area means an area of the building façade that comprises the intended/designed location for building wall signage. The signable facade area is measured as the largest square, rectangle, or parallelogram on the façade that is free of fenestration and other architectural details.

Sign face means the part of a sign, visible from one (1) direction, that is or can be used for communication purposes, including any background material, panel, trim, color or direct or self-illumination used that differentiates the sign from the building, structure, backdrop surface or object upon which or against which it is placed.

Sign structure means any structure erected for the purpose of supporting a sign, including decorative cover and/or frame.

Snipe sign means any sign of any material that is stapled, tacked, nailed, taped, pasted, glued or otherwise affixed to a pole, stake, fence, structure, building, trailer, dumpster or other object, tree, telephone or power pole, public service sign, or traffic control sign or structure, and is not specifically permitted herein.

Street frontage means the length of property lines, or portions thereof, that are directly adjacent to arterial or collector streets.

Strip lighting means lighting in the form of luminous or gaseous tubes used to draw attention to a building or structure, usually outlining a building, or portion thereof, or a sign.

Subdivision sign means a sign indicating the name of a subdivision or neighborhood or other residential development.

Temporary sign means any sign, other than a snipe sign, with an intended use of six (6) months or less. For purposes of this code, temporary signs includes the following: election sign, opinion sign, garage sale sign, model sign, real estate sign, and yard sale sign.

Tenant means:

- (1) The sole nonresidential occupant of a single-tenant building; and
- (2) A nonresidential use occupying part of a multiple-tenant building, which part is designated for such use occupant, is physically separate from the space devoted to other occupants, and has its own building frontage and entrance. Examples include a store within a shopping center, and a walk-up office space with its own external entrance located within a professional office building.

Traffic control sign means any sign used to control traffic on public streets or private property, such as speed limit, stop, caution, one-way, do not enter, tow-away zone or no parking signs.

Trailer sign means a sign which is designed to be transported, as a trailer is transported, on its own wheels, even though the wheels of such signs may be removed and the remaining chassis placed on or attached to the ground.

Under canopy sign means a sign permanently affixed to and suspended from the underside of a canopy or marquee, with its sign face at roughly a ninety (90) degree angle from the building façade, intended for pedestrian way finding.

Vehicle sign means a sign affixed to or painted on a transportation vehicle including automobiles, trucks, boats, trailers, and campers for the purpose of identification or advertisement. Vehicle signs required by law signifying licensing information shall not be included in this definition.

Wall sign, building. See "building wall sign."

Wall sign, freestanding. See "freestanding wall sign."

Window sign means a sign located on a window, door or other transparent surface, or within a building or other enclosed structure, which is visible from the exterior through a window or other opening intended to attract the attention of the public, and which does not exceed, in whole or in part, eight (8) feet above the lowest finished floor elevation of the building. This term shall not include merchandise located in a window or interior signs.

Yard sign means a temporary sign placed on personal property by the owner of the property. A yard sign can include one or all of the following: election sign, opinion sign, garage sale sign, model sign, real estate sign, and yard sale sign.

Sec. 070-030. Prohibited signs.

Any sign not specifically permitted is prohibited, including, but not limited to, the following signs:

- (A) Animated signs including revolving or rotating signs;
- (B) Abandoned signs.
- (C) Any sign located in a sight visibility triangle.
- (D) Banner or pennant signs, except as permitted by section 070-120, "Promotional signs";
- (E) Balloon signs, except as permitted by section 070-120, "Promotional signs";
- (F) Bench signs;
- (G) Billboard signs except for any lawfully erected billboard sign permitted by FDOT along any portion of the interstate or federal-aid primary highway system. For the purposes of this provision, the interstate and the federal-aid primary highway system shall mean U.S. 27, I-75 and Flamingo Road;
- (H) Changeable copy signs, unless specifically provided for herein
- (I) Electronic copy within or upon a sign; unless specifically provided for herein
- (J) Exposed neon tubes or bare bulb signs placed in geometric forms to outline structures, or roofs in such a manner as to attract attention.
- (K) Flags, except as permitted by sections 070-110, "Temporary signs," and 070-120, "Promotional signs";
- (L) Flashing signs.
- (M) Inflatable balloons displaying advertising, except as specifically provided for herein.
- (N) Murals
- (O) Off-premises signs.
- (P) Painted wall signs.
- (Q) Pole signs;
- (R) Projecting signs;
- (S) Roof signs;
- (T) Sandwich or sidewalk signs, except as permitted by section 070-120, "Promotional signs";
- (U) Snipe signs,
- (V) Strip lighting,
- (W) Trailer signs, except as permitted by section 070-120, "Promotional signs";
- (X) Vehicle signs with a total sign area on any vehicle in excess of ten (10) square feet, when the vehicle:
 - a. Is parked for more than sixty (60) consecutive minutes within one hundred (100) feet of any street right-of-way; or
 - b. Is visible from the street right-of-way that the vehicle is within one hundred (100) feet of; and
 - c. Not in conflict with Section 045-030(C)(4) commercial vehicles.

Sec. 070-040. Nonconforming signs.

(A) Any legal non-conforming permanent sign erected under the provisions of Article VI of the Broward County Zoning Code as it existed prior to April 14, 2005, but not conforming to the provisions of this Article, or any amendment hereto, are subject to removal as follows:

- (1) Any sign that was exempt from the requirement to obtain a permit at the time it was erected shall be removed or otherwise made to conform to this Article no later than two (2) years from the effective date of this Ordinance, November 3, 2010, except as provided in subsection (B), whichever occurs first;
- (2) Any sign that was subject to the requirement to obtain a permit at the time it was erected shall be removed or otherwise made to conform to this Article no later than five (5) years from the effective date of this Ordinance, November 3, 2010, except as provided in subsection (B), whichever occurs first, except billboards,

(B) Nonconforming signs shall be removed or made to conform to this Article upon any of the following events:

- (1) Any change of copy on a sign pertaining to a single entity or a change of more than fifty (50) percent of copy on a directory sign or other multi-tenant sign within a ninety (90) day period;
- (2) Abandonment of a sign, as defined in section 070-020, "Definitions;"
- (3) Repair or reconstruction of a sign in disrepair that requires or involves structural alteration, regardless of the reason for the deteriorated condition of the sign;
- (4) Relocation of any sign for any reason;
- (5) Expiration of any temporary sign permit; or
- (6) Improved by more than 50% of its value.

