



ITEM SUMMARY

MEETING DATE: May 6, 2024

FROM: Denise Malone, AICP, Development and Neighborhood Services Director

SUBJECT: **Ordinance 2024-13 – ZTA-24-05 – First Reading**
Sign Regulations

BACKGROUND

The City-initiated request for a Zoning Text Amendment has been brought forth to revise the Sign Regulations outlined in Chapter 16, Article VI of the City Code of Ordinances. The primary goal is to enhance and refine the existing regulations, adding new guidelines for managing painted wall signs, trademarks, temporary signs, and signage related to Automatic Teller Machines (ATMs).

The proposed changes, especially those concerning temporary signage for elections and specific events, aim to facilitate timely and appropriate communication while maintaining public safety and the aesthetic quality of the city.

ANALYSIS

City-initiated request for a Zoning Text Amendment to provide for further clarity of the applicable standards of the City's Sign Regulations. This amendment is designed to reflect current trends and address community needs regarding sign usage, ensuring that all modifications align with constitutional standards influenced by significant legal precedents. It adds on to the recent sign amendments to provide for further clarity of the applicable standards and enhance safety.

FINANCIAL INFORMATION

N/A.

LEGAL

Ordinance 2024-13 was prepared in accordance with all applicable state statutes and City Code Requirements. This document has been reviewed for legal sufficiency.

STAFF RECOMMENDATION

Staff recommends approval of Ordinance 2024-13.

ORDINANCE NO. 2024-13

AN ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, AMENDING CHAPTER 16, ZONING REGULATIONS, ARTICLE VI, SIGN REGULATIONS, TO REVISE PROVISIONS RELATED TO PROHIBITED SIGNS, COMPUTATION OF SIGN NUMBER AND SIGN AREA, VISIBILITY TRIANGLES, ADMINISTRATIVE VARIANCES FOR MASTER SIGN PLANS, CONDITIONS OF APPROVAL FOR MASTER SIGN PLANS, TEMPORARY SIGNS, AND OTHER SIGNS; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, the Greenacres City Council, as the governing body of the City, pursuant to the authority vested in Chapter 163 and Chapter 166, Florida Statutes, is authorized and empowered to consider changes to its Land Development Regulations (Zoning Code); and

WHEREAS, Article VIII of the State Constitution and Chapter 166, Florida Statutes, provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, in 2022, the City modified and updated its regulation of signs in a manner consistent with the United States Supreme Court's decision in *Reed v. Town of Gilbert*, 576 U.S. 155 (2015); and

WHEREAS, the *Reed* decision does not prevent cities from regulating signs in a way that fully protects public safety and serves legitimate aesthetic objectives, including rules that distinguish between on-premises and off-premises signs; and

WHEREAS, the City does not wish to censor speech or regulate the content thereof, but rather to provide for the public welfare by regulating the physical characteristics and placement of signage in a manner that enhances the aesthetics of the community, reduces visual pollution, provides clear information, and minimizes distractions to drivers in the interests of traffic safety; and

WHEREAS, the City Council finds and determines that the amended sign regulations proposed in this ordinance are intended to protect the public from the dangers of unsafe signs, including signs that create hazardous conditions, confusion, and visual clutter through excess proliferation, improper placement, and excessive size; and

WHEREAS, the City Council finds and determines that the amended sign regulations are intended to permit signs that are compatible with their surroundings, aid orientation, and do not obstruct the vision of or distract motorists, bicyclists, or pedestrians; and

WHEREAS, the Planning and Zoning Board of Appeals reviewed this Ordinance and recommended approval of the same; and

WHEREAS, the City Council conducted a first and second reading of this Ordinance at duly noticed public hearings, as required by law, and after having received input from and participation by interested members of the public and staff, the City Council has determined that this Ordinance is consistent with the City's Comprehensive Plan; and

WHEREAS, the City Council of the City of Greenacres legislatively determines and declares that adoption of the amendments to the sign regulation code as set forth herein is in the public interest of the health, safety and general welfare of the residents and business community of the City; and

WHEREAS, the City Council deems approval of this Ordinance to be in the best interest of the residents and citizens of the City of Greenacres.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, THAT:

SECTION 1. Legislative Findings, Intent and Purpose. The WHEREAS clauses contained herein are legislatively determined to be true and correct and are incorporated herein and represent the legislative findings of the City Council, in addition and supplemental to those findings set forth in Section 16-931 of the Code of Ordinances of the City of Greenacres (the "Code"). It is the purpose and intent of this ordinance to promote the health, safety, and general welfare of the residents of the City, and to ensure the proper regulatory requirements for signage within the City's corporate limits.

SECTION 2. Chapter 16, Article IV, Division 1, Section 16-935 is hereby amended as follows:

Sec. 16-935. Prohibited signs.

