

MEMORANDUM

TO:	Honorable Chairman Jose "Pepe" Diaz and Members, Board of County Commissioners	DATE:	Agenda Item No. 7(J) (Second Reading 11-2-21) September 1, 2021
FROM:	Geri Bonzon-Keenan County Attorney	SUBJECT:	Ordinance relating to zoning in the unincorporated area; amending section 33-284.63 of the Code; amending Downtown Kendall Urban Center zoning district regulations to authorize all signage as allowed pursuant to Standard Urban Center District Regulations

Ordinance No. 21-124

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Raquel A. Regalado.



Geri Bonzon-Keenan
County Attorney

GBK/smm

Memorandum



Date: November 2, 2021

To: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

From: Daniella Levine Cava
Mayor

A handwritten signature in blue ink, reading "Daniella Levine Cava".

Subject: Fiscal Impact Statement for Ordinance Amending Downtown Kendall Urban Center Zoning Regulations

The implementation of this ordinance will not have a fiscal impact to Miami-Dade County, as the proposed changes will not require additional staffing resources nor generate additional operational expenses.

A handwritten signature in blue ink, reading "Jimmy Morales".

Jimmy Morales
Chief Operations Officer

Memorandum



Date: November 2, 2021

To: Honorable Chairman Jose “Pepe” Diaz
and Members, Board of County Commissioners

From: Daniella Levine Cava 
Mayor

Subject: Social Equity Statement for Ordinance Relating to Zoning- Downtown Kendall Urban Center Zoning District Regulations

The proposed ordinance amends section 33-284.63 of the Code of Miami-Dade County (Code) relating to the Downtown Kendall Urban Center Zoning District regulations to authorize all signage as allowed pursuant to the Standard Urban Center District Regulations.

The proposed amendments replace the current sign regulations in the Downtown Kendall Urban Center District (DKUCD) with those in the Standard Urban Center Regulations (SUCO). The SUCO sign regulations are more generous than the more restrictive signage regulations in DKUCD.

Implementation of the proposed ordinance aligns with the County’s effort for future urban development intensification and would result in more consistent sign regulations within the designated areas for urban intensification. Standardization across all urban centers ensures that all areas are treated the same.



Jimmy Morales
Chief Operations Office

211988



MEMORANDUM

(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: November 2, 2021

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 7(J)

Please note any items checked.

- ☐ "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
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____ to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 7(J)
11-2-21

ORDINANCE NO. 21-124

ORDINANCE RELATING TO ZONING IN THE UNINCORPORATED AREA; AMENDING SECTION 33-284.63 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AMENDING DOWNTOWN KENDALL URBAN CENTER ZONING DISTRICT REGULATIONS TO AUTHORIZE ALL SIGNAGE AS ALLOWED PURSUANT TO STANDARD URBAN CENTER DISTRICT REGULATIONS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, the County’s Comprehensive Development Master Plan (CDMP) designates the area surrounding the Dadeland North and South Metrorail Stations as the Downtown Kendall Metropolitan Urban Center (“DKUCD”), which calls for development as a diversified urban center that is to become a hub for future urban development intensification in a more compact and efficient urban form; and

WHEREAS, the DKUCD was the first urban center established by Miami-Dade County; and

WHEREAS, since establishing the DKUCD, the County has further refined its urban center policies and regulations and has adopted numerous urban center districts that are governed by article XXXIII(K) of chapter 33 of the Code of Miami-Dade County, Florida (the “Code”), titled “Standard Urban Center District Regulations”; and

WHEREAS, in section 33-284.87 of the Code, the Standard Urban Center District Regulations authorize various types of signage, including digital point-of-sale signs subject to certain conditions, but the DKUCD signage regulations were more restrictive when adopted and have not been updated to authorize the type of signage allowed in other urban centers; and

WHEREAS, accordingly, this Board wishes to amend the DKUCD regulations to authorize all signage that is allowed pursuant to the Standard Urban Center District Regulations,

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

Section 1. The foregoing recitals are incorporated as if set forth herein and are approved.

Section 2. Section 33-284.63 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:¹

Sec. 33-284.63. - Additional parameters.