(C) At the end of the period specified in subsections (A) or upon the occurrence of an event listed in subsection (B), all signs other than billboard signs, shall comply with the provisions of this code, including the master sign plan requirements in section 070-100, "Master sign plans."

(D) Nonconforming signs may be refurbished or repaired, provided no structural alterations are involved.

(E) Signs or sign structures which were never lawfully erected, including but not limited to any sign within a street, shall not be determined as legally nonconforming signs and shall be subject to immediate removal without the benefit of any amortization period.

(F) Billboard signs except for any lawfully erected sign along any portion of the interstate or federal-aid primary highway system shall be determined to be a nonconforming use.

(G) Any off-premise signs shall be removed as follows:

- (1) Off-premise signs for which a permit was issued prior to January 1, 2000, shall be removed immediately upon adoption of this Ordinance.
- (2) Off-premise signs for which a permit was issued by the Town of Southwest Ranches prior to April 14, 2005, the original date of adoption of the provisions from which this ULDC

is derived, shall be removed within five (5) years of the effective date of this Ordinance November 3, 2010.

(H) No variance may be granted from the provisions of this section. However, repairs, maintenance, and improvements may be carried out in an amount not to exceed fifty (50) percent of the market value of the sign and, provided, that such work does not increase the height, size or setback deficiency of the nonconforming sign.

(I) Changeable copy and embellishments requested to be added to non-conforming signs shall be considered an expansion of a non-conforming and shall not be permitted.

Sec. 070-050. Sign permits.

(A) *Permit applications.* No permanent sign, other than those specified in subsection (C) of this section or as specifically provided for billboard signs, shall be placed or altered on any plot, nor any existing sign copy changed which change requires a building permit under the building code, until a certificate of use has been issued and until a permit as required by section 005-080, "Permits required; expiration of permits and development orders" has been obtained. Sign permit applications shall, at a minimum, contain and be accompanied by the following:

- (1) An indication of the specific type of sign and sign structure;
- (2) The address and legal description of the plot where the sign will be located;
- (3) A plan or design of the sign, drawn to scale, showing the dimensions, square foot area, sign face, copy, height of letters, colors, lighting, and the sign structure;
- (4) The location and type of all other signs on the same plot;
- (5) A copy of the master signage plan for the development, if applicable;
- (6) For free-standing signs, the overall height of the sign;
- (7) For building, wall, parapet, facade, graphic, and pylon, signs, each building frontage and height of each building wall, parapet, facade or pylon, or silhouette of the building for which signage is proposed;
- (8) For window signs, the building frontage and height of the building wall, parapet, facade or pylon within which window signage is proposed, the area of all windows, and the area of such windows to be used for signs; and

(B) *Licensed contractor required.* A licensed contractor shall be required for all signs requiring permits per the Florida Building Code.

(C) *Exempt signs.* Permits shall not be required for the following signs, provided the sign area is six (6) square feet or less and the sign is nonilluminated:

- (1) Building identification signs;
- (2) Flags, as permitted by section 070-080(K);
- (3) Yard signs;
- (4) Hanging signs;
- (5) Incidental signs
- (6) Interior signs;
- (7) Nameplate signs;
- (9) Window signs.

(D) *Permit requirement exceptions.* Permits shall not be required for the following signs:

- (1) Public service signs;
- (2) Traffic control signs;
- (3) Any sign on a plot, or portion of a plot, used as a farm and pertaining to farm activities when such plot, or portion of plot has been determined to be a farm according to Article 155. Administrative Farm Claim Determination where the sign is located.

(E) *Permit issuance.* Signs larger than thirty-two (32) square feet in area shall require Town Council approval, pursuant to the procedures and requirements of Article 120. If, upon review, it is determined that an application is in accordance with the provisions of this Article, a permit shall be issued in accordance with section 005-080, "Permits required; expiration of permits and

development orders." Fees for permits shall be in accordance with the schedule established by the Town.

(1) Upon submission of an application, staff shall have twenty (20) business days to determine whether it is complete, and if not, to provide the applicant with written notice of the deficiencies. Upon resubmission of the application, staff shall have fifteen (15) additional business days to determine whether the applicant's revisions are sufficient to complete the application, and if not, to again inform the applicant of any remaining deficiencies in writing. This process shall continue until the applicant has submitted a complete application or demands that the application be reviewed as is.

(2) The Town Administrator shall review all of the information submitted to determine conformity with this Article, including the location of the proposed sign. Upon payment of the required fee, the Administrator shall approve or deny the sign permit based on whether it complies with the requirements of this Article, within twenty (20) business days after receipt of a complete application.

(3) The Town Administrator shall prepare a written notice of decision, describing the applicant's appeal rights, and mail it to the applicant. The applicant may file a written notice of appeal to the Town Council within ten (10) business days after the date of receipt of the Town Administrator's decision. The Town Council shall hear and decide the appeal at the next available Council meeting that is at least twenty (20) business days after the date of receiving the written notice of appeal. If the Council does not grant the appeal, then the appellant may immediately seek relief in the Circuit Court for Broward County, as provided by law.

(F) *Signs erected without permits.*

(1) Signs that were not lawfully permitted and do not comply fully with this Article shall be removed immediately upon receipt of notice from Town Code Compliance personnel.

(2) Signs that were not lawfully permitted but which comply fully with this Article shall require a permit within fifteen (15) days from receipt of notice from Town Code Compliance personnel.

(G) *Permit revocation.* Permits for signs may be revoked by Town Code Compliance personnel if it is determined that any sign fails to comply with the terms of this Article and the owner of such sign fails to bring the sign into conformity within fifteen (15) days from receipt of any written notice of noncompliance. Revocation of a sign permit shall require removal of the sign in violation.

Sec. 070-060. Maintenance and removal.