It shall be a violation of this chapter to construct, install, place, or maintain the following signs or advertising structures in this city, unless otherwise approved by the city:

- (1) Any signs or advertising structures which are not specifically permitted under this chapter or signs that exceed the sign allowance for the district.
- (2) *Traffic or pedestrian hazard.* Any sign or advertising structure which constitutes a traffic hazard or a detriment to traffic safety by reason of its size, location, movement, content, coloring, or method of illumination, or by obstructing the vision of drivers, or signs that obstruct or detract from the visibility of traffic-control devices or emergency vehicles. The use of flashing lights or revolving lights is prohibited as part of any sign as it constitutes a traffic hazard. Any sign which by glare or method of illumination constitutes a hazard to either vehicular or non-vehicular traffic is prohibited. Also prohibited is any sign which may be confused with or purports to be a governmental, traffic direction or safety sign, or any other sign or group of signs which create a traffic hazard as determined by the city.

- (3) *Obscenities.* Any sign or advertising structure with words, scenes or graphics which are obscene, indecent and prurient or which exhibit obscene or illegal written messages or materials.
- (4) *Right-of-way.* Any sign or advertising structure (other than those constructed by a governmental agency or required to be constructed by a governmental agency for a public purpose) constructed, installed or placed on the right-of-way of any street, road or public way, or signs overhanging or infringing upon the right-of-way of any street, road or public way, except as specifically permitted by this chapter.
- (5) *Public property.* Any sign or advertising structure constructed on city property or other governmental property other than signs constructed by any governmental entity for public purposes, except as specifically authorized by this chapter.
- (6) *Ingress and egress to buildings.* Any sign or advertising structure which is constructed, installed or maintained that obstructs any fire escape, required exit, window or door opening intended as a means of ingress or egress.
- (7) *Rear of a building.* Any sign or advertising structure which is constructed, installed or maintained upon the rear of a building, with the exception of signs to identify the business address on a rear exit door with no greater than six (6) inch non-illuminated letters with a minimum stroke width of one-half inch (1/2") located directly above the rear door, or as required by applicable fire safety regulations.
- (8) "A" frame signs.
- (9) Animated signs.
- (10) Banner signs. Any banner sign, with the exception of those banner signs that are granted a temporary use permit by the city.
- (11) Banner flag signs.
- (12) Off-premises signs.
- (13) Portable signs.
- (14) Projecting signs.
- (15) Snipe signs.
- (16) Temporary signs, except as allowed under division 4 of this article.

- (17) Vehicular signs.
- (18) Vee-shaped signs.
- (19) Abandoned signs.
- (20) Signs placed upon benches, bus shelters, or waste receptacles, except as may be authorized by the City of Greenacres or superseded by state statutes.
- (21) Under canopy signs, except as allowed as a part of an approved Master Sign Plan.
- (22) Exposed neon tubing, neon signs, and LED signs that emulate the general appearance of traditional neon signs.
- (23) Emitting signs.
- (24) Roof signs.
- (25) Any sign with an exposed unshielded light source which does not comply with the terms, conditions and provisions contained in this chapter.
- (26) Painted wall signs, except as specifically allowed by this chapter.
- (27) Hot or cold-air balloons, with the exception of those cold air balloons that are granted a temporary use permit. Inflatable shapes or figures with or without words or pictures.
- (28) Electronic changeable copy signs, with the exception of the following, which may be displayed as set forth in this article:
 - a. Time and temperature signs as allowed in section 16-983(b)(4);
 - b. Gas station price signs as allowed in section 16-983(b)(5);
 - c. Freestanding signs as allowed for government uses in section 16-983(b)(56);
 - d. Menu board signs as allowed in section 16-994.
- (29) Copycat signs.
- (30) Awning signs.
- (31) Trademarked signs or brand signs that do not meet the requirements of this article.
- (~~31~~ 32) Any sign not specifically permitted herein.

SECTION 3. Chapter 16, Article IV, Division 2, Section 16-947 is hereby amended

as follows:

(a) In determining the copy area of a sign, the entire face of the sign, including the advertising surface of any framing, trim or molding, shall be included. Should the sign structure or supports become part of the sign due to the design of the structure or supports in relation to the sign, such structure or supports shall be included in the determination of copy area.

(b) In the instance where a sign is composed of letters only with no connection by the advertising structure between the letters, the copy area shall be determined by measuring the distance from the outside edges of the outside letters and from the top of the largest letter to the bottom of the lowest letter. Should one (1) letter be unequally large or small in comparison to the other letters composing the sign, the unequal letter shall be squared off, the remaining letters shall be measured from the outside edges, and the two (2) added for a total copy area determination.

(c) Unless determined by the zoning district regulations, the allowable copy area of a sign shall be based on one (1) side of the sign. Double-faced signs may use up to the full amount of allowable copy area on each side, provided that both sides of the sign are parallel to one another and that the applicable zoning district regulations are not conflicting.

