NORTH MIAMI
FLORIDA
776 N.E. 125 Street, North Miami, Florida 33161

Council Report

To: The Honorable Mayor and City Council

From: Maxine Calloway, Esq., AICP., Director of Community Planning & Development

Date: November 27, 2012

Re: Amendment to Land Development Regulations, Article 5, Division15, Signs

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AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED "LAND DEVELOPMENT REGULATIONS", BY AMENDING ARTICLE 5, DIVISION 15, ENTITLED "SIGNS", SPECIFICALLY AT SECTION 5-1501, ENTITLED "PURPOSE", SECTION 5-1502, ENTITLED "PROHIBITED SIGNS", SECTION 5-1503, ENTITLED "GENERAL STANDARDS", SECTION 5-1504, ENTITLED "SIGNS PERMITTED WITHOUT A PERMIT", SECTION 5-1505, ENTITLED "PERMITTED SIGNS REQUIRING DEVELOPMENT REVIEW", AND SECTION 5-1506, ENTITLED "COMPREHENSIVE SIGN PROGRAM", TO ALLOW ELECTRONIC MESSAGE CENTERS AND ELECTRONIC SCROLLING SIGNS IN ALL NONRESIDENTIAL ZONING DISTRICTS AND TO ESTABLISH DEVELOPMENT STANDARDS AND GUIDELINES FOR SUCH SIGNS, IN ORDER TO ENCOURAGE AND FACILITATE ECONOMIC GROWTH, IN A MANNER CONSISTENT WITH THE INTENT OF THE COMPREHENSIVE PLAN OF THE CITY OF NORTH MIAMI; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND AN EFFECTIVE DATE.

RECOMMENDATION

That the City Council approves the proposed ordinance to amend Article 5, Division 15 entitled "Signs" from Sections 5-1501 thru 5-1506 of the City's Land Development Regulation (LDR).

PURPOSE & INTENT

The proposed amendment seeks to revise Article 5, Division 15 of Chapter 29, entitled "Signs" to allow outdoor electronic message centers (EMCs) and indoor electronic scrolling signs in all nonresidential districts and establish guidelines for development and placement of said signs.

The proposed amendment is consistent with the City's Comprehensive Plan in that it allows local businesses to remain competitive by promoting their goods and services in an innovative, environmentally friendly manner, through the use of electronic signs built with LED (light emitting diodes) technology.

PLANNING COMMISSION RECOMMENDATION

At its meeting on September 4th, 2012 the Planning Commission reviewed and discussed the proposed text amendment and agreed that it was beneficial to both the City as well as local businesses, churches and schools, in that it would establish guidelines to regulate the appearance and proper placement of such signs. As such, the Commission rendered a unanimous vote of 4-0 recommending approval of the proposed Ordinance.

BACKGROUND INFORMATION

What are electronic signs:

Electronic Message Centers (EMCs) are computerized programmable electronic visual communication devices designed for an outside environment visible to both the pedestrian as well as the motorist. *Electronic Scrolling Signs* are similar electronic signs that are smaller (on average 4 square feet) in size. Both signs are capable of storing and displaying different images and/or texts that can be programmed to show information for different durations of time (Attachment 1 includes examples of similar electronic signs).

Current Issues:

North Miami's regulations currently prohibit the use of most electronic signs within the City. However with the recent advances in technology and the development of LED lighting, many local businesses, schools and religious uses have increasingly expressed interest in utilizing electronic signs to market their goods and services throughout North Miami. As such City administration examined recent studies as well as collaborated with experts from the *International Sign Association* in order to develop the proposed sign regulations in order to permit electronic message centers and indoor scrolling signs within the City.

A recent research conducted by University of Cincinnati indicated that businesses that installed EMC upgrades to their signage increased sales by an average of 12% and generated new jobs for nearly 25% of the businesses. To that end, local governments such as North Miami recognize

that the economic benefits derived from electronic signs extend beyond merely increasing sales for the local businesses. It also has a positive fiscal impact to the City in that it contributes to increasing North Miami's overall tax revenue.

Additionally, Texas A&M University conducted a study that looked at traffic data over a four year period to determine if electronic signs caused an increase in traffic accidents. However based on the findings researchers concluded that there was no significant impacts.

Section 3-1004 of the City's Land Development Regulations requires that all City initiated text amendments to the LDR must meet the following minimum criteria:

1. **Promotes the public health, safety and welfare;**

   The proposed text amendment directly supports the prosperity of North Miami's businesses, schools and religious organizations and helps to implement the economic development goals and objectives of the City's Comprehensive Plan. Furthermore permitting such signage fosters an environment that generates additional sales, stimulates job creation and enhances the overall quality of life within the City.

2. **Does not permit uses the Comprehensive Land Use Plan prohibits in the area affected by the text amendment**

   The proposed text amendment has no impact on the zoning or underlying Land Use as identified in the City's Comprehensive Plan.