(A) All permitted signs and sign structures shall be maintained in good condition and not allowed to remain in a state of disrepair. Any sign that is not in good condition shall either be removed or repaired within thirty (30) days of notice to the property owner.

(B) Any abandoned sign shall be removed by the property owner, if the sign owner cannot be verified or located, within fifteen (15) days of notice to the sign owner and/or property owner.

(C) Any sign located within a street right-of-way, reservation, easement, or within the clear zone without a permit shall be removed and disposed of without notice.

Sec. 070-070. General sign requirements for permanent signs.

(A) For any multi-tenant commercial development in the Town, a uniform sign program shall be established and approved by the Town Council as required under section 120-020 of the Town Code of Ordinances. Existing multi-tenant commercial development shall have one (1) year from the effect date of this Ordinance November 3, 2010, to provide a uniform sign program indicting all existing signs upon the property.

(B) *Illumination of signs.* Where permitted, sign illumination shall be limited to one of the following methods.

(1) *Internally illuminated message.* The sign face is made of an opaque material and the copy is cut out of the material and replaced with translucent material. The sign's light source is inside the sign.

(2) *Internally illuminated sign.* The sign face is made of translucent material with an internal light source.

(3) *Back lighting.* The copy is raised beyond the sign face and the lighting illuminates the copy from behind in the form of back lighting or reversed channel lighting.

(4) *Shielded spotlight.* The sign face and copy are lighted by spotlights specifically directed at it. Such spotlights shall be fully shielded so that they are not visible from streets or adjoining property, and so that there is no light glare, including reflected glare, and no spillage beyond the sign face.

Sec. 070-080. Basic design schedule for signs.

It is the intent of these regulations to provide signage within the Town of Southwest Ranches that is reflective of the small Town rural atmosphere that the residents actively protect. To this end, these regulations are intended to provide for a consistent aesthetic pattern that provides for communication of message while protecting the residents from unsightly visual clutter having nothing to do with either commercial or noncommercial messages.

(A) Design and structural requirements.

- (1) All structural members utilized in the construction or erection of signs shall be concealed except for vertical supports or other supporting members which are designed and arranged so as to be an integral part of the aesthetic composition of a sign.
- (2) All signs shall be designed so as to be architecturally compatible. No sign or sign face shall cross or disrupt architectural features of the building to which it is attached. Carved wood panels and wooden posts and poles sign design shall be encouraged to reflect the Town's rural heritage.
- (3) Permanent ground signs allowed in this Chapter shall be landscaped in accordance with Section 075-100(D).
- (4) Temporary free-standing signs allowed in this Chapter shall not exceed six (6) feet in height above the crown of the (any abutting) road.
- (5) Wall signs on multi-tenant and free standing buildings (including those on out-parcels) located in the same commercial center shall be stylistically consistent and compatible with one another. The color and font/style of letters used for such signs shall be identical unless otherwise specifically approved by the Town Council. The height of letters used for different signs in the same commercial center must fall within a four (4) inch range unless otherwise specifically approved by the Town Council.
- (6) All wood permitted to be used, whether for new permanent signs, for replacement of existing signs, or for any part thereof, shall be rot and termite resistant, through open cell preservation methods as specified by the American Wood Preservation Association, or by any other open cell preservation treatment approved by the Town.
- (7) The use of lettering and sign design shall enhance the architectural character of the facade on which the sign is located.
- (8) All signs must be removed immediately upon discontinuance of their intended or approved use.

All permitted permanent signs shall comply with the following limitations and requirements unless otherwise specified:

(B) Basic Sign Lettering Height.

The basic sign lettering in all commercial zoning districts shall be limited as set forth below:

| Street Type | Maximum base height of letters/symbols in inches |
|-------------|--|
| Arterial | Twenty-three (23) inches |
| Collector | Twenty (20) inches |

| | |
|--------------|----------------------|
| Other Street | Fourteen (14) inches |
|--------------|----------------------|

In residential zoning district sign lettering shall be limited to twenty-three (23) inches in height.

(C) *Address signs.* Address signs are required in all zoning districts for every building, and complex of buildings (such as a shopping center or office park), and every tenant space within a building. Address signs shall comply with sec. 020-040 of this Code, and shall not count toward the maximum signage allowance for any tenant, building or property.

(1) Every property zoned for commercial, industrial or community facility use shall display the address or address range of the property (as applicable) upon each monument sign along the street frontage. Each individual building within a complex shall display its own street address upon the building or upon a directional sign adjacent to the building, limited to one (1) sign per building frontage. Each tenant space within every building shall display its street address on the door or building wall, not to exceed one (1) sign.

(2) Every property zoned for rural or agricultural use shall display its street address on the street-side mailbox, wall or fence adjacent to the driveway or upon a separate sign placed along the street frontage. One (1) sign is permitted per street frontage, limited to four (4) square feet in area. The sign may be illuminated only with shielded spotlights.

(D) *Awning or umbrella signs.* On awning or umbrella signs the sign copy may only be located on the portion of the awning or umbrella which is parallel to the building to which it is affixed or at a ninety (90) degree angle to the ground.

(E) *Box or cabinet signs.* Such signs are not permitted except in conformance with a signage master plan or site plan that has been specifically approved by the Town Council and upon a showing that the signs as proposed present a unified and cohesive overall signage design and is compatible with the architecture of the existing building(s) and consistent with the Town's rural lifestyle.

(F) *Building wall signs, graphic signs, canopy/marquee signs.* On building wall signs, graphic signs, canopy/marquee signs:

(1) Letters, cabinets or borders shall not exceed the height of any canopy or marquee upon which the sign is affixed; and

(2) The maximum length of signage upon any building frontage shall not exceed sixty (60) percent of the building frontage; and

(3) The total signage area allocated to each building frontage shall not exceed fifteen (15) percent of the facade area, and shall not exceed seventy-two (72) square feet.

(G) *Changeable copy.* Where permitted, such changeable copy shall not exceed twenty (20) percent of the maximum permitted area of a sign. Changeable copy shall not change in any aspect more than two (2) times in any seventy-two (72) hour period, except where provided for by law.