(d) The minimum clearance of a sign shall be based upon the lowest point of any sign and the established grade of the site.

(e) The utilization of natural berming, in order to increase the height of a ~~pedestal~~ sign, is permitted so long as such berming does not exceed two (2) feet in height above the grade of the site upon which the sign is to be located and the overall height of the sign, measured from the top of the berm does not exceed the maximum height permitted for a pedestal sign in the applicable zoning district regulations.

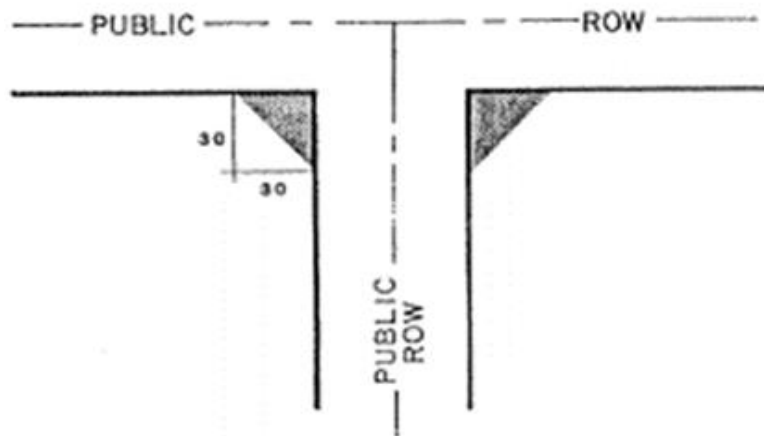
(f) For the purpose of computing the number and area of signs, the frontages of lots shall be established by orientation of the main entrances of the buildings. If this method is not determinative, the planning, engineering and GIS division shall determine frontages on the basis of traffic flow and access from adjacent streets. As defined herein, "frontage" faces the abutting public right-of-way; thus, internal shopping center roads are not frontage.

SECTION 4. Chapter 16, Article IV, Division 2, Section 16-948 of the Code is hereby amended so that the graphics in subsections (a) and (b), which were erroneously transposed, will be moved and placed in their correct positions as follows:

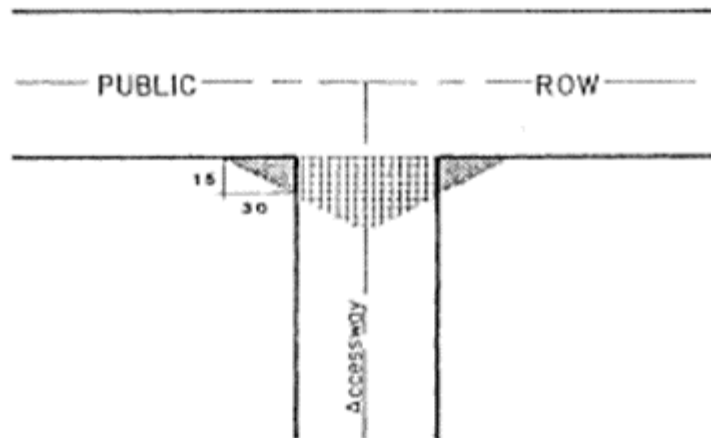
Sec. 16-948. Visibility triangle.

No sign or advertising structure shall be placed, constructed or maintained upon property in any visibility triangle area as described below:

(a) The area of property located at a corner formed by the intersection of two (2) public rights-of-way with two (2) sides of the triangular area, being a minimum of thirty (30) feet in length along the abutting public right-of-way lines, measured from their point of intersection, and the third side being a line connecting the ends of the other two (2) sides.



(b) The area of property formed by the intersection of an accessway and a public right-of-way with one (1) side of the triangular area being thirty (30) feet in length along the public road right-of-way line measured from the edge of the accessway pavement and one (1) side of the triangle being fifteen (15) feet in length along the accessway pavement measured from the public road right-of-way line, and the third side being a line connecting the ends of the other two (2) sides.



SECTION 5. Chapter 16, Article IV, Division 3, Master Sign Plans, Section 16-962,

Computation of sign number and sign areas, is hereby amended as follows:

Sec. 16-962. Administrative variances from master sign plan requirements.