3. **Does not allow densities or intensities in excess of the densities and intensities which are permitted by the future land use categories of the affected property;**

   N/A

4. **Will not cause a decline in the level of service for public infrastructure which is the subject of a concurrency requirement to a level of service which is less than the minimum requirements of the Comprehensive Land Use Plan;**

   N/A

5. **Does not directly conflict with any goal, objective or policy of the Comprehensive Land Use Plan; and**

   The proposed text amendment is in keeping with the goals, policies and objectives of the City's Comprehensive Plan. Specifically, Policy 9.4.6 the Economic Element which requires that the City create land use and zoning regulations that encourage the retention, attraction and expansion of businesses. Furthermore Goal 9 also requires that the City create an environment that will enhance the economic prosperity of local businesses and attract new business while improving the quality of life for all of its citizens.

6. **The proposed amendment furthers the orderly development of the City of North Miami.**

   Staff believes the proposed amendment furthers the orderly development of the City, in that it establishes regulations to govern the proper placement and installation of said electronic signs and reduces the presence of unregulated signs throughout the City. Furthermore it sets forth clearly defined guidelines under which said signs shall be inspected and appropriately maintained.

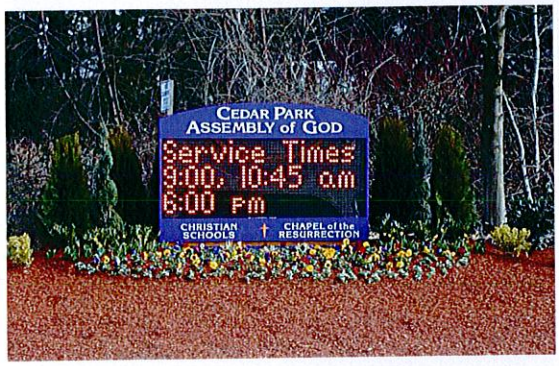
CONCLUSION

Staff is of the opinion that the proposed amendment is beneficial to North Miami's economic future and advances the goals, policies and objectives of the City's Comprehensive Plan. As such, City Administration requests that the City Council adopts of the proposed ordinance to allow outdoor electronic message centers (EMCs) and indoor electronic scrolling signs in all nonresidential districts.

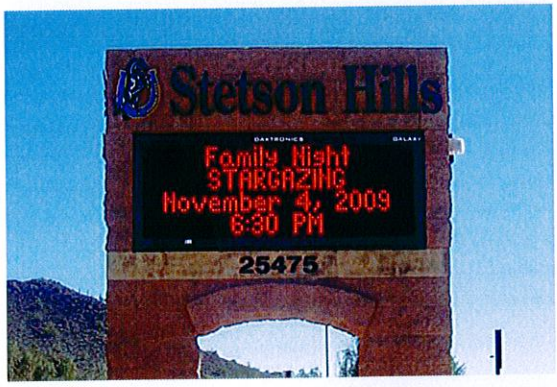
TWS/mc

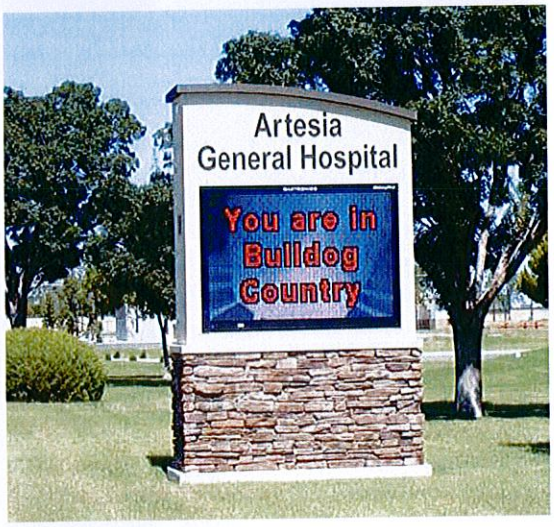
Attachments

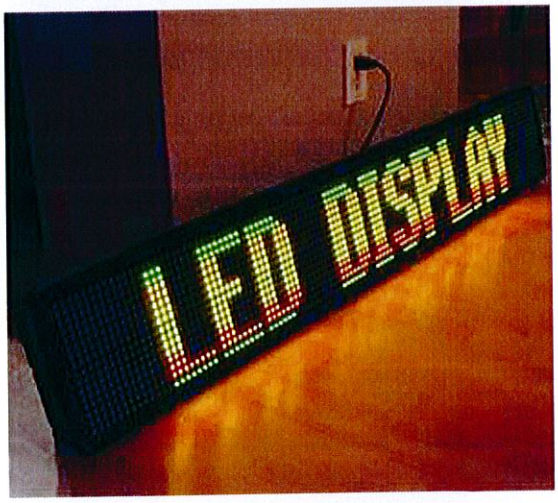
1. Examples of Electronic Signs
2. Ordinance


CEDAR PARK
ASSEMBLY of GOD
Service Times
9:00, 10:45 am
6:00 pm
CHRISTIAN SCHOOLS
CHAPEL of the RESURRECTION

