

ORDINANCE NO. 14-2008

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING SECTION 78-70 OF CHAPTER 78, ARTICLE III, ENTITLED "PARK AVENUE DOWNTOWN DISTRICT" PERTAINING TO PERMITTED SIGNS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR THE REPEAL OF ALL LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Lake Park, Florida ("Town") is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town Commission has adopted a Comprehensive Plan which has previously been determined to be in compliance with Chapter 163, Part II, Florida Statutes; and

WHEREAS, pursuant to Section 163.3202, Florida Statutes, the Town Commission has adopted Land Development Regulations (LDRS) which are codified in Chapter 78 of the Town Code entitled "Zoning" and

WHEREAS, the LDRS the Town Commission has previously adopted include detailed and specific regulations to regulate signage as required by Section 163.3202(2)(f), Florida Statutes; and

WHEREAS, the Town Commission has determined that it would further the public's health, safety and general welfare to amend its LDRS pertaining to permitted signage within the Park Avenue Downtown District.

THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA THAT:

Section 1. The whereas clauses are hereby incorporated as true and correct as the legislative findings of the Town Commission.

Section 2. Section 78-70, Article III of Chapter 78 of the Town Code entitled "Park Avenue Downtown District" is amended as follows:

SECTION 78-79. Park Avenue Downtown District

TABLE 78-70-7
PERMITTED SIGNS

TABLE INSET:

Sign Type	Maximum Size	Maximum Number	Copy Limit	Other Limits
Awning Sign	36 square feet	1 per front OR side	Business name, address, phone number, and logo, <u>and words depicting the nature of business (letters shall be not more than 50% of the height of the letters depicting the business name)</u>	*Letters, numbers, and logo shall not exceed 6 inches in height.
	--	--	--	*Located only on valance
Changeable Copy Sign	50 square feet <u>Not more than 50% of any portion of a building fronting on or facing Park Ave.</u>	1 per street frontage front of building	Business name, and name, time and date of current and upcoming events Business name, and words describing the nature of the business (letters shall be not more than 50% of the height of the letters depicting the name of the business.) The name, time, and date of current and upcoming events may also be displayed.	*May substitute as a wall sign, but shall not be used in addition to a permitted wall sign.
	--	--	--	*Marquee sign may be used
	--	--	--	*Marquee sign may extend over walkways, a minimum 8 foot clearance is required.
	--	--	--	*Marquee shall not extend beyond top of roof
	--	--	--	*Marquee sign shall be proportionate to size of building

Flags	<p>None. Proportionate to size and height of flag pole.</p> <p><u>Display of flags of the United States shall be in accordance with current U.S. Code of Federal Regulations (C.F.R.) to the extent reasonably possible, and flag size shall be proportionate to the size and height of the flag pole.</u></p>	1 flag pole per business	US, Florida, and Town of Lake Park flags	*Freestanding flagpoles shall not exceed 50 feet in height, <u>except for otherwise permitted stealth telecommunications facilities in a flagpole design.</u>
	--	--	--	*Building-mounted flag poles shall not extend into any public right-of-way.
Light Pole Sign	Per Town Commission	1 per pole	Per Town Commission	*Must be approved by Town Commission
Menu Sign (Restaurants only)	3 square feet	1 per restaurant	Restaurant menu	*Within 2 feet of front door
	--	--	--	*Mounted on exterior wall or in a window.
	--	--	--	*May be enclosed
Neon Sign	15 square feet a maximum size of six (6) square feet in a window.	1 per business	Business logo, name, open sign or depiction of product	*Mounted flush with wall or in window.
	--	--	--	*First floor location only
	--	--	--	*One face only
	--	--	--	*Shall not project

				by more than 8 inches
	--	--	--	*Shall not be located on arcade or similar facade
	--	--	--	*May be located above or below canopy or arcade
	--	--	--	*May be used as a substitute for or part of a wall or window sign
Projecting Sign	3 6 square feet	1 per business	Business name, <u>phone number, and logo, and words describing the nature of the business (letters shall be not more than 50% of the height of the letters depicting the name of the business.)</u>	*Letters, numbers, and logo shall not exceed 6 inches in height.
	--	--	--	*Minimum clearance of 8 feet above sidewalk or public walkway
Political Signs	None	None	None	*Allowed pursuant to chapter 70.
Special Events Signs	None	None	None	*Signs, pennants, flags, streamers, banners, etc., as approved by the <u>town manager community development director</u> for special events <u>and for a limited duration as specified in the permit.</u>
	--	--	--	*Number, size, and location of signs to be approved by the <u>town manager community development director</u>

