

Chapter 6

SIGNS

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ARTICLE I – IN GENERAL

6.1.1 Intent

The intent of this chapter is to provide comprehensive regulations for signage within the city. The following regulations and standards are intended to permit signs that through their design, location, numeration, and construction, will optimize communication, promote a sound healthy environment for housing and commerce, as well as preserve the architectural character of the city.

6.1.2 Applicability and severability

The regulations in this chapter apply to all signs and are in addition to the regulations contained elsewhere in these land development regulations. Except for signs exempted in [section 6.1.4](#) all signs shall require permits. For the purposes of this chapter, "sign" or "signs" will include all associated supporting structures.

Pursuant to the procedures and standards set forth in [chapter 2, article VIII](#), the board of adjustment, historic preservation board, or design review board, as applicable, may grant a variance permitting the erection and maintenance of a sign which does not conform to the regulations set forth for maximum size, location or graphics, illustrations, and other criteria set forth in these land development regulations.

6.1.3 General requirements

The following requirements shall apply to signs, in addition to provisions appearing elsewhere in these land development regulations:

- a. Unless otherwise exempted in [section 6.1.4](#), no sign shall be erected, constructed, posted, painted, altered, or relocated without the issuance of a building permit or planning permit.
- b. Building permit applications shall be filed together with such drawing and specification as may be necessary to fully advise the city with the location, construction, materials, illumination, structure, numeration, design, and copy of the sign.
- c. Structural features and electrical systems shall be in accordance with the requirements of the Florida Building Code.
- d. No sign, portable or fixed, shall conflict with the corner visibility clearance requirements of [section 7.5.3.5](#).
- e. All signs, unless otherwise stipulated in this chapter, shall be located only upon the lot on which the business, residence special use, activity, service, product or sale is located.
- f. Unless otherwise specified in these regulations, all signs shall comply with the yard requirements of the district in which they are located.
- g. All signs shall be maintained in good condition and appearance.
- h. Any persons responsible for the erection or maintenance of a sign which fails to comply with the regulations of this chapter shall be subject to enforcement procedures as set forth in [section 1.3.8](#).
- i. No sign shall be approved for use unless it has been inspected and found to be in compliance with all the requirements of these land development regulations and applicable technical codes.

6.1.4 Exempt signs

The following signs may be erected, posted or constructed without a permit but in accordance with the structural and safety requirements of the South Florida Building Code and all other requirements of these land development regulations:

- a. Official traffic signs or sign structures, or governmental information signs and provisional warning signs or sign structures, when erected or required to be erected by a governmental agency, and temporary signs indicating danger.
- b. Historical markers approved by the historic preservation board.

- c. Signs directing and guiding pedestrians and traffic and parking on private property, but bearing no advertising matter and not exceeding two square feet in area.
- d. Changing of the copy on a bulletin board, poster board, display encasement, directory sign or marquee.
- e. Signage on vehicles as authorized in [section 6.1.8](#).
- f. Temporary signs authorized by [section 6.3.1](#), which are composed of paper, cardboard, plastic film or other similar material and are affixed directly to a window.
- g. Address signs, not to exceed one per street frontage, maximum two square feet in area. Copy shall be limited to the address of the property.

6.1.5 Signs in the public right of way

Signs erected, posted or constructed in the public right of way are subject to the review and approval of the Public Works Department.

6.1.6 Prohibited signs

- a. No general advertising sign shall be constructed, erected, used, operated or maintained in the city.
- b. Pennants, banners, streamers, balloon signs and all other fluttering, spinning or similar type signs and advertising devices are prohibited except as provided in [sections 6.3.4, 6.3.5 and 6.3.7, and subsection 82-411\(d\) of General Ordinances](#). Any nonconforming pennant, banner, streamer, fluttering or spinning device, flag or flagpole that is destroyed by storm or other cause, shall be removed immediately and shall not be replaced with another such nonconforming flag, sign or device.
- c. No flashing sign shall be constructed, erected, used operated or maintained in the city.
- d. No sign shall be constructed, erected, used, operated or maintained which uses the word "Stop" or "Danger" or presents or implies the need or requirement for stopping, or the existence of danger, or which is a copy or imitation of an official sign. This provision regarding the words "Stop" and "Danger" does not apply when the words are a part of attraction titles for a broadcast motion picture, theatre event, opera or concert, or when they are used in descriptive lines of advertising, so long as they are not used to stimulate, copy or imply any official traffic warning, either for vehicles or for pedestrians.
- e. No sign shall be constructed, erected, used, operated or maintained so as to provide a background of colored lights blending with the traffic signals to the extent of confusing a motorist when viewed from a normal approaching position of a vehicle at a distance of 25 to 300 feet.
- f. No sign shall be attached or otherwise applied to trees, utility poles, bus benches, trash receptacles, or any other unapproved supporting structures.
- g. No sign attached to a vehicle may be illuminated when such vehicle is parked in the public right-of-way.
- h. Signs which are not securely affixed to the ground, or otherwise affixed in a permanent manner to an approved supporting structure, shall be prohibited.
- i. Except as otherwise permitted by these land development regulations, no sign indicating the presence of an accessory commercial use in a hotel, apartment-hotel, or apartment building located in a residential district

shall be constructed, erected, used, operated, or maintained so as to be visible from a public street, walk, or other public way.

- j. Pole signs and roof signs are not permitted, except for pole signs which are associated with filling stations as provided in [section 6.5.5](#). Legal nonconforming roof and pole signs may be repaired only as provided in [article VI of this chapter](#). These provisions shall not apply to a sign which is attached to an allowable height exception.
- k. Signs on umbrellas, tables, chairs and any other furniture or fixtures associated with outdoor cafes are prohibited.
- l. Televisions or similar devices, displaying images of any kind are not permitted to be located within the first ten feet of a storefront.
- m. Signs attached to or placed on a vehicle (including trailers) that is parked on public or private property shall be prohibited except as permitted in [section 6.1.8](#).

6.1.7 Removal required

- a. Any sign previously associated with a vacated premises shall either be removed or altered so that the sign no longer displays the visual aspects that pertain to the activity formerly associated with the vacated premises, by the owner or lessee not later than six months from the time such activity ceases to exist.
- b. The building official may initiate proceedings that result in the removal of any sign erected or maintained without a permit.
- c. In any district where a sign does not comply with the provisions of these land development regulations and has not received a building permit, such sign and any supporting structures other than a building shall be removed.
- d. Notwithstanding the foregoing, the planning director, or designee, may waive the requirement for the removal of a sign, regardless of the permit status, if the sign is determined to be historic or architecturally significant.
- e. The code compliance department shall inquire of the planning director, or designee, prior to the issuance of any violation of this section, whether a waiver has been or will be issued pursuant to this section.

