



Community Improvement  
100 NW 1<sup>st</sup> Avenue  
Delray Beach, FL 33444  
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## **SIGN CODE**

### **Land Development Regulations Section 4.6.7**

(Refer to Section 2.4.6(D) and (E) for submission requirements and procedures for obtaining a sign permit or approval of a Master Sign Program.)

(A) **Purpose**: The purposes of these sign regulations are: to encourage the effective use of signs as a means of communications in the City; to maintain and enhance the aesthetic environment and the City's ability to attract sources of economic development and growth; to improve pedestrian and traffic safety; to minimize the possible adverse affect of signs on nearby public and private property; to foster the integration of signage with architectural and landscape designs; to streamline the approval process by requiring master signage plans; and to enable the fair and consistent enforcement of these sign regulations. **[Amd. Ord. 22-01 4/17/01]**

(1) **Property Value Protection**: Signs should not create a nuisance to the occupancy or use of other properties as a result of their size, height, brightness, or movement. They should be in harmony with buildings, the neighborhood, and other conforming signs in the area. **[Amd. Ord. 22-01 4/17/01]**

(2) **Communication**: Signs should not deny other persons or groups the use of sight lines on public rights-of-way, should not obscure important public messages, and should not overwhelm readers with too many messages. Signs can and should help individuals to identify and understand the jurisdiction and the character of its subareas. **[Amd. Ord. 22-01 4/17/01]**

(3) **Preservation of Community's Beauty**: Cities such as this which include a beach resort community as well as major office and industrial parks rely heavily on their natural surroundings and beautification efforts to retain their economic advantage. This concern is reflected by actively regulating the appearance and design of signs. **[Amd. Ord. 22-01 4/17/01]**

## SECTION 4.6.7 (B)

(B) **Rule:** It shall be unlawful for any persons to post, display, change, or erect a nonexempt sign or a sign structure, that requires a permit, without first having obtained a permit therefor. Signs or sign structures erected without a valid permit shall be deemed in violation and it shall be mandatory to obtain a permit, based on this Section, or else remove the sign or sign structure. Signs erected, under a valid permit, prior to January 1, 1987, which have since become nonconforming shall be allowed to remain in accordance with the time limitation and structure requirements set forth in Section 4.6.7(J). All signs not expressly permitted by Section 4.6.7 are prohibited. **[Amd. Ord. 22-01 4/17/01]**

(C) **Non-Commercial Message:** Notwithstanding anything contained in Section 4.6.7 "Signs", to the contrary, any sign erected pursuant to the provisions of this Code may, at the option of the applicant, contain either a non-commercial message unrelated to the business located on the premises where the sign is erected or a commercial message related to the business and located on the business premises. The non-commercial message may occupy the entire sign face or portion thereof. The sign face may be changed from commercial to non-commercial messages as frequently as desired by the owner of the sign, provided that the size and design criteria conform to the applicable portions of this section, the sign is allowed by this Code, the sign conforms to the requirements of the zoning designation and the appropriate permits are obtained. For the purposes of Section 4.6.7, non-commercial messages, by their very nature, shall never be deemed off-premises. **[Amd. Ord. 22-01 4/17/01]**

(D) **Exempt Signs:** The following signs are exempt from the provisions of this Section, are allowed to be erected in the City of Delray Beach, pursuant to the limitations set forth herein, and do not require a permit: **[Amd. Ord. 22-01 4/17/01]**

(1) **Real Estate Signs:**

- (a) One sign per lot, the sign being less than three square feet in area on residentially zoned property;
- (b) One additional sign per lot may be erected on a lot which borders a waterway provided that it is located along the waterways; said sign shall not exceed nine square feet in area;
- (c) One sign per lot, the sign being less than nine square feet in area on nonresidential zoned property;
- (d) All real estate signs shall be non-illuminated;
- (e) The text of real estate signs shall be limited to the phrase "For Sale" or "For Lease" or "For Rent" and may identify the seller or agent;

## SECTION 4.6.7 (D) (1) (f)

- (f) An additional sign, of not greater than three square feet, may be attached to a real estate sign provided that its text is limited to the words such as "pool" or "open" or "sold";
- (g) An additional "open house" sign of not more than three square feet in area may be displayed only during the hours when the house is being shown.

### (2) **Temporary Construction Signs:**

- (a) For renovation work or for new construction where there is a building surface upon which a sign can be affixed, a non-illuminated wall sign, not exceeding 32 square feet in area may be installed. Said sign shall not be installed more than 15 days before construction or renovation begins and must be removed when the project receives a certificate of occupancy or the new business is opened.