- (a) In approving a master sign plan, the zoning administrator may authorize limited administrative variances from applicable Code of Ordinance provisions as follows:
- (1) An increase in the maximum sign height up to twenty (20) percent of the permitted height for the zoning district the property is located;
 - (2) An increase of up to twenty-five (25) percent in the number of signs allowed;
 - (3) Reasonable modification of the location of signs to accommodate unusual lot conditions;
 - (4) Inclusion of multiple multi-tenant signs; wall signs; pylon signs; and monument signs; ~~and~~
 - (5) An increase in the maximum sign area no greater than twenty (20) percent of the permitted sign copy area for the zoning district the property is located, except as set forth in subsection 16-192(6); and
 - (6) An increase in the maximum height and/or sign area for the zoning district for a sign that is:
 - a. affixed to a storefront window;
 - b. not affixed to a door; and
 - c. necessary for the purpose of concealing a commercial fixture that, due to the peculiar configuration of the structure or building involved, cannot be placed away from a storefront.
- (b) Any request for an administrative variance shall be considered based upon whether the following criteria are met:
- (1) The variance is necessary because of practical difficulty peculiar to the land, structure or building involved and which is not applicable to other lands, structures and buildings in the same zoning district; or
 - (2) The variance is necessary and appropriate due to unique architectural features of the proposed signage; and
 - (3) The variance is the minimum variance necessary to alleviate the practical difficulty; and
 - (4) The variance will be in harmony with the general intent and purpose of this Chapter and will not be injurious to the area involved or otherwise detrimental to the public welfare.

SECTION 6. Chapter 16, Article IV, Division 3, Section 16-963, Conditional approval, is hereby amended as follows:

In ~~issuing~~ approving a master sign plan, the zoning administrator may impose reasonable conditions on the master sign plan relating to the design, materials, locations, placements, or orientations, and sign specifications; provided that such conditions are related to time, place and manner matters and does not attempt to regulate sign content. Reasonable conditions are conditions imposed on the master sign plan that promote the purpose of this section and the approval criteria set out in section 16-961(d).

SECTION 7. Chapter 16, Article IV, Division 4, Section 16-967 is hereby amended as follows:

Sec. 16-967. - General standards

The following general standards apply to all temporary signs, unless otherwise specified in this chapter:

- (a) Materials. Temporary signs shall be constructed of durable, weatherproof material.
- (b) Safety standards. A temporary sign shall not directly or indirectly create a traffic or fire hazard, interfere with the free and unobstructed use of streets, sidewalks, or building entrances, or obstruct clear vision at the intersection of any streets, drives, or public or private vehicular access ways or so that it may be confused with authorized traffic signs or devices.
- (c) Condition and appearance. All temporary signs shall be kept in good condition, present a neat appearance, and be maintained free of debris, stains, mold, discoloration, or deterioration.
- (d) Setbacks. All temporary signs shall be set back a minimum of ~~ten five (10 5)~~ five (5) feet from the right-of-way line and side property lines, unless a greater distance is required to meet the requirements of and must comply with section 9-67 16-948 (Visibility triangle), in which case the latter section shall apply.
- (e) Removal—Generally. ~~Unless otherwise provided herein, all T~~ temporary signs posted in connection with an event, ~~including an election, must shall~~ be removed no later than within three one (3 1) business days after the event has concluded.
- (f) Failure to remove event signs after event has concluded. Temporary signs posted in connection with a specific event that remain in place after the applicable deadline for their removal are subject to removal and disposal.

~~(f)~~(g) *Removal—Hurricane watch.* Any temporary sign installed within the city shall be removed by the owner when a hurricane watch is posted. In the event that the owner does not remove the sign, the city is permitted to remove the sign and cite the owner as listed on the temporary use permit application. The city shall not be responsible for the replacement of such signage after a hurricane watch is discontinued.

(h) *Public Property.* Temporary signs shall not be placed on public property or in public rights-of-way.

(i) *Maximum sign area per temporary sign.* Temporary signs shall not be larger than three (3) square feet in residential districts and four (4) square feet in all other districts.

~~(g)~~(j) *Violations.* The city shall have the right to remove any temporary signage in violation of this section chapter. ~~Any failure to comply with these regulations this section will result in the administrative suspension or revocation of the sign permit and/or enforcement proceedings pursuant to F.S. ch. 162. In addition, a violation of this chapter may be subject to a civil citation pursuant to section 2-313 and fines pursuant to section 2-314.~~ Notwithstanding the foregoing, the city may also pursue any remedy available under the law and administrative remedies including but not limited to the suspension or revocation of a sign permit.

SECTION 8. Chapter 16, Article IV, Division 4, Section 16-968 is hereby

amended as follows:

Sec. 16-968. - Temporary signs—Permit not required.

Except for those signs requiring temporary use permits as provided in Section 16-969, temporary signs do not require permits but are subject to the following limitations as to size, location and duration:

(a) *Temporary non-commercial signs, year-round:* A property owner may place a maximum of one (1) temporary sign on the property, compliant with the standards in section 16-967.

~~(a)~~ (b) *Temporary noncommercial signs before an election.* For the period beginning ~~sixty~~ thirty (60 30) days prior to a local, state or federal election, additional temporary signs will be allowed as follows:

(1) *Number and Location – Private Property.* On residential ~~private~~ property: a maximum of one (1) sign per ~~position~~ candidate or issue.