6.1.8 Display of signs or advertisement on vehicles

- a. The prohibition of signs attached to or placed on a vehicle (including trailers) that is parked on public or private property does not apply in the following cases:
 - i. Identification of a firm or its principal products on a vehicle operating during the normal hours of business or parked at the owner's residence; provided, however, that no such vehicle shall be parked on public or private property with signs attached or placed on such vehicle for the purpose of advertising a business or firm or calling attention at the location of a business or firm.
 - ii. Vehicles carrying advertising signs dealing with the candidacy of individuals for elected office or advertising propositions to be submitted and voted upon by the people. This exemption, however, shall cease seven days after the date of the election in which the person was finally voted upon.

- iii. Vehicles which require governmental identification, markings or insignias of a local, state or federal government agency.
 - iv. Signs that are authorized under chapter [section] 10-4(b) and BA-276 of the Code of Miami-Dade County.
 - v. All other signs on vehicles advertising a business or firm shall be removed or covered when the vehicle is parked on public or private property.
 - vi. All allowable signs on vehicles which are removable are to be removed during nonbusiness hours.
- b. It shall be unlawful for any person to operate an advertising vehicle in or upon the following streets and highways under the city's jurisdiction: all of Ocean Drive, and the residential area bounded by and including 6th Street on the south, North Lincoln Lane on the north, Lenox Avenue on the west, and Drexel Avenue and Pennsylvania Avenue on the east. An advertising vehicle is any wheeled conveyance designed or used for the primary purpose of displaying advertisements. Advertising vehicles shall not include or attach any trailers or haul any other vehicle or trailer. This section shall not apply to:
- i. Any vehicle which displays an advertisement or business notice of its owner, so long as such vehicle is engaged in the usual business or regular work of the owner, and not used merely, mainly, or primarily to display advertisements;
 - ii. Mass transit, public transportation;
 - iii. Taxicabs; or
 - iv. Any vehicle exempted under [section 6.1.8.a](#), above.
- c. Penalties. A violation of the provisions of [subsection a.](#) shall be subject to the enforcement procedures and fines set forth in [chapter 30, article III of General Ordinances](#). A violation of the provisions of [subsection b.](#) shall be subject to the penalties set forth in [section 1-14 of General Ordinances](#)

6.1.9 Noncommercial graphics and images

- a. Non-electronic graphics and images. Artistic murals, graphics and images, composed of paint, tile, stone, or similar, non-electronic medium, which have no commercial association, may be applied to a building or structure, if approved by the design review board or historic preservation board, as applicable, in accordance with the applicable design review or certificate of appropriateness criteria. Additionally, such murals, graphics and images shall comply with the design standards in [section 6.2.10](#).
- b. Electronic graphics and images. Artistic murals, graphics and images, including projected or illuminated still images and/or neon banding, composed of an electronic medium, which have no commercial association, may be installed on a building or structure, if approved by the design review board or historic preservation board, as applicable, in accordance with the applicable design review or certificate of appropriateness criteria. Additionally, such electronic graphics and images shall comply with the design standards in [section 6.2.11](#).

ARTICLE II – DESIGN STANDARDS

6.2.1 General sign requirements and design standards

The following standards shall apply to all signs unless otherwise exempted in this chapter or these land development regulations:

- a. Direct access to the street or waterway from the licensed establishment is required for a sign that faces a public right-of-way or waterway.
- b. Signs shall front a street or waterway. Signs may be permitted to front alleys where the alley frontage provides a means of public entrance or is adjacent to a parking lot or garage.
- c. Signs located above the ground floor shall be limited to the name of the building or the use that encompasses the largest amount of floor area in the building.
- d. Electrical conduit, support structures, receptacle boxes, disconnect switches or any other operational devices associated with a sign shall be designed in such a manner as to be visually unnoticeable.
- e. Sign copy for main business signs, with the exception of window signs, shall be limited to licensed permitted uses.
- f. All signs shall be subject to the design review or certificate of appropriateness process set forth in [section 2.5.3](#) as applicable.
- g. The framework and body of all signs shall consist of aluminum or similar alloy material. Other materials may be used for the sign face or lettering affixed to the framework and body.
- h. The placement and location of all signs shall be compatible with the architecture of the building, and shall not cover or obscure architectural features, finishes or elements.

6.2.2 Window signs

- a. In addition to other permitted signs, licensed commercial establishments are permitted one sign on one window or door with copy limited to the address, phone number and hours of operation, in accordance with the following:
 - i. The size of the numerals for the address shall not exceed six inches in height.
 - ii. The numerals and letter size for the phone number and hours of operation shall not exceed two inches in height.
 - iii. The name of the establishment may be repeated more than once subject to the design review or certificate of appropriateness process set forth in [section 2.5.3](#). The letters shall not exceed six inches in height.
- b. An "open"/"closed" sign, illuminated or non-illuminated shall be permitted. Such "open"/"closed" sign shall not exceed two square feet, letters shall not exceed 12 inches in height, and shall be subject to the design review or certificate of appropriateness process set forth in [section 2.5.3](#).
- c. The aggregate area of the above signs of this section shall not exceed five percent of the total glass window area and door area measured by adding the area of each individual glass pane.

- d. When there are no other signs associated with the use, the main permitted sign or signs may be located on the window with a total aggregate size not to exceed 20 square feet, notwithstanding the maximum aggregate area in c above.
- e. Restaurants may also have a menu board besides other signs provided herein. When a menu board is affixed to a window, it shall be limited to an area of three square feet. If a menu display case is affixed to the building wall, it shall be limited to an overall area of four square feet.
- f. Commercial uses may also have one establishment services identification sign located on one window or door with letters no higher than two inches and a total area of two square feet.
- g. Commercial establishments that offer for sale or lease products which are not located on the premises (e.g., real estate) may place up to three display board type signs on the window. Such display boards shall be limited to six square feet each and are subject to the design review or certificate of appropriateness process set forth in [section 2.5.3](#).

6.2.3 Hanging signs

- a. In all districts except RS (1-4), and in addition to other permitted signs, one non-illuminated sign hanging from the underside of an awning or canopy is permitted in accordance with the following:
 - i. The area of the sign shall not exceed three square feet per side. Area shall be calculated based on the frame of the sign.
 - ii. Letters shall not exceed six inches in height.
 - iii. A minimum height clearance of seven feet six inches is required.

6.2.4 Awning signs

In all districts except RS (1-4), and in addition to other permitted signs, one sign on the valance of an awning or canopy may also be permitted. For the purposes of this section, a valance is defined as that vertical portion of the awning that hangs down from the structural brace. Signs on other surface areas of an awning, canopy or roller curtain are not permitted. The sign shall be in accordance with the following:

- a. The length of such sign shall not exceed 25 percent of the length of a single awning, or the length of that portion of the awning or canopy associated with the establishment, up to a maximum of ten feet.
- b. Letters shall not exceed eight inches in height.
- c. Signs on continuous awnings shall be placed centered on the portion of the valance that corresponds to the individual storefront and be a uniform color.
- d. All awning signs shall be subject to the design review or certificate of appropriateness process set forth in [section 2.5.3](#).

6.2.5 Wall signs

- a. Wall signs shall consist of individual letters or routed out aluminum panels.