### (3) **Temporary Political Signs:**

- (a) Any candidate, individual, or organization desiring to erect temporary political signs shall submit a refundable deposit of \$250.00 to the City prior to erecting any temporary political signs within the city limits, in order to cover the removal of the signs. The City has the right to retain the deposit if any political signs erected by the candidate, individual, or organization are still in place more than 10 days after the date of the election. **[Amd. Ord. 22-01 4/17/01]**
- (b) No more than two non-illuminated temporary political signs for each candidate or two such signs for, or against, a referendum issue may be placed on any parcel or lot. Said signs shall not be so placed more than 90 days prior to the date of the election or referendum to which said sign is directed. **[Amd. Ord. 47-91 7/9/91]**
- (c) Each temporary political sign shall be removed within ten days after the date of election or referendum. In the event that said signs are not removed, the City may enter upon the property where on the sign is located and remove the sign; provided that prior to the removal by the City, the City shall, within the ten day period, send by certified mail, return receipt requested, to the addresses of the owner of each property where on the temporary political is located and owner is listed on the current tax rolls of the County, a notice of noncompliance stating that the City shall remove the sign if same is not removed within the ten

## SECTION 4.6.7 (D) (3) (c)

day period following the election or referendum. Each sign not removed prior to expiration of the ten day period shall constitute an abandoned sign not requiring a hearing prior to its removal by the City. **[Amd. Ord. 22-01 4/17/01]**

- (d) No temporary political sign shall exceed 12 square feet per sign face in area.
- (e) No temporary political sign shall be placed in any public right-of-way or on any public property. Signs may not be placed in a location, that constitutes a safety hazard or hindrance to pedestrian or vehicular traffic. **[Amd. Ord. 22-01 4/17/01]; [Amd. Ord. 47-91 7/9/91]**

(4) **Instructional Signs:** Instructional signs are signs which convey instructions with respect to the premises on which it is located, such as "no trespassing", a danger sign, and similar signs (other than parking signs). Such signs shall not extend more than five feet from the ground and shall not be greater than three square feet in area.

(5) **Window Signs:**

- (a) Plastic, neon, or painted signs may be placed upon windows when limited to 20% of the glass area and when limited to one such sign per main use.
- (b) Paper signs displayed two feet or more from the inside of the glass but which are visible from the outside shall be limited to 20% of the glass area.

(6) **City Signs:** Signs for facilities located on City property, or within public right-of-way, and which are operated by the City, its licensees, agents, or contractors, or by other public purpose organizations of general benefit to the community may be exempt by order of the City Manager.

(7) **Hours of Operation Sign:** A sign denoting hours of operation which are non-illuminated; have a sign face of less than one square foot; located close to the entry to the business; and being a flat wall sign.

(8) **Nameplates:** One nameplate sign per building, not exceeding three square feet in area, of a noncommercial nature, and bearing the name or street address of the principal occupant.

(9) **Home Occupations:** One sign per building, not exceeding one square foot, non-illuminated, and bearing the name of the home occupation.

## SECTION 4.6.7 (D) (10)

(10) **Tenant Panels**: A change of a tenant panel in a directory sign, or a sign which accommodates a tenant, is exempt from needing a permit provided that the sign was permitted and there is no change in colors or letter style.

(11) **Automated Teller Machine (ATM) Panels**: One panel which is physically constructed within and is an integral part of an ATM, and bears the name of the ATM system to which it belongs. **[Amd. Ord. 47-91 7/9/91]**

(12) **Flags**:

(a) Flags may be displayed on any residential or non-residential parcel of land in accordance with the following rules:

(1) No more than three (3) flags may be placed upon any parcel or development less than one acre in size which is zoned and used for non-residential purposes. **[Amd. Ord. 5-93 2/9/93]**

(2) For parcels or developments equal to or greater than one acre in area, no more than one flag per 15,000 square feet of lot area shall be allowed.

(b) Two (2) flags may be flown at a time when model homes or model apartments are open for inspection.

(c) Flags of service or civil clubs may be displayed at respective meeting sites during meeting hours. **[Amd. Ord. 5-93 2/9/93]**

(E) **Prohibited Signs**: The following signs, or sign features, are prohibited within the City of Delray Beach; however, exceptions as noted herein are allowed. It shall be unlawful for any persons to erect prohibited signs or use prohibited sign features. Further, any sign not provided for, or expressly permitted, in Section 4.6.7 is prohibited. **[Amd. Ord. 22-01 4/17/01]**

(1) **Off-Premise Signs**: Which are signs, including building signs, that advertise an establishment, merchandise, service, or entertainment which is sold, produced, manufactured, or furnished at a place other than the property on which the sign is located.

(2) **Sidewalk and Sandwich Board Signs**: Which are signs that are movable and not secured or attached to the ground except when used in conjunction with Special Events as provided for in Section 4.6.7(F)(3). **[Amd. Ord. 22-01 4/17/01]**

(3) **Roof Signs**: Being a sign erected on the roof, or above the roof line, except that a sign placed on the face of a parapet wall which does not exceed four feet in height and which forms a continuous extension of the face of the building shall be

## SECTION 4.6.7 (E) (3)

considered a roof sign; nor is a mansard section sign located below the roof line a roof sign. **[Amd. Ord. 22-01 4/17/01]**

### (4) **Banners and Wind Signs:** **[Amd. Ord. 22-01 4/17/01]**

(a) **Banners:** A sign consisting of characters, letters, illustrations or ornamentations attached to cloth, paper, or fabric backing used for the purpose of communicating the presence of a business, the sale of a product, or the location of a business. For special events, temporary banners may be flown as provided for in Section 4.6.7(F)(3). **[Amd. Ord. 22-01 4/17/01]**

(b) **Wind Signs:** Signs, consisting of one or more banners, pennants, ribbons, spinners, streamers, balloons, or other objects or material fastened in such a manner as to move upon being subjected to pressure by wind. **[Amd. Ord. 5-93 2/9/93]**

