

Town of Miami Lakes

LPA

September 13, 2011



TOWN OF MIAMI LAKES, FLORIDA

Town Council

Mayor Michael Pizzi

Vice Mayor Nick Perdomo

Councilmember Mary Collins

Councilmember Tim Daubert

Councilmember Nelson Hernandez

Councilmember Ceasar Mestre

Councilmember Richard Pulido

AGENDA

LPA

September 13, 2011

6:25 PM

Royal Oaks Park Community Center

16500 NW 87 Avenue

Miami Lakes, Florida 33018

1. CALL TO ORDER:

2. ROLL CALL:

3. ORDINANCE:

A. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA AMENDING ARTICLE 9 "SIGNS" OF THE TOWN'S LAND DEVELOPMENT CODE TO PROVIDE FOR AMENDED ZONING REGULATIONS RELATED TO THE REGULATION OF SIGNS FOR COMMERCIAL AND INDUSTRIAL ZONED PROPERTIES THAT ABUT RED ROAD (NW 57 AVE), STATE ROAD 826 (PALMETTO EXPRESSWAY), AND INTERSTATE 75 (I-75); PROVIDING FOR INCORPORATION OF RECITAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE

4. FUTURE MEETING DATES:

September 15, 2011 Council Workshop, 5:00 pm, 15150 NW 79 Court

September 26, 2011 Second Budget Hearing, 6:00 pm, 16500 NW 87 Avenue

5. ADJOURNMENT:

This meeting is open to the public. A copy of this Agenda and the backup therefore, has been posted on the Town of Miami Lakes Website at www.miamilakes-fl.gov and is available at Town Hall, 15150 NW 79 Court, Miami Lakes, FL. In accordance with the Americans with Disabilities Act of 1990, all persons who are disabled and who need special accommodations to participate in this meeting because of that disability should contact Town Hall at 305-364-6100 two days prior to the meeting. Anyone wishing to appeal any decision made by the Miami Lakes Town Council with respect to any matter considered at this meeting or hearing will need a record of the proceedings and for such purpose, may need to ensure that a verbatim record of the proceedings is made which record includes the testimony and evidence upon which the appeal is to be based. Any member of the public wishing to speak on a public hearing matter on this Agenda or under public comments for items not on this Agenda, should fill out a speaker card and provide it to the Town Clerk, prior to commencement of the meeting. Any person presenting documents to the Town Council should provide the Town Clerk with a minimum of 12 copies.



Town of Miami Lakes


Office of Town Clerk
15150 NW 79th Court
Miami Lakes, Florida 33016

ITEM 3 A



TOWN OF MIAMI LAKES MEMORANDUM

To: Honorable Mayor and Town Council

From: Alex Rey, Town Manager 

Subject: Land Development Regulations – Sign Regulations for Properties that Face the Palmetto Expressway (SR 826), I-75 and Red Road (NW 57 Avenue)

Date: September 13, 2011

Recommendation

It is recommended that the Mayor and Town Council, as Local Planning Agency (LPA), review the proposed amendments to the signage regulations of the Town's Land Development Code (LDC), find the attached proposed revisions consistent with the Town's Comprehensive Plan and forward such finding to the Local Governing Body.

It is further recommended that the Mayor and Town Council, as Local Governing Body, after receiving a finding from the LPA, adopt the Ordinance on First Reading and schedule a workshop between first and second reading to discuss the proposed changes. The proposed amendments provide for the following:

- To increase the maximum letter height on signs attached to a building for businesses located along Red Road (NW 57 Avenue) from thirty (30) inches to forty-two (42) inches.
- To increase the maximum letter height on signs attached to a building for commercial and industrial zoned properties abutting SR 826 and I-75 from thirty (30) inches to forty-two (42) inches in the RO districts and fifty-four (54) inches in the IU and BU districts.
- To increase the maximum size of standing signs for commercial and industrial zoned properties abutting Red Road (NW 57 Avenue), SR 826 and I-75 from forty (40) square feet for the first fifty (50) feet of frontage plus 0.75 square feet of sign area for each additional foot of frontage up to a maximum of two hundred (200) square feet, to utilize the same calculation but increase the maximum to three hundred (300) square feet.