- b. Wall sign individual letters shall have a minimum depth of two inches.
- c. Wall sign individual letters shall be pin-mounted or flush-mounted. Raceway or wireway mounting shall only be permitted where the structural conditions of the wall do not allow for the direct mounting of letters. Raceways or wireways, if permitted, shall not exceed the width or height of the sign proposed and shall be subject to the design review or certificate of appropriateness process.
- d. Wall signs which meet the following additional design specifications may be increased in size from 0.75 square feet per linear feet of store frontage to one square foot per linear feet of store frontage (up to the maximum size permitted in this section):
 - i. The sign shall consist of individual letters and shall be pin-mounted or flush-mounted (no raceways or wireways).
 - ii. Sign letters shall consist of aluminum or similar alloy, and shall have a minimum depth of two inches.
 - iii. Sign letters shall be open face with exposed neon or similar lighting, or reverse channel letters.
- e. Wall signs shall be governed by the following chart:

Wall Sign Design Standards per District			
	Zoning Districts		
	CD (1-3) C-PS (1-4) I-1 MXE TC (C, 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 calculation	0.75 square feet for every foot of linear frontage, with a minimum of 15 square feet permissible, regardless of linear frontage	0.33 square feet for every foot of linear frontage, with a minimum of 20 feet permissible, regardless of linear frontage	
Maximum area (Signs shall not exceed this area, regardless of the maximum area calculation)	100 square feet	30 square feet	GC and SPE: 30 square feet RS (1—4): Two square feet
Height restrictions	The bottom of a sign shall not be located above the ceiling of the ground floor. Notwithstanding the foregoing, on buildings with two or more floors, signage may be located above the first floor, provided that the signs above the ground floor shall not exceed the size limitations on the ground floor, subject to the review and approval		

	of the design review board or historic preservation board, as applicable.		
Maximum quantity per frontage	Multiple signs for the same establishment may be permitted through the design review or certificate of appropriateness process set forth in section 2.5.3 if the aggregate sign area does not exceed the largest maximum permitted area.	One wall, projecting or detached sign.	One
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.		
Building identification	Hotels, apartments-hotels, and commercial buildings two stories or higher may be permitted one building identification sign for each façade facing a public right-of-way or waterway, with an area not to exceed one percent of the façade area on which it is placed. The placement and design of the sign shall be subject to approval through the design review or certificate of appropriateness process set forth in section 2.5.3 .		Residential use: Copy limited to address and name of building

6.2.6 Projecting signs

Projecting signs shall be governed by the following chart:

Projecting Sign Design Standards per District			
	Zoning Districts		
	CD (1-3) C-PS (1-4) I-1 MXE TC (C, 1-2) RM-3 MR	RM (1-2) R-PS (1-4) RO TC-3 RM-PS1 TH WD (1-2)	RS (1-4) SPE GC HD
Maximum area	15 square feet		Not permitted
Height restrictions	Minimum nine feet per		
Maximum quantity per frontage	Multiple signs for the same establishment may be permitted through the design review or certificate of appropriateness process if the aggregate sign area does not exceed the largest maximum permitted area	One wall, projecting or detached sign.	
Accessory use	Permitted for accessory uses	Replaces main permitted use sign	
Building identification	Hotels, apartment-hotels, and commercial buildings two stories or higher may be permitted one building identification sign for each façade facing a public right-of-way or waterway, with an area not to exceed one percent of the façade area on which it is placed. The placement and design of the sign shall be subject to approval through the design review or certificate of appropriateness process set forth in section 2.5.3 or certificate of appropriateness process, as applicable	Not permitted	
Special conditions	<ul style="list-style-type: none">• May be illuminated by an external lighting source through the design review or certificate of appropriateness process set forth in section 2.5.3• For buildings with horizontal architectural projections (such as		

	<p>an eyebrow or architectural awning) immediately above the ground floor, the size calculations for wall signs may be utilized for the projecting sign, provided the following conditions are met:</p> <ul style="list-style-type: none"> a. Approval shall be subject to approval through the design review or certificate of appropriateness process set forth in section 2.5.3 or certificate of appropriateness process, as applicable. b. The sign shall be mounted to the applicable projection. c. The sign shall consist of individual letters. d. Raceways and wireways shall be concealed from view of the public right-of-way. e. The sign shall not be located directly in front of windows. (6) Sign letters shall consist of aluminum or similar alloy and shall have a minimum depth of two inches. f. Sign letters shall be open face with exposed neon or similar lighting, or reverse channel letters. g. Compatible signage design is utilized for all signs on a single building. 		
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6.2.7 Detached signs

Detached 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 TC (C, 1-2)	RM (1-2) R-PS (1-4) RO TC-3	RS (1-4) SPE GC MXE

	RM-3 HD MR	RM-PS1 TH WD (1-2)	
Maximum area (all sides of a detached sign displaying signage will be calculated towards the maximum area)	<ul style="list-style-type: none">• 15 square feet• Five feet if on perimeter wall	<ul style="list-style-type: none">• 15 square feet• If sign is setback 20 feet from property line, maximum area may reach 30 square feet• Five feet if on perimeter wall	Not permitted
Height Restrictions	<ul style="list-style-type: none">• Five feet maximum• Height may be permitted to exceed the maximum through the design review or certificate of appropriateness process set forth in section 2.5.3. 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 or certificate of appropriateness process set forth in section 2.5.3 if the aggregate sign area does not exceed the largest max permitted area	One Wall, Projecting, or Detached sign	
Setback Requirements	<ul style="list-style-type: none">• Front yard: Five feet• Interior side yard: Seven and one-half feet• Side yard facing a street: Five feet• Perimeter wall sign: Zero feet		
Accessory Use	Replaces main permitted use sign		
Special Conditions		<ul style="list-style-type: none">• In RO, maximum area is ten square feet	

6.2.8 Directory signs

Commercial buildings are permitted an exterior directory sign, attached to the building, up to six square feet in area. Sign material and placement shall be subject to approval through the design review or certificate of appropriateness process set forth in [section 2.5.3](#).

6.2.9 Flags and flagpoles

- a. Only national flags and flags of political subdivisions of the United States, flags of civic, charitable, fraternal, and welfare and organizations, and flags of nationally or internationally recognized symbols of cultural diversity and flagpoles shall be permitted, and must meet the following requirements, except during nationally recognized holidays:

- i. Flagpoles shall be permanently affixed to the ground, building or other structure in a manner acceptable to the building official.
- ii. Flagpoles shall not exceed 50 feet in height above grade when affixed at ground level. The length of flagpoles permanently affixed to buildings or other structures shall be approved through the design review or certificate of appropriateness process, not to exceed 25 feet above the height of the main roof deck.
- iii. The installation of permanent flagpoles projecting over public property shall require approval from the public works department.
- iv. Attached or detached flagpoles in single-family districts shall not exceed 30 feet in height, as measured from grade.
- b. Temporary flagpoles may be affixed to buildings or other structures without requiring a building permit or approval from the public works department. For exempt temporary flagpoles:
 - i. The flagpole shall be of a temporary nature, i.e., not permanently affixed to the structure.
 - ii. The mounting hardware must be placed at least six feet, eight inches above ground level.
 - iii. The flag may not exceed three feet, by five feet and must be made of flame-retardant material.
 - iv. No portion of any flag that extends over public property shall be less than nine feet above such property, measured vertically directly beneath the flag to grade.
 - v. All temporary flags and flagpoles must be immediately removed upon the issuance of an official hurricane warning.
- c. Detached flagpoles shall have the following setback requirements:
 - i. Any yard facing a street: Ten feet.
 - ii. Interior side yard: Seven and one-half feet.
 - iii. Rear yard, oceanfront, bayfront: Ten feet.
- d. The length of the flag shall be one-fourth the length of the pole when affixed to the ground and one-third the length of the pole for flags on roofs, structures or buildings. The width of the flag shall be two-thirds of the length.
- e. The arrangement, location and number of flags and flagpoles in excess of one per property shall be determined by the design review or certificate of appropriateness process set forth in [section 2.5.3](#).