Banterra
Bank
705 N. St. Joe Avenue


Stetson Hills
Family Night
STARGAZING
November 4, 2009
6:30 PM
25475


Artesia
General Hospital
You are in
Bulldog
Country


LED DISPLAY

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED "LAND DEVELOPMENT REGULATIONS", BY AMENDING ARTICLE 5, DIVISION 15, ENTITLED "SIGNS", SPECIFICALLY AT SECTION 5-1501, ENTITLED "PURPOSE", SECTION 5-1502, ENTITLED "PROHIBITED SIGNS", SECTION 5-1503, ENTITLED "GENERAL STANDARDS", SECTION 5-1504, ENTITLED "SIGNS PERMITTED WITHOUT A PERMIT", SECTION 5-1505, ENTITLED "PERMITTED SIGNS REQUIRING DEVELOPMENT REVIEW", AND SECTION 5-1506, ENTITLED "COMPREHENSIVE SIGN PROGRAM", TO ALLOW ELECTRONIC MESSAGE CENTERS AND ELECTRONIC SCROLLING SIGNS IN ALL NONRESIDENTIAL ZONING DISTRICTS AND TO ESTABLISH DEVELOPMENT STANDARDS AND GUIDELINES FOR SUCH SIGNS, IN ORDER TO ENCOURAGE AND FACILITATE ECONOMIC GROWTH, IN A MANNER CONSISTENT WITH THE INTENT OF THE COMPREHENSIVE PLAN OF THE CITY OF NORTH MIAMI; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, on April 28, 2009, the Mayor and City Council of the City of North Miami ("City"), passed and adopted the Land Development Regulations under Chapter 29, City Code of Ordinances ("LDRs"); and

WHEREAS, although City administration has recognized that electronic sign technology is advancing and becoming an increasingly popular medium of communication, the current LDRs prohibit most forms of electronic signs within the City; and

WHEREAS, the City is desirous of updating and amending specific sections of the LDRs to allow, with limitations, electronic message centers and electronic scrolling signs in all nonresidential Zoning Districts and to establish guidelines for review, development and placement of such signs; and

WHEREAS, Policy 9.4.6 of the City's Comprehensive Plan ("Comprehensive Plan") requires that the City "create land use designations and zoning regulations that encourage the retention, attraction and expansion of business and industry"; and

WHEREAS, the proposed amendment to the LDRs ("Amendment"), is consistent with the Comprehensive Plan in that it allows local businesses to remain competitive by allowing them to promote their goods and services in an innovative, environmentally-friendly manner, encouraging their future economic growth; and

WHEREAS, City Administration believes that the Amendment presents no direct conflict with any of the goals, objectives or policies contained in the Comprehensive Plan; and

WHEREAS, on November 6, 2012, after a duly noticed public hearing, the Planning Commission recommended approval of the Amendment to the Mayor and City Council; and

WHEREAS, the Mayor and City Council, hereby accept the Planning Commission's recommendation of approval and find that the Amendment is consistent with the intent of the Comprehensive Plan and thereby, approve the Amendment as being in the best interest of the City.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, THAT:

Section 1. The Mayor and City Council of the City of North Miami, Florida, hereby amend Chapter 29 of the City of North Miami Code of Ordinances, entitled "Land Development Regulations", by amending Article 5, Division 15, entitled "Signs", specifically at Section 5-1501, entitled "Purpose", Section 5-1502, entitled "Prohibited Signs", Section 5-1503, entitled "General Standards", Section 5-1504, entitled "Signs Permitted Without a Permit", Section 5-1505, entitled "Permitted Signs Requiring Development Review", and Section 5-1506, entitled "Comprehensive Sign Program", to allow Electronic Message Centers and Electronic Scrolling Signs in all Nonresidential Zoning Districts and to establish development standards and guidelines for such signs, in order to encourage and facilitate economic growth, in a manner consistent with the intent of the Comprehensive Plan of the City of North Miami, as follows:

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CHAPTER 29. LAND DEVELOPMENT REGULATIONS

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ARTICLE 5. DEVELOPMENT STANDARDS

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DIVISION 15. SIGNS

Section 5-1501. Purpose.

It is the purpose of this division to promote the public health, safety and general welfare through a comprehensive system of reasonable, consistent and nondiscriminatory sign standards and requirements. These sign regulations are intended to:

A. Enable the identification of places of residence and business.

B. Allow for the communication of information necessary for the conduct of commerce.

C. Lessen hazardous situations, confusion and visual clutter caused by proliferation, improper placement, illumination, animation and excessive height, area and bulk of signs which compete for the attention of pedestrian and vehicular traffic.

D. Enhance the attractiveness and economic well-being of the city as a place to live and conduct business.

E. Protect the public from the dangers of unsafe signs.

F. Permit signs that are compatible with their surroundings and aid orientation, and preclude placement of signs in a manner that conceals or obstructs adjacent land uses or signs.