(5) **Vehicular Signs:** Being a sign or sign structure attached or affixed in any manner in or to any wheeled vehicle; excluding however, pressure sensitive type signs which are permanently affixed to a vehicle and signs which are painted upon, or magnetic signs, any of which do not exceed eight square feet when affixed to a vehicle; or which may be required by law; or which are affixed to public transportation vehicles for business advertising purposes when the vehicles belong to a duly licensed public transportation company. **[Amd. Ord. 22-01 4/17/01]**

(6) **Waterbourne Signs:** No sign or advertising shall be displayed on a vessel plying the waterways, excluding, the identification of the vessel. **[Amd. Ord. 22-01 4/17/01]**

(7) **Traffic Confusion:** A sign or other adverting matter erected at the intersection of any streets or in any street right-of-way in manner as to obstruct free and clear vision; or at any location where, by reason of the position, shape, or color, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, a traffic signal, or traffic device; or which makes use of the words "stop", "look", "drive-in", "danger", or any other word, phrase, symbol, or character in a manner as to interfere with, mislead, or confuse vehicular traffic. **[Amd. Ord. 22-01 4/17/01]**

(8) **Balloons:** Balloons either as a part of a sign, or as a sign itself, or as a sign structure are prohibited. **[Amd. Ord. 22-01 4/17/01]**

### (F) **Signs Requiring Permits:** **[Amd. Ord. 22-01 4/17/01]**

(1) **General:** All signs, other than those exempted by Subsection (D) or prohibited by Subsection (E), must obtain a sign permit. Applications for sign permits

## SECTION 4.6.7 (F) (1)

shall be submitted and processed pursuant to Section 4.6.7(F). Sign permits shall be issued by the Sign Administrator under the direction of the Chief Building Official for the following: **[Amd. Ord. 22-01 4/17/01]**

- (a) **Master Sign Program Signs**: Individual signs being permitted under the provisions of an approved Master Sign Program.
- (b) **Signs Meeting Standards**: Individual signs which conform in all respects to the provisions of Subsections (G), (H), and (I) or this Section. **[Amd. Ord. 22-01 4/17/01]**
- (c) **Special Purpose Signs**: Which comply with the requirements of Subsection (F)(3). **[Amd. Ord. 22-01 4/17/01]**

(2) **Master Sign Programs**: A Master Sign Program is to be used when the development of a project is of such a scale or character that the normal application of the design and/or aesthetic standards of Subsections (G) and (H), respectively, will not result in an effective sign program and signing more permissive than said standards is necessary. Approval of a Master Sign Program may include the automatic granting of waivers and/or adjustments to the provisions of Subsections (G) and (H) provided that the intent of the sign code is maintained and the character of the community and neighborhood is not diminished. A Master Sign Program shall be approved only by the Site Plan Review and Appearance Board or the Historic Preservation Board if the project is in a historic district. After approval of a Master Sign Program, individual signs consistent therewith shall be administratively approved. **[Amd. Ord. 22-01 4/17/01]**

(3) **Special Purpose Signs and Signing**: Permits for the following signs may be issued administratively provided that the provisions contained herein are complied with.

- (a) **Directional Signs for Churches, Civic, or Recreational Facilities**: General directional signs limited to a maximum of six per civic organization, church, or recreational facility and limited to a maximum of four per business or residential development may be permitted in City street rights-of-way subject to the approval of the Public Works, Engineering, and Building Departments. Signs located other than on City rights-of-way shall be permitted to continue at appropriate locations until otherwise notified. The designation of the maximum number of directional signs is not intended to imply that each qualifying applicant is entitled to the maximum. The number of directional signs permitted for each qualifying applicant, up to the maximum, shall depend upon the needs of the traveling public as determined by the above city departments. The dimensions of the directional signs shall be eight inches by 30 inches per sign. The signs will be designed and

## SECTION 4.6.7 (F) (3) (a)

installed in accordance with City specifications at the expense of the applicant. When directional signs are located at a street intersection, they shall be placed on the side of the street opposite the side on which there are street signs.

- (b) **Residential Subdivisions**: Residential subdivisions containing twenty-five (25) or more dwelling units may have a maximum of four (4) directional signs placed in a right-of-way which is located wholly within the subdivision. Such directional signs shall be limited to eight feet (8') in height, an area limited to sixteen square feet (16 sq.ft.), nor shall they be greater than four feet (4') in either width or height. Said sign shall contain information related only to the internal street system of the subdivision. A permit to work in the right-of-way must be obtained in addition to a sign permit.
- (c) **Standard Street Signs**: A subdivision name sign may be placed on a City street post by City personnel only, provided it is requested through the Public Works Department and paid for by the party requesting the sign. This sign shall be identical to the street sign as to color, size, and shape.
- (d) **Parking Area Signs**: Parking area signs, as specified herein, provided the sign contains no more than the name of the building or development and the words, "Entrance", "Exit", "Parking for . . .", or "Entrance for . . ." or their equivalent, may be erected at each point of ingress and egress to a parking lot or parking area, and the signs shall not exceed four square feet in area nor extend to a greater height than five feet above the ground, and shall be erected within the parking area. Only one sign shall be allowed at each point of ingress and egress, provided the signs do not create a traffic or pedestrian hazard.
- (e) **Change to Conform to Height**: Signs in violation of this Section as of December 5, 1985, because they exceed height limitations but which are to be shortened to conform.
- (f) **Real Estate Signs**: Real estate signs, provided that the signs do not exceed 32 square feet, are located in commercial or industrial zone districts, and are limited to no more than one real estate sign per lot. A permit may be granted to allow for the placement of one non-illuminated freestanding real estate sign advertising "For Sale", "For Rent", or "For Lease" along each street adjacent to the subject property within commercial or industrial zoned districts. **[Amd. Ord. 47-91 7/9/91]**  
**[Amd. Ord. 16-91 2/26/91]**