(2) *Number and Location – Public Property.* On non-residential ~~public~~ property, during early voting and on election day: a maximum of one (1) sign per ~~position~~ candidate or issue for each two hundred (200)-

linear feet of frontage. The city may, by resolution, designate specific areas for the display of temporary signs on public property.

(3) Size. All temporary signs posted or installed pursuant to this subsection must not be larger than three (3) square feet in residential districts and four (4) square feet in all other districts.

(4) Installation. Nothing in this subsection shall be construed to allow the placement of any temporary sign in public rights-of-way or to allow the placement of any temporary sign in violation of the safety and setback requirements in sections 16-967 and 16-948.

(3 5) Removal. All signs installed or posted under this subsection shall ~~must~~ be removed within ~~three (3) business days~~ twenty-four hours following the ~~election~~ of the event or poll closure on election day, failing which they will be subject to removal by the city pursuant to section 16-967.

(b c) Temporary signs when property is being offered for sale or lease. One (1) temporary sign, totaling no more than three (3) square feet, may be located on a property:

(1) When that property is being offered for sale or lease through a licensed real estate agent; or

(2) If not offered for sale or lease through a licensed real estate agent, when the sign is owned by the property owner and that property is offered for sale by the owner;

(3) All signs posted under this subsection shall be removed ~~within~~ no later than three one (3 1) business days after the property ceases to be offered for lease or sale.

(e d) Additional temporary sign when a property being offered for sale or lease is open to the public. One (1) temporary sign, totaling no more than three (3) square feet, may be located on the owner's property on the day prior to and on the day(s) when a property owner is opening the property to the public.

~~(d) Maximum sign area per temporary sign. Unless otherwise specified in this chapter, any temporary sign must not be larger than three (3) square feet in residential districts and four (4) square feet in all other districts.~~

SECTION 9. Chapter 16, Article IV, Division 4, Section 16-969 is hereby

amended as follows:

Sec. 16-969. - Temporary signs—Temporary use permit required.

The following temporary signs require a city temporary use permit as set forth in article IV, division 6.

(a) Freestanding Bbanner sign, commercial.

(1) Upon application of the building owner, at any one time, a maximum of one (1) banner may be permitted for each commercial building and shall be ~~mounted on a pole installed~~ secured in the ground at least five (5) feet from the property line. In no event shall the banner obstruct pedestrian walkways or be located within landscaping or vehicular circulation areas.

(2) Signs shall not exceed ten (10) feet horizontally ~~in height~~, eighteen (18) inches ~~in width~~ vertically, and a maximum sign area of fifteen (15) square feet.

(3) Sign placement is limited to a maximum of fourteen (14) consecutive calendar days, three (3) times per year per subject property.

(b) Building banner sign, commercial:

(1) A maximum of one (1) banner per commercial building with a maximum sign area of thirty-two (32) square feet. Signs shall be securely fastened to the building façade and shall not extend above the roofline or parapet.

(2) Banner placement is limited in duration to no more than twenty (20) days, which shall run consecutively and include the date of the event or activity to which they relate, or the first twenty (20) days after an opening of a new business, commencing on the date of business tax receipt issuance.

(3) When a banner sign cannot be affixed to a façade, a temporary window sign, no larger than 32 square feet, may be allowed.

(c) Human signs (living signs). Upon the issuance of a permit, a human sign may be allowed on the premises of the property that is being advertised, set back at least eight (8) feet interior of the property line, along the right-of-way immediately adjacent to the property. A business is permitted a living or human sign for a maximum of three (3) times per calendar year for no more than seven (7) consecutive days for each instance. The sign area shall not exceed three (3) square feet in size, and the living or human sign shall not be permitted off site, within the right-of-way, or closer than eight (8) feet from the right-of-way immediately adjacent to the property being advertised. Any failure to comply with these regulations will result in the administrative suspension or revocation of the sign permit and/or enforcement proceedings pursuant to F.S. ch. 162. Notwithstanding the foregoing, the city may also pursue any remedy available under the law.

(d) Construction signs. A maximum of one (1) construction sign per development street frontage may be constructed as a free-standing sign with a maximum height of eight (8) feet and set back at least ten (10) feet from all property lines.

(1) All construction signs shall be removed within seven (7) days from the issuance of a certificate of occupancy (CO) or certificate of completion (CC).

(2) In residential districts, the maximum sign area for construction signs shall be sixteen (16) square feet. In all other districts, the maximum sign area shall thirty-two (32) square feet.

(e) Freestanding Temporary Signs.

(1) Upon application of the property owner, at any one time, a maximum of one (1) temporary free-standing commercial sign may be permitted for each parcel and shall be secured in the ground at least five (5) feet from the property line. In no event shall the sign obstruct pedestrian walkways or be located within landscaping or vehicular circulation areas.

(2) Signs shall not exceed three (3) square feet in residential districts and four (4) square feet in all other districts.