G. Encourage signs that are appropriate to the zoning district in which they are located and consistent with the category of use to which they pertain.

H. Curtail the size and number of signs and sign messages to the minimum reasonably necessary to identify a residential or business location and the nature of any such business.

I. Establish sign size in relationship to the scale of the lot and building on which the sign is to be placed or to which it pertains.

J. Preclude signs from conflicting with the principal permitted use of the site or adjoining sites.

K. Regulate signs in a manner so as to not interfere with, obstruct vision of or distract motorists, bicyclists or pedestrians.

L. Require signs to be constructed, installed and maintained in a safe and satisfactory manner.

M. To ensure that the constitutionally guaranteed right of free speech is protected.

Section 5-1502. Prohibited signs.

The following types of signs are prohibited and are not eligible for a variance:

A. Abandoned signs. Abandoned signs and/or sign structures which are determined to be nonconforming with the provisions of this division shall be required to be removed by the property owner within sixty (60) days after receipt of notification, or refusal to accept delivery of notification by certified mail, that such removal is required. Alternatively, the sign panels within the abandoned sign structure may be removed and replaced with sign panels of neutral color and containing no message.

B. Balloons, cold air inflatable, streamers, and strings of pennants, except where allowed as governmental and public purpose signs for special events of limited time and frequency, such as grand opening special events, as approved and permitted by the building and zoning department and located in a safe and proper location with at least eight foot (8') clearance (banners).

C. Except as provided in subsection 5-1506B., changeable message signs, except time and temperature signs, on which the message changes more rapidly than once every twenty-four (24) hours.

D. Pavement markings, except official traffic-control markings and street addresses.

E. Portable signs.

F. Roof and above roof signs.

G. Rooftop balloons.

H. Sandwich board signs, except in the C-3 district.

I. Signs attached to or painted on piers or seawalls, other than official regulatory or warning signs.

J. Signs in or upon any river, bay, lake, or other body of water.

K. Signs located on publicly owned land or easements or inside street rights-of-way, except signs required or erected by permission of the city manager or city council.

L. Handbills, posters, advertisements, or notices that are attached in any way upon lampposts, telephone poles, utility poles, cars, bridges, and sidewalks.

M. Signs that emit sound, vapor, smoke, odor, particles, or gaseous matter.

N. Signs that have unshielded illuminating devices or which reflect lighting onto public rights-of-way thereby creating a potential traffic or pedestrian hazard.

O. Except for vintage/traditional barbershop signs, signs that move, revolve, twirl, rotate, flash, including animated signs, and multi-prism signs. This prohibition shall not include indoor or outdoor electronic message centers and electronic scrolling signs operating in conformance with this ordinance.

P. Signs that obstruct, conceal, hide, or otherwise obscure from view any official traffic or government sign, signal, or device.

Q. Signs that present a potential traffic or pedestrian hazard, including signs which obstruct visibility.

R. Signs maintained at any location where by reason of color, illumination, position, size or shape may obstruct, impair, obscure, or be confused with, any traffic control sign, signal or device, or where it may interfere with, mislead, or confuse vehicular traffic.

S. Signs attached to or placed on any tree or other vegetation.

T. Signs carried, waived or otherwise displayed by persons either on public rights-of-way or in a manner visible from public rights-of-way. This provision is directed toward such displays intended to draw attention for a commercial purpose, and is not intended to limit the display of placards, banners, flags or other signage by persons participating in demonstrations, political rallies and similar events.

U. Signs that obstruct any window, door or other opening used as a means of regular ingress and egress, or used for required light and ventilation or used for fire escapes and other openings for emergency access and escape.

V. Signs on vacant or unimproved land, except real estate signs and/or development and construction signs, and city-approved government-issued signs (both regulatory and notice).

W. Illuminated signs which, by virtue of intensity, direction, or color of lighting or illumination, interfere with the proper operation of or cause confusion to the operator of a motor vehicle on the public streets. No sign shall be illuminated to an intensity in excess of that of the public street lamp in the immediate vicinity.

X. Signs whose area, characters, letters, illustrations, or ornamentation consists of light bulbs except for holiday decorations.

Y. A sign that significantly covers, interrupts, or disrupts the architectural features of a building.

Z. Any sign affixed temporarily or permanently to a vehicle where the principle purpose of the vehicle as used is not transportation, but merely the support of the sign itself. Signs mounted on taxis, buses, trucks, or other modes of general transportation, when in the course of their normal service and use, are expressly excluded.

AA. Window coverings and signs, whether placed on the interior or exterior of windows, constructed of any kind of thickness, are prohibited when such covering or sign exceeds fifteen (15) percent of the total transparent area of any window(s)~~,~~.

BB. Snipe signs.

CC. Window signs in residential districts, except for sale or for rent signs.

DD. Three-dimensional objects that are used as signs.

EE. Vehicle signs, and portable trailer signs.

FF. Any sign that is not specifically described or enumerated as permitted within the specific zoning district classifications in this Code.