- To increase the maximum height of standing signs for commercial and industrial zoned properties abutting Red Road (NW 57 Avenue), SR 826 and I-75 from fifteen (15) feet to twenty-five (25) feet.
- To allow an additional wall sign for properties abutting SR 826 or I-75 expressways directed toward the expressway, limiting wall signs in these areas to a maximum of ten (10) percent of the building face and providing standards for dividing such signage area between tenants.

Issue

On October 12, 2010, the Town Council directed staff to contact owners of commercial and industrial property abutting the limited access expressways and Red Road to obtain input in evaluating possible revisions to the Town's sign regulations to allow properties located along SR 826, I-75 and Red Road to compete more effectively for customers (Exhibit "A").

Planning & Zoning staff held two public input meetings (December 13, 2010 and January 18, 2011) with business owners and tenants along the affected roadways. Input was gathered from those in attendance regarding potential changes to the sign code, and staff has incorporated much of the input into the amendments. The comments gathered centered on a few main points such as increasing the maximum letter height, allowing for the use of box signs in certain situations and locations and increasing the size of freestanding signs.

In response to feedback received in May of 2011, the Mayor and Town Council adopted an Ordinance allowing commercial and industrial properties in these areas that currently have existing box sign to keep their existing box signs and replace them with similar size box signs if desired.

Staff has now prepared additional amendments to the Code address other design criteria identified during the workshop with property owners.

Background

Adoption of Sign Code:

Upon incorporation, the Town of Miami Lakes adopted Chapter 33 of the Miami-Dade County Code (2000), entitled "Zoning" as the Town of Miami Lakes Land Development Code ("LDC") by Section 8.3 of the Town Charter. Since the Town has incorporated, the Town has been diligently pursuing adoption of amendments to the Town's Code to reflect the local values and vision for the Town of Miami Lakes, as expressed in our adopted Comprehensive Plan. On May 22, 2007, the Town adopted Ordinance 07-94

which contained Article 9 of the Town's Code, entitled "Signs", which regulates all signage within the Town.

County Code Provisions Applicable in Miami Lakes:

Section 33-121 of the Miami-Dade County Code establishes specific signage standards for areas within 600 feet of the rights-of-way of expressways. These provisions are applicable countywide, but municipalities may opt out of the provisions through establishment of their own regulation of signs in proximity to expressways. The Town has not opted out of the regulations.

The primary purpose of this section is to prevent further proliferation of billboards. However, it does contain provisions that are instructive for the Town to consider. For example, it provides that signs in proximity to expressways must be oriented to the frontage of the street providing "actual and direct access" to the front or principal entrance to the place of business. However, it provides an exception to this standard for one (1) additional wall sign not necessarily oriented to the street providing access, so long as it is limited to ten (10) percent of the wall area. (*Note: these proposed revisions are consistent with this provision*). This section also allows a detached sign in the protected area to be up to twenty-five (25) feet in height. The proposed amendments to the Town's Code are consistent with the Miami-Dade County regulations.

Letter Height for Signs Attached to a Building:

Currently, depending on the location and size of a business, the maximum letter height for a sign attached to a building, permitted by the Town's Code, ranges from eighteen (18) inches to thirty (30) inches. For properties located on Red Road, SR 826 or I-75 the maximum letter height is thirty (30) inches regardless of the size of the business.

Two (2) variances for increasing the maximum letter height for signs attached to a building along Red Road have been applied for, and both have been approved. Staff submits that the two (2) signs that were granted variances (Office Depot and Nutrition S'Mart) fit in well with the surrounding signs and development. Additionally, in the past several years additional variances have been requested along abutting the limited access facilities relating to State Farm, Baptist Hospital (Square Footage) and the Orange Bowl (letter height) these variances also fit in well with the surrounding signs and development.

Staff notes that amongst the industrial and commercial zoned properties along SR 826 and I-75, there are numerous signs which have existed for many years that exceed the 30 inch maximum letter height. Pursuant to the non-conforming section of the Town's Sign Code, all such signs are currently required to be removed prior to May 22, 2012 and replaced with conforming signs.

Standing Signs:

Currently, standing signs for commercial and industrial properties situated along Red Road, SR 826 and I-75 are allowed to have a standing sign that is fifteen (15) feet tall, which is seven (7) feet taller than what is allowed in all of the other business and industrial properties (8-foot maximum height).

