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**Chapter 102 - SIGNS** 

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**Sec. 102-1. - Purpose, intent and scope.**

It is the purpose of this chapter to promote the public health, safety and general welfare through reasonable, consistent and non-discriminatory sign standards. The sign regulations in this chapter are not intended to censor speech or to regulate viewpoints, but instead are intended to regulate the secondary effects of speech and especially insofar as those secondary effects may adversely affect aesthetics and traffic and pedestrian safety. In order to preserve and enhance the city as a desirable community in which to live, vacation and do business, a pleasing, visually attractive environment is of foremost importance. The regulation of signs within the city is a highly contributive means by which to achieve this desired end. These sign regulations have been prepared with the intent of enhancing the visual environment of the city and promoting its continued well-being, and are intended to:

- (1) Encourage the effective use of signs as a means of communication in the city;
- (2) Maintain and enhance the aesthetic environment and the city's ability to attract sources of economic development and growth;
- (3) Improve pedestrian and traffic safety;
- (4) Minimize the possible adverse affect of signs on nearby public and private property;
- (5) Foster the integration of signage with architectural and landscape designs;
- (6) 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;

- (7) Allow signs that are compatible with their surroundings and aid orientation, while precluding the placement of signs that contribute to sign clutter or that conceal or obstruct adjacent land uses or signs;
- (8) Encourage and allow signs that are appropriate to the zoning district in which they are located and consistent with the category of use and function to which they pertain;
- (9) Curtail the size and number of signs and sign messages to the minimum reasonably necessary to identify a residential or business location and the nature of any such business;
- (10) Establish sign size in relationship to the scale of the lot and building on which the sign is to be placed or to which it pertains;
- (11) Categorize signs based upon the function that they serve and tailor the regulation of signs based upon their function;
- (12) Preclude signs from conflicting with the principal permitted use of the site and adjoining sites;
- (13) Regulate signs in a manner so as to not interfere with, obstruct the vision of or distract motorists, bicyclists or pedestrians;
- (14) Except to the extent expressly preempted by state or federal law, ensure that signs are constructed, installed and maintained in a safe and satisfactory manner, and protect the public from unsafe signs;
- (15) Preserve, conserve, protect, and enhance the aesthetic quality and scenic beauty of all districts of the city;
- (16) Allow for traffic control devices consistent with national standards and whose purpose is to promote highway safety and efficiency by providing for the orderly movement of road users on streets and highways, and that notify road users of regulations and provide warning and guidance needed for the safe, uniform and efficient operation of all elements of the traffic stream;
- (17) 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;
- (18) 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; and
- (19) Regulate the appearance and design of signs in a manner that promotes and enhances the beautification of the city and that complements the natural surroundings in recognition of this city's reliance on its natural surroundings and beautification efforts in retaining economic advantage for its resort community, as well as for its major office and industrial parks;
- (20) Streamline the approval process by requiring master signage plans; and
- (21) Enable the fair and consistent enforcement of these sign regulations.

*(Ord. No. 2003/022, § 1, 5-6-03)*

### **Sec. 102-2. - Applicability and effect.**

A sign may be erected, placed, established, painted, created or maintained in the city only in conformance with the standards, procedures, exemptions and other requirements of this chapter.

The effect of this chapter is more specifically set forth herein:

- To establish a permit system for a variety of types of signs in commercial and industrial zones and a limited variety of signs in residential zones and areas of special interest, subject to the standards and the permit procedures of the chapter;
- To exempt from permitting and to otherwise allow certain sign-types based upon their function, but subject to other requirements of this chapter;
- To expressly prohibit certain sign-types;
- To allow for a reasonable fee; and
- To provide for the enforcement and maintenance of the provisions of this chapter.

(Ord. No. 2003/022, § 1, 5-6-03)

### **Sec. 102-3. - Definitions.**

*Abandoned or discontinued sign or sign structure.* A sign or sign structure is considered abandoned or discontinued when its owner fails to operate or maintain a sign for a period of six months or longer. The following conditions shall be considered as the failure to operate or maintain a sign: (1) a sign displaying advertising for a product or service which is no longer available or displaying advertising for a business which is no longer licensed, or (2) a sign which is blank.

*Address sign.* A building sign having the letters and street name of the premises on which it is attached.

*Advertising.* Sign copy intended to directly or indirectly promote the sale or use of a product, service, commodity, entertainment, or real or personal property.

*Animated sign.* A sign which includes action, motion, or color changes, or the optical illusion of action, motion, or color changes, including signs set in motion by movement of the atmosphere, or made up of a series of sections that turn.

*Announcing sign.* An on-premise temporary sign announcing a project to be under construction on an intended use of premises in the immediate future, and whose sign copy is limited to the project name, the nature of the development, the owner or agent, and telephone number for the owner or agent.

*Banner.* Any sign having the characters, letters, illustrations, or ornamentations applied to cloth, paper, balloons, or fabric of any kind. The word "banner" shall also include pennant or any animated, rotating and/or fluttering device, with or without lettering for design, and manufactured and placed for the purpose of attracting attention. National flags, state or municipal flags or the official flag of any institution or business shall not be considered banners.

*Beacon.* A stationary or revolving light which flashes or projects illumination, single color or multi-colored, in any manner which is intended to attract or divert attention; except, however, this term is not intended to include any kind of lighting device which is required or necessary under the safety regulations described by the Federal Aviation Administration or similar agencies.

*Bench sign.* An off premise sign placed on a seating bench for the purpose of advertising.

*Billboard.* A structure, including signs located in the public right-of-way, utilized for advertising an establishment, an activity, a product, service or entertainment, which is sold, produced, manufactured, available or furnished at a place other than on the property on which said sign is located.

*Building sign.* A sign whose entire portion is displayed upon or attached to any part of the exterior of a building, including walls, parapets and marquees. A building sign shall include a cabinet or box sign, an under-canopy sign, and a nameplate identification sign, but does not include a window sign.

*Building official.* An agent of the City of Deerfield Beach authorized to permit, inspect, approve or deny construction within the city.

*Cabinet or box sign.* Any sign, the face of which is enclosed, bordered or contained within a box-like structure.

*Canopy sign.* Any sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy.

*Changeable copy sign.* A sign on which the message copy is changed either manually, electronically, or by any other method through the utilization of attachable letters, numbers, symbols, or changeable pictorial panels, and other similar characters, or internal rotating or moveable parts which change the visual message.

*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.

*Construction sign.* An on-premise temporary sign that functions to identify those entities engaged in construction of a building site, including the prime contractor or any subcontractor. This may include the prime contractor and sub-contractor.

*Copy.* The linguistic or graphic content of a sign.

*Credit card sign.* A sign signifying that goods or services may be purchased on credit by means of an established credit line (Visa, Mastercard, American Express, Discover, etc.).

*Directory sign.* A sign listing only the names and/or use, or location of more than one business, activity or professional office conducted within a building, group of buildings or commercial center.

*Double-faced sign.* Means a sign with two faces, which are parallel to each other, back to back with the same copy.

*Election sign.* A temporary sign erected or displayed for the purpose of expressing support for or opposition to a candidate or stating a position regarding an issue upon which the voters of the city shall vote.

*Facade.* Means the entire building front.

*Flag.* Any fabric, or bunting containing distinctive colors, patterns, or symbols, used as a symbol of government, political subdivision, or other entity.

*Flashing sign.* A sign which permits lights to be turned on or off intermittently more frequently than once per minute.

*Free expression sign.* A sign communicating information or views on matters of public policy concern or containing any other noncommercial message, as more specifically described in [section 102-8](#).

*Freestanding sign.* A sign supported by a sign structure secured to the ground and which is wholly independent of any building, fence, vehicle or object other than the sign structure, for support.

*Freestanding monument sign.* A freestanding sign whose ratio of width of sign to width of support is less than 3 to 1.

*Freestanding pole sign.* A freestanding sign whose ratio of width of sign to width of support is greater than 3 to 1.

*Frontage wall face.* The building facade, fascia, soffit, mansard and roof, which faces a frontage of the premises.

*Frontage.* The distance along the property line which abuts the public right-of-way line.

*Garage or yard sale sign.* Any sign pertaining to the sale of personal property in, at or upon any residentially-zoned property located in the city. Garage or yard sales shall include but not be limited to all such sales, and shall include the advertising of the holding of any such sale, or the offering to make any sale, whether made under any name such as garage sale, lawn sale, yard sale, front yard sale, back yard sale, home sale, attic sale, rummage sale, patio sale, flea market sale, or any similar designation.