6.2.10 Non-commercial graphics and images – non-electronic

- a. The maximum number of any combination of murals, graphics or images shall not exceed the total aggregate of two per property.
- b. The maximum aggregate size of any mural, graphic or image shall not exceed 100 square feet, unless otherwise approved by and adopted by a majority vote of the city commission by resolution.

- c. Any signature of, or attribution to, the mural designer or artist shall not exceed two square feet and shall be located at the bottom of the image.
- d. There shall be no variances from the provisions of this [section 6.2.10](#).

6.2.11 Non-commercial graphics and images – electronic

- a. Unless moving images are approved by the design review board or historic preservation board, as applicable, only still, non-moving, murals, graphics or images shall be permitted.
- b. The maximum number of electronic murals, graphics or images shall not exceed two per property.
- c. The maximum size of an electronic mural, graphic or image shall not exceed 100 square feet, unless approved by resolution adopted by a majority vote of the city commission.
- d. All such electronic murals, graphics or images shall only be permitted in commercial or mixed-use districts and shall not be visible from the right-of-way.
- e. A minimum distance separation of 1,500 feet shall be required from properties with electronic murals, graphics or images.
- f. All such electronic murals, graphics or images shall either be reduced in illumination to a maximum of 250 nits or be turned off between the hours of 12:00 a.m. and 7:00 a.m., seven days a week.
- g. There shall be no variances from the provisions of this [section 6.2.11](#).

ARTICLE III – TEMPORARY SIGNS

6.3.1 Generally

- a. Temporary signs may be erected or posted and may be maintained only as authorized by and in accordance with the provisions of this article.
- b. Temporary signs shall only be allowed for a period beginning with the temporary activity which is the subject of the sign and must be removed within seven days from the date the temporary activity ceases. Temporary business signs may be erected and maintained for a period not to exceed 30 days, except that planning staff may approve an extension of time for the business to erect and maintain such signs beyond the 30 days to mitigate the impacts of public construction on visibility of, or access to, the business. Such extension beyond 30 days shall terminate concurrent with the termination of the public construction.
- c. Temporary signs other than those affixed directly to a window and composed of paper, cardboard, plastic film or other similar material, shall require a permit as set forth in this chapter.
- d. There shall be a maximum of two permits for the same premises within one calendar year for signs requiring permits.
- e. For temporary signs six square feet or larger, a bond shall be posted prior to erection of the sign in an amount determined by the building official based upon the estimated cost of removal of the sign. However, no bond

shall be required in excess of the amount provided in appendix A. The bond shall be refundable upon removal of the sign.

- f. It shall be unlawful for any person to paste, glue, print, paint, or to affix or attach by any means whatsoever to the surface of any public street, sidewalk, way or curb or to any property of any governmental body or public utility any sign, poster, placard or automobile bumper strip.
- g. When associated with a particular activity, service, product, sale or lease, temporary signs shall be located only upon the lot in which the activity, service, product sale or lease is to occur.
- h. With the exception of election/free speech signs and temporary window signs, all signs shall be reviewed under the design review or certificate of appropriateness process set forth in [section 2.5.3](#).

6.3.2 Design standards

- a. *Purpose and intent.* The purpose of this section is to regulate temporary signs equally, ensuring the same setback, height, and other regulations for temporary signs. This section should be constructed consistent with Reed v. Town of Gilbert, Arizona, 135 S.Ct. 2218 (2015).
- b. *Setback, height regulations for temporary signs.* Unless affixed to a fence or an existing building, detached signs shall be set back ten feet from any property line. Maximum height to the top of a detached sign affixed to posts or a fence shall be five feet above grade in single family and multifamily residential districts and 12 feet above grade in all other districts. Maximum height to the top of a flat sign affixed to a building shall not extend above the first floor in single-family and multifamily districts and shall not extend above the second story of such building in all other districts.
- c. *Number.* There shall be a maximum of one temporary sign per street frontage, with the exception of election/free speech signs, which shall not exceed one temporary sign per residential or commercial unit.
- d. *Copy.* Artistic murals or ornamental signs are permitted on construction fences surrounding a construction site, subject to the provisions contained herein and the design review or certificate of appropriateness process set forth in [section 2.5.3](#).
- e. *Type.* Signs may be wall signs, part of a fence, or rigid detached signs, affixed to posts or a construction fence.
- f. The maximum sign area for temporary signs shall be as follows except as provided in [section 6.3.9](#):
 - i. For window signs, 10% of total window area, measured by adding the area of each individual glass pane. This area is in addition to the maximum area for permanent window signs permitted in [section 6.2.2](#).
 - ii. For nonwindow signs:
 - 1. In a single-family residential district, four square feet.
 - 2. In a multi-family residential district, 16 square feet.
 - 3. In all other districts, the sign area shall not exceed one square foot per three linear feet of street frontage, not to exceed 75 feet.

6.3.3 Election headquarter signs

The sign area in commercial or industrial districts for campaign headquarters shall not have a sign area limitation. Each candidate may have four campaign headquarters which shall be registered with the city clerk.

6.3.4 Balloon signs

Notwithstanding the prohibition of balloon signs in [section 6.1.6](#), for special events authorized in accordance with the requirements prescribed by the city, sponsor's cold air balloon signs and inflatables tethered to the ground may be permitted, but only to the extent said signs and inflatables are approved pursuant to the special event review procedures as established by the city.

6.3.5 Banners

Notwithstanding the prohibition of banners in [section 6.1.6](#), banners may be permitted subject to the following:

- a. One temporary banner per calendar year, per property, may be erected and maintained for a period not to exceed 14 days.
 - i. Area shall not exceed 100 square feet.
 - ii. Design shall be subject to the design review or certificate of appropriateness process set forth in [section 2.5.3](#).
- b. A building permit shall be required. The building official shall require a performance bond in an amount determined necessary in order to insure its removal, but not less than the amount provided in appendix A.
- c. Temporary banners shall not be used for construction signs.