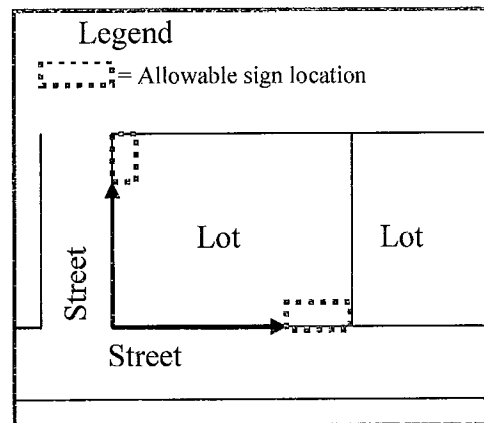
(H) *Freestanding signs.*

(1) *Setbacks.* Free-standing signs of any type shall not be subject to front yard or street side setbacks specified in any zoning district, but shall be located outside of the sight distance triangle pursuant to sec. 085-030, and except for freestanding wall signs,

shall be no closer than five (5) feet from any street line and edge of street pavement, three (3) feet from any pedestrian way, a distance equal to the height of the sign from any common side or rear property line, and not closer than twenty-five (25) feet from any residentially zoned property line. Setbacks shall be measured from the outermost edge of the sign structure. The required setback for freestanding wall signs is subject to the standards governing the placement of fences and walls.

- (2) *Separation between freestanding signs.* No freestanding identification or other non-incident sign shall be located closer than five hundred (500) feet to another freestanding sign located on the same side of an arterial or collector street, measured from the closest points of any two (2) signs, except as follows:
- a. No such freestanding sign is permitted to be located within the first seventy-five (75) percent of the street frontage measured from the point of intersection of two (2) street rights-of-way or ingress/egress easements, unless the signage allowance for one (1) of the street frontages is forfeited and only a single sign is placed near the street intersection and such forfeited sign shall be immediately removed. When the street right-of-way intersection is formed by a corner chord, the rights-of-way or easement lines, as applicable, shall be extended to a point of intersection, which shall form the starting point basis for the measurement. See Figure 70-1 for illustration, in which the arrows represent the minimum distance from the street intersection from which the signs must be located.
 - b. Signs on adjacent corner lots that are separated by a right-of-way or ingress/egress easement of fifty (50) feet or more in width shall be separated by not less than one hundred and fifty (150) feet.

Figure 70-1. Corner signage setbacks.



(I) *Logos and registered trademarks* Logos and registered trademarks shall not exceed twenty (20) percent of the area of any sign.

(J) Sign lighting is subject to Article 95, "Outdoor lighting." Nothing in said Article shall be construed to prohibit the external illumination of signs pursuant to this subsection.

(K) Noncommercial copy. Noncommercial copy may constitute all or any part of the total area of any sign permitted in this Article. Such signs shall only be illuminated in commercial and industrial zoning districts, as provided for in Table 70-20, sign design.

(L) *Sight distance triangle.* (See section 085-030, "Site distance triangle.")

- (1) Freestanding sign height measurement.
 - a. *Freestanding wall signs.* The height of freestanding wall signs shall be measured in the same manner as the wall itself, pursuant to the definition of *height* for structures other than buildings and signs in sec. 010-030.
 - b. *All other free-standing signs.* Height shall be measured from the elevation of the edge of pavement at its closest point to the sign location.
- (2) *Permitted height and area.* All freestanding signs shall comply with the table below and the standards in sec. 070-090.

Table 70-1. Freestanding sign height and area standards.

| Street Type (see sec. 070-020 definitions) | | Maximum Height (in feet) | | | Maximum Area (in square feet)*** | | |
|---|-----------------|--|--|------------|--|--|------------|
| | | Base allowance (for signs within 30 ft. of E.O.P.) | Additional allowance for each 1 foot of setback in excess of 30 ft. from E.O.P.* | Max. Total | Base Allowance (for signs within 30 ft. of E.O.P.) | Additional allowance for each 1 foot of setback in excess of 30 ft. from E.O.P.* | Max. Total |
| Arterial Street | Shopping Center | 12 | 0.10 | 20** | 32 per anchor tenant**** | 0.20 | 150 |
| | Other | 6 | 0.10 | 12 | 32 | 0.75 | 100 |
| Collector Street | | 6 | 0.10 | 10 | 32 | 0.50 | 64 |
| Other Street | | 5 | 0.10 | 7 | 24 | 0.35 | 32 |

* For each one (1) foot that a sign is set back from the closest edge of street pavement (E.O.P.), a sign can be increased in height and area from the base height and area allowances as indicated in the table. However, no additional height or area shall be accrued for signs set back in excess of the minimum setback requirement in subsec. (H)(1), above. Fractional measurements shall be rounded up to the next highest whole number.

**Freestanding wall signs are limited to twelve (12) feet in height, provided that at least fifty (50) percent of the sign shall not exceed ten (10) feet in height.

***The maximum areas specified apply to each sign face of a double-faced sign.

****Anchor tenants are those with at least twenty-five thousand (25,000) sf of gross leasable floor area. If there are no anchor tenants, each seventy-five thousand (75,000) s.f. of gross leasable floor area shall be the equivalent of one (1) anchor tenant.

(3) *Landscaping.* All developed nonresidential properties shall provide landscaping at the base of any free-standing sign on the plot in accordance with Article 75, "Landscaping Requirements."

(M) *Freestanding wall signs.* Freestanding wall signs shall be affixed to a masonry wall except for agricultural use signage and single-family residential use signage, and for subdivision signs subject to Town Council site plan approval at time of site plan or through another process as may be determined.

(N) *Incidental signs.* Such signs may be double-faced, may be monument or building wall signs, shall be adjacent to paths of vehicular or pedestrian traffic, and shall be no larger than six (6) square feet in sign area and four (4) feet in height.

(O) *Flag poles and flags in all zoning districts.*

(1) All flags on nonresidentially used property shall be displayed on a flag pole and shall be maintained in accordance with section 070-060, "Maintenance and removal." Flags shall not be displayed on vehicles for sale or lease at an automobile, truck, recreational vehicle or boat dealership. A permit in accordance with section 005-080, "Permits required; expiration of permits and development orders," shall be required for any flag pole.