*Grand opening sign.* An on-premise temporary sign announcing the opening of a newly licensed business, that does not exceed 16 square feet in size and that is not displayed for longer than 30 days after the issuance date of the occupational license for the new business.

*Height of sign.* The vertical distance measured perpendicular from the closest adjacent average crown of road to the top of the sign face or sign structure, whichever is greater.

*Holiday/seasonal decorations.* Decorations that pertain to legal or other recognized holidays or to recognized seasons of the year.

*Identification and informational sign.* Any sign of an identification or informational nature bearing no advertising.

*Illuminated sign.* Any sign having characters, letters, figures, designs or outlines illuminated by electric lights or luminous tubes designed for that purpose, whether or not said lights or tubes are physically attached to the sign.

*Illumination, external.* A light source which illuminates the sign area located separate from the sign.

*Illumination, internal.* A light source concealed or contained within the sign which becomes visible by shining through a translucent surface.

*Logo.* A word, or part of a word, or character used to signify an organization, corporation or the like.

*Lot.* See definition of parcel.

*Mansard roof.* Any roof that has an angle greater than 45 degrees and which derives part of its support from the building wall and is attached to (but not necessarily a part of) a low slope roof and which extends along the full length of the front building wall or three-quarters of the length of a side building wall. For purposes of this chapter, a low slope roof shall mean any roof with a pitch less than three inches rise per 12 inches horizontal.

*Marquee.* Any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

*Marquee sign.* Any sign attached to, in any manner, or made a part of a marquee.

*Multiple occupancy complex.* A parcel of property under one ownership or singular control, or developed as a unified or coordinated project, with a building or buildings housing more than one occupant sharing a common entry.

*Multi-tenant center.* Any shopping center, office center or business center in which two or more occupancies abut each other, share common parking facilities and drives, have individual entries from the main thoroughfare or internal drive aisles, or have individually demised areas.

*Nameplate sign.* A flat, thin piece of material inscribed with the name, and/or profession or address of a person or persons residing on the premises or legally occupying the premises.

*Neon sign.* Any sign formed by luminous or gaseous tubes in any configuration.

*Non-commercial message.* A non-commercial message is any message, which is not a commercial message.

*Nonconforming sign.* Any sign that does not conform to the provisions of this chapter.

*Occupancy.* Any one business, activity or professional office.

*On-premise directional or informational sign.* A sign located on a lot or parcel designed to direct the public to any facility or service located on the premises of said lot or parcel or to direct and control traffic thereon, and which does not contain any advertising copy, logos or graphic display symbols.

*Off-premises sign.* A sign which advertises merchandise, services, activities, or entertainment that is not sold, produced, manufactured, or furnished on the premises where the sign is located.

*Panel.* The primary surface of a sign upon which the message of the sign is carried.

*Parapet.* A vertical false front or wall extension above the roof line.

*Parcel.* Land which has been or which is proposed to be used, developed, or built upon as a unit under single ownership.

*Perimeter wall sign.* Any sign mounted on a perimeter wall, which is not a component defining an enclosed building area.

*Permanent sign.* Any sign which, when installed, is intended for permanent use. For the purposes of this chapter, any sign with an intended use in excess of six months from the date of installation shall be deemed a permanent sign.

*Portable sign.* Any mobile or portable sign or sign structure that is not permanently attached to the ground or to any other structure. This definition shall include trailer signs, A-frame signs, sandwich signs and vehicles whose primary purpose is advertising.

*Projecting sign.* Any sign which is affixed to any building wall or structure and extends more than 12 inches horizontally from the plane of the building wall.

*Project sign.* An on-premise temporary sign whose function is to provide information as to a project under construction, and whose copy is limited to the name of the project, the nature of the development, the names of the general contractor, architect, lending institution, and owner or agent, and the telephone number for the owner or agent.

*Real estate sign.* A temporary sign erected by the owner, or his agent, indicating property, which is for rent, sale or lease.

*Revolving or rotating sign.* A sign that revolves or rotates.

*Roof line.* Highest continuous horizontal line of a roof. On a sloping roof, the roof line is the principal ridge line, or the highest line common to one or more principal slopes of the roof. On a flat roof, the roof line is the highest continuous line of the roof or parapet, whichever is higher.

*Roof sign.* A sign erected over or on the roof, or extending above the roof line, which is dependent upon the roof, parapet or upper walls of any building, or portion thereof, for support.

*Shopping center.* Five or more commercial establishments, planned, developed, owned and managed as an integral unit, with off street parking provided on the property, and having individual entries with individually demised areas.

*Sign.* The term "sign" shall mean and include every device, frame, letter, figure, character, mark, plane, point, design, picture, logo, stroke, stripe, trademark, or reading matter, which is used or intended to be used to attract attention or convey information when the same is placed out of doors in view of the general public; in addition, any of the above which is not placed out of doors, but which is illuminated with artificial or reflected light. Also, the above, when within two feet of the inside surface of a window in such a way as to be in view of the general public and used or intended to be used to attract attention or convey information.

*Sign, area of.* The square foot area enclosed by the perimeter of the sign face. With respect to signs which are composed of individual symbols, letters, figures, illustrations, messages, forms or panels, "sign area" is the sum of the individual areas of the smallest contiguous rectangle, capable of containing such symbol(s), letter(s), illustration(s), message(s), forms(s) or panels.

*Sign face.* The part of the sign that is or can be used to identify, advertise, communicate information or for visual representation, which attracts the attention of the public for any purpose. "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. The sign structure shall not be included as a portion of the sign face provided that no message, symbol or any of the aforementioned sign face criteria are displayed on or designed as part of the sign structure.

*Sign structure.* Any structure which supports, has supported or is capable of supporting a sign, including decorative cover.

*Snipe sign.* Shall mean a sign of any material, including paper, cardboard, wood and metal, when tacked, nailed or attached in any way to trees, telephone poles, utility poles, stakes, fences, or other objects where such sign may or may not apply to the premises. This definition includes cardboard signs on sticks.

*Suspended sign.* A sign that is suspended from the underside of a horizontal plane surface and is supported by such surface.

*Special event.* A special event that has been permitted in accordance with Chapter 66, Division 3, of the Deerfield Code.

*Special event sign.* Temporary signs, banners, and directional signs that are allowed for a special event and that have been permitted in accordance with Chapter 66, Division 3, of the Deerfield Code, subject to the height, size, number and durational limitations set forth in Chapter 66.

*Subdivision entrance sign.* An entrance sign shall mean a sign which designates the name of a subdivision or of a residential or business community and is located at or in close proximity to the main entrance.

*Temporary sign.* Any sign intended for a use not permanent in nature. For the purposes of this chapter, any sign with an intended use of six months or less shall be deemed a temporary sign.

*Towing sign.* A sign posted on private property for the purpose of informing users that unauthorized vehicles will be towed away, providing that the same contains the name, address and telephone number of the towing company.

*Traffic control device sign.* Any sign located within the right-of-way and that is used as a traffic control device and described and identified in the Manual on Uniform Traffic Control Devices approved by the Federal Highway Administrator as the National Standard. A traffic control device sign includes those signs that are classified and defined by their function as regulatory signs (that give notice of traffic laws or regulations), warning signs (that give notice of a situation that might not readily be apparent), and guide signs (that show route designations, directions, distances, services, points of interest, and other geographical, recreational, or cultural information).

*Vehicle sign or signs.* Any sign or signs where the total sign area covers more than ten square feet of the vehicle.

*Visibility triangle or vision triangle.* A triangular shaped portion of land established at street intersections or street and driveway intersections in which nothing is erected, or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection. For street intersections, this triangle is measured 30 feet in length from the intersection along the abutting right-of-way lines to form a triangle; and for driveway intersections, this triangle is measured ten feet from the intersection along the right-of-way line and along the driveway line to form a triangle.

*Window sign.* A sign located on a window or within two feet inside 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 general public.

*Wind sign.* A sign, which uses objects or material fastened in such a manner as to move upon being subjected to pressure by wind. This shall include but not be limited to banners, flags, pennants, ribbons, spinners, streamers or captive balloons.