The following are required irrespective of frontage and Sub-District categories:

* * *

(B) *Signage.* >>Signage shall be governed by section 33-284.87.<< ~~[[Three (3) types of signs are allowed: temporary signs, point of sale signs and directional signs. Outdoor advertising signs, automatic electric changing signs, and entrance features are not permitted. All signs shall not obstruct sight visibility triangles at street intersections. Lawful freestanding signs existing on December 16, 1999, shall be permitted to remain, and shall be permitted to be updated and maintained in substantial compliance with plans approved as of that date.~~

(1) ~~Temporary Signs.~~

(a) ~~Real Estate for sale, lease, or rent.~~

(i) ~~Size: One hundred fifty (150) square inches maximum.~~

(ii) ~~Number: One (1) sign per street frontage.~~

(iii) ~~Setback and Spacing: The outer edge of real estate signs shall be no closer than: five (5) feet to an official right-of-way line unless attached to an~~

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.

- existing building; fifteen (15) feet to an interior side property line; or they shall be centered on a lot between interior side property lines.
- (iv) ~~Illumination: Section 33-96, Illumination, of this Code, shall apply, except that revolving, rotating and otherwise moving signs shall be prohibited.~~
- (v) ~~Maximum Height: Maximum height to top of sign shall be six (6) feet above grade for detached signs. For attached signs, minimum height shall be five (5) feet above grade.~~
- (vi) ~~Special Conditions: No permit shall be required for signs that are no larger than one hundred fifty (150) square inches and which are not electrically illuminated. Real estate signs shall only be permitted on premises advertised for lease or sale. Upon sale or lease, the sign shall be immediately removed.~~
- (b) ~~Construction Signs.~~
 - (i) ~~Size: Thirty-two (32) square feet maximum for a detached sign. When construction signs are painted on an approved construction shed or trailer, there is no size limitation.~~
 - (ii) ~~Number: One (1) per street frontage.~~
 - (iii) ~~Setback and Spacing: The outer edge of the sign shall be no closer than zero (0) feet from official right of way, and five (5) feet minimum from property under different ownership.~~
 - (iv) ~~Illumination: Section 33-96, Illumination, of this Code, shall apply, except that revolving, rotating and otherwise moving signs shall be prohibited.~~
 - (v) ~~Maximum Height: Maximum height to top of sign shall be six (6) feet above grade for detached signs.~~
 - (vi) ~~Special Conditions: No permit shall be required for signs that are no larger than thirty-two (32) square feet and which are not electrically~~

~~illuminated. Construction signs shall only be permitted on premises visibly under construction. Upon sale or lease, the sign shall be immediately removed.~~

(c) ~~Special Event Signs.~~

- (i) ~~Size: Thirty two (32) square feet maximum for a detached sign.~~
- (ii) ~~Number: One (1) per street frontage.~~
- (iii) ~~Setback and Spacing: The outer edge of the sign shall be no closer than zero (0) feet from official right of way and five (5) feet minimum from property under different ownership.~~
- (iv) ~~Illumination: Section 33-96, Illumination, of this Code, shall apply, except that revolving, rotating and otherwise moving signs shall be prohibited.~~
- (v) ~~Maximum Height: Maximum height above grade to top of sign shall be six (6) feet for detached signs, except for suspended fabric signs.~~
- (vi) ~~Special Conditions: Back lit awnings and balloon signs are not allowed. Special event signs require permits and shall be removed within five (5) days after the special event or last election which candidate or issue was on ballot. Promoters, sponsors and candidates shall be responsible for compliance with the provisions of this section and shall remove signs promoting or endorsing their respective special events or candidacies when such signs are displayed or used in violation of this section. Additionally, any private owner who fails to remove an unlawful special events sign from his or her property shall be deemed in violation of this section.~~
- (vii) ~~No sign shall exhibit thereon any lewd or lascivious matter.~~

(2) ~~Permanent Point of Sale Signs.~~

- (a) ~~Permanent point of sale signs in the Edge Sub-District North of Snapper Creek Canal~~

~~and west of US Highway 1: Detached, flat, awning, projecting, pylon signs are all allowed:~~

