

1 EXHIBIT 1

2 ORDINANCE NO. 2026-

3 AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF
4 HALLANDALE BEACH, FLORIDA, AMENDING CHAPTER 32, ZONING AND
5 LAND DEVELOPMENT CODE; SPECIFICALLY AMENDING ARTICLE IV
6 DIVISION 17, SIGNS, SECTION 32-607 REGARDING LED TECHNOLOGY FOR
7 FREESTANDING SIGNS; AND AMENDING SECTION 32-610, REGARDING
8 SIGN VARIANCES; PROVIDING FOR SEVERABILITY, PROVIDING FOR
9 CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN
10 EFFECTIVE DATE.

11
12 **Section 1**

13 Chapter 32 – ZONING AND LAND DEVELOPMENT CODE

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15 ARTICLE IV. – DEVELOPMENT STANDARDS ARTICLE

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17 DIVISION 17. – SIGNS

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19
20 Sec. 32-607. General requirements.

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22 (a) *Additional requirements.* In addition to the requirements set forth in section 32-605
23 forpermitted signs by zoning districts, the requirements in this section shall also be complied with
24 for specific types of signs.

25 (b) *All signs.* All signs shall be:

26 (1) Adequately constructed and securely anchored so as to withstand wind pressure and to
27 fully comply with all the requirements of the Florida Building Code. Signs containing electrical
28 circuitry shall meet the requirements of the National Electrical Code and the Florida Building
29 Code.

30 (2) Used only for the identification or advertising of a tenant or occupant located on the
31 premises or a product or service available on the premises, except as provided in section 32-
32 607(a).

33 (c) *Wall signs.*

34 (1) Wall signs:

35 a. Identifying a use or establishment may be located on any wall face of
36 the use or establishment they identify in an amount up to 100 percent
37 of the permitted wall sign area; however, the permitted area of wall
38 signs on any one wall face shall not exceed 30 percent of the area of
39 the wall upon which the wall signs are placed, and no more than two
40 wall signs shall be placed on any one wall face of the establishment
41 they identify.

- 42 b. Identifying a building as authorized in section 32-605(d)(13) may be
43 located on any wall face of the building it identifies; however, the area
44 of the building identification wall sign shall not exceed 30 percent of the
45 area of the wall face upon which it is placed.
- 46 c. At single-use properties with at least 200 linear feet of frontage, may
47 utilize LED technology for up to two signs. One LED wall sign shall be
48 permitted per wall face no greater than 25 square feet, subject to the
49 criteria outlined in section 32-606(g).
- 50 (2) The restrictions on area, number and placement generally applicable to wall
51 signs shall not apply to cartoon figures or similar illustrations without text and
52 without business logos placed on the walls of day care centers, provided that
53 such cartoon figures or similar illustrations shall cover no more than 30 percent
54 of the area of the wall surface upon which they are maintained.
- 55 (3) Wall signs shall not extend above a height of three feet above the roofline.
- 56 (d) *Freestanding signs*. Freestanding signs shall be subject to the following:
- 57 (1) Set back no less than five feet from any property line provided the sign does not
58 violate the following vision clearance requirements:
- 59 a. ~~Twenty-five~~ 25-foot triangle at the intersection of two public street rights-
60 of-way.
- 61 b. ~~Fifteen~~ 15-foot triangle at the intersection of a public street right-of-way
62 and an alleyway.
- 63 c. ~~Ten~~ 10-foot triangle at the intersection of a public street right-of-way and
64 a driveway.
- 65 Sight triangle shall be determined by measuring the specified distance along
66 each right-of-way, alley or driveway and then connecting the ends of such lines
67 with an imaginary line.
- 68 (2) Located in a landscaped area surrounding the base of the sign of a minimum
69 two feet in width. The landscaped area required by this subsection shall count
70 towards the landscaping requirements of article IV, division 8 of this chapter.
- 71 (3) Shopping centers on Hallandale Beach Blvd. or U.S. 1 having more than three
72 acres and a main street frontage of 500 linear feet may utilize LED technology
73 for one permitted monument sign subject to the criteria outline in section 32-
74 ~~606~~ 607(g).
- 75 (4) Single-use commercial properties with a minimum of 100 linear feet of frontage
76 on Hallandale Beach Boulevard or U.S. 1, and having a lot area greater than
77 one (1) acre, may utilize LED technology for one monument sign, or a portion
78 thereof, subject to the criteria set forth in Section 32-607(g).
- 79 (e) *Freestanding signs*. Freestanding signs in residential zoned districts when permitted
80 by subsections 32-605(b) and (c) of this article:
- 81 (1) Temporary signs and bonus signs which do not violate the vision clearance
82 requirements of subsection 32-606(d)(1)a., and are not located between the
83 sidewalk and roadway, are exempted from this restriction.
- 84 (2) Shall not project over any pedestrian walkway or over any vehicular driveway.

- (3) Shall not be located over any public street right-of-way, including the sidewalk; except that a real estate, construction or bonus sign may be located within a right-of-way in a single-family zoning district if it is not placed between the sidewalk and roadway, or if there are no sidewalks, the sign is set back a minimum of ten feet from the road.