(Ord. No. 2003/022, § 1, 5-6-03)

### **Sec. 102-4. - General.**

- (a) *Substitution of noncommercial speech for commercial speech.* Notwithstanding anything contained herein to the contrary, any sign erected pursuant to the provisions of this Code may, at the option of the owner, contain either a non-commercial message unrelated to the business located on the premises where the sign is erected or a commercial message. The non-commercial message may occupy the entire sign face or any portion thereof. The sign face may be changed from commercial to non-commercial messages, or from one non-commercial message to another, as frequently as desired by the owner of the sign, provided that the size and design criteria contained in this chapter have been satisfied.
- (b) *Content neutrality as to sign message (viewpoint).* Notwithstanding anything to the contrary contained in this chapter, no sign or sign structure shall be subject to any limitation based upon the content (viewpoint) of the message contained on such sign or displayed on such sign structure.

(Ord. No. 2003/022, § 1, 5-6-03)

### **Sec. 102-5. - Permits.**

Generally, signs are classified as either (i) "prohibited signs" that cannot be erected or displayed in the city, or (ii) "allowed signs" that can be erected and displayed in the city subject to certain conditions or limitations, including content-neutral conditions or limitations that apply to the number, size, height, setback, or function of signs. Some allowed signs do not require any type of permit, while other allowed signs require one or both of the following permits: (a) a sign permit to demonstrate that the sign meets the city's land development regulations, and/or (b) a building permit when the sign is of a type of construction that requires a building permit under the statewide Florida Building Code. The following provisions describe those permit requirements as applicable to signs and sign structures in the city.

- (a) *Building permits.* Except as provided herein, it shall be unlawful for any person or business or the person in charge of the business to erect, construct, alter, or maintain an outdoor advertising display sign, as defined in the Florida Building Code, without first obtaining a building permit from the city in accordance with provisions of the Florida Building Code. Fees shall be paid in accordance with city fee schedules.
- (b) *Sign permits.* In addition, a sign permit application shall be filed with the code administrator in accordance with [section 102-15](#) and, where applicable, a community appearance board application shall be filed with the community appearance board and shall be processed in accordance with the applicable requirements of this Code. Appeals shall be handled in accordance with [section 102-15](#) of this chapter.
- (c) *Signs exempt from sign permits.* It shall not be necessary to obtain a sign permit described in [section 102-5\(b\)](#), above, for the following signs, however compliance with all applicable provisions and regulations in this Code must be met:
  - (1) Traffic control device signs.
  - (2) Address signs, less than 12 inches in height.
  - (3)

- Temporary project, announcing and construction signs 12 square feet or less in size.
- (4) Election signs.
  - (5) Residential real estate signs, three square feet or less in size.
  - (6) Towing signs.
  - (7) Vehicle signs.
  - (8) Grand opening signs (for no longer than 30 days).
  - (9) Free expression signs.
  - (10) Warning and safety signs.
  - (11) Special event signs, which meet the size, height, number and durational limitations in Chapter 66, Division 3 of this Code.
  - (12) Residential window signs that do not cover more than 25 percent of the surface of any window.
  - (13) Holiday/seasonal decorations.
- (d) *Inspections.* The following inspections by the building official or his designee shall be required before permits are final:
- (1) On freestanding signs, an inspection is required prior to the pouring of concrete, the enclosure or framing of any assembled structure,
  - (2) Rough and final electrical inspections on all signs requiring an electrical permit,
  - (3) On certain signs that are inaccessible for inspection because of height or location, the building official may require either a shop inspection, special access or an on-site inspection of the sign prior to the installation of such sign. Such conditions shall be so stated on the permit when it is issued.
  - (4) Final inspection on all signs that require a permit for:
    - a. Compliance to construction specifications,
    - b. Conformity to setbacks, design, color, height and materials as approved.
  - (5) In conjunction with the issuance of a final approval for a building permit, a numbered sign decal shall be placed on the sign in the lower left-hand corner. The sign inspector shall document each sign with a final photograph and history card for inventory purposes.
- (e) The time periods for review of permit applications and the appeal procedures governing denials or the failure to act upon sign permit applications are addressed in [section 102-15](#)  
(Ord. No. 2003/022, § 1, 5-6-03)

### **Sec. 102-6. - Submission requirements.**

- (a) *Master signage plan.* No permit shall be issued for an individual sign requiring a permit in a commercial or industrial multiple occupancy complex or multi-tenant center unless and until a master signage plan has been submitted by the property owner and approved as conforming with this section. The purpose of this requirement is to assure uniform compliance with this Code in multi-tenant settings. A master signage plan shall contain the following:
- (1) An accurate plot plan of the lot including location of buildings, parking lots, driveways, and landscaped areas on such lot;
  - (2) Computation of the maximum total sign area, the maximum area for individual signs, the height of signs and the number of freestanding signs allowed on the zone lot(s) included in the plan under this chapter;
  - (3)

Design, style, color selection and dimensions for proposal; and an accurate indication on the plot plan of the proposed location of each present and future sign of any type, whether requiring a permit or not;

- (4) A master signage plan including window signs shall indicate the areas of the windows to be covered by window signs and the general type of window signs.

If a master signage plan is filed for a property on which existing signs are located, it shall include a schedule for bringing into conformance, within one year, all signs not conforming to the proposed amended plan (or to the requirements of this chapter in effect on the date of submission).

After approval of a master signage plan, no sign shall be erected, placed, painted, or maintained, except in conformance with such plan, and such plan may be enforced in the same way as any provision of this chapter. In case of any conflict between the provisions of such a plan and any other provision of this chapter, the chapter shall control.

- (b) *Development plan review.* All new or modified development plans shall include the proposed location and elevations of signs including height, dimensions, setbacks, construction material and color. In all instances, the sign location shall be coordinated with the landscape design to avoid present and future tree/sign conflicts.
- (c) *Permit review.* Three sets of drawings shall be provided. These shall include:
- (1) Dimensions, lettering style, material, mounting details, and illumination details.
  - (2) Building elevations for all wall signs illustrating dimensioned location of sign.
  - (3) An up-to-date survey with dedicated easements is required for all freestanding signs.
  - (4) Color rendering and color samples for all applications.
  - (5) Photos of signs on abutting and subject properties.
  - (6) Landscape plan for freestanding signs.

(Ord. No. 2003/022, § 1, 5-6-03)

### **Sec. 102-7. - Certain sign or sign structures prohibited.**

From and after the effective date of this chapter it shall be unlawful for any person or business, or the person in charge of the business, to (i) erect, attach or place, or (ii) cause to be erected, attached or placed, or (iii) permit or suffer to be erected, attached or placed, or (iv) permit or suffer to continue to be as erected, attached, or placed (except as to certain nonconforming signs within the limitations and for the time periods set forth herein) within the City of Deerfield Beach any of the following:

- (1) Abandoned or discontinued signs.
- (2) Animated signs.
- (3) Banners, balloons, inflatable air signs, flags, pennants or bunting with advertising, except as specifically allowed.
- (4) Beacons.
- (5) Billboards.
- (6) Bench signs (except for those limited locations and subject to those specific conditions as set forth in [section 102-8\(f\)\(2\)](#)).
- (7) Changeable copy signs (except where specified in [section 102-9\(f\)\(3\)](#)).
- (8) Freestanding pole signs (except where specified in [section 102-8\(f\)\(1\)](#), (7), (10), (11), (12), (13), and subject to the limitations set forth therein).
- (9) Off-premise advertising signs (except as may be specifically allowed herein).