(2) Except for residential lots of record which are over five (5) acres in size, there shall be one (1) flag pole, allowed per parcel or lot of record for the display of flags. For residential parcels greater than five (5) acres, two (2) flag poles shall be permitted. Commercial parcels and community facilities, excluding government owned parcels, shall be permitted to have no more than two (2) flag poles and the location of the flag pole shall be identified on the site plan prior to receiving a building permit.

(3) Except as set forth herein, the maximum height of the flag pole in any residential zoning district shall not exceed thirty-five (35) feet. Flagpoles in nonresidential zoning districts shall not exceed the allowed height of the zoning district or forty-nine (49) feet, whichever is less.

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

TABLE INSET:

| Pole Height | Maximum Flag Size |
|---------------|----------------------|
| Up to 25 feet | 24 total square feet |
| 25 to 35 feet | 40 total square feet |
| 36 to 49 feet | 60 total square feet |

(5) The setback of the flag pole from all property lines shall be equal to the height of pole. The maximum number of flags allowed per flag pole shall be three (3).

(6) In addition to the display of flags on a flag pole, one (1) flag may be displayed on a pole mounted on a bracket at a building entrance.

(7) In the event that a flag pole is proposed to camouflage a cellular tower as part of a proposal to limit the adverse visual appearance of a lattice or other noncamouflaged cellular tower, the location of which is otherwise necessary, the Town Council may allow a

flag pole to reach a height greater than set forth herein and may allow for a flag size greater than set forth herein.

(P) *Monument signs.* The supporting structure of a monument sign shall not be less in width than seventy-five (75) percent of the width of the sign face, inclusive of any box, cabinet or frame. No copy shall be permitted on the supporting structure other than the building address.

(Q) *Under canopy signs.* Such signs shall have a minimum vertical clearance of eight (8) feet above any pedestrian way and shall not exceed six (6) square feet in sign area. Copy shall be limited to the name or the main character of the establishment the sign serves.

(R) *Window signs.* Temporary, nonilluminated window signs are allowed in all zoning districts. Window signs shall not be in excess of fifteen (15) percent of the window area and may be located on or adjacent to the window. A temporary "Grand Opening" sign may be in excess of fifteen (15) percent of the window area, but shall not constitute in excess of fifty (50) percent of the window area and may be placed directly on or adjacent to the window surface for a period of time not to exceed fourteen (14) days after the date of issuance of the initial occupational license or a one-time period at the initial beginning of the business. No letter shall be greater in height than four (4) inches, and logos or symbols shall not be greater than eight (8) inches in height.

Sec. 070-090. Permitted permanent signs.

This section lists the permitted sign types and functions within each zoning district.

Legend

- AG** Agricultural Districts (A-1, A-2)
- R** Rural Districts (RR, RE)
- CF** Community Facility District
- BUS** Commercial Districts (CB)
- OSR** Open Space and Recreation District
- M** Manufacturing and Industrial Districts

P = Permitted

X = Prohibited

C = Restricted to certain land uses

Table 70-2. Permitted signs.

| | Zoning Categories | | | | | |
|-------------------------|-------------------|---|-----|---|----|-----|
| | AG | R | BUS | M | CF | OSR |
| PERMANENT SIGNS | | | | | | |
| Address sign | P | P | P | P | P | P |
| Billboard | X | X | X | X | X | X |
| Building Identification | P | P | P | P | P | P |
| Directory sign | X | X | P | P | P | P |
| Flags | P | P | P | P | P | P |
| Identification sign | P | P | P | P | P | P |
| Incidental sign | P | P | P | P | P | P |
| Menu sign | X | X | C | C | X | X |
| Nameplate sign | P | P | C | C | X | X |
| Public service sign | P | P | P | P | P | P |
| Subdivision sign | P | P | X | X | X | X |
| Traffic control sign | P | P | P | P | P | P |
| TEMPORARY SIGNS | | | | | | |
| Contractor | X | X | X | X | X | X |
| Election | P | P | P | P | P | P |
| Grand Opening | X | X | P | P | X | X |
| Holiday or seasonal | P | P | P | P | P | P |
| Model sign | X | X | X | X | X | X |
| Opinion sign | P | P | P | P | P | P |
| Outdoor event sign | X | X | C | C | C | C |
| Project sign | P | P | P | P | P | P |

| | Zoning Categories | | | | | |
|---------------------------|-------------------|---|-----|---|----|-----|
| | AG | R | BUS | M | CF | OSR |
| Real Estate sign | P | P | P | P | P | P |
| Sales Office sign | P | P | P | P | X | X |
| Yard Sale sign | P | P | X | X | X | X |
| Balloon sign | X | X | P | P | X | P |
| Banner or Pennant sign | X | X | P | P | X | P |
| | | | | | | |
| SIGN DESIGN | | | | | | |
| Animated Sign | X | X | X | X | X | X |
| Bench sign | X | X | X | X | X | X |
| Building wall sign | P | P | P | P | P | P |
| Canopy sign | X | X | P | P | X | X |
| Double-faced sign | P | P | P | P | P | P |
| Free-standing wall sign | C | C | X | X | X | X |
| Free-standing sign | P | P | P | P | P | P |
| Graphic sign | X | X | P | P | P | P |
| Hanging sign | P | P | X | X | X | P |
| Illuminated sign | P | P | P | P | P | P |
| Individual Letter sign | X | X | P | P | P | X |
| Marquee sign | X | X | P | P | X | X |
| Monument sign | P | P | P | P | P | P |
| Nonilluminated sign | P | P | P | P | P | P |
| Panel sign | P | P | P | P | P | P |
| Pole sign | X | X | X | X | X | X |
| Projecting sign | X | X | P | X | X | X |
| Pylon sign | X | X | P | P | X | X |
| Roof sign | X | X | X | X | X | X |
| Sandwich or Sidewalk sign | X | X | P | X | X | X |
| Snipe sign | X | X | X | X | X | X |
| Strip lighting | X | X | X | X | X | X |
| Trailer sign | X | X | X | X | X | X |
| Under canopy sign | X | X | P | X | P | P |
| Vehicle sign | X | X | X | X | X | X |
| Window sign | X | X | P | P | P | P |
| | | | | | | |

Signs specified in table 70-2 shall be permitted, subject to limitations contained in section 070-080, "Basic design schedule for nonresidential signs," and subject to the following additional limitations and requirements:

(A) *Agricultural uses (farms).*

(1) One (1) nonilluminated identification sign, which may be double-faced, not to exceed thirty-two (32) square feet in area per side and related to farm activities on the plot or portion thereof, shall be permitted on the portion of any plot occupied by a farm or principal agricultural use. It is specifically recognized that any structure which would otherwise constitute a billboard, shall be subject to all conditions, restrictions and prohibitions applicable to billboards set forth within this ULDC.