## SECTION 4.6.7 (F) (3) (g)

- (g) **Historic Signing:** Signs which are building mounted or free-standing which provide information of historic value. Said signing shall not exceed six feet above grade when free-standing and shall not exceed three square feet in area in any circumstance. Such signing shall not be permitted until approval has been gained from the Historic Preservation Board.
- (h) **Subdivision Entrance Gates Signs:** Residential subdivision entrance gates signs shall be permitted as follows:
- (i) Such signs may be either one double faced sign or two signs where there are two walls at the entrance and where the sign is permanently affixed to the walls at each entrance of the subdivision;
  - (ii) The sign faces shall be no greater than 36 square feet in area;
  - (iii) Such subdivision entrance gates signs are permitted within all residential zoning districts. They are further permitted in any commercially zoned property which is adjacent to a subdivision in existence as of July 1, 1988;
  - (iv) Such subdivision identification signs may be erected within rights-of-way or median strips adjacent to the subdivision if approved by the City. A subdivision sign may also be located within the setbacks of private property within the subdivision or adjacent to the subdivision or adjacent to the subdivision within the guidelines set forth in 4.6.7(G)(3), if such sign was in existence as of July 1, 1988; **[Amd. Ord. 22-01 4/17/01]**
  - (v) Any such sign erected within a right-of-way or setback shall be at least ten feet from a paved roadway and signs located within a median shall be at least five feet from any paved roadway;
  - (vi) Any signs approved for location within the right-of-way or median, if such right-of-way or median is not within the jurisdiction of the City, shall obtain written permission from the governmental entity controlling the right-of-way or median to erect the sign in a requested and approved location;
  - (vii) Any signs proposed to be located on adjacent private property shall have to be approved and permitted by the owners of the adjacent property on which the sign is to rest. Any such signs lying on private property shall be considered an additional permitted sign

## SECTION 4.6.7 (F) (3) (h) (vii)

without regard to other applicable sections of this code; **[Amd. Ord. 47-91 7/09/91]**

- (viii) All signs proposed to be located within a right-of-way or median shall be reviewed and approved by the Community Improvement Director, or appointed designee for compliance with this section; **[Amd. Ord. 47-91 7/9/91]**
- (i) **Subdivision/Development Sale Signs**: All construction signs and temporary subdivision identification or sale signs which are free-standing signs require a permit. Areas under construction shall be allowed one sign per street frontage with its area not greater than 1/2 sq.ft. for each linear foot of street frontage; however, the area shall not exceed 160 sq.ft. per sign face. No sign shall exceed eighteen feet above grade. Such signs may not be erected more than 60 days prior to commencement of construction and shall be removed at such time as the development is completed, terminated, or abandoned provided however, that such signing shall not remain after one year from initial erection. Residential rental and leasing signs which do not exceed 24 square feet, nor extend twelve feet above grade may be placed at entries into residential developments. Said signs shall be permitted for an initial period of six months. Thereafter, the permit may be extended for additional six month periods for good cause and upon payment of a renewal fee which shall be one-half the cost of the initial permit fee.
- (j) **Special Event Signing**: Special signing, in accordance with this Subsection, may be permitted by the Chief Building Official, or his designee, for special events which are of general benefit, civic or cultural, to the community at large. Such signing shall be subject to the following standards:
  - (i) Each sign limited to less than 20 sq.ft.. in area;
  - (ii) Allowed one week prior to the event and must be removed by the second day after the event;
  - (iii) Bonding or cash sufficient to cover the cost of removal must be provided;
- (k) **Special Notice Board**: Any parcel within the Central Business District which has at least 200 feet of frontage may be permitted to have one permanent, free-standing sign for the purpose of communicating matters which are of a general benefit, civic or cultural, to the

## SECTION 4.6.7 (F) (3) (k)

community at large. The sign may not exceed 20 sq.ft.. in area; shall not have a sign height of more than six feet (6'); and shall not be located any closer than five feet (5') from a property line.

