

ORDINANCE No. 2009-02-174

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ADOPTING AMENDMENTS TO THE CITY'S SIGN CODE AS ADOPTED BY ORDINANCE NO. 2008-04-140, AMENDMENTS MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE; PROVIDING FOR A DEFINITION AND REGULATIONS FOR MASCOT/FIGURINE/COSTUME SIGNS; PROVIDING FOR AMENDMENTS FOR REAL ESTATE SIGNS; PROVIDING FOR AMENDMENTS TO WALL SIGNS; PROVIDING FOR AMENDMENTS TO MONUMENT SIGNS; PROVIDING FOR AMENDMENTS TO WINDOW SIGNS; PROVIDING FOR AMENDMENTS TO BANNER SIGNS; PROVIDING FOR AMENDMENTS TO PROHIBITED SIGNS; PROVIDING FOR PENALTIES; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on February 13, 2008, the City Council adopted Ordinance No. 2008-04-140 creating the City's Sign Regulations, and

WHEREAS, at the City Council of May 28, 2008, several amendments to the Sign Code were discussed and considered, and at the City Council Zoning Meeting of October 1, 2008, City Council requested that staff make certain amendments and bring them forward in an Ordinance, and

WHEREAS, staff has prepared amendments to the Sign Code in accordance with the Council's recommendations at the October 1, 2008, meeting in accordance with Exhibit A attached hereto,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, as follows:

SECTION 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas Clauses are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Ordinance.

SECTION 2. AMENDMENT: The City of Miami Gardens Sign Code, adopted on February 13, 2008, in accordance with Ordinance No. 2008-04-140, is hereby amended in accordance with Exhibit A attached hereto.

SECTION 3. CONFLICT: All ordinances or Code provisions in conflict herewith are hereby repealed.

SECTION 4. SEVERABILITY: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 5. INCLUSION IN CODE: It is the intention of the City Council of the City of Miami Gardens that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Miami Gardens and that the sections of this Ordinance may be renumbered or relettered and the word "Ordinance" may be changed to "Chapter," "Section," "Article" or such other appropriate word or phrase, the use of which shall accomplish the intentions herein expressed; provided, however, that Section 1 hereof or the provisions contemplated thereby shall not be codified.

SECTION 6. EFFECTIVE DATE: This Ordinance shall become effective immediately upon its final passage.

PASSED ON FIRST READING ON THE 3<sup>RD</sup> DAY OF DECEMBER, 2008.

PASSED ON SECOND READING ON THE 07<sup>th</sup> DAY OF JANUARY, 2009.

ADOPTED AND PASSED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON THE 07<sup>th</sup> DAY OF JANUARY, 2009

  
SHIRLEY GIBSON, MAYOR

ATTEST:

  
RONETTA TAYLOR, MMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ.  
City Attorney

SPONSORED BY: DANNY CREW, CITY MANAGER

MOVED BY: Councilwoman Pritchett  
SECOND BY: Councilman Campbell

**VOTE: 3-2**

Mayor Shirley Gibson	<u>  X  </u> (Yes)	<u>    </u> (No)
Vice Mayor Barbara Watson	<u>    </u> (Yes)	<u>    </u> (No) (not present)
Councilman Melvin L. Bratton	<u>    </u> (Yes)	<u>  X  </u> (No)
Councilman Aaron Campbell	<u>  X  </u> (Yes)	<u>    </u> (No)
Councilman Oliver Gilbert, III	<u>    </u> (Yes)	<u>  X  </u> (No)
Councilwoman Sharon Pritchett	<u>  X  </u> (Yes)	<u>    </u> (No)
Councilman André Williams	<u>    </u> (Yes)	<u>    </u> (No) (out of the building)

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# City of Miami Gardens

1515 NW 167<sup>th</sup> Street  
Miami Gardens, Florida 33169



Mayor Shirley Gibson  
Vice-Mayor Barbara Watson  
Councilman Oliver Gilbert III  
Councilman Melvin L. Bratton  
Councilman Aaron Campbell Jr.  
Councilwoman Sharon Pritchett  
Councilman André Williams

## Agenda Cover Page – Ordinance -Sign Code Amendments PH-2008-0000032

Date: January 7, 2009

Fiscal Impact: No  Yes

(If yes, explain in Staff Summary)

Funding Source:

Contract/P.O. Requirement: Yes  No

Sponsor Name/Department: City Manager via Planning and Zoning

Public hearing  Quasi-Judicial

Ordinance  Resolution

1st Reading  2nd Reading

Advertising requirement: Yes  No

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### ORDINANCE No. 2008-

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ADOPTING AMENDMENTS TO THE CITY'S SIGN CODE AS ADOPTED BY ORDINANCE NO. 2008-04-140, AMENDMENTS MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE; PROVIDING FOR A DEFINITION AND REGULATIONS FOR MASCOT/FIGURINE/COSTUME SIGNS; PROVIDING FOR AMENDMENTS FOR REAL ESTATE SIGNS; PROVIDING FOR AMENDMENTS TO WALL SIGNS; PROVIDING FOR AMENDMENTS TO MONUMENT SIGNS; PROVIDING FOR AMENDMENTS TO WINDOW SIGNS; PROVIDING FOR AMENDMENTS TO BANNER SIGNS; PROVIDING FOR AMENDMENTS TO PROHIBITED SIGNS; PROVIDING FOR PENALTIES; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.**

### SUMMARY

This is Ordinance passed at the First Reading by a vote of 7-0, with one modification which changed the wording in the real estate sign section from stating "*national holidays*" to "*federal holidays*".

**ITEM 9-B) ORDINANCE  
SECOND READING/PUBLIC HEARING  
Amendment to the Sign Code**

On February 13, 2008 the City Council adopted Ordinance No. 2008-04-140 creating the City's Sign Regulations. At the City Council's May 28, 2008 meeting it was decided that several additional modifications should be considered and that they should be taken together. At the October 1, 2008 City Council Zoning meeting staff presented a memorandum for discussion outlining the proposed amendments. After discussion and vote by the Council on each of the amendments, the Ordinance to adopt these amendments, as outlined in Exhibit "A" is being recommended for approval.

The following is a summary of the major amendments being proposed in this Ordinance:

**Mascot/Figurine/Costume Signs:**

Sunset approval for two (2) years from adoption of Ordinance, allowing one (1) mascot type sign for a period of 120 consecutive days once a year per property/tenant. At expiration of the two (2) year period these signs shall be prohibited. The approval requires a permit, and is subject to certain restrictions on where and how the sign may be used.

**Open House/Real Estate Signs:**

Approval will allow up to three (3) off-premise "open house" signs with certain restrictions, allowing them only on weekends and on private property with the owner's consent. Overall sign area for "real estate" signs reduced from six (6) square feet to four (4) square feet, consistent with the current Miami-Dade County regulations.

**Wall Signs:**

Amendments allow various types of wall signs, channel lettering, cabinet, face plate etc. in the industrial and less intensive commercial corridors of the City, including N.W. 13 Avenue, but still requires a sign plan permit, to review for uniformity and compatibility. Amendment also allows up to three (3) lines of copy, with certain restrictions, where only two (2) lines of copy are currently permitted on wall signs, offering more flexibility in the design and placement of the wall signs. This amendment on the number of lines impacts signs City wide.

**Monument Signs:**

Amendments allow legally existing monument and freestanding signs in the industrial and less intensive commercial corridors of the City to be "grand fathered in" with certain restrictions, including meeting the size and height requirements of the current code, and requiring landscaping in compliance with current code within a five (5) year amortization period. The relocation, or certain amount of alterations to the sign will require compliance with the new Code. This will allow many of the freestanding signs in the industrial parks to remain with upgraded landscaping.

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**Window Signs:**

Amendments allow window signs to be of colors other than the currently permitted “white lettering only”; allows for pricing which is currently prohibited; and allows for one (1) illuminated signs up to eight (8) square feet. This amendment impacts window signs City wide.

**Banner Signs:**

1. Sunset approval for a period of two (2) years to allow up to two (2) banner signs for thirty (30) consecutive days for grand openings and for general sales events with certain restrictions. After the two (2) year period, only one (1) banner sign for a period of forty five (45) consecutive days will be allowed. In addition, a permit will now be required for a banner sign.
2. Amendments will also allow tenants one (1) temporary banner signs to be used as a wall sign for period of sixty (60) days while processing for a building permit for a permanent wall sign.
3. Real Estate banner signs for commercial properties will be allowed without public hearing approval, subject to meeting certain requirements. Real estate banners will be limited to up to ten (10) percent of the wall area in size. PLEASE NOTE: There is no sunset provision to prohibit or to require a public hearing for real estate banner signs after two (2) years.

Attachments:

Ordinance  
Exhibit “A” – Proposed Amendments



# EXHIBIT "A" PROPOSED AMENDMENTS

## Exhibit "A"

### **VI. DEFINITIONS.**

**Mascot/Figurine/Costume Signs.** Mascot/figurine/costume signs shall be defined as any figurine, costumed form, whether human or not, used or intended to be used as a commercial advertisement or announcement, that directs attention to a particular product, commodity or business enterprise.

### **VIII. NONCONFORMING SIGNS/AMORTIZATION**

Any lawful permanent sign installed, erected, prior to the adoption of this Schedule that does not comply with the regulations set forth herein, shall be removed or altered to comply with the applicable regulations of this Schedule within five (5) years of the date of adoption of this Schedule.