(3) Sign placement is limited to a maximum of fourteen (14) consecutive calendar days, three (3) times per year per subject property.

SECTION 10. Chapter 16, Article IV, Division 4, Section 16-981 is hereby amended as follows:

Sec. 16-983. – Identification signs.

(a) *Residential districts.*

- (1) In residential districts, non-residential uses are allowed one (1) identification wall sign.
- (2) For planned residential developments and subdivisions, one (1) free-standing sign per major access is allowed. Two (2) signs with one (1) copy side each may be permitted in place of a single sign with two (2) copy areas.
- (3) The maximum copy area per sign face shall be thirty-two (32) square feet.

(b) *Non-residential districts.* Except as provided in subsections (1), (2) and (3) below, in commercial and other non-residential districts, one (1) free standing sign and one (1) wall sign shall be allowed per frontage, provided that the signs are not located within two hundred (200) feet of each other on the same lot as measured along the frontage line.

- (1) For single-use stores with over forty thousand (40,000) square feet of floor area, three (3) wall signs with copy area not to exceed the maximum copy area allowed.
- (2) Multi-tenant commercial properties are allowed one (1) freestanding sign per frontage and one (1) wall sign per tenant space.
- (3) Outparcels and outbuildings within a unified development are allowed one (1) free-standing monument sign with a maximum height of eight (8) feet and with a maximum copy area of forty (40) square feet per sign face.
- (4) Time and temperature signs not exceeding two (2) feet in height, located in the bottom portion of the sign, may be included as an integral part of the identification sign copy area in CG districts for banks and financial institutions with drive-thrus.
- (5) For gas stations located in the CG and CI districts, Eelectronic changeable copy gas station price signs not exceeding twelve (12) square feet may be included as an integral part of the freestanding sign copy area, for gas stations located in the CG and CI districts provided they are LED style and the sign copy is ~~only~~ exclusively for fuel prices. Additionally, one (1) identification sign per frontage is permitted on the fuel canopy, provided that the sign does not extend above or below the horizontal edges of the canopy face. The maximum size of the canopy sign shall be eight (8) square feet and must be deducted from the maximum copy area allowable for wall signs.
- (6) Electronic changeable copy signs for government users are limited to messages that serve a public purpose and are not permitted to promote commercial messages of any kind. No advertising for off-site businesses is permitted in any form.
- (7) The allowable copy area per sign face for each wall sign shall be one and one-half (1½) square feet per linear foot of building or tenant frontage, not to exceed the following maximum copy area by zoning district:

Zoning District	Maximum Wall Sign Copy Area
OPI, MXD-O	60 sq. ft.
CN, MXD-OS	75 sq. ft.
CG, CI, GU	240 sq. ft.
MXD-R, MXD-C	30 sq. ft.

- (8) The allowable copy area per sign face for each freestanding sign shall be twenty-five (25) percent of parcel linear footage, not to exceed the following maximum copy area by zoning district:

Zoning District	Maximum Freestanding Sign Copy Area
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OPI	60 sq. ft.
CN, MXD-OS	75 sq. ft.
CG	240 sq. ft.
MXD-R, MXD-C	12 sq. ft.
MXD-O	90 sq. ft.
CI, GU	400 sq. ft.

(c) *General provisions—Wall signs.*

- (1) There shall be a minimum separation of three (3) feet between wall signs.
- (2) Side wall building signage shall not exceed fifty (50) percent of max. square feet of allowable building sign copy area, or twenty-five (25) percent of max. square feet of allowable building signs copy area when adjacent to residential parcels.
- (3) All wall signs shall be no closer than twelve (12) inches from the side lines of the premises storefront and six (6) inches to the top and bottom of the premises sign area.
- (4) The height of any wall sign cannot exceed the top elevation of the structure.
- (5) Building signs shall be consistent in color with those of the freestanding sign.
- (6) Unless otherwise approved as part of the master sign plan, site and development plan approval, or as necessary to maintain consistency with the majority of the existing signs in the plaza, wall signs shall be internally illuminated with individual channel letters or reverse channel letters. The trim cap and returns of the building wall sign shall be the same color as the letters and the illumination shall be with clear neon or LED tubing. No raceways or box signs will be permitted. A maximum of fifty (50) percent of the area of each wall sign may incorporate a logo of any color, the logos shall not exceed the total height of the sign on the building and shall meet the requirements of distance from the premises area.

(d) *General provisions—freestanding signs.*

- (1) Free-standing identification signs shall be designed as monument signs, and oriented perpendicularly to the frontage on which they are situated. The maximum height for free-standing signs shall be eight (8) feet except as otherwise provided in this chapter.
- (2) Free-standing signs must be located within the general area of the major vehicular access points, and must include the name of the development prominently displayed. Free-standing identification signs for commercial developments must also include the full range of street

addresses located onsite (this will not be included as part of the copy area).