- (l) **Grand Opening Signs**: One banner or one open flag, maximum flag area of 15 sq.ft., and one sandwich sign may be placed on the premises of a newly opened business pursuant to the following:
  - (h) Display is limited to two weeks prior to opening to two weeks after opening;
    - (ii) Banners shall not exceed an area of 50 sq.ft. and sandwich signs shall not exceed an area of 20 sq.ft.;
    - (iii) Banner height shall not exceed 15', height of sandwich signs shall not exceed 6';
    - (iv) Banner colors shall be white, black, blue, or red, or any combination thereof;
    - (v) Banners shall be made of material which will keep the colors fast, sandwich signs shall be made of water resistant material;
    - (vi) Bonding or cash sufficient to cover the cost of removal may be required.
- (m) **Welcoming Signs**: Entrance signs at, or near, the City limits upon which may be listed institutional names, religious institutions, insignia of Civic organizations, and points of interest. **[Amd. Ord. 16-91 2/26/91]**
- (n) **Gasoline Prices**: Signs may advertise the price of gasoline subject to the following restrictions:
  - (i) Not more than 12 sq.ft. per sign face;
  - (ii) If free standing, it shall not exceed five feet in sign height;
  - (iii) If a part of a permanent free standing sign, the price sign shall be included in the area of the permanent sign;
  - (iv) One sign is permitted per frontage with a maximum of two signs per site;
  - (v) Signs placed on pumps shall not exceed 3 sq.ft. per sign face nor a total of 6 sq.ft. per sign.

## SECTION 4.6.7 (F) (3) (o)

- (o) **Menu Board Signs:** Signs used by businesses used to advertise prices of items in conjunction with service at a drive-thru window, such as fast-food restaurants, may be permitted as long as the size of the menu board does not exceed seven (7) feet in height, and is not greater than twenty four (24) square feet in size. **[Amd. Ord. 47-91 7/9/91]**
- (p) **Murals and Signs Within Murals:** A large painting or drawing affixed to the wall of a building located in commercially zoned districts may be permitted by the Chief Building Official following approval by the Site Plan Review and Appearance Board. The mural shall not directly represent or constitute advertisement of the goods, products, or services provided on site. if any portion of the mural does include identification of the establishment or the goods, products, or services provided on site, only that portion of the mural which specifies such information shall have its area included in the calculation of the sign area. **[Amd. Ord. 47-91 7/9/91]**

(G) **Sign Design Standards:** The following subsections describe basic standards which apply to signs. The application of these standards to specific types of signs and their location in specific zone districts is set forth in a matrix contained in Subsection (G)(7). **[Amd. Ord. 22-01 4/17/01]**

### (1) **Types of Signs:**

- (a) **Wall Sign:** A flush mounted sign. There is one sign face for a wall sign. A wall sign shall not project more than eight inches from the wall upon which it is mounted. Types of walls signs are canopy signs, mansard signs, and painted signs. **[Amd. Ord. 16-91 2/26/91]**
- (b) **Free-Standing Signs:** A free-standing sign is not affixed to any other structure. It may be either a pole sign or a monument sign. Neither the pole nor the base of the monument shall be considered in calculation of the area of the sign face. A free-standing sign may not have more than two sign faces.
- (c) **Projecting Sign:** A sign affixed to a structure and which extends at a right angle from the building. A projecting sign may not have more than two sign faces. A projecting sign may not extend more than three feet (3') from the structure upon which it is affixed.
- (d) **Under Canopy Sign:** A sign hung from a canopy or roof of a walkway. It may be rigid or may swing. Such a sign may not have more than two sign faces.

(2) **Sign Area:**

- (a) **Basis for Measurement:** The area in square feet or square inches allowed for each sign face. The sign face includes any background material, panel, trim, color, and 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. When there is no such differentiation, the sign face shall be a rectangle just large enough to enclose all lettering, illustrations, ornamentation, symbols, or logos. A sign structure shall not be computed in sign area provided that no message, symbol, or any of the aforementioned are displayed on, or designed as part of, the sign structure.
- (b) **Conformity with Surroundings:** The scale of a sign, in terms of area, shall be consistent with the scale of the building on which it is to be placed or painted and the neighborhood or streetscape where it is to be located; but in no case shall it exceed the height limitations set forth in Subsection (7).

(3) **Location and Setback Requirements:**

- (a) **Basic Setback Determinants:** The setback for a free standing sign shall be ten feet (10') from the ultimate right-of-way line unless there is a special setback or special landscape area designated for the street pursuant to Section 4.3.4(H)(6). The setback is measured from the closest portion of the sign to the right-of-way. Projecting signs, canopy signs, and wall signs may extend into standard and special setback areas. No signs shall extend into a right-of-way.
- (b) **Allowed in Special Setbacks:** When considered as a part of a site plan approval, or modification to a site plan, a sign may be located within a special setback area provided that:
  - (i) If the sign is to be located no less than 10 feet nor more than 20 feet from the right-of-way, the sign height shall not exceed 7', and the sign area shall not exceed 40 sq. ft.
  - (ii) If the sign is to be located no less than 20 feet nor more than 30 feet from the right-of-way, the sign height shall not exceed 14', and the sign area shall not exceed 96 sq. ft. **[Amd. Ord. 47-91 7/9/91]**
- (c) **Allowed Partially in Standard Setback:** When considered as a part of a site plan approval, or modification to a site plan, a sign may be located partially within the ten foot setback area provided that:

## SECTION 4.6.7 (G) (3) (c) (i)

- (i) The sign height is not greater than 7';
  - (ii) The sign area is less than 40 sq.ft.;
  - (iii) The sign area for that portion of the sign within the setback area is less than 20 sq.ft
- (d) **Allowed Totally in Standard Setback:** When considered as a part of a site plan approval, or modification to a site plan, a sign may be located totally within the ten foot setback area provided that:
- (i) The sign height is not greater than 7';
  - (ii) The sign area is less than 20 sq.ft.;
- (e) **Safety Determination Required:** Whenever consideration is given to locating a sign within a special setback or the standard ten foot setback area, the granting body must determine that the location of the sign does not present a hazard to pedestrians or to vehicular traffic circulation.
- (f) **Removal Agreement Required:** Whenever a sign is allowed within a setback area, the person erecting the sign shall be required to execute an agreement, which shall be countersigned by the property owner, providing that it is the obligation of the owner of the sign and/or the property owner to relocate the sign at such time as the City determines that additional right-of-way or setback is required. A performance bond, or acceptable substitute guarantee, may be required.
- (g) **Facing Residential Areas:** No sign located on the side or rear of any building or property may face a contiguous residential area if the sign is located more than six feet above the ground or is greater than 72 square inches in area.
- (h) **Traffic Safety:** No sign shall be located in such a manner that it will become a hazard to automotive or pedestrian traffic nor shall any sign or lighting of a sign be so placed as to obstruct the vision of the driver of any motor vehicle where vision is necessary for safety.
- (i) **Obstructions:** A sign shall not be located in such a manner as to obscure another sign or to be obscured by an existing sign, a structure, or existing vegetation unless provisions are made for the removal of the obscuring sign, structure, or vegetation.

## SECTION 4.6.7 (G) (4)

- (4) **Illumination**: Signs may be illuminated directly or indirectly unless specifically prohibited elsewhere in this Section 4.6.7. In residential areas, all illumination shall be shielded so that the light is not visible to abutting residences.
- (5) **Height**:
- (a) **Basis for Measurement**: A sign's height is the vertical distance measured from the grade of the nearest abutting street to the highest point of the sign or sign structure.
- (b) **Conformity with Surroundings**: The scale of a sign, in terms of height, shall be consistent with the scale of the building with which it is associated and the neighborhood or streetscape where it is to be located; but in no case shall it exceed the height limitations set forth in Subsection (7).
- (6) **Restrictions**: [Amd. Ord. 22-01 4/17/01]
- (a) **Restrictions as to Functions**: The use of a sign may be restricted to functions as set forth in Subsection (7) under the column of "type of sign". [Amd. Ord. 22-01 4/17/01]
- (b) **Obscene Signage**: A sign shall not exhibit thereon any lewd, lascivious, or obscene, character, or illustration. [Amd. Ord. 22-01 4/17/01]
- (c) **Noise Producing Signs**: A sign shall not produce noise or sounds. [Amd. Ord. 22-01 4/17/01]
- (d) **Smoke or Odor Producing Signs**: A sign shall not produce or emit smoke, vapor, particles, or odor. [Amd. Ord. 22-01 4/17/01]
- (e) **Moving or Rotating Signs**: A sign shall not involve motion or rotation of any part of a sign structure or display. [Amd. Ord. 22-01 4/17/01]
- (f) **Intermittent Lighting or Animation**: Shall not be accommodated on any sign except for time and/or temperature unit, or a traveling message sign which is a part of a sign permitted in commercial zone districts provided that such part of the sign shall not exceed twenty-five square feet in area. [Amd. Ord. 22-01 4/17/01]
- (7) **Design Standards Matrix**: The following matrix sets forth the standards for various types of sign when located in various zoning districts or defined by use. The standards set forth therein are subject to descriptions, interpretations, exceptions, and limitations as provided for elsewhere in Section 4.6.7. [Amd. Ord. 22-01 4/17/01]

## SECTION 4.6.7 (G) (7)

### Section 4.6.7(G)(7) Sign Development Standards Matrix

#### RESIDENTIAL ZONE DISTRICT SIGNING: (R-1 Districts, PRD, RL, RM, RR and AG Districts)

Type of Sign	Quantity	Area (max.)	Location *	Height	Width	Illumination
(a) Wall	Only one sign per lot or parcel	20 sq. ft.	at least 10' from any property line	-	-	must be shielded so as not to be visible from adjacent properties
(b) Free-standing		20 sq. ft./face		-	-	

#### SIGNING FOR BUSINESSES LOCATED IN RO, OSSHAD, CF AND POD ZONE DISTRICTS

Type of Sign	Quantity	Area (max.)	Location *	Height	Width	Illumination
(a) Wall	not more than one of any type nor more than two per lot, parcel or development	30 sq. ft.	on building face	-	-	Allowed
(b) Projecting		30 sq. ft./face	from building or canopy	-	-	Allowed
(c) Free-standing		30 sq. ft./face	may be in the front yard setback	12'	12'	Allowed

#### SIGNING FOR CHURCHES, REGARDLESS OF ZONE DISTRICT

Type of Sign	Quantity	Area (max.)	Location *	Height	Width	Illumination
(a) Wall	one per building	10% of building face not to exceed 120 sq. ft.	on building face	-	-	Allowed
(b) Free-standing	One	1 1/2 sq. ft./10' of frontage	-	-	-	Allowed
(c) Free-standing or wall	One	20 sq. ft.	-	-	-	Allowed
(d) Free-standing	one per additional use	20 sq. ft.	-	8'	-	Allowed