These properties are also allowed to have a standing sign that is a maximum of 200 square feet in size (based on a sliding scale of street frontage), which is 160 square feet more than what is allowed in all of the other business and industrial properties (40 square feet maximum size).

No applications for variances have been received for relief from the regulations regarding standing signs. However, there are numerous standing signs in the affected areas that are currently non-conforming with regard to the Sign Code and under the non-conforming section of the Sign Code, would have to be removed by May 22, 2012 and replaced with conforming signs.

Existing Conditions:

Businesses have indicated that 30" tall letters on buildings and 15-foot tall standing signs are not large enough to effectively draw the attention of potential customers traveling on Red Road, SR 826 and I-75. Along Red Road, the properties and the buildings are setback further than normal due to the presence of the Red Road Canal right-of-way, which is 60 feet wide. Along SR 826 and I-75 the properties and the buildings are also setback further than normal due to the wide right-of-way for the highways and in some places due to the presence of frontage or access roads. Further, along SR 826 and I-75 the traffic is moving at a much higher speed than in other parts of Town where business and industrial properties are situated along local roads. Finally, the vertical grade difference between some of the properties abutting SR 826 is large, upwards of 25 feet in some places. This presents a unique challenge regarding making sure the signs are visible and legible.

The Town has received requests from property owners having purchased existing properties in these areas in the past few years, and/or new tenants in existing buildings wishing to replace existing signage on the buildings with signs of a similar size. In fact, one such request actually involved leaving certain portions of the existing signage and replacing the former tenants/owner name with letters of the same size as the existing signage which was proposed to remain. However, the Town's Code does not allow for installation of signage larger than 30 inches. Therefore, the properties' owners/tenants are not permitted to replace the old signage with signage of the same size.

Discussion of Proposed Amendments:

The Code amendments proposed are designed to provide the commercial and industrial properties along Red Road (NW 57 Avenue) and limited access expressways the opportunity for signage which will allow them to draw the attention of potential customers, while preserving high aesthetic standards and protecting the safety of motorists on these roadways. The proposed amendments would allow:

1. Businesses along Red Road to have lettering on wall signs that is forty-two (42) inches (as opposed to allowed lettering between eighteen (18) and thirty (30) inches for similarly zoned properties), in recognition of the relatively high speed nature of this roadway and the additional distance between the roadway and the potential signs due to the Red Road Canal.
2. For industrial and commercial zoned properties with frontage on SR 826 or I-75, the amendments would allow an additional wall sign facing these expressways, and allow letter heights of forty-two (42) inches in the RO Districts and fifty-four (54) inches in the IU and BU Districts.
3. The overall area of the above sign (or signs) would be limited to no more than ten (10) percent of the building face (total aggregate signage cannot exceed 10% of the square footage of that building face), consistent with existing Miami-Dade County standards.
4. Provide minimum letter heights and spacing where the overall area (10% of building face) is divided between multiple tenants.
5. For larger and taller standing signs along Red Road (NW 57 Avenue), SR 826 and I-75. While currently those signs are limited to forty (40) square feet for the first fifty (50) feet of frontage plus 0.75 square foot for each additional one (1) foot of frontage up to a maximum of 200 square feet, it is proposed to preserve this formula, but to change the maximum to 300 square feet.
6. The maximum height of the standing signs would be increased from fifteen (15) to twenty-five (25) feet, in recognition of the speed of traffic along these roadways and the vertical grade difference between the roadways and abutting properties in many cases. These changes are also consistent with the existing signage provisions of the Miami-Dade County Code.

Conclusion

Staff acknowledges the difficult situation that businesses fronting Red Road (NW 57th Avenue), SR 826 and I-75 face with regard to attracting customers through signage, as

well as the difficulties in way-finding associated with exiting SR 826 or I-75 and accessing the businesses. In this regard, Staff concurs with the input received from the business owners and tenants and submits that the Town Council should consider an amendment of the Town's Code to address the following:

- To increase the maximum letter height on signs attached to a building for businesses located along Red Road (NW 57 Avenue) from thirty (30) inches to forty-two (42) inches.
- To increase the maximum letter height on signs attached to a building for commercial and industrial zoned properties abutting SR 826 and I-75 from thirty (30) inches to forty-two (42) inches in the RO districts and fifty-four (54) inches in the IU and BU districts.
- To increase the maximum size of standing signs for commercial and industrial zoned properties abutting Red Road (NW 57 Avenue), SR 826 and I-75 from forty (40) square feet for the first fifty (50) feet of frontage plus 0.75 square feet of sign area for each additional foot of frontage up to a maximum of two hundred (200) square feet, to utilize the same calculation but increase the maximum to three hundred (300) square feet.
- To increase the maximum height of standing signs for commercial and industrial zoned properties abutting Red Road (NW 57 Avenue), SR 826 and I-75 from fifteen (15) feet to twenty-five (25) feet.
- To allow an additional wall sign for properties abutting SR 826 or I-75 expressways directed toward the expressway, limiting wall signs in these areas to a maximum of ten (10) percent of the building face and providing standards for dividing such signage area between tenants.

Staff has prepared draft amendments to the Town's LDC attached hereto as Exhibit "B" (in strikethrough and underline format).

Exhibit "A"
Page 1 of 3



Exhibit "A"
Page 3 of 3

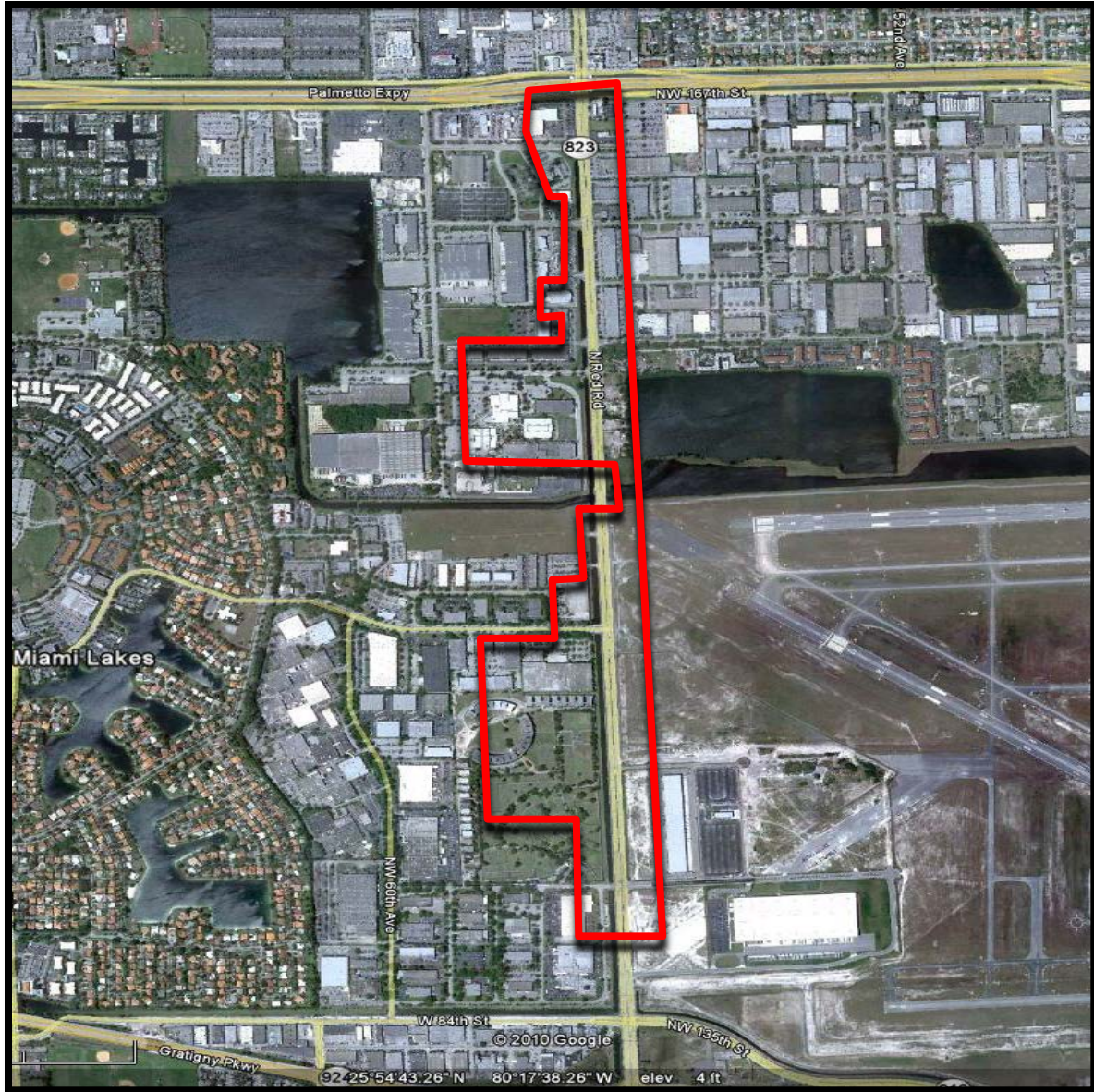


Exhibit “B”