6.3.6 Garage sale signs

- a. The maximum number of garage sale signs shall be one.
- b. The sign area shall be 12 inches by 18 inches.
- c. The garage sale signs are allowed once yearly for a maximum period of two days commencing on the first day of the sale and ending at the close of the sale.
- d. A garage sale sign may only be posted during the effective time of a valid garage sale permit issued by the city.

6.3.7 Cultural institutions temporary advertising

- a. A cultural institution may have temporary banners identifying a special event, exhibit or performance.
- b. There shall be a maximum of two banners per structure, no larger than 30 square feet each.
- c. Banners may be installed up to 30 days prior to the special cultural event, exhibit or performance and shall be removed at the end of the special event, exhibit or performance.

- d. Cultural institutions may use projected images of the special event, exhibit or performance up to a maximum of 30 days prior to the special event, exhibit or performance and shall be removed within one day of the event.
- e. Design of the banners and manner and duration (hours) of projection shall be subject to approval through the design review or certificate of appropriateness process set forth in [section 2.5.3](#).
- f. The institution shall have an established state corporate charter for at least one year prior to the application for approval and be maintained for duration of the approval.

6.3.8 Vacant storefront covers and signs

- a. *Purpose.* Vacant storefronts create blighted economic and social conditions contrary to the viable and healthy economic, aesthetic, and social fabric that the city has cultivated and encouraged in its commercial zoning districts. The purpose of this section is to encourage and regulate the screening of the interior of vacant storefronts with aesthetically compatible and attractive material, to obscure the deteriorated or deconstructed conditions of vacant storefronts, and to allow temporary signs to be included on this material. For purposes of this section, a vacant storefront is any ground floor business establishment that is unoccupied.
- b. *Applicability.* The requirements of this section apply only to the ground floor windows and doors of vacant storefronts that face a public right-of-way. If a commercial property is vacant for more than 15 days, all glass surfaces visible to the public shall be kept clean, and the interior of such vacant store shall be screened from public view in one of the following ways, until the property is occupied:
 - i. All glass surfaces visible from the public right-of-way shall be covered as provided in [subsection d](#); or
 - ii. All glass surfaces visible from the public right-of-way shall be covered as provided in [subsection e](#).
- c. *Storefront window cover required for vacant storefronts.* Exterior windows and doors on vacant commercial property shall be substantially screened with an opaque material obscuring the interior. The materials used to satisfy this requirement shall be subject to the design review or certificate of appropriateness process set forth in [section 2.5.3](#), in accordance with applicable design review and historic preservation criteria, and shall consist of 60-pound weight paper, or similar opaque material. Windows covered in accordance with this section shall remain covered until issuance of a certificate of use or occupancy for the new occupant, whichever occurs first. If the owner of vacant commercial property elects not to utilize one of the signs identified in [subsection d](#), the owner shall utilize the window covers identified in [subsection e](#).
- d. *Temporary signs permitted.* Material applied to windows in conformity with this section shall not contain general advertising signs or other prohibited sign types. Such material may contain applicable property access limitations, including no trespass provisions, as well as signs that comply with the regulations of this chapter, as follows:
 - i. Artistic murals in accordance with [section 6.1.9](#), which may cover 100 percent of the window; and
 - ii. Other types of signage allowed by this chapter, which may be incorporated into artistic murals as referenced in [\(1\)](#) above; however, the text of such signage shall be limited to no more than 25 percent of the total window area of the vacant storefront.
 - iii. The design and material of all proposed signs under this [subsection d](#). shall be subject to the design review or certificate of appropriateness process set forth in [section 2.5.3](#), in accordance with applicable design review and historic preservation criteria.

- e. *City-provided storefront cover.* The city shall produce and provide preapproved storefront covers, for a charge, to cover vacant storefronts not complying with **subsection c** above. Such covers may contain applicable property access limitations, including no trespass provisions.
- f. *Penalties and enforcement.* Each day of noncompliance shall constitute a separate offense. The code compliance department is empowered and authorized to require compliance with this section within 30 days of written notice to violators.
 - i. The following civil fines shall be imposed for a violation of this section:
 1. First violation within a 12-month period: Warning;
 2. Second violation within a 12-month period: \$250.00;
 3. Third violation within a 12-month period: \$500.00;
 4. Fourth or subsequent violation within a 12-month period: \$1,000.00.
 - ii. *Enforcement.* The code compliance department shall enforce this section. The notice of violation shall inform the violator of the nature of the violation, amount of fine for which the violator is liable, instructions and due date for paying the fine, that the violation may be appealed by requesting an administrative hearing before a special master within ten days after service of the notice of violation, and that the failure to appeal the violation within ten days of service shall constitute an admission of the violation and a waiver of the right to a hearing.
 - iii. *Rights of violators; payment of fine; right to appear; failure to pay civil fine or to appeal; appeals from decisions of the special master.*
 1. A violator who has been served with a notice of violation must elect to either:
 - a. Pay the civil fine in the manner indicated on the notice of violation; or
 - b. Request an administrative hearing before a special master to appeal the notice of violation, which must be requested within ten days of the service of the notice of violation.
 2. The procedures for appeal by administrative hearing of the notice of violation shall be as set forth in sections **30-72 and 30-73 of General Ordinances**. Applications for hearings must be accompanied by a fee as approved by a resolution of the city commission, which shall be refunded if the named violator prevails in the appeal.
 3. The failure to pay the civil fine, or to timely request an administrative hearing before a special master, shall constitute a waiver of the violator's right to an administrative hearing before the special master, and shall be treated as an admission of the violation, for which fines and penalties shall be assessed accordingly.
 4. A certified copy of an order imposing a fine may be recorded in the public records, and thereafter shall constitute a lien upon any real or personal property owned by the violator, which may be enforced in the same manner as a court judgment by the sheriffs of this state, including levy against the violator's real or personal property, but shall not be deemed to be a court judgment except for enforcement purposes. Three months after the recording of any such lien which remains unpaid, the city may foreclose or otherwise execute upon the lien, for the amount of the lien plus accrued interest.

5. The special master shall be prohibited from hearing the merits of the notice of violation or considering the timeliness of a request for an administrative hearing if the violator has failed to request an administrative hearing within ten days of the service of the notice of violation.
6. The special master shall not have discretion to alter the penalties prescribed in this section.
7. Any party aggrieved by a decision of a special master may appeal that decision to a court of competent jurisdiction.

6.3.9 Signage for temporary businesses

- a. Signage for businesses operating with a temporary business tax receipt (BTR) or pop-up special event permit shall be restricted to those signs permitted explicitly within this section, and may only be installed for the duration of the term of the respective permit. For purposes of this section, the term temporary business shall mean a business operating with a temporary BTR or pop-up special event permit.
- b. Temporary businesses shall only have the following types of signs:
 - i. Window signage (up to a maximum coverage of 30 percent of the window storefront area, or 15 square feet, whichever is greater).
 - ii. Hanging signs, pursuant to the requirements in [section 6.2.3 of these land development regulations](#).
- c. Temporary businesses shall not be permitted to erect any wall, projecting, monument, or other exterior signage.
- d. All signage related to a temporary business shall be removed upon the expiration of the respective temporary BTR or pop-up special event permit.
 - i. If a temporary business transitions to operating on a permanent basis, and obtains a regular business tax receipt, such business shall no longer be subject to the requirements of this section and shall instead be subject to all other applicable sections of this chapter. In order to retain signage approved pursuant to this section, such signage shall comply with all other applicable sections of this Code, including any applicable requirement to obtain a separate planning and/or building permit.