- (10) Neon signs (except as specifically allowed by the community appearance board).
- (11) Portable signs.
- (12) Projecting signs, fixed or swinging (except as specifically allowed by the community appearance board).
- (13) Roof signs.
- (14) Snipe signs.
- (15) Wind signs.
- (16) Reserved.
- (17) Any sign which constitutes a traffic hazard or detriment to traffic safety by reason of its size, location, content, coloring, or method of illumination, or by obstructing the vision of drivers, or by obstructing or detracting from the visibility of an official traffic-control device, which diverts or tends to divert the attention of drivers of motor vehicles from traffic movements on streets, roads, intersections, or access facilities. No sign shall be erected so that it obstructs the vision of pedestrians. No sign shall use the words "stop," "slow," "danger," or any other word, phrase, symbol, or character in such a manner as to interfere with, mislead, or confuse traffic.
- (18) Any for-sale sign indicating the sale of a vehicle, trailer or boat unless said sign is at a location specifically authorized to sell such vehicle, trailer or boat and has a duly issued occupational license from the city for such sale. These provisions shall not apply to any sign not larger than one foot by one foot when located on residentially zoned property wherein the owner or tenant of such property is attempting to sell his or her own vehicle, trailer or boat.
- (19) There shall be exempted from the prohibited provisions of this chapter those signs that are authorized by the City of Deerfield Beach at the time of the effective date of this chapter, but which become nonconforming signs due to any of the provisions of this chapter, but said exemptions shall apply only during the period set out in [section 102-13](#) within which they must be brought into compliance with all of the provisions of this chapter or removed.
- (20) Any freestanding sign in excess of 80 square feet for the sign structure or 40 square feet sign face within the sign structure, other than a traffic control device sign.
- (21) Any freestanding sign structure in excess of ten feet in height, other than a traffic control device sign.
- (22) Any sign that is attached to a building or structure where any portion of the sign exceeds the height of the building or structure.
- (23) Vehicle sign or signs with a total sign area on any vehicle in excess of ten square feet, when the vehicle:
  - a. Is parked for more than 60 consecutive minutes within 100 feet of any street right of way; and
  - b. Is visible from the street right of way that the vehicle is within 100 feet of; and
  - c. Is not regularly "used in the conduct of the business advertised" on the vehicle. A vehicle used primarily for advertising, or for the purpose of advertising, or for the purpose of providing transportation for owners or employees of the occupancy advertised on the vehicle, shall not be considered a vehicle used in the conduct of business.
- (24) Any temporary ground or wall sign located on public property or public rights-of- way except for a special event sign for special events permitted pursuant to Chapter 66 of this Code.

- (25) Cabinet signs.
- (26) Flashing signs.
- (27) Wind signs.
- (28) Revolving and rotating signs.
- (29) Any sign prohibited by state or federal law.

(Ord. No. 2003/022, § 1, 5-6-03)

### **Sec. 102-8. - Signs allowed.**

- (a) *Single family dwelling districts (RS-5, RM-10, RM-15, RM-25, RS-5c and RS-7) and single and two family uses within multiple-family residential districts (RM-5c, RM-10c, RM-12c, RM-13c, RM-14c, RM-15, RM-16c, RM-25c, and PUD).* The following signs are allowed in single family dwelling districts and in single and two family uses within multi-family residential districts:
  - (1) One name-plate sign situated on the premises and bearing only the name of the principal occupant or occupants not to exceed two square feet.
  - (2) Street address numbers on the front of a private dwelling with a minimum height of three inches and a maximum height of ten inches.
  - (3) Special signs as defined in section 102.8(f)(6), (7), (9), (10), (11), (15).
- (b) *Multiple family residential and mobile home park districts (RM-10, RM-15, RM-25, RP-10, PUD, RM-5c, RM-10c, RM-12c, RM-13c, RM-14c, RM-15c, RM-16c, RM-25c and T-1c).* The following signs are allowed in multiple-family residential and mobile home park districts:
  - (1) *One principal main use sign as follows:* One non-illuminated building sign not exceeding 32 square feet, or one perimeter wall sign not exceeding 16 square feet. No building sign shall exceed 75 percent of the length of the building upon which it is placed.
  - (2) *One additional main use sign as follows:* One externally illuminated freestanding monument sign provided: (1) the lot has more than 100 feet of street frontage, and (2) the principal main use sign is not a perimeter wall sign. Such freestanding monument sign shall not exceed 32 square feet, nor exceed ten feet in height, and shall meet the setback requirements in [section 102-9](#)  
In all instances, no freestanding sign shall be closer than 100 feet to any other freestanding sign. Any existing, lawfully erected free-standing sign that does not conform to this spacing requirement or to applicable setback requirements shall be deemed a nonconforming sign subject to the provisions of this chapter for non-conforming signs.
  - (3) On parcels containing licensed accessory uses, other than the principal main use, one non-illuminated building sign, not exceeding an area of 24 square feet, shall be allowed.
  - (4) Special signs as defined in [section 102-8\(f\)\(4\)](#), (6), (7), (9), (10), (11), (13), (15).
  - (5) For property lying east of the Intracoastal Waterway, and along Hillsboro Boulevard east of Federal Highway, refer to guidelines set forth in [section 102-8\(e\)](#) for the Beach and Boulevard District.
- (c) *Business, commercial and industrial districts (B-1, B-1A, B-2, B-3, COD, I, I-2, PID, B-2c, B-3c, M-1c, and M-3c).* The following signs are allowed in the business, commercial and industrial zoning districts.
  - (1)

*Free-standing monument signs.* Except as provided below, one freestanding monument sign is allowed on lots having at least 100 feet of street frontage. A freestanding sign shall contain only the name of the center as the main use and is subject to the following limitations:

- a. Size not exceeding (i) a square foot sign area equal to 16 percent of the frontage of the premises upon which the sign is being erected or (ii) a maximum sign area of 40 square feet, whichever is smaller. Frontages less than 150 lineal feet but at least 100 lineal feet shall be permitted a maximum area of 24 square feet;
- b. In no instance shall any freestanding sign be closer than 100 feet to any other freestanding sign;
- c. No freestanding sign shall exceed ten feet in height measured from the crown of the road of any abutting street;
- d. For plots with more than 700 feet of frontage or multiple frontages, there may be an additional freestanding monument sign as follows:
  1. Corner parcels having more than 100 feet of frontage on each street may have two freestanding monument signs, one for each frontage, provided they are no closer than 250 feet, as measured along the frontage, or one sign calculated by combining the distance of both frontages. Such sign shall in no instance exceed 40 square feet;
  2. Parallel (opposite) parcels with more than two street frontages are permitted two freestanding monument signs provided that the frontage on which the sign is placed is over 100 feet and the second monument sign is not located within 250 feet of another freestanding sign, measured along the frontage line;
  3. Properties with frontage in excess of 700 feet may have one additional freestanding monument sign with placement of the second sign no closer than 250 feet to the first.
- e. All free-standing signs shall meet the setback requirements in [section 102-9](#)

(2) *Building signs.*

- a. The maximum number of signs for each building, or individually-demised tenancy in single story multi-tenant centers shall be one per street frontage. The total sign area shall be computed by allowing one square foot for each lineal foot of building or tenancy frontage. No sign shall be required to be smaller than 32 square feet nor exceed 100 square feet. For the purposes of calculation, maximum building signage for gasoline and/or service stations having a canopy (or convenience stores selling gasoline) shall be determined by the building frontage, not the canopy.
- b. No sign shall exceed 75 percent of the length of the building or demised tenant occupancy upon which it is placed.
- c. In retail centers, an additional under-canopy non-illuminated sign is allowed if positioned 90 degrees to the building, hung with a minimum clearance of eight feet zero inches sized not to exceed three square feet per side. All signs within a single retail center shall be the same size, color and type face except for the tenant logo.
- d. Additionally, each building or individually demised tenant occupancy, shall be allowed one rear door nameplate identification sign not to exceed one square

- foot with lettering not to exceed three inches in height. Address bay number shall be included on all rear doors, which shall not count toward square feet.
- (3) *Window signs.* Each business in the foregoing zoning districts shall be entitled to one permanent window identification sign and one permanent window advertising sign as follows:
- a. Each business is entitled to one permanent window identification sign per business frontage. The window identification sign shall not constitute an area in excess of three square feet. The window identification sign may be applied directly to the window surface with gold leaf paint or other similar materials without a background or applied on wood, metal, plastic or similar solid material. Maximum height of letters for window identification signs is four inches, and the window identification sign area shall not be illuminated.
  - b. Each business is entitled to one permanent window advertising sign per business frontage. The window advertising sign shall not constitute an area in excess of ten square feet. Maximum height of letters for window advertising signs is four inches and the window advertising sign area shall not be illuminated. Window advertising signs shall be made of wood, plastic, metal or similar material.
  - c. No other window signs shall be permitted.
- (4) Special signs as defined in [section 102-8\(f\)](#) (1), (2), (3), (4), (5), (6), (8), (9), (10), (11), (12), (13), (14), (15).
- (5) For property lying east of the Intracoastal waterway, and along Hillsboro Boulevard east of Federal Highway, refer to guidelines set forth in [section 102-8\(e\)](#) for the Beach and Boulevard District.
- (d) *Community facilities (CF).* The following signs are allowed in a district zoned community facilities.
- (1) *Freestanding monument identification signs.* Except as provided below, one freestanding monument identification sign is allowed per parcel and shall contain only the name of the facility as the main use. Illumination (if any) of freestanding monument identification signs shall be limited to external illumination. Freestanding monument identification signs shall be subject to the following limitations:
- a. Size not exceeding: (i) a square foot sign equal to 16 percent of the frontage of the premises upon which the sign is being erected or (ii) a maximum sign area of 40 square feet, whichever is smaller. Frontages of less than 150 lineal feet shall be permitted a maximum sign area of 24 square feet.
  - b. The sign shall not exceed 10 feet in height measured from the crown of the road of any abutting street.
  - c. Setbacks: see [section 102-9](#)
  - d. In no instance shall the sign be closer than 100 feet to any other freestanding sign.
  - e. For parcels with multiple frontages, there may be two freestanding monument identification signs under the following conditions:
    1. Corner parcels may have two monument identification signs, one for each frontage, providing they are no closer than 250 feet, as measured along the frontage, or one sign calculated by combining the distances of both frontages. A monument identification sign shall in no instance exceed 24 square feet in size (area);

