

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.

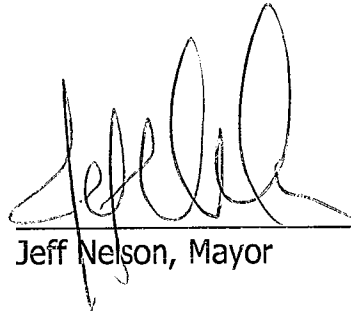
[Signatures on Following Page]

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