Section 5-1503. General standards.

A. Setback. No sign shall be located within five (5) feet of a property line of a parcel proposed for development.

B. Neon signs and lighting.

1. Neon signs and lighting shall be permitted as freestanding and attached signage as provided in this Division. When neon lighting is utilized to emphasize the architectural features of a building, such as when used to outline doorways, windows, facades, or architectural detailing, or when used to accentuate site landscaping, it shall not be regarded as signage. In addition, neon lighting used as freestanding designs or murals or as attached murals or designs unrelated to the architectural features of the building to which the lighting is attached shall be permitted, but shall be counted toward the allowable area of the property's or occupancy's freestanding or attached signage, as applicable. No neon sign shall be a flashing, animated or rotating sign.

2. In areas accessible to or within reach of the general public, exposed neon strings shall be covered with a clear acrylic cover, or electrode sleeves, or electrode boots. Neon connections must be insulated with glass or other appropriate material; transformers must be enclosed within transformer cans; and secondary voltage wires must be insulated with piping.

C. Illuminated signs.

1. The light from any illuminated sign shall be shaded, shielded, or directed away from adjoining street rights-of-way and properties.

2. No sign shall have blinking, flashing, or fluttering lights or other illumination devices which have a changing light intensity, brightness, ~~color,~~ or direction. <u>This prohibition shall not include electronic message centers or indoor electronic scrolling signs operating in conformance with this ordinance.</u>

3. No colored lights shall be used at any location or in any manner so as to be confused with or construed as traffic-control devices.

4. Neither the direct nor the reflected light from primary light sources shall create a traffic hazard to operators of motor vehicles on public thoroughfares.

5. The light which illuminates a sign shall be shaded, shielded, or directed so that no structure, including sign supports or awnings, are illuminated by such lighting.

D. Banners and flags. A banner or flag may be used as a permitted attached sign and, if so used, the area of the banner ~~of~~ or flag shall be included in, and limited by, the computation of allowable area for freestanding or attached signs on the property.

E. Gasoline price signs. Gasoline price display signs shall be allowed in all districts where automobile service stations are permitted. Gasoline price display signs shall not exceed twelve (12) square feet and shall be placed in the immediate vicinity of the pump islands and shall not extend above any pump island canopy or they shall be attached to the primary freestanding sign for the property. The area of the gasoline price display sign shall be counted toward the allowable area for the freestanding sign.

F. ~~Time and temperature.~~ Electronic message center. ~~Time and temperature~~ Electronic message center signs shall be allowed in all nonresidential districts on major corridors and not face local streets. The maximum area for the ~~time and temperature~~ electronic message center portion only shall ~~be twenty (20) square feet~~ not exceed fifty (50) percent of the allowed sign area for pole, monument or freestanding shopping center sign on which it is placed. The area of an ~~time and temperature~~ electronic message center sign, whether attached or freestanding, shall be included in determining the cumulative area of signs on a property.

1. Such signs shall display static images for a period of at least eight (8) seconds at a time.

2. Transitions from one static image to the next shall appear instantaneously without the appearance of animation, flashing or movement of any kind.

3. All electronic message centers shall come equipped with automatic dimming technology which automatically adjusts the sign's brightness in direct correlation with ambient light conditions.

4a. No electronic message center shall exceed a brightness level of 0.3 foot candles above ambient light as measured using a foot candle (Lux) meter at a preset distance depending on sign area. The measurement distance shall be calculated with the following formula: The square root of the product of the sign area and one-hundred.

Example using a 12 square foot sign:
Measurement Distance = $\sqrt{(12 \text{ Sq. Ft.} \times 100)} = 34.6$

4b. Intensities in illumination shall be subject to review by the city's electrical inspector. The applicant will be required to submit an affidavit attesting to the intensities in illumination as outlined in subsection 4a above.

5. The electronic message center sign shall contain a default mechanism that freezes the image in one position in the event of malfunction. The sign owner shall respond to a malfunction within one day of a city notification of malfunction.

G. ~~Building and electrical code compliance. All signs shall comply with applicable building and electrical code requirements.~~ Indoor Electronic Scrolling Signs. Such signs are allowed indoors with scrolling text and shall not exceed 4 square feet in size. Images or text that flash are prohibited. These signs are intended primarily for pedestrian view and not vehicular traffic. Such signs are subject to the illumination standards listed in section 5-1503 F. 4a. and 4b.

H. ~~[Sign projection.] No sign or any part shall project above the roof line or be located within five (5) feet of property lines or within the visibility triangle in section 5-904.~~ Building and electrical code compliance. All signs shall comply with applicable building and electrical code requirements.

I. ~~[Sign attachment.] Attached signs shall be parallel and flush to the building.~~ Sign projection. No sign or any part shall project above the roof line or be located within five (5) feet of property lines or within the visibility triangle in section 5-904.