#### SIGNING IN COMMERCIAL AND INDUSTRIAL ZONE DISTRICTS

Type of Sign	Quantity	Area (max.)	Location *	Height	Width	Illumination
<b>(a) Wall Signs</b>						
(1) rear	one per building	9 sq. ft.	on rear of building not facing street	-	-	Allowed
(2) major identification	one per business	15% of building face (max. of 12' height, for computational purposes only, times the width) not to exceed 160 sq. ft.	facing each dedicated street frontage	-	-	Allowed
(4) directory	one per building	24 sq. ft.	on building face	-	-	Allowed
(3) accessory use	one per accessory use	10 sq. ft.	on building face or free standing adjacent to building	-	-	Allowed
(b) Projecting	One	30 sq. ft.	from building or under canopy	-	-	Allowed
(c) Under canopy	one per business	4 sq. ft.	under a canopy which extends store front access	-	-	Allowed
(d) Directional (traffic)	as needed	6 sq. ft.	by entrance but 10' from property lines	5'	-	Allowed
(b) Free-standing	one per frontage	*one at 1/2 sq. ft. of frontage not to exceed 160 sq. ft. *each additional limited to 50 sq. ft.	-	18'	-	Allowed

\*Free-standing signs must comply with setback requirements of Section 4.6.7(G)(3)

[Amd. Ord. 22-01 4/17/01]

## SECTION 4.6.7 (H)

### (H) **Aesthetic Qualifications and Standards:** [Amd. Ord. 22-01 4/17/01]

(1) **Applicability:** The following subsections describe basic aesthetic qualifications and standards which apply to signs. The application of these standards to specific types of signs and their location may be made by the Sign Administrator. Any challenge to a such determination made by the Sign Administrator shall be heard by the Site Plan Review and Appearance Board or the Historic Preservation Board as an appeal.

(2) **Basis:** The aesthetic quality of a building, or indeed of an entire neighborhood, is materially affected by achieving visual harmony of the sign on or about a structure as it relates to the architecture or the building or the adjacent surroundings. In addition to the mechanical limitations on signs imposed in Subsections (G) and (I), the following aesthetic considerations must be met. [Amd. Ord. 22-01 4/17/01]

- (a) **Scale:** The scale of the sign must be consistent with the scale of the building on which it is to be placed or painted and the neighborhood in which it is located. Scale shall also be considered in terms of Subsection (G) with respect to height and area. [Amd. Ord. 22-01 4/17/01]
- (b) **Garishness:** The overall effect of the configuration or color of a sign shall not be garish. "Garish" signs are those that are too bright or gaudy, showy, glaring, and/or cheaply brilliant or involving excessive ornamentation.
- (c) **Conflict:** The colors of a sign shall not conflict with other signs already on the building or in the immediate vicinity.

(I) **Structural Standards:** In addition to provisions of the Standard Building Code and provisions of Chapter 7 of this Code, the following structural standards shall be required for all signs erected in the City. [Amd. Ord. 22-01 4/17/01]

(1) **Wind Loading:** Every sign shall be constructed in a manner as to withstand a wind pressure of 50 pounds per square foot. Sign contractors or the owner shall submit plans showing location, structural members, and design calculations for wind loading and for signs 32 square feet or over, a certification sealed by a state registered engineer or architect stating that the design will meet the requirements of this code shall be submitted. All sign contractors shall sign a certificate stating wind loading will meet requirements of this chapter where signs under 32 square feet are submitted.

## SECTION 4.6.7 (I) (2)

(2) **Securing Signs**: Wall signs shall be securely attached to the building or structure by means of metal anchors, bolts, or expansion screws. No wood blocks or anchorage with wood used in connection with screws or nails shall be considered proper anchorage, except in the case of wall signs attached to buildings or structures with walls of wood. No wall sign shall be entirely supported by an unbraced parapet wall.

(3) **Combustible Materials**: No sign constructed of combustible material shall be attached to any structure or building if the sign has enough area to require a permit.

- (a) Combustible signs up to 50 square feet in area shall be at least 20 feet from any building or structure.
- (b) Combustible signs from 51 square feet up to 100 square feet in area shall be at least 40 feet from any building or structure.
- (c) Combustible signs from 101 square feet up to 160 square feet in area shall be at least 80 feet from any building or structure.

### (J) **Removal of Nonconforming Signing**: [Amd. Ord. 22-01 4/17/01]

(1) **Off-Premises Signs**: All off-premises signs, except those specifically allowed by provisions within Section 4.6.7, are illegal and are to have been removed by July 4, 1986, except for such signs which existed prior to annexation which shall be subject to Subsection (4). [Amd. Ord. 22-01 4/17/01]

(2) **Signs Erected Prior to December 18, 1985**: But which do not conform to the requirements of this Section 4.6.7 shall be allowed to remain in accordance with the time limitations set forth in Subsection (4). [Amd. Ord. 16-91 2/26/91]

(3) **Annexed Signing**: When a sign existed upon property which was annexed to the City subsequent to December 18, 1985, and the sign does not comply with the provisions of this Section 4.6.7, said sign is subject to the removal provisions of nonconforming signs (Subsection 4). If the applicable time period expires prior to annexation, then the sign must be removed upon annexation.