2. Parallel (opposite) parcels or parcels with more than two street frontages are permitted two freestanding monument identification signs provided that the signs are not located within 250 feet of each other, measured along the frontage line.
- (2) *Building signs.*
- a. Each building shall be entitled to one wall sign per street frontage. The total sign area shall be computed allowing one square foot of sign for each lineal foot of frontage. No sign shall be required to be smaller than 16 square feet nor allowed to exceed 100 square feet.
  - b. No wall sign shall exceed 75 percent of the length of the building upon which it is placed.
- (3) Special signs as defined in [section 102-8\(f\)](#) (1), (4), (6), (9), (11), (12), (13), (14).
- (e) *Areas of special interest.* Within the city there are special definable districts which because of their unique character, strategic location or necessity to the city's economic advantage, warrant special consideration. This Code herein establishes these guidelines in order to promote development along main thoroughfares, control the aesthetic character of boulevards, gateways and destinations, retain the natural character and economic advantage of the beach and the main arteries that serve it, and to protect property values of adjacent residential neighborhoods.
- (1) *RSO Residential Office District.* The following signs are allowed in the RSO Residential Office District.
- a. One freestanding ground monument sign or one perimeter wall sign per parcel, provided that such sign does not exceed eight square feet in size (area) per sign face and does not exceed five feet in height measured from the crown of the adjacent road. Free-standing ground monument signs shall meet the following setbacks: front setback - five feet; side setbacks - ten feet. Illumination of freestanding ground monument signs and perimeter wall signs shall be allowed by external lighting only via hidden light sources. Such signs shall be designed and constructed to be compatible with the architectural elements and color of the principal building on the parcel.
  - b. Special signs as defined in [section 102-8\(f\)](#)(1), (6), (7), (8), (9), (10), (11), (14), (15).
- (2) *Beach and Boulevard District (BBD).* For the purpose of this chapter, this area of interest is defined as the entire area lying east of the Intracoastal Waterway, and along Hillsboro Boulevard east of Federal Highway. The following signs are allowed in this district:
- a. Freestanding monument signs,
  - b. Building signs,
  - c. Perimeter wall signs,
- Within the BBD District, the size, number, height, and spacing of freestanding monument signs, building signs and perimeter wall signs shall be limited as specified for the individual zoning districts within which the property lies, and the setback requirements of [section 102-9](#) shall apply to all such signs. All such signs shall be constructed of naturalistic materials; and all such signs shall be designed and constructed so as to reflect the native character of the beach area, and the use of earth and water related colors is encouraged. In no instance shall such signs be internally illuminated, and illumination (if any) shall be accomplished externally via hidden light sources.

- d. Special signs as defined in [section 102-8\(f\)](#)(1), (3), (4), (5), (6), (8), (9), (10), (11), (12), (13), (14), (15).
- (3) *CRA District.* In the CRA District, one permanent gateway monument sign that meets with the following content-neutral criteria is allowed at the western border of the District:
- a. It must be located at the intersection of two four-lane, or greater, roads.
  - b. It shall not be greater than 15 feet in height.
  - c. It shall not have a signage area greater than 135 square feet.
  - d. It shall have a landscaped area of a minimum of 875 square feet.
  - e. It may incorporate and display changeable, animated copy, including noncommercial messages pertaining to the announcement of upcoming or current community events; provided, however, that the changeable copy shall not be limited in any way by virtue of the viewpoint of any message.
- (f) *Special signs.*
- (1) Announcing, project and construction signs. As provided in [section 102-5](#), the following temporary sign-types shall not require a sign permit if they are 12 square feet or less in size (area).
- a. Temporary announcing signs, which meet the following number, size, height and durational requirements:
    1. Only one freestanding sign shall be allowed per street frontage per project.
    2. Sign area shall not exceed 32 square feet.
    3. Sign height shall not exceed eight feet.
    4. Sign may not be posted until after site development plans have been approved for the project, and shall be removed after the passage of 60 days or upon the issuance of a building permit for the project, whichever shall first occur.
  - b. Temporary project signs, which meet the following number, size, height and durational requirements:
    1. Only one freestanding sign shall be allowed per street frontage per project.
    2. Sign area shall not exceed:
      - i. Four square feet in RS-5, RS-5c, RS-7, RSO and BBD.
      - ii. Thirty-two square feet in all other zoning districts.
    3. Sign height shall not exceed eight feet.
    4. Sign may not be posted until the issuance of the building permit for the project and shall be removed upon the expiration of the building permit or upon the issuance of the certificate of occupancy for the project, whichever shall first occur.
  - c. Temporary construction signs., which meet the following number, size, height and durational requirements:
    1. No more than five freestanding signs shall be allowed per construction site, and shall be neatly arranged if more than one is located on the site.
    2. Sign area shall not exceed 12 square feet per sign.
    3. Sign height shall not exceed six feet.
    - 4.

Signs shall not be posted until the issuance of a building permit, and shall be removed upon the expiration of the building permit or upon the issuance of the certificate of occupancy for the project, whichever shall first occur.

- (2) *Bench signs.* One 12 square-foot sign per bench may be provided on benches located in commercial and industrial zoning districts.

Benches with signs shall only be located in the city in the following manner:

- a. Benches shall not be placed at any location which is not a bus stop where regular bus service is provided (at least five days per week by public transportation).
  - b. Benches shall not be placed in the sign vision triangle.
  - c. Benches shall not be placed on public sidewalks.
  - d. Benches may be placed on private property only with written authorization from the property owner.
  - e. All benches shall be positioned parallel to the public right-of-way or at an angle up to, but not exceeding, 45 degrees from the right-of-way; and
  - f. One bus bench per bus stop only; unless the city manager authorizes a second bench where there is sufficient demand or where a bus bench is relocated to make room for a city authorized bus shelter.
- (3) *Changeable copy signs.* Changeable copy signs are not generally allowed within the city; however, given the function that this sign-type serves for certain types of establishments, this sign-type may be utilized in the following limited situations:
- a. *Fuel price informational signs.* In a properly zoned district, signs advertising the price of motor vehicle fuel sold from a fuel pump located on the premises shall be permitted, subject to the following conditions:
    1. One freestanding fuel price informational sign limited to 12 square feet is allowed. If there is a freestanding identification sign then this changeable copy fuel price informational sign shall be incorporated into its design so as not to have two or more freestanding signs. The sizes allowed for the fuel price informational sign shall be in addition to other allowable signage.
    2. Only one fuel price informational sign shall be permitted per fuel pump limited in size to an area of 18 square inches. Each fuel price informational sign shall be affixed directly to a fuel pump and shall be stationary.
  - b. *Drive-thru menu boards.* Outdoor menu boards are only allowed on lots which have been approved for restaurants with drive-thru windows and under the following conditions:
    1. Only one outdoor menu board shall be permitted, per order window;
    2. Display surface area shall not exceed 24 square feet;
    3. If the sign is lighted, it may be internally illuminated only;
    4. The outdoor menu board shall be oriented to be seen at the drive-thru location where orders from vehicle occupants are taken.
  - c. *Moveable menu boards.* A restaurant shall be permitted one moveable menu board not to exceed three square feet in size (area) and not to exceed six feet in height located nearby the primary building entrance and not impeding pedestrian or vehicular traffic.