ARTICLE IV – SPECIFIC LOCATION SIGN REGULATIONS

6.4.1 Lincoln Road signage district

- a. *Purpose.* The purpose of this section is to facilitate the substantial restoration of existing storefronts, facades and buildings, in accordance with the criteria and requirements of [chapter 2, article XIII](#) of these land development regulations, and to permit well designed, unique and proportional graphics and signage, which is consistent with the historic period of significance and which do not detract from the architectural character of the buildings, nor the established context of the surrounding streetscape. Additionally, this section is not intended to allow larger signs that do not adequately address the architectural and historic character of graphic signage that previously existed on Lincoln Road.
- b. *Regulations.* For those properties fronting on Lincoln Road, and located in between the west side of Collins Avenue and the east side of Washington Avenue, the following shall apply:

- i. Wall, projecting or other building signs, which exceed the number and overall square footage permitted under [sections 6.2.5 and 6.2.6](#), may be permitted, subject to the issuance of a certificate of appropriateness from the historic preservation board. The placement, design and illumination of such signage shall be subject to the review and approval of the historic preservation board, in accordance with the following:
 1. A proportional relationship of text and graphics shall be required. All graphics must relate to the proposed use of the store for which the sign is proposed.
 2. The total square footage of permitted signage, inclusive of non-text graphics, shall not exceed 35 percent of the building facade area. For purposes of this section, the building facade area shall be defined as the area located above the storefront and below the top of the parapet, in between the physical confines of a specific tenant space.
 3. The text portion of the sign shall be limited to the name of the establishment and related products and services available on site only. Signage text not associated with the actual use, or incidental signage text, shall not be permitted.
 4. The text portion of the sign(s) shall be limited to no more than one per storefront. For corner properties, the text portion of the sign(s) shall be limited to no more than one per street front. For corner properties where historic evidence exists of more than two signs at the ground floor, including a corner sign, at the discretion of the historic preservation board, an additional sign at the ground floor may be permitted at the corner in a manner consistent with such historic evidence. In no instance shall the total square footage of signs permitted under this subsection exceed the limitations set forth in [subsection 2.](#) above.
 5. For those facades facing a residential or hotel use, only back-lit signage shall be permitted.
 6. For properties with frontage on both Lincoln Road and Collins Avenue, the only signage permitted on Collins Avenue shall fall within the confines of the corner radius, with a maximum lineal frontage of 20 feet on Collins Avenue.
- ii. In evaluating signage applications for a certificate of appropriateness, the historic preservation board shall consider the following:
 1. The quality of materials utilized for the sign and their appropriateness to the architecture as well as the historic and design integrity of the structure.
 2. The overall design, graphics and artistry associated with a proposed sign and its relationship to the historic and design integrity of the structure.
 3. The design detail, animation and non-text graphics proposed for the proposed sign(s).
 4. The illumination, surface colors and finishes, width, depth, and overall dimensions of the proposed sign(s).
 5. Original, historic signage associated with the building and/or property.
- iii. The historic preservation board may, at its discretion, place restrictions on the hours of operation for any sign approved under this subsection.
- iv. Signage must relate to the specific occupant(s) of the property.

- v. Prior to the issuance of a building permit for any signage approved under this section, the planning director, or designee, or, if required the historic preservation board, shall review and approve the substantial rehabilitation or restoration of a facade, business location or storefront where new signage under this section is proposed. Such rehabilitation or restoration shall be substantially completed, prior to the actual installation of any signage approved under this section.

6.4.2 Signs for oceanfront and bayfront buildings

- a. Oceanfront signs. Signs located between the erosion control line (ECL) and the main structure shall be limited to the following:
 - i. One sign identifying the main structure, sign area not to exceed one percent of the wall area facing the ECL with a maximum size of 75 square feet.
 - ii. One sign per accessory use, sign area not to exceed 20 square feet.
 - iii. A flat sign located on a wall facing an extension of a dead-end street, municipal parking lot or park, and within the area designated as the dune district or the required 50-foot rear yard setback at the ground level, may be permitted with a maximum size of ten square feet of sign for only one accessory use.
 - iv. Illuminated signs shall only consist of flush-mounted, back-lit letters. This does not apply to the MXE district.
- b. Bayfront signs. Bayfront buildings shall have no more than one sign facing the bay, limited to the main permitted use. Such sign shall only consist of flush-mounted, back-lit letters, with copy limited to the main permitted use. The area of such sign shall not exceed one percent of the wall area facing the bay with a maximum size of 50 square feet. The design and location of the sign shall be approved by the design review process or certificate of appropriateness process as applicable.

ARTICLE V – SPECIFIC USE SIGNS

6.5.1 Signs for shopping centers

Signs for shopping centers (for purposes of this article a shopping center is a main permitted use in a commercial district with three or more individual stores) shall be subject to the following:

Type of Sign	Number	Sign Area	Aggregate Area	Special Conditions
Individual store sign: A wall sign identifying the name of the establishment.	One per store front.	Ten square feet.	N/A	None.
Main shopping center sign: Identifying the name of the shopping center and the names of the stores.	One sign per street frontage or waterfront.	30 square feet.	N/A	Pole signs are prohibited. A detached monument sign is permitted as the main shopping center sign; the height and size of the monument shall be determined under the design

				review or certificate of appropriateness process. One five square foot directory sign per 20,000 square feet or fraction thereof of floor area is permitted when located on the exterior wall of the building.
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6.5.2 Signs for interconnected retail

For retail storefronts that share interior connecting openings, required bathrooms or other common facilities, the following criteria shall be met before separate individual main use signs may be permitted for each:

- a. Each of the interconnected businesses shall have a separate occupational license.
- b. Each of the interconnected businesses shall have direct access from the street with its own separate, main entrance.
- c. Each of the interconnected businesses shall have a minimum storefront width of 20 linear feet.
- d. The maximum width of the interconnecting opening between businesses shall not exceed 12 feet.
- e. The individual sign for a storefront that interconnects with another business shall not exceed three-fourths of the storefront where it is located.
- f. The aggregate sign area for the interconnected storefronts shall not exceed the maximum sign area permitted for the combined linear frontage under [article II](#) for CD zoning districts.

6.5.3 Signs for vertical retail centers

- a. 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.
 - i. 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.
 - ii. 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.
 - iii. 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.

- iv. 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.
- v. 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.
- vi. Ground floor retail signage shall be as permitted in [sections 6.2.5 and 6.2.6](#), 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.
- vii. 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.
- viii. Uses in vertical retail centers may also have business identification signs on interior walls, not visible from the right-of-way.
- ix. 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.