ARTICLE 9

Signs

* * * * *

DIVISION 9.4 – SIGNS – ADDITIONAL REQUIREMENTS

* * * * *

(c) MIX-USE (RO-13, RO-50); BUSINESS (BU-1, BU-1A, BU-2, BU-3) and INDUSTRIAL DISTRICTS (IU-1, IU-2, IU-3, IU-C): No sign shall be permitted in an area zoned (RO), (BU) or (IU) district except signs permitted under Section 9.4 and the following: There may be one sign where a, leasing office, is set out, two (2) square feet in area and shall not exceed a height above the ground of eight (8) feet.

* * * * *

2. Criteria for signage attached to building:

a. Except as specifically provided for hereinafter, No more than two (2) wall mounted signs with a maximum letter height of thirty (30) inches (including any ascenders and descenders) shall be permitted per building, one sign affixed to each wall in which an entrance is located.

* * * * *

e. If a single building consists of more than one (1) business establishment, there shall not be more than one (1) exterior point of sale sign affixed to the building for each such business establishment, except as specifically provided for hereinafter. Maximum capital letter height on any service retail tenant sign in a multi-tenanted shopping or office building shall be eighteen (18) inches (including any ascenders and descenders) for tenants occupying less than 5,000 square feet and twenty-four (24) inches for tenants occupying greater than 5,000 square feet. Maximum capital letter height (including ascenders and descenders) for single-tenanted buildings of less than 20,000 square feet shall be twenty-four (24) inches. Maximum capital letter height (including ascenders and descenders) for single-tenanted buildings exceeding 20,000 square feet shall be thirty (30) inches. Maximum square footage of a sign must not exceed 10% of the one face of the occupied building area to which the sign is attached. If a business establishment in the IU District consists of more than one (1) building, a secondary sign may be affixed to a wall of each such building. The secondary sign or signs for any business establishment shall not exceed, 50 percent of the maximum permissible area for a single sign for said business. Each business establishment that is situated on land that abuts the Red Road Canal right-of-way (regardless of the underlying zoning designation and the size of the occupancy)

shall be permitted to have a maximum letter height of forty-two (42) inches for a sign that faces Red Road (NW 57 Avenue).

* * * * *

k. In addition to the wall signs allowed by the provisions above, Bbuildings in the IU, BU or RO Districts fronting on the Red Road Canal Right of Way or the following Limited Access Expressways (SR 826 and I-75) are permitted one (1) wall mounted sign directly facing the Red Road Canal Right of Way or Limited Access Expressway, with a maximum area of forty (40) square feet for RO district signs, and a Any such signs shall be limited to a maximum square footage not to exceed 10% of the one face of the building to which the sign is attached, and the total aggregate of all signs on any one face shall be limited to ten (10) percent of the building face, and shall be subject to a maximum letter height (including ascenders and descenders) of forty-two (42) inches for a sign located in the RO Districts and fifty-four (54) inches for a sign located in the IU and BU Districts, for a BU and IU district sign. Said signs shall comply with all Section 9.4.B.2 (a thru j) requirements for signage attached to a building. Maximum capital letter height (including ascenders and descenders) shall be 30". This allowed sign area may be divided between tenants of the building, but in such case shall be subject to the following restrictions (in addition to the provisions above):

1. The minimum letter height for all copy shall be twenty-four (24) inches.
2. There shall be a minimum of six inches between the portions of the sign devoted to individual tenants.
3. The total aggregate square footage of all signs on any one face of the building shall not exceed ten (10%) percent of the square footage of that building face.