- d. *Places of worship.* Places of worship shall be allowed changeable copy as a portion of their allowable freestanding or building signage as specified for permitted and regulated signs. The total area of the changeable copy shall be no more than eight square feet and this changeable copy shall not exceed 25 percent of the allowable sign area.
  - e. *Theater signs.* One changeable copy sign shall be permitted per theater or cinema and can be included on either a freestanding sign or building sign. The total area of the changeable copy shall be no more than eight square feet for each theater screen, and the aggregate sum of each shall be included in the total area permitted for a freestanding sign or building sign as allowed in this Code.
- (4) *On-premise directional signs.* On-premise directional signs shall not exceed two square feet in size, shall not be more than three feet high, shall not be placed in the public right-of-way and shall not contain copy other than as required to orient traffic.
- (5) *Directory signs.* An internally-illuminated directory sign may be permitted on premises within a commercial center for pedestrian or vehicular directional purposes; provided, however, that such sign conforms to the following;
- a. The sign shall be oriented to pedestrian or vehicular traffic on the premises;
  - b. A single business or activity shall be limited to two square feet per individual sign face;
  - c. The aggregate directory sign faces shall not exceed a total area of 28 square feet per directory sign ;
  - d. The directory sign shall not exceed six feet in height.
- (6) *Flags.* Subject to limitations on their number, size (area), height, and setback, flags are permitted in all zoning districts as follows:
- a. On single-family, two-family and RSO developed lots, up to two flags may be displayed. On multifamily and non-residential parcels which contain a principal permitted use, up to three flags may be displayed. Flags shall be affixed to a ground mounted flagpole.
  - b. The size of the flag shall be proportionate to the height of the flagpole to which it is affixed, so that the distance from the top to the bottom of any flag shall be no more than 20 percent of the total height of the flagpole.
  - c. The height and size of flagpoles shall conform to the requirements of [section 98-73](#) of the Land Development Code.
- (7) *Residential garage or yard sale signs.* Three signs advertising the sale may be displayed. The signs shall be six square feet or less in size, shall not exceed six feet in height, and shall only be displayed during the hours in which the sale is conducted or for two consecutive days between the hours of 8:00 a.m. and 6:00 p.m., whichever is less.
- (8) *Grand opening sign.* One grand opening sign, which may include a banner where the banner is attached to a solid surface in a manner that precludes the banner from flopping in the wind.
- (9) *Holiday/seasonal decorations.* Temporary holiday decorations are allowed for legal holidays one month prior to the holiday and one week after the holiday and temporary seasonal decorations are allowed.
- (10) *Election signs.* In addition to one free expression sign for each parcel of private property and all other signs and sign messages that may be allowed under this Code,

one non-illuminated election sign for each candidate and each issue may be placed on private property provided the signs are in compliance with the following standards:

- a. On residentially zoned parcels, size (area) of the sign shall not exceed six square feet. On non-residentially zoned parcels, the size (area) of the sign shall not exceed 16 square feet.
  - b. Election signs shall not exceed four feet in height on residentially-zoned parcels, and shall not exceed six feet in height on non-residentially zoned parcels.
  - c. Election signs shall not be placed upon property without the permission of the owner of the property or other person in legal control of the property.
  - d. Election signs shall be removed within seven days after the election. The owner of the property, as well as the person responsible for placing the sign on the property, shall be responsible for removing election signs within the foregoing time period.
  - e. It is unlawful to attach election signs to trees, shrubs, fences, walls, or utility or similar poles.
  - f. It is unlawful to place, erect or maintain election signs on or in public rights-of-way or any public property.
  - g. It is unlawful to place, erect or maintain any election sign in the intersection visibility triangle.
  - h. As set forth above, the election signs allowed by the provisions of this subsection are in addition to free expression signs and any other signs and sign messages that may be allowed under this Code. Accordingly, the foregoing provisions do not limit the right to substitute a noncommercial message (including a political message) for any commercial message that may otherwise appear on a lawfully erected sign.
- (11) *Real estate signs.* Real estate signs shall be governed by district, shall be temporary signs erected for a period of not more than six months, shall be non-illuminated and shall be limited to one per premises except for waterfront lots and lots having more than one street frontage. Waterfront lots shall be allowed to have one additional sign placed on the side of the property facing the water. Lots having more than one street frontage shall be allowed to have one additional sign placed on the second street frontage providing that the signs are placed a minimum of 100 feet apart. No attachments shall be permitted. Signs must be removed no later than two calendar days after closing.
- Two "open-house" signs per property may be displayed between the hours of 8:00 a.m. and 6:00 p.m. on the day the property is open for inspection. There shall be no attachments. The signs shall be not more than three square feet in size and not more than 44 inches in height.
- a. *RS-5, RS-5c and RS-7 Districts.* One sign not to exceed three square feet per face and not more than 44 inches in height.
  - b. *RM 10, RM-15, RM-25, RM-5c, RM-10c, RM-12c, RM-13c, RM-14c, RM-15c, RM-16c, RM-25c, T-1c, and RP-10 Districts.* One sign with an area not exceeding eight square feet per face with a maximum height of 44 inches.
  - c. *B-1, B-2, B-3, I, PID and community B-1c, B-2c, M-1c, M-3c and M-4c facilities.* One sign with an area not exceeding 16 square feet, with a maximum height of six feet.
  - d.

*Areas of special interest.*

1. *BBD.* One sign with an area not exceeding eight square feet per face with a maximum height of 44 inches.
  2. *RSO.* One sign not to exceed three square feet per face and not more than 44 inches in height.
- (12) *Special event signs.* In connection with a special event that has been permitted in accordance with content-neutral standards set forth in Chapter 66, Division 3 of the Deerfield Code, temporary special event signs, banners and directional signs are allowed as follows:
- a. *Special event sign; special event banner.* One special event sign or banner, directing the attention of the public to a special event, may be permitted on the premises of the event. A special event sign or banner shall not exceed 25 square feet per sign face and a sign area of 50 square feet, and its height shall not exceed six feet. A banner shall not exceed 50 square feet in area.
  - b. *Special event directional sign.* Special event directional signs shall be located at points specified by the permit for a period not to exceed 30 consecutive days, shall not exceed four square feet per sign face and an aggregate area of eight square feet, shall not exceed four feet in height, if freestanding.
  - c. *General.* Such signs, banners and directional signs shall be (i) displayed for a period not to exceed two weeks prior to the scheduled date of event and (ii) removed two days after the scheduled event ends.
- (13) *Towing sign.* One towing sign not to exceed three square feet and 44 inches in height may be posted at each entrance to private property. A towing sign shall include name, address and telephone number of licensed towing operation.
- (14) *Vehicle sign.* All vehicles upon which a sign is affixed advertising a business or product available on the premises must be parked in the rear of the buildings on-site. On properties which do not provide a rear parking area, vehicles with signs must not park in parking spaces immediately adjacent to the street right-of-way if other parking spaces are available on the premises, but a vehicle sign may not be displayed in a manner that constitutes a prohibited sign.
- (15) *Free expression signs.* Signs communicating information or views on matters of public policy concern, or containing any other noncommercial message are permitted provided said signs are not in excess of six square feet, the top of the sign is not more than six feet off the ground, and the sign does not depict specified anatomical areas or specified sexual activities (as defined in section 98.3 of the City Land Development Code). A free expression sign is in addition to any other sign permitted under this Code and is permitted in any zoning district. Only one such sign shall be permitted on each parcel, or business location and the sign must be located within six feet of a building located on the lot, or parcel, or if there is no building on the lot or parcel, at least 15 feet from any street.
- (16) *Bus shelter signs.* A sign shall be permitted on bus shelters authorized for construction by the City of Deerfield Beach, provided bus shelters signs comply with the following requirements:
- a. No bus shelter shall have a roof which is more than 45 square feet.
  - b. No bus shelter shall have a height (from ground to the top of any portion of the roof) of more than eight feet.
  - c. No sign shall exceed 30 square feet.
  - d.

Bus shelters shall not be placed at any location which is not a bus stop where regular bus service is provided (at least five days a week by public transportation).

- e. Bus shelters shall not be placed in the site vision triangle.
- f. Bus shelters shall not be placed on public right-of-way or public sidewalks.
- g. Bus shelters may be placed on private property only with the written authorization from the property owner.
- h. Bus shelters shall be positioned parallel to the public right-of-way.