String Lights	None	None	None	*String lights may not spell out or resemble the logo of any commercial product or use
	--	--	--	*Installation at places of business and on commercial or industrial properties, must be approved by the town manager <u>Community Development Director</u>
	--	--	--	*Installation in landscaping can be permanent
	--	--	--	*Installation as a seasonal decoration may be displayed for a period of not more than 45 calendar days
				*Installation as a seasonal decoration may occur not more than 6 times per year
	--	--	--	*Installation as a seasonal decoration, may be used for any one or more of the following holidays: beginning of the Christmas holiday season through and including New Year's Day or only New Year's, Thanksgiving, Halloween, Easter, and Kwanza, and Hanukkah

	--	--	--	*Additional holidays may be recognized by the <u>Town Manger-Community Development Director</u>
<u>Temporary real estate and for sale signs</u>	6 square feet	1 per property that is for sale or rent	Name, address, and phone number of agent; copy indicating that the subject property is "for sale" or "for lease", and other information deemed necessary and appropriate at the time of sign permitting.	*Professionally produced or created
	--	--	--	*Located on an exterior wall or in a window only, freestanding signage is strictly prohibited
	--	--	--	* A temporary sign permit is valid for 6 months from the date of permit issuance. A new permit must be applied for after the initial 6 month period expires. After the issuance of two temporary sign permits for the same property, the community development director, has the discretion to deny a request for an additional temporary sign permit on the grounds that the sign is not a temporary sign.
		1 per	Business name, logo,	*Mounted flush with

Wall Sign	50% of building frontage facing Park Ave., 30% of building frontage for side streets	business	address, phone number, and words describing the nature of the business (letters shall be not more than 50% of the height of the letters depicting the name of the business.)	wall
	--	--	--	*First floor location only
	--	--	--	*One face only
	--	--	--	*Shall not project by more than 8 inches
	--	--	--	*Shall not be located on arcade or similar façade *May be located above or below canopy or arcade
	--	--	--	*May be painted directly on wall only if the rendering is commissioned by the Town Commission, and the painted area accurately depicts a scene of historic Lake Park
Window Sign	No more than 25% of any single window panel or pane	1 per window	Business name, address, logo, telephone number, and words describing the nature of business.	*Must be painted or applies directly onto the window surface, or hung within 6 inches of the window. Placement and design must be consistent, harmonious, and unified throughout all windows in the building.
	--	--	--	*Neon sign(s) may be used for all or

				part of permitted signage.
	--	--	--	*Shall be located only on the first floor
	--	--	--	*Stand alone lettering is strongly discouraged. Lettering that incorporates graphic elements, borders, and backgrounds is preferred.
	--	--	--	*Plastic, vinyl, or other similar lettering of any form that is applied directly to a window is deemed to be a sign for purposes of this Section, and requires a sign permit approved by the Community Development prior to placement on a window.

Section 3. Severability.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 4. Codification.

The Sections of the Ordinance may be renumbered or re-lettered to accomplish such, and the word "Ordinance" may be changed to "section", "article", or any other appropriate word.

Section 5. Repeal of Laws in Conflict.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. Effective Date.

This Ordinance shall take effect immediately upon adoption by the Town Commission.

Upon First Reading this 6 day of August, 2008, the foregoing Ordinance, was offered by Commissioner Balius who moved its approval. The motion was seconded by Commissioner Carey, and being put to a vote, the result was as follows:

	AYE	NAY
MAYOR DESCA DUBOIS	<u>/</u>	_____
VICE MAYOR ED DALY	<u>/</u>	_____
COMMISSIONER CHUCK BALIUS	<u>/</u>	_____
COMMISSIONER JEFF CAREY	<u>/</u>	_____
COMMISSIONER PATRICIA OSTERMAN	<u>Absent</u>	_____

PUBLISHED IN THE PALM BEACH POST THIS 10 DAY OF August, 2008

Upon Second Reading this 20 day of August, 2008, the foregoing Ordinance, was offered by Commissioner Carey who moved its adoption. The motion was seconded by Commissioner Osterman and being put to a vote, the result was as follows:

	AYE	NAY
MAYOR DESCA DUBOIS	<u>/</u>	_____
VICE MAYOR ED DALY	<u>/</u>	_____
COMMISSIONER CHUCK BALIUS	<u>/</u>	_____
COMMISSIONER JEFF CAREY	<u>/</u>	_____
COMMISSIONER PATRICIA OSTERMAN	<u>/</u>	_____

The Mayor thereupon declared Ordinance No. 14-2008 duly passed and adopted this 20 day of August, 2008.

TOWN OF LAKE PARK, FLORIDA

BY: Desca DuBois
Mayor, Desca DuBois

ATTEST:

Vivian Mendez Lemley
Town Clerk, Vivian Mendez Lemley
(Town Seal)

Approved as to form and legal sufficiency:
Thomas J. Baird
Town Attorney, Thomas J. Baird