* * * * *

3. Standing Signs: In addition to the number of signs allowed in Section 9.4.B.2., the Town Manager or his designee through the Administrative Site Plan Review process may, authorize a special permit for a standing sign after finding that the nature and use of the premises or the location of the building with reference to the street or streets is such that a standing sign may be permitted in harmony with the general purpose and intent of this Sign Code subject to the following requirements:

a. Total size of sign cannot exceed forty (40) square feet, except as hereinafter specifically provided. All signs must be fabricated of 1/4" aluminum plate with appropriate internal structuring to properly support each sign face or concrete. All copy must be white on a dark background color (Matthew's Dark Bronze 41-313

or similar) or the reverse, dark copy of a background color resembling the building's color. The corporate logo is permitted as well as the corporate name.

- b. The height of the sign from its base to its top cannot exceed six (6) feet in height, except as provided for hereinafter.

* * * * *

- e. Buildings in the IU, BU or RO Districts fronting on the Red Road Canal Right of Way or the following Limited Access Expressways (SR 826 and I-75) are permitted one (1) detached standing sign facing or situated so as to be directed toward motorists on these expressways. Any such sign shall be on a fully supported base that is architecturally consistent with the main building of the parcel, and the freestanding sign it supports. ~~This sign directly facing the Red Road Canal Right of Way or Limited Access Expressway,~~ shall be limited to a maximum area of forty (40) square feet for first fifty (50) feet of initial ~~street~~ frontage on the Red Road Canal Right of Way or Limited Access Expressways plus .75 square foot for each additional foot of ~~street~~ frontage to a maximum sign size of ~~three~~two-hundred (2300) square feet, setback fifteen (15) feet from all property lines, with a maximum height of ~~twenty-five~~fifteen (2515) feet and not interfere with clear sight distance triangle for driveways.

ORDINANCE NO. 11-_____

AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA AMENDING ARTICLE 9 “SIGNS” OF THE TOWN’S LAND DEVELOPMENT CODE TO PROVIDE FOR AMENDED ZONING REGULATIONS RELATED TO THE REGULATION OF SIGNS FOR COMMERCIAL AND INDUSTRIAL ZONED PROPERTIES THAT ABUT RED ROAD (NW 57 AVE), STATE ROAD 826 (PALMETTO EXPRESSWAY), AND INTERSTATE 75 (I-75); PROVIDING FOR INCORPORATION OF RECITAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Town of Miami Lakes (the “Town”) adopted Chapter 33 of the Miami – Dade County Code (2000), entitled “Zoning” as the Town of Miami Lakes Land Development Code (“the Town LDC”) by Section 8.3 of the Town Charter; and

WHEREAS, subsequent to its adoption, the Town LDC has been amended by various ordinances adopted by the Town of Miami Lakes (the “LDC Ordinances”) to better address and serve the needs of the Town; and

WHEREAS, on May 22, 2007, the Town adopted Ordinance 07-94, providing regulations for signage throughout the Town; and

WHEREAS, the limited access from the Palmetto Expressway (SR 826) Frontage Road, and Interstate 75 (I-75), combined with the travel speeds on SR 826 and I-75, and the elevation differences between SR 826 and I-75, and the abutting properties, restrict the visibility of passing motorists looking for commercial and industrial developments along the frontage road, which create challenges for passing vehicles attempting to timely exit the Palmetto Expressway to access the abutting industrial and business zoned properties; and

WHEREAS, the properties that abut Red Road (NW 57 Avenue) sit back, further from the edge of NW 57 Avenue, due to the presence of the Red Road Canal, making it difficult for passing motorists to notice the signage of businesses that are located on NW 57 Avenue; and

WHEREAS, in order to provide appropriate regulations to address the visibility challenges for industrial and business properties located along the Palmetto Expressway (SR 826), I-75 and Red Road, the Town Council desires to amend the LDC; and

WHEREAS, the Town seeks to modify standards to allow for taller letter heights for signs attached to buildings, taller standing signs and larger standing signs for industrial and business zoned properties fronting on the Palmetto Expressway (SR 826), I-75 and Red Road on appropriate parcels in the Town; and

WHEREAS, the proposal is consistent with the Comprehensive Plan; and

WHEREAS, the proposed amendment is in conformance with all applicable requirements of the Town's Code of Ordinances, including the LDC; and