J. ~~[Sign maintenance.] All signs shall be maintained in good condition, free from fading, peeling or any other condition which renders the sign unreadable, either partially or totally~~. Sign attachment. Attached signs shall be parallel and flush to the building.

K. Sign maintenance. All signs shall be maintained in good condition, free from fading, peeling or any other condition which renders the sign unreadable, either partially or totally.

Section 5-1504. Signs permitted without a permit.

The following signs may be developed without a permit pursuant to Article 3 of this Code:

A. One (1) address sign of no more than four (4) square feet of total sign face area for each parcel of land used for residential or nonresidential purposes.

B. One (1) nameplate sign per single-family dwelling denoting the name of the occupant and/or street address, not exceeding two (2) square feet in area attached at the entrance to the building, not above the top of the first floor of building.

C. One (1) nameplate sign per multifamily dwelling per street frontage denoting the name and street address of the multiple-family dwelling only, attached to and parallel with the face of the building facing such street, not exceeding twelve (12) square feet in area, not projecting above the roofline.

D. Holiday decorations.

E. A single sign indicating a valet parking station no more than four (4) square feet visible only during hours that the valet is operating.

F. One (1) garage and yard sale sign of no more than four (4) square feet of total sign face area located on the parcel of land where the garage or yard sale is to be conducted only on the date or dates on which the garage or yard sale is conducted. In addition, no more than two (2) directional signs of no more than four (4) square feet of total sign face area per sign related to a garage or yard sale which are located on privately owned parcels of land other than the parcel of land where the garage or yard sale is to be conducted only on the date or dates on which the garage or yard sale is conducted.

G. A temporary open house sign is permitted in a public right-of-way or with permission of a private property owner, provided that such sign does not exceed four (4) square feet in area per face, is composed of durable materials (not paper, handbills, or posters), is placed for a period of time not exceeding seventy two (72) hours during a weekend, and is promptly removed no later than 7:00 p.m. on Sunday. No such sign shall be attached in any way to lampposts, telephone poles, utility poles, bridges, sidewalks or trees/landscaping.

H. Signs which are integral and incidental to equipment, or machinery and cover not more than twenty (20) percent of the exterior surface of such equipment, facilities or machinery.

I. Attached menu signs of no more than four (4) square feet of sign face area located at the entrance or service window of a restaurant.

J. Onsite directional and traffic control signs of no more than four (4) square feet of sign face area provided that business logos or other nontraffic control symbols do not exceed twenty-five (25) percent of the sign face area.

K. Signs identifying parking space numbers provided that such signs are painted on the paved surface of each space or do not exceed one-half (½) square foot of sign face area per sign.

L. Signs identifying bicycle parking in accordance with subsection 5-803G.

M. Signs identifying marina slip numbers provided that such signs are painted on the dock in front of each slip or do not exceed one (1) square feet of sign face area per sign.

N. In lieu of a development sign or banner, one (1) freestanding nonilluminated double-face real estate sign per parcel of land per street frontage indicating that a parcel of land or a building located on the parcel of land or part thereof is for sale, for lease or otherwise available for conveyance, provided that such sign does not exceed:

1. Four (4) square feet per sign face area plus required rider on parcels of land designated or used for single-family residential purposes.

2. Six (6) square feet per sign face on parcels of land designated or used for multifamily purposes.

3. Twelve (12) square feet of total sign face area on parcels of land designated or used for nonresidential purposes.

O. Signs located within a stadium which are not visible from outside of a stadium, except for illuminated or structural signs.

P. Window signs which occupy fifteen (15) percent or less of the total area of the window where the sign is located.

Q. Safety or warning signs which do not exceed four (4) square feet of sign face area per sign.

R. A change in the changeable copy portion of a sign message on a previously approved, lawful sign.

S. One (1) flag per dwelling unit, not to exceed fifteen (15) square feet, unless the flag is proposed to be installed in the ground. See subsection 5-1505A.1.

T. Painted pavement markings.

U. Governmental instruction signs or public notice signs (e.g., self-service, no smoking etc.), to the extent necessary to comply with state, federal, or county laws; provided however, that unless required by law, such signs shall not exceed four (4) square feet in area or one per service island for automotive uses.

V. Signs of a noncommercial nature erected by public utilities.

W. Nonelectric or plug-in only window signage; incidental signage (ATMs, gas pumps, clearance); safety signs.

X. Awning or canopy signs provided that the lettering cannot exceed six (6) inches in height and shall be no more than one (1) inch below the bottom of the awning or canopy.

Section 5-1505. Permitted signs requiring development review.

A. Residential districts.

1. One (1) flag per detached dwelling unit not to exceed fifteen (15) square feet or fifteen (15) feet in height if the flag is proposed to be installed in the ground.

2. One (1) flag not to exceed fifteen (15) square feet or twenty (20) feet in height per parcel of land used for multifamily residential purposes.

3. Freestanding identification sign for multifamily development with at least two hundred (200) lineal feet of street frontage: One (1) per entrance of not more than twelve (12) square feet of total sign face per sign, two (2) not exceeding forty (40) square feet for all identification signs (including attached identification signs). The height shall not exceed six (6) feet.