(f) *Illuminated signs.* Illuminated signs, including those located in show or display windows, and exterior lighting shall:

- (1) Have their power source or connection shielded in UL-approved housing or other acceptable housing permitted by the National Electrical Code.
- (2) Not exceed a maximum intensity of illumination for any type of light source of 20 footcandles when measured 20 feet from the source. Intensities of illumination shall be subject to review by the city electrical inspector, who may request a certified lighting engineer's report at the applicant's expense on the actual intensity of the illumination to determine compliance with the maximum permitted levels of intensity set out in this subsection.

(g) *LED signs.* LED signs, where permitted, shall be subject to the following criteria:

- (1) Shall not be located on or face any local street.
- (2) Only signs advertising the business(es) located on the property where the sign is located shall be permitted. Off-premise advertising shall be prohibited except as permitted in section 32-607(a)
- (3) Full color, single color and grayscale LED signs shall be permitted, unless otherwise prohibited.
- (4) Messages shall display for a minimum of five seconds. Any change of message shall occur simultaneously on the entire sign face and must change within one second or less.
- (5) Blinking, rotating, moving, chasing, flashing, glaring, strobe, scintillating, or spotlights are prohibited.
- (6) Lights or colored elements creating a continuously moving, shimmering or prismatic effect, or the use of rotating or moving parts in association with such lights or colored elements, are prohibited.
- (7) Brightness limits shall be set at a maximum of 6500 nits between sunrise and sunset, and at a maximum of 1250 nits between sunset and sunrise, and each sign shall be fitted with a qualified light sensing device to automatically adjust the brightness in accordance with these standards.
- (8) Shall contain a default mechanism that freeze the image in one position in event of malfunction. The sign owner shall respond to malfunction within one hour of city notification of malfunction.

Sec. 32-610. Administration and Enforcement

(a) *By director ~~city manager~~.* The requirements of this division shall be administered and enforced by the director ~~city manager~~.

(b) ~~The director~~~~city manager~~. The ~~director~~ ~~city manager~~ may administratively grant a variance of up to 20 percent pursuant to subsection 32-965(h), provided line of sight and other safety considerations are not compromised. An appeal by an applicant from the ~~director's~~ ~~city manager's~~ denial of a sign variance shall proceed under subsection 32-965(h)(5).

(c) *Vacant premises*. All sign copy shall be removed by the owner or lessee or person in control of the premises when the establishment which it advertises ceases to operate.

(d) *Produced on violations and appeals*.

(1) If the director shall find that any of the provisions of this division are being violated, he shall give written notice to the person responsible for such violation, or the owner of the premises on which the violation occurs, indicating the nature of the violation and ordering the action necessary to correct it. The director shall order discontinuance, alteration or removal or take any other action necessary to correct violations or ensure compliance with all the provisions of this division.

(2) Issuance of a permit shall not be construed to be an approval of any violation; and upon discovery of a violation, the director shall order its immediate correction and may stop or prevent the erection of any sign until the correction is completed.

(3) Any appeal from the decision of the director shall be made to the city commission within 30 days after rendition of a denial. All pertinent information, specific details, both graphic and written, shall be submitted with the appeal for the city commission's consideration or the appeal shall not be considered.

(e) *Interpretation of applications for permits*. In all applications for permits where a matter of interpretation arises, this division shall be strictly construed against the applicant.

(f) *Penalties*. A person violating any of the provisions of this division shall upon conviction be punished as provided by law. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such under this subsection.

~~(g) Variances.~~

~~(1) A variance to the terms of this division may be granted by the city commission where, due to special conditions and circumstances which are peculiar to the land, structure or building involved, a literal enforcement of the provisions of this division will result in unnecessary and undue hardships.~~

~~(2) In order to authorize any variances under this subsection, it must be found that the:~~

~~a. Land, structure or building involved has been adversely affected by a change resulting from the actions of a public body or public utility, such as but not limited to road widening or one-way road coupling, or relocation of a utility pole; and~~

b. ~~Change did not result from the actions of the applicant.~~

~~(3) Applications for variances under this subsection shall be filed with the director on prescribed forms and shall include a statement of the applicant's interest in the subject property. If the applicant is not the owner of record, the written consent of the owner shall be required.~~

~~(4) Applications for variances under this subsection shall be accompanied by sufficient data, such as a site plan or survey and a depiction of the sign and building, so that an evaluation of the facts and circumstances can be made.~~

~~(5) There shall be a filing fee for each application for a variance under this subsection. Such fee is on file in the city clerk's office.~~

~~(6) The application and a staff report shall be transmitted directly to the city commission.~~

~~(7) Such variance application shall be advertised, posted and noticed in conformity with the provisions of Section 32-967 respecting variances.~~

~~(g)(h)~~ *When applications for sign variance not permitted.* Applications for sign variances will not be considered with respect to signs for which permits have been issued where such signs were not constructed in conformity with plans and specifications submitted for such permits or where such signs have been constructed without permits.