- (3) Freestanding signs shall be consistent in color with those on the building. All freestanding signs shall be designed with an opaque background, so that light or a light source cannot penetrate through the sign with the exception of through the letters and logo associated with said sign. The architectural design shall be consistent with the design of the building, sharing materials, colors, and design motifs.
- (4) Free-standing monument signs may include a leasing sign not exceeding twelve (12) square feet incorporated into the base of the monument sign. Letter size shall be no less than five (5) inches using no more than two (2) colors and consistent with the design of the rest of the sign.
- (e) All signage located within any development shall maintain architectural consistency with itself, as well as with all structures, located onsite. The development may get a master sign program approval which incorporates multiple colors, fonts, and logos provided it is included in part of a theme that provides architectural consistency for the project as a whole and is formally approved by the city.

SECTION 11. Chapter 16, Article IV, Division 4, Section 16-995 is hereby

amended as follows:

Sec. 16-995. – Automatic Teller Machine (ATM) signs.

(a) The term automatic teller machine (ATM) sign means signage integrated into the design of an ATM, identifying the business name, logo, and/or services.

(b) Where ATMs are allowed, an ATM sign shall identify the applicable financial institution and be consistent and compatible with the architectural elements and design of the building to which it is attached or to which it is an accessory. ATM signs shall not exceed three (3) square feet.

SECTION 12. Chapter 16, Article IV, Division 4, Section 16-996 is hereby

amended as follows:

Sec. 16-996. – Logos.

Logos or any federally-registered trademark may be permitted as part of a sign as follows:

- (a) If designed as an integral part of the sign copy;
- (b) If consistent with an approved color scheme of the master sign plan;
- (c) If displayed as registered; and
- (d) If consistent with the other requirements of this division, including but not limited to requirements for sign location, sign materials, and sign area.

~~Secs. 16-995—16-1240. Reserved.~~

Secs. 16-997—16-1240. Reserved.

SECTION 13. Repeal of Conflicting Ordinances. All other ordinances or parts thereof or parts of the Code conflicting or inconsistent with this ordinance are hereby cancelled, repealed or revised to be consistent with provisions and elements of this Ordinance.

SECTION 14. Severability. As more fully set forth in Section 16-932 of the Code, if any section, part of a section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holdings of invalidity shall not affect the remaining portion of this Ordinance and it shall be construed to have been the legislative intent to pass the Ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this Ordinance after the exclusion of such part or parts shall be deemed to be held valid as if such part or parts had not been included therein, or if this Ordinance or any of the provisions thereof shall be held inapplicable to any person, group of persons, property, kind of property, circumstances, or set of circumstances, such holdings shall not affect the applicability thereof to any other person, property or circumstances.

SECTION 15. Inclusion in the Code. It is the intention of the City Council, entered as hereby ordained, that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Greenacres, Florida; that the Section(s) of this Ordinance may be renumbered or re-lettered to accomplish such intention, and that the word "Ordinance" may be changed to "Section", "Article" or another word.

SECTION 16. Effective Date. The provisions of this Ordinance shall become effective immediately upon adoption.

[Remainder of the page intentionally blank.]

Passed on the first reading this 6th day of May, 2024.

PASSED AND ADOPTED on the second reading this ____ day of _____, 2024.

Voted:

Chuck Shaw, Mayor

Judith Dugo, Deputy Mayor, *District III*

Attest:

Voted:

Quintella Moorer, City Clerk

John Tharp, Council Member, *District I*

Voted:

Peter Noble, Council Member, *District II*

Voted:

Susy Diaz, Council Member, *District IV*

Voted:

Paula Bousquet, Council Member, *District V*

Approved as to Form and Legal Sufficiency:

Glen J. Torcivia, City Attorney

ZTA-24-05 (Ordinance 2024-13)

Revised:

Date: April 25, 2024



DEVELOPMENT REVIEW COMMITTEE STAFF REPORT AND RECOMMENDATION

I. Project Description:

Petitioner: City of Greenacres

Request: City-initiated Zoning Text Amendments (ZTA) to Chapter 16, Article VI Sign Regulations.

The intent of the City-initiated Zoning Text Amendment to Chapter 16, Article VI of the City of Greenacres Zoning Code, which pertains to signage, is to streamline sign regulations. This revision aims to accurately reflect the needs of the community, ensure compatibility with current standards, and improve the visual landscape of the city more accurately.

Project Manager: Gionni Gallier, Senior Planner

II. Outline of Proposed Zoning Code Amendments:

Outlined description of the proposed amendments:

Painted Wall Signs: Painted wall signs will continue to be prohibited as signage. New proposed companion language is being recommended to the Art in Public Places new section, Section 16-665 Murals (See separate ZTA-24-06 under Ordinance 2024-14).

