

MEMORANDUM

Amended
Agenda Item No. 7(A)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

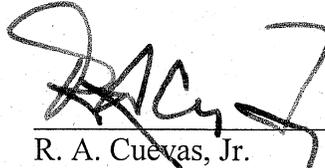
DATE: (Second Reading 7-10-07)
May 8, 2007

FROM: R. A. Cuevas, Jr.
Acting County Attorney

SUBJECT: Ordinance pertaining to
zoning regulation of signs

O#07-91

The accompanying ordinance was prepared and placed on the agenda at the request of Chairman Bruno A. Barreiro.



R. A. Cuevas, Jr.
Acting County Attorney

RAC/bw

Memorandum



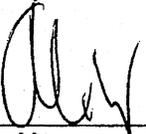
Date: July 10, 2007

To: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Ordinance pertaining to the zoning regulation of signs

The ordinance pertaining to the zoning regulation of signs will not have a fiscal impact to Miami-Dade County.



Alex Munoz
Assistant County Manager

Fis01407

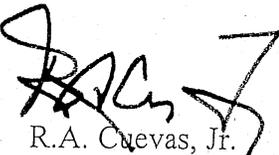


MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: July 10, 2007

FROM: 
R.A. Cuevas, Jr.
Acting County Attorney

SUBJECT: Amended
Agenda Item No. 7(A)

Please note any items checked.

- "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved _____ Mayor
Veto _____
Override _____

Amended
Agenda Item No. 7(A)
07-10-07

ORDINANCE NO. 07-91

ORDINANCE PERTAINING TO ZONING REGULATION OF SIGNS; AMENDING ORDINANCE NO. 07-61 OF MIAMI-DADE COUNTY, FLORIDA; MODIFYING AREA WHERE MURAL SIGNS MAY BE PERMITTED; INCREASING NUMBER OF MURALS ALLOWED; MODIFYING MURAL SPACING REQUIREMENTS; PERMITTING MURAL SIGNS TO COVER WINDOWS UNDER SPECIFIED CIRCUMSTANCES; AMENDING SECTION 33-107 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA (CODE), TO MODIFY SIGN MAINTENANCE NOTICE REQUIREMENTS; PROVIDING PENALTIES; AMENDING CHAPTER 8CC OF THE CODE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Section 2 of Ordinance No. 07-61 of Miami-Dade County, Florida is hereby amended to read as follows:¹

Section 2. Section 33-84 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec. 33-84. Definitions.

* * *

(y) *City of Miami* ~~[[*Downtown*]]~~ >>*Urban*<< *Core* shall mean the geographic area commencing at Biscayne Bay and the ~~[[*South side of NE 17th Terrace*]]~~; thence ~~West along the South side of NE 17th Terrace~~ to the East side of Biscayne Boulevard; thence South

