

**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," TO ESTABLISH 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 SECTION 138-16, ENTITLED "WALL SIGN," SECTION 138-18, ENTITLED "PROJECTING SIGN," AND SECTION 138-19, ENTITLED "DETACHED SIGN," TO CLARIFY SIGNAGE REQUIREMENTS APPLICABLE TO 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, and to discourage the presence of empty storefronts and idle operations; and

WHEREAS, the City desires to encourage temporary businesses to open, 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 to establish 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; and

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 (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:
 - 1. Window signage (up to a maximum coverage of 30 percent of the window storefront area, or 15 square feet, whichever is greater).
 - 2. Under-awning or canopy signs, pursuant to the requirements in section 138-15 of this Code.
- (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.
 - 1. 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.


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

**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			
	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 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"> • Max.: 100 square feet • Min.: 15 square feet 	<ul style="list-style-type: none"> • Max.: 30 square feet • Min.: 20 square feet 	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"> • 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	Corner buildings may provide one combined sign instead of the two permitted signs. This sign shall be located on the corner of the		Residential use: Copy limited to

conditions	building visible from both streets and shall have a maximum size of 40 square feet		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.

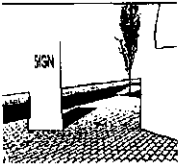
Projecting signs are signs attached to and projecting more than 12 inches from the face of a wall of a building. This includes marquee signs. A projecting sign which extends more than 36 inches above a roof line or parapet wall shall be designated as a roof sign. Such signs shall be governed by the following 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"> • May be illuminated by an external lighting source through design review • No permitted in HD 	

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"> • 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 perimeter 	Not permitted

		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• Interior side yard: Seven and one-half feet• Side yard facing a street: Ten feet• Perimeter wall sign: 0 feet		
	*	*	*

SECTION 3. REPEALER.

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

SECTION 4. 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 5. SEVERABILITY.

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

SECTION 6. 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

Paul Aguilera

4-29-19

City Attorney

Date

NK

First Reading: May 8, 2019
Second Reading: June 5, 2019

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

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

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