6.5.4 Signs for schools and religious institutions

- a. Religious institutions and schools shall be permitted 30 square feet of aggregate signage area or the maximum allowed for the underlying zoning district, whichever is larger.
- b. A temporary sign identifying a religious event or holiday may be permitted under the following criteria:
 - i. A maximum of one temporary sign per street front, no larger than 30 square feet each.
 - ii. Temporary signs may be installed up to 30 days prior to the religious event or holiday and shall be removed at the end of the religious event or holiday.
 - iii. Temporary signs may include projected images of the religious event or holiday; however projected images shall not be permitted facing any residential building or residential zoning district.
 - iv. The design, projection, materials, location and installation method of temporary signs shall be subject to the design review or certificate of appropriateness process set forth in [section 2.5.3](#) or certificate of appropriateness process, as applicable.

6.5.5 Signs for filling stations and other uses selling gasoline

Signs for filling stations and any other use that sells gasoline shall be subject to the following:

Type of Sign	Number	Sign Area	Aggregate Area	Special Conditions
Wall signs or hanging/marquee sign: Identifying the name of the establishment.	Total of one sign per street frontage.	40 square feet maximum.	80 square feet maximum.	None.
Detached pole/monument signs: Identifying the name of the establishment or prices.	One fixed sign per site.	20 square feet maximum; in addition, the price sign shall be no greater than the minimum necessary to meet state requirements.	40 square feet maximum.	Height shall not exceed 25 feet to the top of the sign.
Service bay identification: Providing direction or instructions but containing no advertising material.	One sign per service bay located on the premises.	Five square feet maximum.	15 square feet maximum.	The information displayed by a service bay identification sign shall be in compliance with state law and chapter 8A of the County Code.
Service island identification: Indicating type of service offered, prices of gasoline and other relevant information or instructions but containing no advertising material.	One sign per service island located on the premises.	Five square feet maximum.	Ten square feet maximum.	The information displayed by a service island identification sign shall be in compliance with state law and chapter 8A of the County Code.
Signs having copy indicating the sale of alcoholic beverages or tobacco products: The height of the letters shall not exceed two inches.				

6.5.6 Signs for major cultural institutions

Signs for major cultural institutions, as defined in [section 142-1032](#), shall be subject to the following:

Type of Sign	Number	Sign Area	Special Conditions
Wall signs or hanging/marquee sign: Identifying the name of the institution.	Total number of signs to be determined under the design review or certificate of appropriateness process set forth in section 2.5.3 .	Total sign area to be determined under the design review procedures.	None.

Detached monument signs: Identifying the name of the institution.	One fixed sign per site.	15 square feet maximum.	Height and size of monument shall be determined under the design review or certificate of appropriateness process set forth in section 2.5.3 .
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ARTICLE VI – LEGAL NONCONFORMING SIGNS

6.6.1 Generally

- a. Nonconforming signs which are damaged by any cause may be repaired if the cost of repair does not exceed 50 percent of the current replacement value of the sign, except as otherwise provided herein. Such repairs shall be limited to routine painting, repair and replacement of electrical components; change of copy shall not be permitted. Notwithstanding this provision, signs painted directly on the surface of a building or painted directly on a flat surface affixed to a building may only be repainted to conform to all requirements of these land development regulations.
- b. The copy or content of existing nonconforming roof signs and pole signs may not be altered, except as otherwise provided herein.
- c. Existing nonconforming roof signs and pole signs shall be removed if ownership or use of the advertised building or business changes, except as otherwise provided herein.

6.6.2 Legal nonconforming signs located within a local or National Register historic district or local historic site

- a. Existing legal nonconforming signs, including roof and pole signs located within a site containing at least one contributing structure, or within a local historic site, may be repaired or restored regardless of cost and may be retained regardless of change in ownership if all of the following criteria are met:
 - i. The sign was installed within 30 years of the associated structure's initial construction according to the City of Miami Beach Building Permit Records. If no city building permit record exists, the applicant shall submit historical documentation which demonstrates the sign was installed within approximately 30 years of the structure's initial construction.
 - ii. The sign shall retain its existing content and copy, or the original content and copy may be restored consistent with historical documentation.
 - iii. The location and design of the existing sign is consistent with the architectural style of the existing structure and does not detract from the character of the existing structure, or the established context of the surrounding streetscape.
- b. Signs, including roof and pole signs, which were installed on a building or site located within a local or National Register historic district containing at least one contributing building, or within a local historic site but were

subsequently removed or altered, may be reconstructed subject to the certificate of appropriateness criteria or design review criteria as applicable, in [chapter 2](#) and herein, if all of the following criteria are met:

- i. The sign was permitted within 30 years of the associated structure's initial construction according to the City of Miami Beach Building Permit Records. If no city building permit record exists, the applicant shall submit historical documentation which demonstrates the sign was installed within approximately 30 years of the structure's initial construction.
 - ii. Substantial historical evidence of the original configuration of the sign is available.
 - iii. The original content, design, dimensions and copy of the sign shall be reconstructed consistent with substantial historical documentation, and the sign shall be located in close proximity to the original location on the building or site.
 - iv. The location and design of the sign is consistent with a historical period of significance and does not detract from the architectural character of the structure on which it is located, or the established context of the surrounding streetscape.
- c. Signs, including roof and pole signs which were installed on a noncontributing building or site located within a local historic district but were subsequently removed or altered, may be reconstructed subject to certificate of appropriateness approval by the historic preservation board based on the criteria in [chapter 2](#) and herein, if all of the following criteria are met:
 - i. The noncontributing building or structure was initially constructed prior to 1966.
 - ii. The sign was permitted within ten years of the associated structure's initial construction according to the City of Miami Beach Building Permit Records. If no city building permit record exists, the applicant shall submit historical documentation which demonstrates the sign was installed within approximately ten years of the structure's initial construction.
 - iii. Substantial historical evidence of the original configuration of the sign is available.
 - iv. The original content, design, dimensions and copy of the sign shall be reconstructed consistent with substantial historical documentation, and the sign shall be located in close proximity to the original location on the building or site.
 - v. The location and design of the sign is consistent with a historical period of significance and does not detract from the architectural character of the structure on which it is located, or the established context of the surrounding streetscape.
- d. The renovation or reconstruction of an eligible sign(s) shall be reviewed in accordance with the certificate of appropriateness criteria as set forth in [section 2.13.7.d. of these land development regulations](#) or the design review criteria as set forth in [section 2.5.3.1](#) as applicable, and shall not be required to meet existing sign regulations as it pertains to the overall size, location and number of signs. The renovated or reconstructed sign shall not be construed as additional signage, but rather the retention of original historic elements of a building or structure.
- e. A change of copy may be approved by the historic preservation board or design review board as applicable, provided the sign meets the criteria in [a.](#), [b.](#) or [c](#) above.