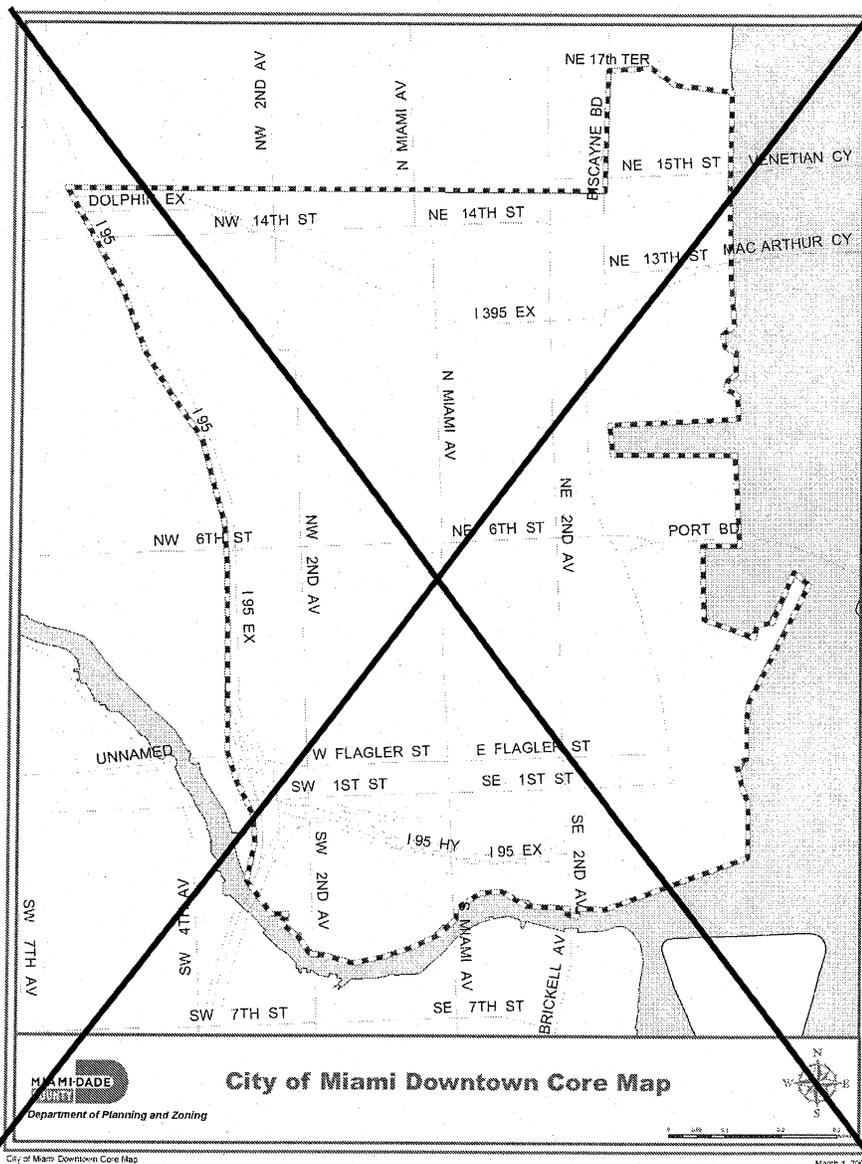
¹ Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

~~along the East side of Biscayne Boulevard to the South side of the Dolphin Expressway; thence West along the South side of the Dolphin Expressway to the East side of I-95; thence south along the east side of I-95 to the North side of the Miami River; thence East along the north side of the Miami River to Biscayne Bay; thence North along the Biscayne Bay shoreline to the point of beginning, as shown on the City of Miami Downtown Core Map shown below]]~~ >>North side of NE 18th Street; thence West along the North side of NE 18th Street to the East side of NE 2nd Avenue; thence North along the East side of NE 2nd Avenue to the South side of NE 36th Street; thence East along the South side of NE 36 Street to the West side of Biscayne Boulevard; thence North along the west side of Biscayne Boulevard to the North side of I-195; thence West along the North side of I-195 to the East side of N. Federal Highway; thence North along the East side of N. Federal Highway to the North side of NE 39th Street; thence West along the North side of NE 39th Street to East side of NE 2nd Avenue; thence North along the East side of NE 2nd Avenue to North side of NE 40th Street; thence West along the North side of NE 40th Street to West side of N. Miami Avenue; thence South along West side of N. Miami Avenue to the North side of NW 25th Street; thence West along the North side of NW 25th Street to the East side of the theoretical extension thereto of NW 1st Court; thence North along the East side of the theoretical extension of NW 1st Court to the North side of NW 27th Street; thence West along the North side of NW 27th Street to the West side of NW 2nd Avenue; thence South along the West side of NW 2nd Avenue to the South side of NW 19th Street; thence East along the South side of NW 19th Street to the West side of NW 1st Avenue; thence South along the West side of NW 1st Avenue to the North side of NW 16th Street; thence West along the North side of NW 16th Street to the West side of NW 3rd Avenue; thence South along the West side of NW 3rd Avenue to the North Side of the Dolphin Expressway; thence West along the North side of the Dolphin Expressway to the East side of I-95; thence North along the East side of I-95 to North side of NW 20th Street; thence West along the North side of NW 20th Street to the West side of NW 14th Avenue; thence South along the West side of NW 14th Avenue to the South side of the Dolphin Expressway; thence East along the South side of the Dolphin Expressway to the West side of I-95; thence South along the West side I-95 to the South side of SW 8th Street; thence East along the South side of SW 8th Street to the East side of S. Miami Avenue; thence North along the East side of S. Miami Avenue to the South side of the Miami River; thence