**B. Exception for Monument Signs Along Collector and all other Rights of Way, including N.W. 13 Avenue.** Freestanding and monument signs that were lawfully existing prior to February 13, 2008 that do not comply with the regulations set forth herein, shall remain legally non-conforming signs subject to the following:

- 1) The total sign area and sign height does not exceed the maximum allowable amounts as may be permitted under the regulations set forth herein this Schedule.
- 2) The sign shall be landscaped, repaired and maintained accordingly in compliance with regulations set forth in this Sign Code. All landscape requirements shall be met within five (5) years of the adoption of this Schedule.
- 3) If the sign is relocated; moved; or altered at a cost greater than fifty percent (50%) of the assessed value of the sign; the legal non-conforming status shall be loss and the sign shall be in required to be in compliance with the regulations set forth herein this Schedule.

### **IX. SIGN DESIGN STANDARDS**

**D. Wall Sign Design Standards.** The City seeks to achieve uniform and coordinated signage within each development. Coordinated wall signage is created by consistency in the sign size, type, copy area, letters, location, color, and type of sign. In designing wall signs the following standards shall be complied with (Exhibit 2).

**8. Sign Copy.**

- (a) Sign copy for wall signs shall be limited to only the primary name of the business, major service and brands, or major tenant, and registered trademarks, logos, graphics and/or slogans, directories. All other copy shall be prohibited.
- (b) Wall signs shall not contain more than three (3) lines of copy; when a third line is used, one of the three (3) lines shall not be greater than fifty percent (50%) the height of the line with the greatest line height.

**E. Wall Sign Design Standards Along Collector and All Other Rights-of-Ways, including N.W. 13 Avenue.** The City seeks to achieve uniform and coordinated signage within each development. Coordinated wall signage is created by creating

consistency in the sign size, type, copy area, letters, location, color, and type of sign. In designing wall signs the following standards shall be complied with:

1. **Design.** Wall signs shall be comprised of channel lettering and reverse channel lettering type and design, cabinet signs. Other wall types of wall signs may be permitted in accordance with an approved sign plan, so long as they are consistent with the sign plan.
2. **Multiple Signs.** Where multiple wall signs with the same sign copy are to be placed on different building facades for the same sign owner/tenant/business, each wall sign should be identical in design, save and except the applicable maximum permitted sign area may be different, and location of placement may be different.
3. **Cabinet signs and other type signs.**
  - (a) If cabinet signs or other type of signs are used to display registered trademarks, logos, slogans, the sign shall be integrated as intended to be viewed as one wall sign.
4. **Location.**
  - (a) No wall sign shall extend above the roofline except where an exterior parapet wall projects above the roofline, in which case, such sign may not extend above the top edge of the parapet.
  - (b) Wall signs shall not be allowed on a building façade abutting a single family zoned or developed property.
  - (c) Wall signs shall be located as to not interfere with public alarms, signals, or signs. No sign or support shall be placed in such position or manner as to obstruct or interfere, either physically or visually, with any fire alarm, police alarm, traffic signal or sign or any devices maintained by or under public authority.
5. **Proportion.** Wall signs shall not extend beyond 75% of the width of the building façade or the tenant's proportionate share of the building façade.
6. **Projection.** Wall signs shall not project more than twelve (12) inches from the building surface where it is affixed.
7. **Sign Copy.**
  - (d) Sign copy for wall signs shall be limited to only the primary name of the business, major service and brands, or major tenant, and registered trademarks, logos, graphics and/or slogans, directories, All other copy shall be prohibited.
  - (e) Wall signs shall not contain more than three (3) lines of copy; when a third line is used, one of the three (3) lines shall not be greater than fifty percent (50%) the height of the line with the greatest line height.

- F. Directional/Information Sign Design Standards.** Directional/informational signs are for the purpose of providing information and directions on-site to the general public, and are not intended for advertising purposes. In designing directional and information signage the following standards shall be complied with:
- a) **Design.** Directional/Informational signs may be freestanding mounted on a pole type or monument type structure or of a type intended to be affixed flush to or perpendicular to a wall.
  - b) **Size.** Directional/Informational sign shall not exceed two (2) square feet in size. Except that along collector and all other rights of way, including N.W. 13 Avenue directional/information signs shall not exceed eight (8) square feet in size.