(2) Incidental signs.

(B) *Gasoline stations and convenience stores.* The following signs shall be permitted for gasoline stations and convenience stores:

(1) One (1) free-standing identification sign, which may be double-faced, in the form of a panel sign, monument sign or free-standing wall sign, which may include changeable copy for gasoline prices not to exceed twenty (20) percent of the sign or fifteen (15) square feet, whichever is greater;

(2) One (1) canopy sign per collector or arterial street frontage not to exceed ten (10) square feet;

(3) One (1) building wall sign on each building frontage subject to the sign area limitations of subsection (F). If additional businesses are located within the principal building, one (1) additional building wall sign may be utilized, provided there shall be no increase in the allowable signage area per building frontage ;

(4) Incidental signs.

(5) One (1) sign not to exceed three (3) square feet may be placed on each fuel pump unit dispenser, with copy limited to gasoline price rates;

(6) Window signs;

(7) Address signs;

(8) Signs for gasoline stations and convenience stores may be illuminated by any of the methods specified in section 070-070(B).

(C) *Free-standing schools, places of worship, community facilities, and hospitals.* The following identification signs shall be permitted for free-standing schools, places of worship, community facilities, and hospitals:

(1) One (1) free-standing identification sign, which may be double-faced and which may be a monument sign, free-standing wall sign or panel sign along the street frontage. If there is more than one (1) street frontage, one (1) sign shall be permitted along the primary or principal street frontage, and one (1) additional sign shall be permitted along one (1) additional street frontage, not larger than three-quarters (3/4) the permissible height and one-half (1/2) the permissible area of the primary frontage sign, or as permitted in Table 70-1 for the applicable secondary street frontage, whichever is less. Box or cabinet signs may be internally illuminated. Painted or graphic signs may be illuminated by shielded spotlights. Individual letter signs may be illuminated either by internal illumination or by shielded spotlights. May include changeable and electronic copy;

(2) One (1) identification sign in the form of a building wall sign, graphic sign, canopy sign, marquee sign or pylon sign on each building frontage facing arterial or collector streets. Such signs may be box or cabinet or individual letter signs. Signs may be illuminated by internal illumination or shielded spotlights;

(3) Incidental signs;

(4) Address signs;

(5) Under canopy signs designed specifically and exclusively for the purpose of pedestrian way finding within a facility containing at least two (2) principal buildings in excess of (20,000) square feet each, or a single building in excess of forty thousand (40,000) square feet of floor area.

(D) *Shopping centers, business parks, and other multiple tenant buildings.* The following signs shall be permitted for shopping centers, business parks and other multiple tenant buildings:

(1) One (1) free-standing identification sign, which may be double-faced, in the form of a monument sign, panel sign, or free-standing wall sign along the primary street frontage, plus one (1) additional such sign, which may be double-faced, along all other street frontages of the property, not more than three-quarters ($3/4$) of the permissible height and one-half ($1/2$) the permissible area of the primary sign, or as permitted in Table 70-1 for the applicable secondary street frontage, whichever is less.

(2) One (1) building wall sign, graphic sign, canopy sign, awning sign, or pylon sign per tenant building frontage, not to exceed a total of two (2) building frontages. Signage on one additional façade facing a public parking lot is permitted at thirty-five (35) percent of the building sign allowance of the smallest building frontage. Such signs may be illuminated by any means specified in section 070-070(B), "General requirements for permanent signs." Individual letter signs may only be internally illuminated;

(3) One (1) under canopy sign for each tenant;

(4) Incidental signs;

(5) One (1) directory sign per entrance into an office park or industrial park, which may be a double-sided freestanding sign or building wall sign, not to exceed nine (9) square feet in area per sign face and six (6) feet in height.

(7) Window signs, any or all of which may be use-related informational signs;

(8) One (1) nameplate for each tenant in an office complex, not to exceed six (6) square feet in sign area;

(9) Address signs; and

(10) Menu signs adjacent to a drive-through facility not visible from a street or other thoroughfare and not higher than eight (8) feet. A logo may be affixed to any side of the sign, not to exceed three (3) square feet in area.

(E) *Single and two-tenant commercial and industrial properties, shopping center outparcels, and other nonresidential uses not specifically mentioned.* The following signs shall be permitted for single- and two-tenant commercial and industrial properties, including shopping center outparcels:

(1) One (1) free-standing identification sign, which may be double-faced, and may be a panel sign, monument sign or a free-standing wall sign along the primary street frontage, plus one (1) additional such sign along all other street frontages of the property, not more than three-quarters ($3/4$) the height and one-half ($1/2$) the permissible area of the primary sign or as permitted in Table 70-1, whichever is less. Such sign may include one (1) or both tenants of the property. Outparcels shall be limited to one (1) free-standing

identification sign, which may be double-faced, and may be a panel sign, monument sign or a free-standing wall sign.

- (2) Directional and general information signs;
- (3) Opinion signs;
- (4) Window signs, any or all of which may be use-related signs;
- (6) Address signs;
- (7) Menu signs adjacent to a drive-through facility, not visible from a street or other thoroughfare, and not higher than eight (8) feet. A logo may be affixed to any side of the sign not containing menu information, not to exceed three (3) square feet in sign area;
- (8) One (1) building wall sign, graphic sign, canopy sign, marquee sign, or awning sign per building frontage, not to exceed a total of two (2) building frontages. Signage on one additional façade facing a public parking lot is permitted at thirty-five (35) percent of the building sign allowance of the smallest building frontage. Such signs may be illuminated by any means specified in section 070-070(B), General requirements for permanent signs," provided that individual letter signs may only be internally illuminated."