### (4) **Time Period for Removal**:

- (a) **Class 1 Signs**: A Class 1 Sign is a sign that conformed with sign regulations which were in effect on December 18, 1985, but which no longer conforms with provisions of this Section. Such signs shall be made to conform to the provisions of this Section 4.6.7 on, or before, July 10, 1991, or be removed at the owner's expense.

## SECTION 4.6.7 (J) (4) (b)

- (b) **Class 2 Signs**: A Class 2 Sign is a sign that was, or would have been, a nonconforming sign as of December 18, 1985. Such signs shall be made to conform to the provisions of this Section 4.6.7 on, or before, January 1, 1987, or be removed at the owner's expense.

(5) **Removal for Safety Reasons**: Notwithstanding the above provisions, any sign which does not meet the fifty pound per square foot (50 lb/sq.ft.) wind loading standard is declared to be a dangerous nonconforming sign and shall be removed or made to conform with this requirement within thirty (30) days of notification of same by the Chief Building Official.

(6) **Nonconforming Nostalgic Signs**:

- (a) Signs that have an historic or nostalgic appeal, and constitute artistic expression, and not solely advertising may be exempted from the removal requirements if a recommendation by the Historic Preservation Board is approved by the City Commission. **[Amd. Ord. 47-91 7/9/91]**
- (b) An owner of property on which an existing nonconforming sign is located may request the Historic Preservation Board to recommend to the City Commission that the existing nonconforming sign be designated as a "nostalgic sign." **[Amd. Ord. 47-91 7/9/91]**
- (c) In considering whether to recommend that the existing nonconforming sign be designated as nostalgic, the Historic Preservation Board shall consider the sign's value as a part of the historical, cultural, aesthetic, and architectural heritage of the city, state, or nation. The Historic Preservation Board shall review the criteria contained in Section 4.5.1, of the Land Development regulations prior to making its recommendation. **[Amd. Ord. 22-01 4/17/01; Amd. Ord. 47-91 7/9/91]**
- (d) Any existing nonconforming sign designated as a nostalgic sign must be maintained in good condition. If at any time the sign becomes unsightly, or becomes a danger to the public health, safety, or welfare, the City Commission, following notification to the owner, may remove the nostalgic designation and set a date by which time the sign must be removed. **[Amd. Ord. 47-91 7/9/91]**

(K) **Removal and Disposition of Non-Complying Signs**: **[Amd. Ord. 22-01 4/17/01]**

(1) It shall be unlawful to erect, use or maintain a sign or sign structure when it does not comply with the requirements of Section 4.6.7. The City is authorized to remove unlawful signs and sign structures pursuant to the provisions of Section 4.6.7. **[Amd. Ord. 22-01 4/17/01]**

## SECTION 4.6.7 (K) (2)

(2) Banners, temporary construction signs, real estate signs, sidewalk or sandwich signs, garage sale signs, and special event signs are subject to removal pursuant to the following provisions: **[Amd. Ord. 22-01 4/17/01]**

- (a) The City finds that, in view of the inexpensive nature of these signs and the administrative burden which would be imposed by elaborate procedural prerequisites prior to removal, any procedure other than summary removal of these signs when unlawfully erected and maintained would defeat the purpose of regulating such signs. Therefore, the City Manager is hereby authorized summarily to remove such signs when unlawfully erected and maintained, subject to the provisions contained in (b) below. **[Amd. Ord. 22-01 4/17/01]**
- (b) After summary removal of a sign pursuant to this section, a notice will be sent, either in person or by first-class postage, prepaid, to the occupant of the property from which the sign was removed, and if the sign identifies a party other than the occupant of the property, the party so identified. The notice shall advise that the sign has been removed and shall state that the sign may be retrieved within 30 days of the date of the notice, and that, if the sign is not retrieved within 30 days, it will be disposed of by the City. If the sign is removed from public property, the party, if any, identified on the sign shall be notified; if no party is identified on the sign, then no notice prior to disposition is required. The City shall dispose of all unclaimed signs after the expiration of the 30-day period. **[Amd. Ord. 22-01 4/17/01]**

(3) Signs and sign structures not subject to removal pursuant to (2) above which are or have been erected or maintained unlawfully, may be referred to the code enforcement board for appropriate action or the City may proceed to pursue all remedies available at law or equity to it to remove signs or sign structures which are or have been unlawfully erected or maintained. **[Amd. Ord. 22-01 4/17/01]**

(L) **Public Right-of-Way/Public Property**: No sign shall be placed in any public right-of-way or on any public property, unless otherwise provided for by the Land Development Regulations or Code of Ordinances of the City of Delray Beach. Signs may not be placed in a location that constitutes a safety hazard or hindrance to pedestrian or vehicular traffic. **[Amd. Ord. 22-01 4/17/01]**

(M) **Penalty**: Section 10.99, "General Penalty" of the Code of Ordinances of the City of Delray Beach shall apply. **[Amd. Ord. 22-01 4/17/01]**

(N) **Severability**: If any word phrase, clause, sentence, or section of this Section is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of Section 4.6.7. **[Amd. Ord. 22-01 4/17/01]**