6.6.3 Legal nonconforming signs located outside a local or National Register historic district or local historic site

- a. Existing nonconforming signs, including roof and pole signs, located outside of a local historic district or local historic site, may be repaired or restored regardless of cost and may be retained regardless of change in ownership if all of the following criteria are met and subject to the design review or certificate of appropriateness process:
 - i. The existing structure, to which the sign is associated, is characteristic of a specific architectural style constructed in the city prior to 1966, including, but not limited to, Vernacular, Mediterranean Revival, Art Deco, Streamline Moderne, Post War Modern or variations thereof.
 - ii. The sign was installed within approximately ten years of the associated structure's initial construction according to the City of Miami Beach Building Permit Records. If no city building permit record exists, the applicant shall submit historical documentation which demonstrates the approximate date of installation.
 - iii. The sign shall retain its existing content and copy or the original content and copy may be restored consistent with substantial historical documentation.
 - iv. The location and design of the existing sign is consistent with the architectural style of the existing structure and does not detract from the character of the existing structure, or the established context of the surrounding streetscape.
- b. Signs, including roof and pole signs which were installed on a building or site but were subsequently removed or altered, may be reconstructed subject to the design review criteria in [chapter 2](#) and herein, if all of the following criteria are met:
 - i. The existing structure, to which the sign is associated, is characteristic of a specific architectural style constructed in the city prior to 1966, including, but not limited to, Vernacular, Mediterranean Revival, Art Deco, Streamline Moderne, Post War Modern or variations thereof.
 - ii. The sign was permitted within approximately ten years of the associated structure's initial construction according to the City of Miami Beach Building Permit Records. If no city building permit record exists, the applicant shall submit historical documentation which demonstrates the sign was installed within approximately ten years of the structure's initial construction.
 - iii. Substantial historical evidence of the original configuration of the sign is available.
 - iv. The original content, design, dimensions and copy of the sign shall be reconstructed consistent with substantial historical documentation, and the sign shall be located in close proximity to the original location on the building or site.
 - v. The location and design of the sign is consistent with a historical period of significance and does not detract from the architectural character of the structure on which it is located, or the established context of the surrounding streetscape.
- c. Such renovation or reconstruction shall be subject to the design review or certificate of appropriateness process set forth in [section 2.5.3](#) and shall not be required to meet existing sign regulations as it pertains to overall size, location and number of signs. The renovated or reconstructed sign shall not be construed as additional signage, but rather the retention of original architecturally significant elements of a building or structure.

- d. A change of copy may be approved by the design review board, provided the sign meets the criteria in **a. or b.** above.

6.6.4 Legal nonconforming use signage—Residential district

Signage regulations for legal nonconforming use in a residential district shall be the regulations for CD-1 zoning district.

Signs definitions (to be included in Section 1.8)

Artistic mural means a two-dimensional work of art commissioned or approved prior to its creation by a property owner or occupant which has no commercial connotation.

Sign means an identification, description, illustration, or device which is affixed to or represented directly or indirectly upon land or a building or structure or object and which directs attention to a place, activity, product, person, institution, or business.

Sign area means that area within a line including the outer extremities of all letters, figures, characters, and delineations, or within a line including the outer extremities of the framework or background of the sign, whichever line includes the larger area. The support for the sign background, whether it be columns, a pylon, or a building or part thereof, shall not be included in the sign area. Only one side of a double-faced sign shall be included in a computation of sign area. The area of a cylindrical sign shall be computed by multiplying one-half of the circumference by the height of the sign.

Sign, awning means any sign painted, stamped, perforated or stitched on an awning, canopy or roller curtain.

Sign, balloon means hot or cold air balloons or other gas filled figures or similar type sign.

Sign, banner means a sign made of cloth, fabric, paper, plastic or other flexible material. Banners may contain text, numbers, graphic images or symbols. Pennants and flags are not considered banners.

Sign, building identification means a sign identifying the name of the building, institution or the activity carried on in the building.

Sign, business identification means a sign used to identify an establishment within a structure or its premises.

Sign, construction means a temporary sign which is located at a construction-site and which lists the name of the project, developer, architect, contractor, subcontractor and sales information.

Sign, detached means a sign not attached to or painted on a building but which is affixed to the ground. A sign attached to a flat surface such as a fence or wall not a part of the building, shall be considered a detached sign.

Sign, directory means a sign identifying the names of all the licensed uses in a building.

Sign, double-faced means a sign with two parallel, or nearly parallel, faces, back to back and located not more than 24 inches from each other.

Sign, election/free speech means a temporary sign in support of a political candidate or expressing a political opinion.

Sign, establishment service-identification means a sign which pertains only to the use of a premises and which contains any or all of the following information:

- a. The name of the owner, operator, and/or management of the use.
- b. Information identifying the types of services or products provided by the establishment.

Sign, flashing means an illuminated sign on which the artificial or reflected light is not maintained stationary and constant in intensity and color at all times when in use. Any revolving illuminated sign shall be considered a flashing sign.

Sign, garage sale means a sign advertising a garage sale.

Sign, general advertising means any sign which is not an accessory sign or which is not specifically limited to a special purpose by these regulations.

Sign, hanging means a sign hanging from the underside of an awning or canopy.

Sign, illuminated means any sign designed to give forth artificial light or designed to reflect light from one or more sources of artificial light erected for the purpose of providing light for the sign.

Sign, marquee means any sign attached to or hung from a marquee for a theatre. For the purpose of these land development regulations, a marquee is a nondetachable roof-like structure supported from the walls of a building and projecting over the main entrance for protection from sun and weather.

Sign, monument means a freestanding sign permanently affixed to a monument or other similar detached architectural feature without the need of posts and/or poles. A monument sign may be a double-faced sign.

Sign, pennant means a sign made of cloth, fabric, paper, plastic or other flexible material that does not contain text, numbers, images or symbols.

Sign, pole means a detached sign erected on a metal pole or poles and attached to the ground by a permanent foundation.

Sign, projecting means a sign which is attached to and projects more than 12 inches from the face of a wall of a building. The term projecting sign includes a marquee sign. A projecting sign which extends more than 36 inches above a roof line or parapet wall shall be designated as a roof sign.

Sign, real estate means a temporary sign erected on a property to advertise the sale of that property.

Sign, roof means a sign which is fastened to and supported by or on the roof of a building or which extends over the roof of a building or a projecting sign which extends more than 36 inches over or above the roof line or parapet wall of a building. A sign attached to an allowable height exception is not a roof sign.

Sign, temporary means a sign identifying a particular activity, service, product, sale, or lease, of limited duration, or announcing political candidates seeking public office, or advocating positions related to ballot issues, or exercising freedom of speech.

Sign, wall means a sign attached to, and erected parallel to, the face of, or erected 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.

Sign, painted means a sign painted directly onto an exterior surface such as the face of the outside wall of a building.

Streamer means a piece of cloth, fabric, paper or other flexible plastic or material designed to draw attention by fluttering in the wind.

Vertical retail center means a commercial building with a minimum of 50,000 square feet of floor area for retail, restaurant, food market, or personal fitness center uses, exclusive of parking. This definition shall not include buildings that are predominantly office or nonretail uses.

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