(F) *Single-family residences.* The following signs shall be permitted for all single-family residences:

- (1) One (1) identification sign or nameplate not larger than three (3) square feet in area, which shall be a building wall sign, a fence or free-standing wall sign or a hanging sign;
- (2) Incidental signs.

(G) *Subdivision signs.* Subdivision signs shall be permitted in all residential zoning districts subject to the following limitations:

- (1) Two (2) signs shall be permitted at the primary entrance to a subdivision or neighborhood, a maximum of thirty-two (32) square feet in sign area per sign and not exceeding eight (8) feet in height. One (1) additional sign shall be permitted at any other entrance, one-half (1/2) the permissible area and three-fourths (3/4) the permissible height of a primary sign;
- (2) Subdivision signs shall be monument signs or free-standing wall signs; and
- (3) Signs may be illuminated by any means specified in section 070-070(B), "General requirements for permanent signs."

(H) *Civic Association signs.* Prior to the Town's incorporation, the Town was divided into five main not-for-profit volunteer civic/homeowner associations consisting of Country Estates, Deems Ranches, Green Meadows, Rolling Oaks and Sunshine Ranches. Each of these civic/homeowner associations maintained its own rural identification signage. These associations shall be permitted to maintain rural entry feature signs subject to the following:

- (1) Two (2) signs shall be permitted at the primary entrances to a Civic Association, a maximum of thirty-two (32) square feet in sign area per sign and not exceeding eight (8) feet in height, are permitted at each entrance from an arterial or collector roadway.
- (2) Civic Association signs shall be monument signs, free-standing wall signs, or other rural identification signage as approved by the Town Council; and
- (3) Signs may be externally illuminated only.
- (4) Signs may be located within the public right-of-way, provided that the erection of any sign requires a right-of-way encroachment permit from the Town.

Sec. 070-100. Master sign plans.

- (A) For all plots having more than two (2) tenants displaying signs, a master sign plan must be approved by the Town concurrently with site plan approval.
- (B) No sign permits shall be issued contrary to the master sign plan.
- (C) The master sign plan shall meet all of the provisions of this Article and shall include the following:
- (1) An elevation plan, drawn to scale, clearly depicting all signs placed or to be placed on the buildings on the plot;
 - (2) A site plan, drawn to scale, clearly identifying the location of all free-standing signs erected or to be erected on the plot, including setbacks;
 - (3) A scale drawing of all free-standing signs depicting the sign type, height, dimensions and sign area, including the sign structures;
 - (4) For directory signs or other signs providing for more than one (1) tenant, the amount of sign area allocated for each tenant shall be indicated;
 - (5) Sign design consistent with the Town's rural lifestyle;
 - (5) The standards for letter styles, letter colors, letter heights, and background colors to be used for the various types of signs on the plot. The size and type of items of information may be varied for major or anchor tenants in a shopping center; and
 - (6) The types of illumination to be used for each type of sign.
- (D) Once the master sign plan has been approved for a plot, the criteria shall apply to the entire plot shown on the master sign plan, as well as each individual tenant or occupant, and shall remain as long as the building exists, regardless of change of ownership, management or occupancy, or until a complete new master sign plan has been submitted and approved.
- (E) Where a master signage plan is amended, or a new plan approved, all existing signs on the plot must conform to the master sign plan within a period of one (1) year from approval of the plan.

Sec. 070-110. Temporary signs.

(A) The provisions of this section shall pertain to the erection, placement, and maintenance of all temporary signs, other than promotional signs, regulated under section 070-120. Temporary signs shall be permitted in addition to any other permitted sign on private property and shall be exempt from all other provisions of this Article, provided such signs fully comply with this section.

(B) The following types of signs may be erected as temporary signs:

- (1) Election signs and free expression signs;
- (2) Project signs;
- (3) Real estate signs;
- (4) Sales office signs.

(C) A permit as required in section 005-080, "Permits required," shall be obtained for any temporary sign six (6) square feet or larger in size.

(D) Temporary signs on developed plots shall not be larger or higher than any permanent sign permitted on the premises where the sign will be located.

(E) Temporary signs on undeveloped plots shall not exceed the following:

- (1) For parcels between one (1) and ten (10) acres in area, a maximum of sixteen (16) square feet in area and six (6) feet in height above the ground; and
- (2) For parcels over ten (10) acres in area, a maximum of twenty-four (24) square feet in sign area and eight (8) feet in height above the ground.

(F) Temporary signs, except as herein provided shall be limited to one (1) sign of each type specified herein for each one thousand (1,000) lineal feet of street or waterway frontage of a plot, except that:

- (1) One election sign shall be permitted for each street frontage per plot for each candidate and issue.

(G) Such signs may be double-faced and may be a hanging sign, a building wall sign, or window sign. All free-standing signs shall be set back a minimum of five (5) feet from any plot line or street line.

(H) Where two or more types of temporary signs are combined on one sign face or sign structure, then the sign area may be increased by twenty (20) percent.

(I) No temporary sign shall be placed on public property or in a private ingress/egress easement. Signs placed in violation of this provision shall be considered abandoned and shall be subject to removal without notice by the Town.

(J) A real estate sign in a residential area may be increased in size by a maximum of fifty (50) percent of the permitted sign size to accommodate additional information such as "By Appointment Only," "Sold" or "Open House." "Open House" sign and may only be displayed while the premises

are actually available for inspection by a prospective buyer or tenant; said sign shall be removed immediately upon entering into a binding contract.

(L) All temporary signs shall be removed within ten (10) days after the development, construction or sale of any building or property to which any temporary sign pertains, or shall be removed after the expiration of six (6) months from the erection of the sign, whichever occurs first.

(M) Election signs and opinion/free expression signs.