4. Attached identification sign per multifamily building not exceeding twelve (12) square feet of sign face, unless two (2) freestanding identification signs are used.

5. Except in single-family residential districts, one (1) development sign is authorized per active construction or redevelopment site. Such sign shall be single-faced, not exceeding fifty (50) square feet in area and shall not be illuminated. If the sign is mounted on a building, it shall be attached flush to and parallel with the face of the building below the roof line. If it is freestanding, it shall not exceed ten (10) feet in height. Such sign shall be removed upon the issuance of a partial or final certificate of occupancy.

6. Banner sign for multifamily properties not exceeding six months (6) or during the construction or redevelopment of a property. The placement of and size of such signs shall be approved by the director of building and zoning but shall not exceed one hundred fifty (150) square feet or be erected for more than six (6) months. The six-month period is automatically extended for an additional six (6) months if after inspection by code enforcement, the banners are substantially in the same condition as originally approved. An extension beyond one (1) year may only be obtained through the special exception process.

B. Nonresidential districts. The following signs are permitted in nonresidential districts subject to review of and approval of a sign permit:

Type of Sign	Number	Maximum Size	Maximum Height	Other
Identification	One (1) single-faced sign per street frontage (if for a single use). If a multiuse building, a	One hundred fifty (150) s.f. max.; one (1) s.f. for each lineal foot of building frontage facing the street or one-half (.5) s.f. for each lineal foot of that portion of the building		If a multitenant office building, specific listing of occupancies shall only be identified on a nameplate sign

	single-faced sign per use which has direct entrance to the street (may also have a blade sign). **plus** One (1) per rear of building or one (1) per accessway if multiple uses opposite the facade.	opposite the facade. blade sign = 3 s.f.		identification signs, except for franchise or chain companies; must be consistent in total size, letter size and color with other ID signs on a building or in shopping centers, except for rear signs, may be illuminated.
Freestanding identification (pole)	One (1) double-faced sign for buildings or centers or ground sign.	~~Thirty (30)~~ Forty (40) s.f./face	Twenty (20) ~~inches~~ ft.	May be illuminated or include electronic message center
Shopping center sign	One (1) single or double-faced sign may also have a ground sign for out parcels only.	Ninety (90) s.f. per face for ten (10) or more stores; forty-eight (48) s.f. per face of less than ten (10) stores (~~staff to research existing desirable signs).~~	Twenty (20) ~~inches~~ ft. for ten (10) or more stores	May be illuminated or include electronic message center
Ground or monument	One (1) sign bearing the name of the business and/or address.	Forty (40) s.f./face	Ten (10) ft.	Landscaping required; may be illuminated or include electronic message center
Temporary sign	One (1) per active construction site, single-faced.	Not exceeding fifty (50) s.f. in area	If freestanding, not exceeding ten (10) ft.	Not illuminated
Development banner sign	One (1)(if no temporary sign).	Not exceeding one hundred fifty (150) s.f.		Not more than six (6) months; may be automatically extended another six (6) months if inspected by city and it is determined that it is substantially in same condition as originally approved. Additional extension may be obtained through the special exception process.
Real estate sign	One (1) single or double-faced per street frontage.	Twelve (12) s.f.	Eight (8) ft. if freestanding; if mounted on a building, attached to and parallel with the face of the building below the roof line.	
Marquee	One (1) sign per theater with changeable copy.			Sign face located on the face of the marquee and not projecting above or below the marquee; may be illuminated.
Directional	Hospitals: no more than six (6); nonresidential: one (1) or more if determined to be necessary by the department of building and zoning.	Fifteen (15) s.f. (hospitals); or four (4) s.f. per face for other nonresidential.	If freestanding cannot exceed three and one-half (3½) ft. in height.	Minimum distance between multiple signs to be determined by building and zoning department.
Changeable copy	One (1) religious institution;	If in addition to identification sign,	~~If freestanding cannot~~	~~Limitation to one per~~

