

**SIGNAGE REQUIREMENTS FOR TEMPORARY BUSINESSES AND SIGN CODE  
AMENDMENTS FOR THE TC-C ZONING DISTRICT**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 138, ENTITLED "SIGNS," ARTICLE VI, ENTITLED "SPECIFIC USE SIGNS," BY CREATING SECTION 138-205, ENTITLED "SIGNAGE FOR TEMPORARY BUSINESSES," ESTABLISHING REGULATIONS FOR SIGNAGE ASSOCIATED WITH THE OPERATION OF A TEMPORARY BUSINESS; AND AMENDING ARTICLE II, ENTITLED "DESIGN STANDARDS, WINDOW, AWNING, WALL, PROJECTING, AND DETACHED (MONUMENT) SIGNS," AT SECTIONS 138-16, ENTITLED "WALL SIGN," SECTION 138-18, ENTITLED "PROJECTING SIGN," AND SECTION 138-19, ENTITLED "DETACHED SIGNS," TO CLARIFY SIGNAGE REQUIREMENTS FOR THE TOWN CENTER-CENTRAL CORE (TC-C) ZONING DISTRICT; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.**

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

**WHEREAS**, it is in the best interest of the City to promote safe and seemly commercial activity along vibrant business corridors devoid of empty storefronts and idle operations; and

**WHEREAS**, the City desires to assist temporary businesses by establishing regulations to allow for temporary business signage; and

**WHEREAS**, on November 14, 2018, the City Commission adopted Ordinance No. 2018-4224, amending the Land Development Regulations by establishing a new zoning district entitled "Town Center – Central Core (TC-C) District"; and

**WHEREAS**, the amendments below are necessary to create sign regulations for temporary business and for uses/properties located in the TC-C district.

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

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

**SECTION 1.** Chapter 138 of the City Code, entitled "Signs," Article VI, "Specific Use Signs," is hereby amended as follows:

**CHAPTER 138  
SIGNS**

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## ARTICLE VI. -SPECIFIC USE SIGNS

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### **Sec. 138-205. – Signage for temporary businesses**

- (a) Signage for businesses operating with a temporary Business Tax Receipt or Special Events Pop-up permit shall be restricted to those signs permitted explicitly within this section for the duration of the permit. For purposes of this section, the term *temporary business* shall mean a *business operating with a temporary BTR or Special Events Pop-up permit*.
- (b) Temporary businesses or Pop-ups shall only have the following types of signs:
  - 1. Window signage may cover a maximum 30 percent of the window storefront area, or 15 square feet, whichever is greater.
  - 2. Under-awning or canopy signs as provided for in section 138-15 of this Code.
- (c) Temporary businesses or Pop-ups shall not be permitted to erect any wall, projecting, monument, or other exterior signage.
- (d) All signage related to a temporary business or Pop-ups shall be removed upon the expiration of the permit.
  - 1. If/when a temporary business or Pop-up has transitioned to operating with a regular business tax receipt, such operation shall no longer be regulated by this section, and all other applicable sections of this chapter shall apply to the business. To be retained, signage approved using this section shall comply with all other applicable sections of this code, including obtaining a separate planning and/or building permit.

**SECTION 2.** Chapter 138, “Signs,” Article II, “Design Standards, Window, Wall, Projecting, and Detached (Monument) Signs,” is hereby amended as follows:

### **CHAPTER 138 SIGNS**

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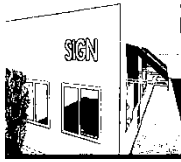
### **ARTICLE II. -DESIGN STANDARDS, WINDOW, AWNING, WALL, PROJECTING, AND DETACHED (MONUMENT) SIGNS**

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### **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
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	Zoning Districts		
	CD (1-3) C-PS (1-4) I-1 MXE TC ( <u>C</u> , 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 percentage	0.75 square feet for every foot of linear frontage	0.33 square feet for every foot of linear frontage	
Maximum area	<ul style="list-style-type: none"> <li>• Max.: 100 square feet</li> <li>• Min.: 15 square feet</li> </ul>	<ul style="list-style-type: none"> <li>• Max.: 30 square feet</li> <li>• Min.: 20 square feet</li> </ul>	GC and SPE: 30 square feet RS (1-4): Two square feet
Height restrictions	Shall not be located above ground floor		
Maximum 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 maximum permitted area	One wall, projecting or detached	One
Accessory use	<ul style="list-style-type: none"> <li>• Maximum 75% of main use sign, or 20 square feet, whichever is less</li> <li>• For uses located in hotel and apt. buildings, must have direct access to street/sidewalk; follows same regulations as main permitted use</li> </ul>		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 area on which it is placed. The placement and design of the sign shall be subject to approval through the design review process		
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### Sec. 138-18. - Projecting sign.

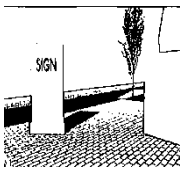
Projecting signs are signs attached to and projecting more than 12 inches from the face of a wall of a building. This includes marquee signs. A projecting sign which extends more than 36 inches above a roof line or parapet wall shall be designated as a roof sign. Such signs shall be governed by the following 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 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	15 square feet		Not permitted
Height restrictions	• Minimum nine feet per subsection 82-411(b)		
Maximum 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 maximum permitted area	One wall, projecting or detached	

Accessory uses		Main permitted use	
Special conditions	<ul style="list-style-type: none"> <li>• May be illuminated by an external lighting source through design review</li> <li>• No permitted in HD</li> </ul>		

### 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 ( <u>C</u> , 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"><li>• 15 square feet</li><li>• 5 feet if on perimeter wall</li></ul>	<ul style="list-style-type: none"><li>• 15 square feet</li><li>• if sign setback 20 feet from property line, maximum area may reach 30 square feet</li><li>• 5 feet if on perimeter wall</li></ul>	Not permitted
Height Restrictions	<ul style="list-style-type: none"><li>• Five feet maximum</li><li>• Height may be permitted to exceed the maximum through the design review process. However at no time shall height exceed ten feet</li></ul>		

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"> <li>• Front yard: Ten feet</li> <li>• Interior side yard: Seven and one-half feet</li> <li>• Side yard facing a street: Ten feet</li> <li>• Perimeter wall sign: 0 feet</li> </ul>		

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### **SECTION 3. APPLICABILITY**

The regulations and requirements held here within shall not apply to projects that have a valid Land Use Board Approval or have been issued a building permit process number.

### **SECTION 4. REPEALER.**

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

### **SECTION 5. 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 reentered to accomplish such intention; and that the word "ordinance" may be changed to "section" or other appropriate word.

### **SECTION 6. 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.

ATTEST:

\_\_\_\_\_  
Dan Gelber  
Mayor

\_\_\_\_\_  
Rafael E. Granado  
City Clerk

First Reading:  
Second Reading:

APPROVED AS TO  
FORM AND LANGUAGE  
& FOR EXECUTION

First Reading: \_\_\_\_\_, 2019  
Second Reading: \_\_\_\_\_, 2019

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Date

Verified by: \_\_\_\_\_  
Thomas R. Mooney, AICP  
Planning Director

Underscore denotes new language  
~~Strikethrough~~ denotes deleted language