(1) Election signs. Notwithstanding any other provision of this Chapter to the contrary, election signs shall be allowed on private property in all zoning districts subject to the following limitations as to number, size (area), height, setback and duration:

(a) Number. For any parcel, there shall be a limit of one (1) election sign per candidate and per issue. No more than one (1) election sign per candidate and one (1) election sign per issue shall be permitted on any one (1) private lot or parcel property unless it is a corner lot, in which case two (2) signs per candidate and per issue may be placed, so long as there is no more than one (1) sign per street frontage and the signs are no closer than twenty-five (25) feet from the corner or intersection. No election sign shall be allowed to be located within a public or private right-of-way.

(b) Size. The size (area) of an election sign shall be limited to sixteen (16) square feet.

(c) Height. The height of an election sign shall be limited to six (6) feet above the ground.

(d) Setback. Election signs under three (3) square feet shall be setback a minimum distance of five (5) feet from the public or private right-of-way. Election signs over three (3) square feet shall be setback a minimum distance of ten (10) feet from the public or private right-of-way. The Town shall not remove or interfere with the placement of political signs at a polling place, which otherwise complies with state law, on an election day, unless necessary for public safety.

(e) Duration. Election signs may be placed on a parcel no earlier than sixty (60) days prior to an election and shall be removed within ten (10) calendar days following the election that pertains to the candidate or the issue that is the subject of the election sign. All signs shall be discarded in a proper manner so as to prevent litter and trash from accumulating within the Town.

(f) The prohibition contained in this subsection shall in no way apply to election announcement signs posted by the Town, announcing each election to be held in the Town.

(g) Election signs shall not be placed upon property without the permission of the owner of the property or other person in legal control of the property.

(h) It is unlawful to attach election signs to rooftops, trees, shrubs, or utility or similar poles.

(i) The property owner shall be responsible for compliance with the requirements stated herein.

(2) Opinion/Free expression signs. A free expression sign is not subject to any durational limits and shall be in addition to any other allowed sign, including political signs. Notwithstanding any other provision of this Chapter to the contrary, free expression signs

Sec. 070-120. Promotional signs.

(A) Any nonresidential use, commercial enterprise, other than a home office, which has been issued a certificate of use, may make application for a temporary sign permit for any of the following purposes:

- (1) Grand opening;
- (2) Holiday or post-holiday sale;
- (3) Change of management;
- (4) Special promotions.

(B) Permits shall be limited as follows:

- (1) No more than three (3) such permits shall be issued to any one (1) nonresidential use commercial enterprise in any one (1) calendar year.
- (2) No permit shall be issued for a period exceeding fourteen (14) consecutive days.
- (3) No permit shall be issued for temporary promotional signs within forty-five (45) days of the issuance of any previous temporary sign permit for the same commercial enterprise on the same plot.

(C) Notwithstanding the provisions of section 070-030, "Prohibited signs," temporary signs that may be permitted on the premises of the commercial enterprise are as follows:

- (1) Banners, flags and pennants;
- (2) Balloon signs;
- (3) Sidewalk signs;
- (4) Trailer signs without animation and subject to the requirement contained herein.

(D) All signs shall be placed on the private property occupied by the commercial enterprise. No trailer sign or sidewalk sign shall block or interfere with any pedestrian or vehicular areas.

(E) Temporary signs permitted in subsection (C) of this section shall be limited as follows:

- (1) Banners, flags and pennants shall not be limited.
- (2) Balloon signs shall be limited to one (1) per commercial enterprise.
- (3) Balloon signs shall not be elevated to a height exceeding twenty-five (25) feet from the ground, and shall be a maximum of twenty-four (24) feet wide.
- (4) Balloon signs and trailer signs shall not be placed in any landscaped area, shall not be located less than ten (10) feet from any right-of-way line or other private property line and shall not be located within any district boundary line separation or setback area.
- (5) Sidewalk signs shall be limited to two (2) signs, a maximum twenty-four (24) inches by thirty (30) inches in size per sign.
- (6) Trailer signs shall be limited to one (1) per commercial enterprise, a maximum twenty-four (24) square feet in area.

(F) Any commercial enterprise which is found to be in violation of this section by the special magistrate shall not be issued a temporary promotional sign permit for one (1) year after adjudication of the violation by the special magistrate.

(G) *Yard sale signs.* Yard sale signs accessory to a residential use shall not exceed four (4) square feet in area. Yard sale signs shall not be displayed more than twenty-four (24) hours prior

to the yard sale, and shall be removed at the end of the yard sale, or forty-eight (48) hours after posting, whichever comes first. Cross-reference: sec. 035-060, "Yard sales."

(H) *Outdoor event signs.* When permitted in accordance with Section 035-040 and as indicated on the approved plan, four (4) off-premise directional signs no larger than shall be permitted to assist travelers in safely finding their way to their destination and shall not exceed four (4) square feet in area. Said signs shall be located on town public rights-of-way and shall be erected no more than two (2) hours before the event and removed no later than two (2) hours after said event.

Section 120-020. Submission requirements.

(BB) A master signage plan indicating the type of sign casing, size of signs, height of (letters, font, colors, maximum of 2.

Sec. 010-030. Terms defined.

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Height. For all buildings and structures, except as provided below, the vertical distance from the highest point of finished grade at the location of the building pad to the highest point of the roof surface for a flat roof, to the deck line for a mansard roof, to the mean height level between eaves and ridge for gable, hip and gambrel roofs, and to the highest point of any nonroofed structure, provided that any portion of the finished grade exceeding ten (10) feet NVGD shall be included in the height calculation. Sign height is defined within article 70, "Sign Regulations." For structures other than buildings and signs, height shall be the vertical distance from the finished grade below the structure to the highest point of the structure; provided that the height calculation of structures placed on berms shall include the height of the berm. Berm height shall be the vertical distance from the height of the crown of the adjacent street to the top of the berm.

Sec. 120-010. Mandatory site plan approval.

Approval of a site plan or site plan modification is required prior to any development of land in the town, except as follows:

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(E) Erection of certain signs as provided in sec. 070-050, "Sign permits."

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