(Ord. No. 2003/022, § 1, 5-6-03; Ord. No. 2005/010, §§ 1, 2, 3-15-05; Ord. No. 2005/018, § 1, 6-21-05; Ord. No. 2007/004, § 1, 2-20-07; Ord. No. 2009/024, § 1, 9-15-09; Ord. No. 2012/009, § 5, 2-7-12)

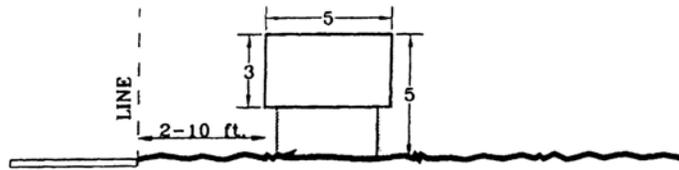
### **Sec. 102-9. - Location and size of freestanding signs.**

- (a) *Location.* All signs must front on a public road right-of-way or a paved dedicated access easement, whichever is the principal access to the property, and be set back from the right-of-way as set forth below.
- (b) *Setback and size.* All setbacks referred to herein are from the property line abutting the public right-of-way. The maximum size allowed for the sign varies in relation to the setback as follows for all zoning districts unless expressly specified otherwise in this Code:

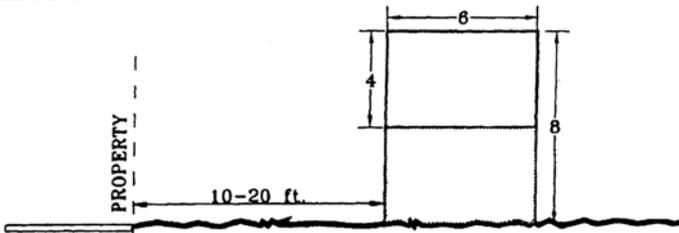
Setback	Maximum Height of Sign Structure	Maximum Size of Sign Structure	Maximum Size of Sign Face Within the Structure
20 feet or more	10 ft.	80 sq. ft.	40 sq. ft.
10 feet to 20 feet	8 ft.	48 sq. ft.	24 sq. ft.
2 feet to 10 feet	5 ft.	25 sq. ft.	15 sq. ft.
0 feet to 2 feet		No Signs Permitted	

- (c) *Sight visibility.* No sign over three feet in height shall be placed in that area defined as a vision triangle at street or driveway intersections.
- (d) The limitation described in this [section 102-9](#) do not apply to traffic control device signs.

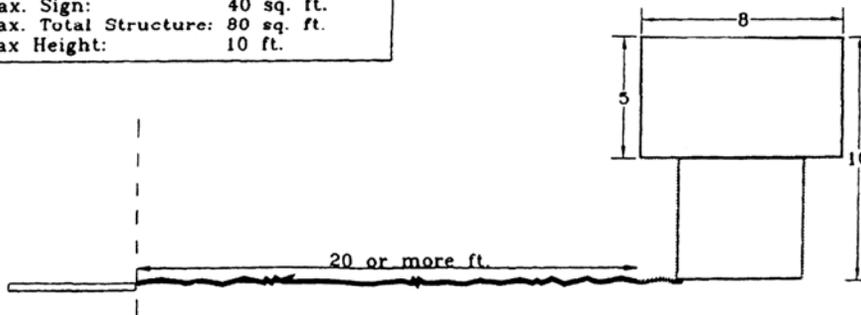
Setback:	2 - 10 ft.
Max. Sign:	15 sq. ft.
Max. Total Structure:	25 sq. ft.
Max Height:	5 ft.



Setback:	10 - 20 ft.
Max. Sign:	24 sq. ft.
Max. Total Structure:	48 sq. ft.
Max Height:	8 ft.



Setback:	20 or more ft.
Max. Sign:	40 sq. ft.
Max. Total Structure:	80 sq. ft.
Max Height:	10 ft.



### **Setback, Size and Height Criteria**

(Ord. No. 2003/022, § 1, 5-6-03)

### **Sec. 102-10. - Reserved.**

### **Sec. 102-11. - Lighting.**

Lighting for signage may be accomplished by either internal or external sources limited by the individual zoning category or special areas of interest. The source of illumination for externally-illuminated signs may not be visible from any abutting right-of-way or any adjacent property. Internally illuminated signs must have the lighting source concealed within the sign.

Sign and/or building lighting must be part of the community appearance board review for other than one and two-family dwellings.

(Ord. No. 2003/022, § 1, 5-6-03)

### **Sec. 102-12. - Landscape.**

Permanent freestanding signs shall have irrigated landscape consisting of ground cover, shrubs, and/or trees.

*(Ord. No. 2003/022, § 1, 5-6-03)*

### **Sec. 102-13. - Existing signs nonconforming.**

- (1) Any sign which did not conform to the City of Deerfield Beach Sign Code on the day before February 28, 1999, and which should have been removed or modified under prior law shall be an illegal nonconforming sign. Any signs which were legally permitted and constructed which do not conform to provision of the City of Deerfield Beach Sign Code on February 28, 1999, shall be considered legal nonconforming signs and shall be governed as provided for herein.
- (2) Unless otherwise provided for herein, any sign made nonconforming by this sign code shall be considered a legally nonconforming sign and shall be made to conform to this sign code as provided for herein.
- (3) A legally nonconforming sign may not be enlarged or altered in a way which increases its degree of nonconformity, but any sign or portion thereof may be altered to decrease its degree of nonconformity, except as provided for herein.
- (4) A legally nonconforming sign shall not be structurally altered to prolong the life of the sign. Reasonable repair and maintenance of nonconforming signs, including change of copy, is permitted, as provided for herein. Reasonable repair and maintenance means the work necessary to keep the sign, including the sign structure, in a good state of repair, but does not include replacement of materials in the sign structure where the cost of the replacement materials exceeds 25 percent of the sign's value. Reasonable repair does not include:
  - a. Any modification that changes the structure, or type of structure, such as conversion of a wooden sign structure to a metal sign structure;
  - b. Any modification, including the addition of embellishments, that changes the sign area or the height above ground level;
  - c. Any modification that enhances the visibility of the sign's copy, or the period of time that the copy is visible;
  - d. Any modification that adds changeable faces or electronic message signs; or
  - e. Any modification that adds artificial lighting, or changes the existing lighting such that illumination is increased.
- (5) Should a legally nonconforming sign become damaged, destroyed or deteriorated by any means to the extent that it requires more than reasonable repair and maintenance, as defined in subsection (4) above, then the sign shall not be reconstructed except in compliance with the sign code. In the event that a legally nonconforming sign was approved as part of a site plan zoning approval, then the legally nonconforming sign may be reconstructed in accordance with the site plan zoning approval.
- (6) Should a legally nonconforming sign be moved for any reason, it shall thereafter conform to the regulations for the district in which it is located after it is moved.
- (7) Any legally nonconforming sign structure the use of which as a sign is discontinued for a period of 180 consecutive days, regardless of any intent to resume or not to abandon such use, shall be presumed to be abandoned and shall not thereafter be reestablished except in full compliance with this code. The use of the sign shall be presumed to be discontinued during the time the business with which the sign is associated is not in operation. Any period of such discontinuance caused by government actions, strikes, material shortages, or acts of

God, and without any contributing fault by the nonconforming user, shall not be considered in calculating the length of discontinuance for purposes of this subsection. The time period during any active renovation or reconstruction of the premises (as evidenced by an active building permit) with which the sign is associated shall not be counted in computing any abandonment.

- (8) If there is new development on a parcel upon which a sign, or signs, is, or are, located, which development is required to undergo major development review pursuant to the city's land development regulations, all nonconforming signs on the parcel shall be made to comply with the provisions of this sign code.
- (9) Any sign which is legally nonconforming as set forth above may be modified to change the copy on the sign face provided the modification does not exceed the definition of reasonable repair as set forth above, and further provided that said sign is approved by the community appearance board and the sign complies with all other provisions of the sign code (except for those provisions which caused the original nonconformity) and does not increase the degree of nonconformity.

(Ord. No. 2003/022, § 1, 5-6-03; Ord. No. 2011/011, § 1, 2-15-11)

### **Sec. 102-14. - Maintenance, violations, enforcement and remedies.**

- (a) *Maintenance.* All signs and associated landscape shall be maintained in a safe, presentable and good structural condition, including the replacement of defective parts, repainting, cleaning and other acts required for the maintenance of said sign.
- (b) *Abandoned or discontinued signs.* Except as otherwise provided in this Code, an abandoned or discontinued sign is prohibited and shall be removed by the owner of the premises, or as otherwise provided for in this article.
- (c) *Dangerous or defective signs.* No person shall maintain or permit to be maintained on any premises which they own or control any sign which is in a dangerous or defective condition. Any such sign shall be removed or repaired by the owner of the sign or the owner of the premises, or as otherwise provided for in this article.
- (d) *Unlawful signs.* No person shall erect on any premise which they own or control, any sign which does not comply with the provisions of this Code.
- (e) *Violations and enforcement.*
  - (1) *Violations.* The violation or failure to comply with any of the provisions of this ordinance shall be and hereby is declared to be unlawful and a violation of this sign code. Each and every day that a violation continues shall be considered a separate and specific violation.
  - (2) *Enforcement.* The City of Deerfield Beach Code Enforcement Board shall have the jurisdiction and authority to hear and decide alleged violations of the sign code.
  - (3) A violation of this sign code shall be punishable by a fine up to an amount of \$500.00 per violation.

