

**ADDRESS COMMON SIGNAGE VARIANCES
LAND DEVELOPMENT REGULATIONS CHAPTER 138**

WHEREAS, the City of Miami Beach has the authority to enact laws which promote the public health, safety, and general welfare of its citizens; and

WHEREAS, the amendments set forth below are necessary to accomplish all of the above objectives.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA.

Section 1. That Chapter 138, entitled “Signs,” Article I, entitled “In General,” is hereby amended as follows:

* * *

Sec. 138-9. - Yard requirements.

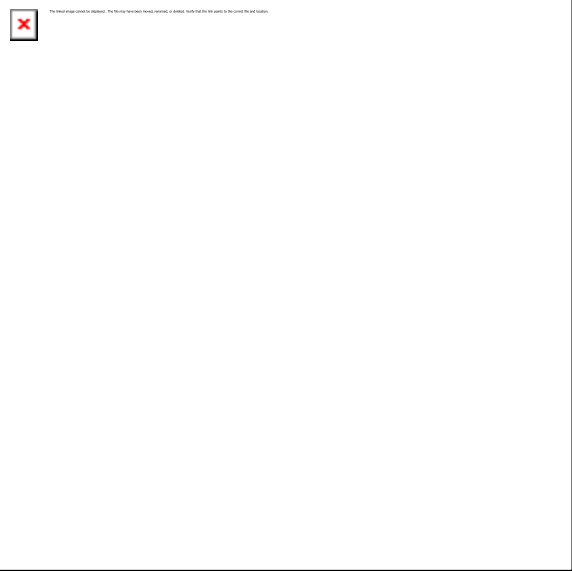

- (a) Unless otherwise specified in these regulations, all signs shall comply with the yard requirements of the district in which they are located.
- (b) No sign, portable or otherwise, is to be placed or located to conflict with the vision clearance requirements of section 142-1135.
- (c) Detached signs shall have the following setback requirements:
 - (1) Front yard: Ten feet.
 - (2) Interior side yard: Seven and one-half feet.
 - (3) Side yard facing a street: Ten feet.

* * *

Sec. 138-16. - Wall sign.

Wall signs are signs attached to, and erected parallel to, the face of, or erected or painted on the outside wall of a building and supported throughout its length by such wall or building and not extending more than 12 inches from the building wall. Such signs shall be governed by the following chart:

Wall Sign Design Standards per District	
	Zoning Districts

 	<p>CD (1-3) C-PS (1-4) I-1 MXE TC (1-2) RM-3 HD MR</p>	<p>RM (1-2) R-PS (1-4) RO TC-3 RM-PS1 TH WD (1-2)</p>	<p>RS (1-4) SPE GC</p>
<p>Maximum area percentage</p>	<p>0.75 square feet for every foot of linear frontage</p>	<p>0.33 square feet for every foot of linear frontage</p>	
<p>Maximum area</p>	<ul style="list-style-type: none"> • Max.: 100 square feet • Min.: 15 square feet 	<ul style="list-style-type: none"> • Max.: 30 square feet • Min.: 20 square feet 	<p>GC and SPE: 30 square feet RS (1-4): Two square feet</p>
<p>Height restrictions</p>	<p>Shall not be located above ground floor</p>		
<p>Maximum quantity per frontage</p>	<p>Multiple signs for the same establishment may be permitted through the design review process if the aggregate sign area</p>	<p>One wall, projecting or detached</p>	<p>One</p>

	does not exceed the largest maximum permitted area		
Accessory use	<ul style="list-style-type: none"> • Maximum 75% of main use sign, or 20 square feet, whichever is less • For uses located in hotel and apt. buildings, must have direct access to street/sidewalk; follows same regulations as main permitted use 		Not permitted
Special conditions	Corner buildings may provide one combined sign instead of the two permitted signs. This sign shall be located on the corner of the building visible from both streets and shall have a maximum size of 40 square feet		Residential use: Copy limited to address and name of building
Supplemental standard	Hotels, apartments-hotels, and commercial buildings two stories or higher may be permitted one building identification sign above the roofline, with an area not to exceed one percent of the wall facade area on which it is placed. The placement and design of the sign shall be subject to approval through the design review process		

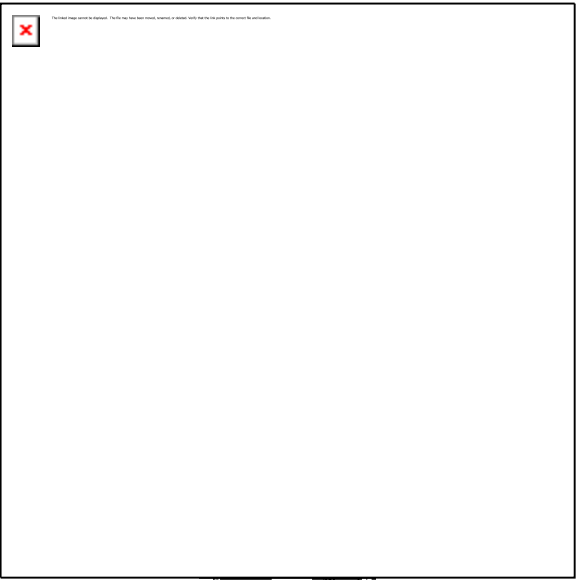
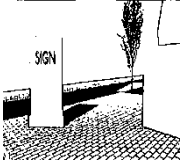
*

*

*

Sec. 138-19. - Detached sign.