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East along the South side of the Miami River to the East side of Brickell Avenue; thence North along the East side of Brickell Avenue to the North side of the Miami River; thence East along the North side of the Miami River to Biscayne Bay; thence North along the Biscayne Bay shoreline to the point of beginning, as shown on the City of Miami Urban Core map shown below. <<

[[Deleted]]



Section 2. Section 5 of Ordinance No. 07-61 of Miami-Dade County is hereby amended to read as follows:

Section 5. Section 33-107 of the Code of Miami Dade County is hereby amended to read as follows:

Sec. 33-107. Class C commercial signs.

Types of signs permitted: Billboard; bulletin board; poster board; mural in locations specified herein.

* * *

Murals. Notwithstanding the Class C sign limitations contained in this section, mural signs located within the City of Miami ~~[[Downtown]]~~ >>Urban<< Core shall be permitted, subject to the following conditions:

* * *

- (3) No more than ~~[[30]]~~>>45<< mural signs shall be permitted at any one time within the entire City of Miami ~~[[Downtown]]~~ >>Urban<< Core.
- (4) No mural sign shall be placed closer than ~~[[400]]~~>>200<< feet to any single-family residential zoning district boundary or >>100 feet from any nonconforming<< single-family >>or duplex<< residential use.
- (5) Mural sign shall be placed only on blank walls as defined in the article. >>It is provided, however, that a mural may be permitted to cover windows if the material covering the windows is (i) composed of adhesive-backed perforated vinyl transparent to the occupants of the building, (ii) does not prevent opening of windows intended to be opened, and (iii) does not prevent ingress or egress.<<

* * *

Section 3. Section 33-107 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec. 33-107. Class C commercial signs.

Type of signs permitted: Billboard; bulletin board; poster board; mural in locations specified herein.

* * *

Maintenance. In addition to the general maintenance requirements for this section, the owner and/or the erector of the sign shall be responsible for maintaining any landscaping required by this article and the signs concerned in good condition and appearance. Ground mounted Class C sign sites shall be maintained free from trash or debris. Failure to do so shall constitute cause for cancellation of the permit and removal of the sign, if owner and/or erector fails to correct same within ~~[[40]]~~ >>15<< days after written notice of nonconformance. >>Written notice shall be provided to both the property owner and, if known, the erector of the sign.<<

* * *

Section 4. Section 8CC-4 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec. 8CC-4. Civil penalties and related terms construed.

* * *

(c) "Continuing violations" are those violations which remain uncorrected beyond the reasonable time period for correction contained in either the civil violation notice or the final order of the Hearing Officer, whichever is applicable. For each day of continued violation after the time for correction has run, an additional penalty in the same amount as that prescribed for the original violation shall be added. The maximum total penalty for any one (1) continuing violation shall be fixed at twenty (20) times the original penalty amount >> provided, however, that continuing violations of the provisions of section 33-107 relating to murals shall be fixed at thirty (30) times the original penalty amount. When the maximum penalty for a continuing violation of the provisions of section 33-107 relating to murals has accrued, the violation shall be referred to the county attorney's office for appropriate enforcement action.<<

* * *

Section 5. Section 8CC-10 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec. 8CC-10. Schedule of Penalties

<i>Code Section</i>	<i>Description of Violation</i>	<i>Civil Penalty</i>
>>33-107	<u>Unlawfully erecting, permitting an unauthorized Class C sign.</u> <<	<u>1,000</u>

* * *

Section 6. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 7. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 8. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

Section 9. All provisions of this Ordinance shall stand repealed on the date provided in Ordinance No. 07-61 with the exception of Sections 3 and 5.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:

Maey
CAC/JAC

Prepared by:

Craig H. Collier/ Joni Armstrong Coffey

Sponsored by Chairman Bruno A. Barreiro