- ~~(i) Size: Maximum six (6) square feet except for churches, schools and universities which are permitted twenty four (24) square feet. Cantilever projecting signs shall be mounted perpendicular to buildings.~~
- ~~(ii) Number: One (1) sign per tenant per street frontage.~~
- ~~(iii) Setback and spacing: The outer edge of the sign shall be no closer than zero (0) feet from right of way, and five (5) feet minimum from interior side property.~~
- ~~(iv) Illumination: Section 33-96, Illumination, of this Code, shall apply, except that revolving, rotating and otherwise moving signs shall be prohibited.~~
- ~~(v) Maximum Height: Four (4) feet maximum height above grade to top of sign for detached signs; nine (9) feet minimum from bottom of sign to grade for awning and projecting signs; no limits for flat attached signs, or signs painted on the facade of a building.~~
- ~~(vi) Special Conditions: No permit required for awnings following these regulations. Letters attached or painted to fabric shall be limited to the identification of the occupant and/or use of the property. Back-lit awnings and balloon signs are not allowed. Decorative neon may be used only inside windows. Building name and quotations carved in stone or stucco relief may occupy up to ten (10) percent of facade.~~
- ~~(vii) No sign shall exhibit thereon any lewd or lascivious matter.~~
- ~~(b) Permanent point of sale signs in the Core and Center Sub Districts and in the Edge Sub District north of Snapper Creek Canal and East of US Highway 1: Detached, flat,~~

~~awning, projecting, pylon and marquee are all allowed:~~

- ~~(i) Size: Twenty-four (24) square feet maximum, except eight (8) square feet maximum for cantilever projecting signs, which shall be mounted perpendicular to buildings. Further, in the Edge Sub-District north of Snapper Creek Canal and East of U.S. Highway 1 flat wall signs are permitted at a maximum size no greater than seven and one half (7.5) percent of the wall area for the first fifteen (15) feet of building height and 1.5 percent for each foot of building height above the 15 feet measured to the bottom of the sign.~~
- ~~(ii) Number: One (1) of each sign type, up to a total of three (3) per street frontage for each tenant.~~
- ~~(iii) Building identification wall signs shall be permitted in the Core and Center Sub-Districts above the eighth floor. One (1) sign per frontage is permitted, each sign shall be a maximum of three hundred (300) square feet.~~
- ~~(iv) Setbacks and Spacing: The outer edge of the sign shall be no closer than zero (0) feet from right-of-way and five (5) feet minimum from side or rear property line.~~
- ~~(v) Illumination: Section 33-96, Illumination, of this Code, shall apply, except that revolving, rotating and otherwise moving signs shall be prohibited.~~
- ~~(vi) Maximum Height: Four (4) feet maximum height above grade to top of sign for detached signs.~~
- ~~(vii) Special Conditions: No permit required for awnings following these regulations. Letters attached or painted to fabric shall be limited to the identification of the occupant and/or use of the property. Back lit awnings and balloons signs are not~~

~~allowed. Decorative neon may be used only inside windows. Building name and quotations carved in stone or stucco relief may occupy up to ten (10) percent of a facade.~~

~~(viii) No sign shall exhibit thereon any lewd or lascivious matter.~~

- (3) ~~Directional Signs. Directional signs, to direct traffic flow and locate entrances and exits shall be permitted on private property in connection with any permitted use provided they do not exceed three (3) square feet in area and do not exceed four (4) feet in height above grade; and providing they are shown and approved on site plans which indicate sign size, location, copy, etc. Logos, names and advertising are not permitted on such signs.~~

~~Maintenance: In addition to the general maintenance requirements for this section, the owner and/or the tenant of the sign shall be responsible for maintaining the landscaping and the signs concerned in good condition and appearance and the site 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 tenant fails to correct same within ten (10) days after written notice of nonconformance.~~

~~Removal of dilapidated signs. The Director may cause to be removed any sign which shows neglect or become dilapidated or where the area around such sign is not maintained as provided herein after due notice has been given. The owner and/or tenant of the sign and/or the property shall be financially responsible for the removal of the sign.]]~~

Section 3. 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.

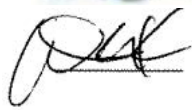
Section 4. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 5. 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.

PASSED AND ADOPTED:

November 2, 2021

Approved by County Attorney as
to form and legal sufficiency:

Prepared by:

Dennis A. Kerbel

Prime Sponsor: Commissioner Raquel A. Regalado