(only for religious institutions and educational institutions)	one (1) educational institution; or one (1) changeable copy sign allowed~~per street frontage.~~	cannot exceed fifty (50) percent of allowed sign area ~~both cannot exceed seventy-five (75) s.f. in area~~.	~~exceed six (6) twenty (20) ft. in height~~. See monument, pole or shopping center sign	~~street frontage shall not include fuel price digits as regulated in this ordinance.~~
Electronic Message Centers	One (1) electronic message center as a component to a pole, ground or monument shopping center sign	Cannot exceed fifty (50) percent of allowed sign area of a pole, ground or monument shopping center sign	See monument, pole or shopping center sign	See additional regulations for electronic message centers in section 5-1503.F.
Indoor Electronic Scrolling Sign	One (1) sign per business with a distance separation of 10 ft from another similar indoor message sign	Not to exceed 4 sq ft in size	Not to exceed 2 ft in height.	
Nameplate	One (1) per entrance	Two (2) s.f.; if more than one (1) occupancy, may be increased one (1) s.f. for each additional occupant up to four (4) s.f.		Attached to main structure at entrance and flush and parallel with face of building unless there is an overhang protecting pedestrian sidewalk in which case it may be hung from the overhang so as to be perpendicular to building face with a minimum clearance of seven (7) ft.
Sandwich sign	One (1) per restaurant	4″ × 6″	Six (6) ft.	Only in the C-3 district
Flag	Two (2) flags per parcel of land	5″ × 8″	Thirty (30) ft.	
Special event/grand opening	One (1) banner per business per street frontage of business. In multitenant office buildings, banner signs are restricted to one (1) banner sign per building and said sign may only advertise a special event or grand opening for that building.	Fifty (50) s.f.		Allowed for forty (40) days two (2) times/year maximum; no flags, pennants or streamers (or other attention getting mechanisms).

Sec. 5-1506. - Comprehensive sign program.

A. General Principles.

1. The intent of the comprehensive sign program is to provide private property owners and businesses with flexibility to develop innovative, creative and effective signage and to improve the aesthetics of the City of North Miami.

2. The minimum sign standards established in this division ensure that signage will not have an adverse impact on the aesthetics, community character and quality of life of the city. The city recognizes, however, that in many circumstances, there are innovative and creative alternatives to minimum standard signage which are

desirable and attractive and will enhance community character and individual property values.

3. The purpose of the comprehensive sign program is to provide an alternative to minimum standard signage subject to flexibility criteria which ensure that alternative signage will not have an adverse impact on the aesthetics, community character and quality of life of the City of North Miami.

B. Eligibility. The following forms of development are eligible to utilize the comprehensive sign program: new large scale development, shopping centers, institutions, mixed use, office complex and residential complex.

C. Permitted signage. Signage which is proposed as a part of a comprehensive sign program may deviate from the minimum sign standards in terms of numbers of signs per business or parcel of land, maximum area of a sign face per parcel of land and the total area of sign faces per business or parcel of land subject to compliance with the flexibility criteria set out in subsection 5-1506D. A comprehensive sign program shall be approved as a part of the approval required for the development to which it relates. ~~The use of LED lighting shall only be allowed as a component of a comprehensive sign program and shall be subject to review and approval by the development review committee.~~

D. Flexibility criteria.

1. Architectural theme.

a. The signs proposed in a comprehensive sign program shall be designed as a part of the architectural theme of the principal buildings proposed or developed on the parcel proposed for development and shall be constructed of materials and colors which reflect an integrated architectural vocabulary for the parcel proposed for development; or

b. The design, character, location and/or materials of the signs proposed in a comprehensive sign program shall be related to the size of a site and be demonstrably more attractive than signs otherwise permitted on the parcel proposed for development under the minimum sign standards.

~~2. Lighting. Any lighting proposed as a part of a comprehensive sign program is automatically controlled so that the lighting is turned off when the business is closed, except as provided in article 5, division 13, lighting.~~

~~3~~2. Community character. The signage proposed in a comprehensive sign program shall not have an adverse impact on the community character of the city.

~~4~~3. Property values. The signage proposed in a comprehensive sign program will not have an adverse impact on the value of property in the immediate vicinity of the parcel proposed for development.

54. Elimination of unattractive or nonconforming signage. The signage proposed in a comprehensive sign program will result in the elimination of existing unattractive signage or will result in an improvement to the appearance of the parcel proposed for development in comparison to signs otherwise permitted under the minimum sign standards.

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Section 2. **Conflicts.** All ordinances or parts of ordinances in conflict or inconsistent with the provisions of this Ordinance are hereby repealed.

Section 3. **Severability.** The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 4. **Codification.** The provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of North Miami, Florida. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions and the word "ordinance" may be changed to "section", "article" or any other appropriate word as may be required.

Section 5. **Effective Date.** This Ordinance shall become effective immediately upon adoption on second reading.

PASSED AND ADOPTED by a _____ vote of the Mayor and City Council of the City of North Miami, Florida, on first reading this _____ day of _____, 2012.

PASSED AND ADOPTED by a _____ vote of the Mayor and City Council of the City of North Miami, Florida, on second reading this _____ day of _____, 2012.

_____
ANDRE D. PIERRE, ESQ.
MAYOR

ATTEST:

_____
MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

_____
REGINE M. MONESTIME
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: _____

Seconded by: _____

Vote:

Mayor Andre D. Pierre, Esq.	_____ (Yes)	_____ (No)
Vice Mayor Marie Erlande Steril	_____ (Yes)	_____ (No)
Councilperson Michael R. Blynn, Esq.	_____ (Yes)	_____ (No)
Councilperson Scott Galvin	_____ (Yes)	_____ (No)
Councilperson Jean R. Marcellus	_____ (Yes)	_____ (No)

Additions shown by underlining. Deletions shown by ~~overstriking~~.