WHEREAS, the proposed amendment will not result in any incompatible land uses, considering the type and location of uses involved, the impact on adjacent or neighboring properties, consistency with existing development, as well as compatibility with existing and proposed neighboring property land use; and

WHEREAS, the proposed amendment will not adversely affect property values or adversely affect the general welfare; and

WHEREAS, the proposed amendment will result in an orderly and compatible land use pattern; and

WHEREAS, the proposed amendment will not be in conflict with the public interest, and is in harmony with the purpose and intent of the Comprehensive Plan; and

WHEREAS, the proposed amendment meets the requirements of Chapter 163.3161 et seq., Florida Statutes; and

WHEREAS, the Local Planning Agency reviewed this request at its September 13, 2011 meeting and voted to recommend approval; and

WHEREAS, the Town Council has reviewed this Ordinance at a duly noticed hearing, considered the recommendations of the Local Planning Agency, the Town staff, and comments from the public, and determined that it is consistent with all policies contained in the Town's Comprehensive Plan; and

WHEREAS, the Town Council hereby finds and declares that adoption of this Ordinance is necessary, appropriate and advances the public interest.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

Section 1. Recitals. Each of the above stated recitals is true and correct and is incorporated herein by this reference.

Section 2. Amendments to Article 9, Division 9.4 of the Town's Land Development Code, entitled Signs. Additional Requirements. Article 9, Division 9.4, Signs – Additional Requirements, of the Town Code is hereby amended as follows¹:

**ARTICLE 9
Signs**

* * * * *

DIVISION 9.4 – SIGNS – ADDITIONAL REQUIREMENTS

¹ Additions to the text are shown in underline and deletions from the text are shown in ~~striketrough~~.

* * * * *

(c) MIX-USE (RO-13, RO-50); BUSINESS (BU-1, BU-1A, BU-2, BU-3) and INDUSTRIAL DISTRICTS (IU-1, IU-2, IU-3, IU-C): No sign shall be permitted in an area zoned (RO), (BU) or (IU) district except signs permitted under Section 9.4 and the following: There may be one sign where a, leasing office, is set out, two (2) square feet in area and shall not exceed a height above the ground of eight (8) feet.

* * * * *

2. Criteria for signage attached to building:

a. Except as specifically provided for hereinafter, No more than two (2) wall mounted signs with a maximum letter height of thirty (30) inches (including any ascenders and descenders) shall be permitted per building, one sign affixed to each wall in which an entrance is located.

* * * * *

e. If a single building consists of more than one (1) business establishment, there shall not be more than one (1) exterior point of sale sign affixed to the building for each such business establishment, except as specifically provided for hereinafter. Maximum capital letter height on any service retail tenant sign in a multi-tenanted shopping or office building shall be eighteen (18) inches (including any ascenders and descenders) for tenants occupying less than 5,000 square feet and twenty-four (24) inches for tenants occupying greater than 5,000 square feet. Maximum capital letter height (including ascenders and descenders) for single-tenanted buildings of less than 20,000 square feet shall be twenty-four (24) inches. Maximum capital letter height (including ascenders and descenders) for single-tenanted buildings exceeding 20,000 square feet shall be thirty (30) inches. Maximum square footage of a sign must not exceed 10% of the one face of the occupied building area to which the sign is attached. If a business establishment in the IU District consists of more than one (1) building, a secondary sign may be affixed to a wall of each such building. The secondary sign or signs for any business establishment shall not exceed, 50 percent of the maximum permissible area for a single sign for said business. Each business establishment that is situated on land that abuts the Red Road Canal right-of-way (regardless of the underlying zoning designation and the size of the occupancy) shall be permitted to have a maximum letter height of forty-two (42) inches for a sign that faces Red Road (NW 57 Avenue).