Detached signs are signs not attached to or painted on a building but which are affixed to the ground. A sign attached to a surface detached from a building, such as a fence or wall, shall be considered a detached sign. All sides of a detached sign displaying signage will be calculated towards the max area. Such signs shall be governed by the following chart:

Detached Sign Design Standards per District			
	Zoning Districts		
 	CD (1-3) C-PS (1-4) I-1 MXE TC (1-2) RM-3 HD MR	RM (1-2) R-PS (1-4) RO TC-3 RM-PS1 TH WD (1-2)	RS (1-4) SPE GC
Maximum area	<ul style="list-style-type: none"> • 15 square feet • 5 feet if on perimeter wall 	<ul style="list-style-type: none"> • 15 square feet • if sign setback 20 feet from property line, maximum area may reach 30 square feet • 5 feet if on 	Not permitted

		perimeter wall	
Height Restrictions	<ul style="list-style-type: none"> • Five feet maximum • Height may be permitted to exceed the maximum through the design review process. However at no time shall height exceed ten feet 		
Max Quantity per Frontage	Multiple signs for the same establishment may be permitted through the design review process if the aggregate sign area does not exceed the largest max permitted area	One Wall, Projecting, or Detached	
Setback Requirements	<ul style="list-style-type: none"> • Front yard: Ten feet or 5 feet with a minimum 100 square feet of landscape. • Interior side yard: Seven and one-half feet • Side yard facing a street: Ten feet or 5 feet with a minimum 100 square feet of landscape. • Perimeter wall sign: 0 feet 		
Accessory Use	Main permitted use		
Special Conditions	Not permitted in MXE	<ul style="list-style-type: none"> • In RO, maximum area ten square feet 	

\ * * *

Sec. 138-58. - Vertical retail center signs.

(a) *Definitions.*

- (1) A vertical retail center means a commercial building with a minimum of 450,000 gross square footage floor area, exclusive of floor area for excess parking and, including

multiple commercial uses that are located above the ground floor. This definition shall not include buildings that are predominantly office or nonretail uses.

- (2) An eligible use in a vertical retail center is a use with a minimum of 12,500 square feet that shall be retail, restaurant, food market or personal fitness center.

(b) *Criteria.*

- (1) The center may have signs on only two street frontages, the location and configuration of which shall be subject to design review approval. The cumulative sum of the sign areas on a facade, including corners, approved under this provision, shall be up to five percent of the building facade on which they are located. Signs located on a building corner shall be up to five percent of the smallest adjoining building facade, subject to design review or historic preservation board approval, whichever has jurisdiction.
- (2) The center shall have no more than six business identification signs in each permitted facade or corner. Each business identification sign shall not occupy more than one percent of the wall area.
- (3) An eligible use in a vertical retail center may, subject to the limitations contained in (b)(2) above, have no more than two business identification signs on the external walls or projections of the center, exhibiting the name of the establishment and/or its brand identifying logo only. Individual capital letters shall not exceed four feet six inches in height.
- (4) A vertical retail center may have a roof-top project identification sign, not including the name of any tenant of the project, in the sole discretion of the design review and/or historic preservation boards, whichever by law has jurisdiction.
- (5) Project entrance identification signs for the center are allowed. A project entrance identification sign may be wall mounted or projecting and may be located immediately adjacent to each vehicular or pedestrian entry to the project. Such signs may be up to 30 square feet in total sign area and may not exceed ten feet in overall height, subject to design review approval.
- (6) Ground floor retail signage shall be as permitted in sections 138-16 and 138-18, one sign per store. In addition to the above, any retail use greater than 40,000 square feet on the ground floor may have one additional wall or double-faced projecting sign, not to exceed 175 square feet, subject to design review approval.
- (7) Project directory signs for a vertical retail center may be located inside the center near each vehicular or pedestrian entrance to the project, not visible from the right-of-way. These signs may be no more than 18 square feet in signage area per sign face and wall mounted or freestanding. Such project directory signs may list all tenants on all floors within the center and have a "You are Here" type map to orientate guests and visitors.
- (8) Uses in vertical retail centers may also have business identification signs on interior walls, not visible from the right-of-way.
- (9) The design review board, or historic preservation board, whichever by law has jurisdiction, shall approve a sign master plan for the center prior to the issuance of any sign permit. The appropriate board shall have design review authority over all signs above ground level; building and planning staff may approve all signs at ground level, as well as any replacement signage for new occupants within the previously approved

sign areas, provided the same are otherwise in compliance with the criteria set forth herein.

(10) There shall be no variances from this section.

SECTION 2. Repealer.

All ordinances or parts of ordinances and all section and parts of sections in conflict herewith are hereby repealed.

SECTION 3. Codification.

It is the intention of the City Commission, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of the City of Miami Beach as amended; that the sections of this ordinance may be renumbered or relettered to accomplish such intention; and that the word "ordinance" may be changed to "section" or other appropriate word.

SECTION 4. Severability.

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 5. Effective Date.

This Ordinance shall take effect ten days following adoption.

PASSED AND ADOPTED this _____ day of _____, 2019.

Dan Gelber, Mayor

ATTEST:

Rafael E. Granado, City Clerk

APPROVED AS TO FORM
AND LANGUAGE
AND FOR EXECUTION

City Attorney Date

First Reading: _____, 2019

Second Reading: _____, 2019

Verified By: _____
Thomas R. Mooney, AICP
Planning Director