(Ord. No. 2003/022, § 1, 5-6-03)

### **Sec. 102-15. - Administration.**

- (a) *Code administrator.* The administrator shall be the director of planning and growth management or a representative designated by the director. The administrator is hereby authorized to process applications for permits and variances, provide for the holding of public hearings as required and enforce and carry out all provisions of this Code, both in letter and

in spirit. The administrator is authorized to promulgate regulations and procedures consistent with the purpose of this Code toward this end.

- (b) *Inspection.* The building official or his designee is empowered, upon presentation of proper credentials, to enter or inspect any building, structure, or premises in the city upon which or in connection with which, a sign is located for the purposes of inspection of the sign, its structural and electrical connections, and to ensure compliance with all applicable codes and ordinances. Such inspections shall be carried out during business hours unless an emergency exists.
- (c) *Appeals.* Any person who believes that a decision rendered in the denial of a permit is incorrect may appeal that decision to the city commission. A denial of an application by the community appearance board shall constitute a denial for purposes of this section. In the event that any decision on a sign permit application is not rendered within 30 days after its submission or within such other time frames as are provided herein, an applicant may directly appeal that failure to the city commission as provided herein. The standard of review shall be whether or not the application or the decision, as the case may be, complies with this Code and any other applicable law or regulation. There shall be no fee for this appeal. Application for the appeal may be obtained in the office of planning and growth management from the administrator or his designee. The city commission shall hear such appeal within 30 days of its filing and shall issue a ruling based upon this Code and prevailing law. The ruling shall be issued within three calendar days of the hearing. If the appeal is from a denial, there shall be no presumption that the original denial is correct. The appeal shall be heard de novo at a publicly noticed quasi-judicial hearing. If the appeal is not finally determined within three calendar days after the hearing, or within 33 days after the filing of the appeal, whichever event occurs first, the sign permit shall be issued. Any adverse decision of the city commission may be appealed to the circuit court by way of a petition for writ of certiorari.
- (d) *Variations.* Any person who believes that the strict application of the sign code imposes an improper hardship upon him may seek such variance from the city commission for a fee. Applications for variances may be obtained in the office of the administrator.

The city commission may grant a hardship variance from the provisions and requirements of this Code only where all the following criteria are met:

- (1) The literal interpretation and strict application of the provisions and requirements of the Code would cause undue and unnecessary hardship to the sign user because of unique or unusual conditions pertaining to the specific building or parcel of property in question; and
- (2) The granting of the requested variance would not be materially detrimental to property owners in the vicinity; and
- (3) The unusual conditions applying to the specific property do not apply generally to other properties in the city; and
- (4) The granting of the variance will not be contrary to the general intent of this Code to moderate the size, number, and obtrusive placement of signs and to reduce clutter; and
- (5) A variance may not be granted as to a sign that is prohibited by this Code.

In granting a variance, the city commission may attach thereto such conditions regarding the location, character, and other features of the proposed sign as it may deem necessary to carry out the spirit and purpose of this Code in the public interest.

- (e) *Administrative interpretation.* Any person who claims that the provisions of this section are unenforceable for any reason, or unreasonably restrict free expression, may appeal to the

city commission for an interpretation of this section as relates the specific concern of that person. The department shall provide appeal forms upon request. The city commission shall hear such appeal within 30 days of its filing and shall (within three calendar days thereafter) issue a ruling based upon the language of the Code in light of prevailing law as to First Amendment rights to free speech so as to assure that this section is applied in a manner consistent with those rights. In the event of an appeal that is not finally determined within the time frames set forth herein or in the event of an adverse decision by the city commission, such person may pursue an appeal of the same to the circuit court by way of a petition for writ of certiorari or such other remedy available at law or equity.

- (f) The department director shall allow any sign permitted under this section to change its lettering, in whole or in part, to a noncommercial message as often as is desired by the person in control of the sign. No community appearance review of said change shall be required providing the lettering, style, color scheme, and design characteristics of the sign are not changed.

(Ord. No. 2003/022, § 1, 5-6-03)

### **Sec. 102-16. - Severability.**

- (a) *Generally.* If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this chapter 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 this chapter.
- (b) *Severability where less speech results.* Without diminishing or limiting in any way the declaration of severability set forth above in section 102-16(a), or elsewhere in this chapter, this Code, or any adopting ordinance, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this chapter 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 this chapter, even if such severability would result in a situation where there would be less speech, whether by subjecting previously exempt signs to permitting or otherwise.
- (c) *Severability of provisions pertaining to prohibited signs.* Without diminishing or limiting in any way the declaration of severability set forth above in section 102-16(a), or elsewhere in this chapter, this Code, or any adopting ordinance, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this chapter or any other law 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 this chapter that pertains to prohibited signs, including specifically those signs and sign-types prohibited and not allowed under [section 102-7](#) of this chapter. Furthermore, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of [section 102-7](#) 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 [section 102-7](#).
- (d) *Severability of prohibition on billboards.* 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 billboards as contained herein.

*(Ord. No. 2003/022, § 1, 5-6-03)*

### **Sec. 102-17. - Temporary relief.**

In recognition of severe economic impact of the recession existing since 2009, the following, otherwise prohibited signs which promote the business operating at the location of the sign shall be temporarily permitted subject to the provisions as set forth below:

- (1) Banners not greater than 16 square feet in size, which are firmly affixed to the building where the business is being conducted or such other solid surface on the property where the business is being conducted. The highest point of any banner shall not extend above the highest point of the building wall on which the banner is affixed. In no instance shall the banner be attached to landscaping; and
- (2) Vehicle signs as would be otherwise prohibited per [section 102-7\(23\)](#) of this Code, provided the vehicle must be properly licensed and operable; and
- (3) Inflatable signs on the private property where the business being advertised is being conducted (directly in front of the business) where said inflatable signs are not higher than ten feet or wider than ten feet, and are not located on a roof; and
- (4) Movable menu boards permitted by [section 102-8\(f\)\(3\)c.](#) shall not be restricted to containing only menus.
- (5) All signs must be located on the same private property where the business being advertised is being conducted (directly in front of the business); and
- (6) All signs must be maintained in good condition at all times; and
- (7) No sign or activity as set forth above may be located in the visibility triangle or vision triangle as defined in [section 102-5](#), nor in any way interfere with or impede vehicle traffic on any right-of-way; and
- (8) No sign as set forth above shall be permitted except after the execution by the business owner of a stipulated agreement acknowledging that the sign is not normally allowed per the sign code and, but for the temporary relief, would be a violation of the sign code, and stipulating that the sign will be removed prior to April 1, 2012. The agreement must be in a form approved by the city attorney. The agreement may provide for an additional extension upon the approval of the city commission of a resolution extending the relief as set forth below.
- (9) The relief granted herein is for period beginning on November 1, 2011 and ending on March 30, 2012 provided that the relief may be extended by the city commission for an additional 58 days through a resolution of the city commission. The city may issue a second extension for a period up to 90 days by resolution. It is the intent of the city commission that this be temporary relief based upon unique economic circumstances. In any event, the temporary relief granted herein shall terminate on August 31, 2012 at the latest and any sign permitted herein shall be removed on or before that date.
- (10) A business location may only display one of the above signs at any single time.

*(Ord. No. 2009/025, § 2, 9-15-09; Ord. No. 2010/002, § 2, 2-16-10; Ord. No. 2011/044, § 2, 10-4-11)*

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FOOTNOTE(S):

<sup>(1)</sup> **Editor's note**—Ord. No. 1998/038, adopted Jan. 5, 1999, repealed Ch. 102, §§ 102-1—102-13, which pertained to signs and enacted provisions designated as a new Ch. 102, §§ 102-1—102-16, to read as herein set out. Subsequently, Ord. No. 2003/022, § 1, adopted May 6, 2003, amended Ch. 102, in its entirety, to read as herein set out. See the Table of Amendments. [\(Back\)](#)