* * * * *

k. In addition to the wall signs allowed by the provisions above, Bbuildings in the IU, BU or RO Districts fronting on ~~the Red Road Canal Right of Way or the following Limited Access Expressways (SR 826 and I-75) are permitted one (1) wall mounted sign directly facing the Red Road Canal Right of Way or Limited Access Expressway,~~ with a maximum area of forty (40) square feet for RO district signs, and a Any such signs shall be limited to a maximum square footage

not to exceed 10% of the one face of the building to which the sign is attached, and the total aggregate of all signs on any one face shall be limited to ten (10) percent of the building face, and shall be subject to a maximum letter height (including ascenders and descenders) of forty-two (42) inches for a sign located in the RO Districts and fifty-four (54) inches for a sign located in the IU and BU Districts, for a BU and IU district sign. Said signs shall comply with all Section 9.4.B.2 (a thru j) requirements for signage attached to a building. Maximum capital letter height (including ascenders and descenders) shall be 30". This allowed sign area may be divided between tenants of the building, but in such case shall be subject to the following restrictions (in addition to the provisions above):

1. The minimum letter height for all copy shall be twenty-four (24) inches.
2. There shall be a minimum of six inches between the portions of the sign devoted to individual tenants.
3. The total aggregate square footage of all signs on any one face of the building shall not exceed ten (10%) percent of the square footage of that building face.

* * * * *

3. Standing Signs: In addition to the number of signs allowed in Section 9.4.B.2., the Town Manager or his designee through the Administrative Site Plan Review process may, authorize a special permit for a standing sign after finding that the nature and use of the premises or the location of the building with reference to the street or streets is such that a standing sign may be permitted in harmony with the general purpose and intent of this Sign Code subject to the following requirements:

- a. Total size of sign cannot exceed forty (40) square feet, except as hereinafter specifically provided. All signs must be fabricated of 1/4" aluminum plate with appropriate internal structuring to properly support each sign face or concrete. All copy must be white on a dark background color (Matthew's Dark Bronze 41-313 or similar) or the reverse, dark copy of a background color resembling the building's color. The corporate logo is permitted as well as the corporate name.
- b. The height of the sign from its base to its top cannot exceed six (6) feet in height, except as provided for hereinafter.

* * * * *

e. Buildings in the IU, BU or RO Districts fronting on the Red Road Canal Right of Way or the following Limited Access Expressways (SR 826 and I-75) are permitted one (1) detached standing sign facing or situated so as to be directed

toward motorists on these expressways. Any such sign shall be on a fully supported base that is architecturally consistent with the main building of the parcel, and the freestanding sign it supports. This sign ~~directly facing the Red Road Canal Right of Way or Limited Access Expressway,~~ shall be limited to a maximum area of forty (40) square feet for first fifty (50) feet of initial street frontage on the Red Road Canal Right of Way or Limited Access Expressways plus .75 square foot for each additional foot of ~~street~~ frontage to a maximum sign size of ~~three~~^{two}-hundred (2300) square feet, setback fifteen (15) feet from all property lines, with a maximum height of ~~twenty-five~~^{fifteen} (2515) feet and not interfere with clear sight distance triangle for driveways.

Section 3. Repeal of Conflicting Provisions. All provisions of the Code of the Town of Miami Lakes that are in conflict with this Ordinance are hereby repealed.

Section 4. 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 5. Inclusion in the Town Code. It is the intention of the Town Council, and it is hereby ordained, that the provisions of this Ordinance shall become and be made part of the Town Code and that if necessary the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word “Ordinance” shall be changed to “Article”, “Division” or other appropriate word.

Section 6. Effective Date. That this Ordinance shall be effective immediately upon its adoption on second reading.

The foregoing Ordinance was offered by Councilmember _____, who moved its adoption on first reading. The motion was seconded by _____ and upon being put to a vote, the vote was as follows:

Mayor Michael Pizzi _____
Vice-Mayor Nick Perdomo _____
Councilmember Mary Collins _____
Councilmember Tim Daubert _____
Councilmember Nelson Hernandez _____
Councilmember Ceasar Mestre _____
Councilmember Richard Pulido _____

PASSED AND ADOPTED on first reading this _____ day of _____, 2011.

The foregoing Ordinance was offered by Councilmember _____, who moved its adoption on second reading. The motion was seconded by Councilmember _____, and upon being put to a vote, the vote was as follows:

Mayor Michael Pizzi _____
Vice-Mayor Nick Perdomo _____
Councilmember Mary Collins _____
Councilmember Tim Daubert _____
Councilmember Nelson Hernandez _____
Councilmember Ceasar Mestre _____
Councilmember Richard Pulido _____

PASSED AND ADOPTED on second reading this _____ day of _____, 2011.

Michael Pizzi
Mayor

Attest:

Approve as to Form and Legal Sufficiency

Marjorie Tejada
Town Clerk

Joseph S. Geller
Interim Town Attorney