Trademarks: Trademarked or branded signs that do not comply with the zoning regulations are being clarified that they are prohibited, ensuring consistency with sizing, quantity, and locational criteria.

Administrative Variance for Window Signage: The amendments propose to introduce administrative variances to increase the maximum height and sign area for signs that are affixed to storefront windows, provided they are not attached to doors and are necessary for concealing commercial fixtures that cannot be relocated due to the peculiar configuration of the building or structure.

Window Signs: Window signage will be permitted exclusively in ground-floor windows. Any window tint or vinyl coverings that have an opacity greater than 50% will be classified as window signs and factored into the total window sign area calculations. This amendment enhances the aesthetic quality of the City's commercial corridors by promoting visibility and visual consistency in the appearance of storefronts. Crucially, maintaining transparency for a storefront supports public safety by providing clear visibility and

monitoring into and out of business premises, and ensuring quick responses to emergency situations.

Temporary Signs: The minimum setback requirement for all temporary signs will be reduced from ten (10) feet to five (5) feet from the right-of-way line and side property lines, maintaining the required visibility triangles to generally enhance visibility while ensuring safety.

A new provision requires temporary event-related sign removal within one (1) day of the event concluding. Non-compliance subjects the signs to removal and disposal by the City, ensuring public spaces remain clean and orderly.

Provisions are introduced for temporary freestanding signs recognizing signs used during yard sales, event registrations, and similar local community activities and further specifying size, duration, and placement requirements.

Election-Related Temporary Signage: To ensure orderliness and fairness during electoral periods, the ordinance will adjust the permissible timeframe for displaying temporary noncommercial signs related to elections from 60 to 30 days prior to an election, however, on public property, during early voting and on election day. The ordinance will establish specific guidelines that restrict signs to one (1) sign for each candidate or issue per location private or public property. These signs are continuing to be restricted to a maximum of three (3) square feet in residential districts and four (4) square feet in other districts. Placement rules will ensure these signs do not infringe on public rights-of-way or breach safety and setback requirements.

Identification Signs for Gas Station Canopies: One (1) identification sign per frontage will be permitted on the canopy, provided the sign does not extend above or below the canopy face horizontal edges. The maximum size of the canopy sign shall be eight (8) square feet and must be deducted from the max copy area allowable for wall signs.

ATM Signs: Specific guidelines will be introduced to allow ATM signs and ensure they are integrated seamlessly into the design of the ATMs and the buildings they are associated with. These signs are restricted to a maximum three (3) square feet and are to maintain consistency and compatibility with the architectural elements and overall design of the building.

Logos: Logos or any federally-registered trademark may be permitted as part of a sign if designed as an integral part of the sign copy; consistent with master sign plan's approved color scheme; displayed as registered; and consistent with other division requirements, including but not limited to sign location, sign materials, and sign area.

III. Staff Analysis:

Background:

This Zoning Text Amendment is at the request of the City’s Development and Neighborhood Services Department to address and integrate current trends and community needs in sign regulations while ensuring compliance with constitutional standards set forth by significant legal precedents. The objective is to refine existing regulations and introduce new provisions for painted wall signs, trademarks, temporary signs, and signage associated with Automatic Teller Machines (ATMs). The proposed adjustments to temporary signage, particularly regarding election-related and event-specific signage, are crafted to allow timely and relevant communication without compromising public safety and aesthetics.

Development Review Committee Staff Comments:

The petition was reviewed by the Development Review Committee on April 18, 2024, and recommended for approval.

Planning, GIS, and Engineering Division:	Recommended for approval
Building Division:	Recommended for approval
Fire Rescue Department:	Recommended for approval
PBSO District 16:	Recommended for approval
Public Works Department:	Recommended for approval
Recreation and Community Services Dept:	Recommended for approval

IV. Zoning Text Amendment Criteria:

A. *The need and justification for these changes:*

The principal intent of these proposed text amendments to the Zoning Code is to provide for clarifications and revisions to the City’s sign code which over the last decade has only been amended for specific reasons. The proposed amendments will ensure that the sign code is in compliance with state, federal, county laws as well as court cases and will ensure that the City’s sign code is enforceable.

B. *The relationship of the proposed amendments to the purpose and objectives of the City’s Comprehensive Plan, and whether the proposed change will further the purposes of the City’s Zoning Code regulations and other City codes, regulations and actions designed to implement the Comprehensive Plan.*

The proposed amendments are consistent with the City’s Comprehensive Plan and will further the purposes of the City’s Zoning Code regulations and other City Codes.

V. Staff Recommendation:

Approval of ZTA-24-05 through the adoption of Ordinance 2024-13.

PLANNING & ZONING BOARD OF APPEALS Recommendation –

CITY COUNCIL ACTION First Reading –

CITY COUNCIL ACTION Adoption Hearing –

Attachments:

1. Ordinance 2024-13