- c) **Number.** The number of directional/information signs shall be limited to what may be deemed necessary and adequate to provide the directions and the information being conveyed as may be approved by a sign plan permit.
  - d) **Setback.** Freestanding directional/Informational signs for traffic control, or to indicate "entrance" and "exit" shall be setback a minimum of five (5) feet from any property line.
  - e) **Spacing.** Freestanding Directional/informational signs shall be spaced a minimum of ten (10) feet from each other.
  - f) **Height.**
    - 1) Freestanding directional/information signs shall not exceed thirty 30 inches in height, measured from the base of the sign to the uppermost point.
    - 2) Wall mounted directional/informational signs may be mounted at eye level as to be visible to the general public and not intended to be visible from the right-of-way. Except that along Collector and other Rights of Way, including N.W. 13 Avenue such signs may be wall mounted as to provide adequate visibility and directions as deemed necessary and as may be approved by a sign plan permit.
    - 3) If suspended from a ceiling or structure minimum clearance shall be 9.0 feet from grade, or if over a vehicle driveway, travel lane minimum clearance shall be 14.0 feet from grade.
  - g) **Location.**
    - 1) Directional/information signs may be located within the sight distance triangle providing the sign is not greater than 30 inches in height.
    - 2) Wall mounted directional/informational signs may be mounted on walls, fences, or suspended from a ceiling or structure.
    - 3) Wall mounted or suspended signs may be parallel or perpendicular to the building wall.
    - 4) Notwithstanding compliance with these standards, no directional or informational sign may be located on the property as to pose or create a hazardous or health safety concern.
  - h) **Illumination.** Directional/Informational signs may be illuminated internally or externally. If illuminated externally all components providing illumination shall be adequately screened or recessed as to be no visible from the rights-of-way.
  - i) **Copy.** Directional/Informational signs shall only provide copy necessary to provide adequate direction or information of which it is intended, and shall not provide any advertising copy other than the name, logo of any tenant/owner/occupant of the property.
- G. Window Sign Standards.** Window signs are intended to provide secondary signage to allow for the day to day advertising and promotion of the business and/or services, and not intended to be visible from the rights-of-way or distract from the overall architectural design/features/character of the building. In designing window signs the following standards shall be complied with (Exhibit 3):
- 1) **Design.** Window signs shall be professionally installed and/or professionally framed and may be affixed to or displayed within the window area. Hand written copy shall only be used with white boards or chalk boards. One (1) illuminated or neon window sign shall be permitted subject to the sign area regulations herein. Automatic changeable copy signs are prohibited as window signs.
  - 2) **Area.**

- a) For window signs located on the first or ground floor, the total area of all signs affixed or displayed in the window shall not exceed twenty (20) percent of the window area up to a maximum of forty (40) square feet.
- b) For window signs located on the second floor or above the ground floor, the total area of all signs affixed or displayed in the window shall not exceed ten (10) percent of the window area up to a maximum of twenty (20) square feet.
- c) In calculating the total permitted window sign area only windows and doors facing a right-of-way and/or windows on the main entrance of the building, and only those windows that are on the ground floor shall be used for the calculation. Perimeter borders, stripes and bonding are permitted but will count towards the calculation of window sign area.
- d) Window Sign Area shall not be counted towards the maximum wall sign area allowed. Temporary real estate signs as may be permitted herein shall not be counted towards the overall maximum sign area permitted.
- e) Illuminated or neon window signs shall be limited to a maximum size of eight (8) square feet. Illuminated or neon sign areas shall count towards the maximum sign area allowed.

**3) Location.**

- a) Window signs shall only be permitted on windows or doors located on the first or ground floor and located on the second floor, and on windows and doors on the façade facing a public right-of-way or commonly used as the main entrance to the premises.
- b) Window signs shall not be permitted on windows above the ground in multi-story buildings.
- c) All window signs shall be located within the same 20% area as depicted on the approved window sign plan.

**4) Copy.**

- a) Window sign copy may include business name, logos graphics, and slogans, primary products and services, emblems of professional and financial affiliations, hours of operation, and other similar signage. ~~Pricing shall be prohibited, except when provided on a displayed restaurant menu.~~
- b) ~~Copy shall only be white in color, except that registered logos and trademarks may be of color.~~

**XI. SIGNAGE ALONG COLLECTOR AND ALL OTHER RIGHTS-OF-WAYS.**

Properties with frontage rights-of-way other than arterial right-of-ways shall be permitted the following (Exhibit 6).

**1) Monument Signs Collector and All Other Rights-of-Way.**

- a) **Number.** One (1) monument sign on properties with a minimum linear lot frontage of fifty (50) or more feet on a public right-of-way. Monument signs are not permitted on properties with less than 50 linear feet of lot frontage on a right-of-way.

- b) **Sign Area.** Twenty four (24) square feet for first fifty (50) feet of lot frontage on a street, plus 0.5 square feet for each additional foot of frontage, up to a maximum of fifty four (54) square feet.
  - c) **Multi-Use/Multi-Tenant Development.** A second freestanding sign may be allowed if the site has more than five hundred (500) feet of street frontage. The maximum size of each sign shall be 54 square feet for a total of 108 square feet.
  - d) **Height.** Six (6) feet maximum.
- 2) **Wall Signs Collector and All Other Rights-of-Way.** ~~One (1) wall sign shall be permitted up to a maximum of twenty four (24) square feet.~~
- 1. **Number.**
    - a) One (1) wall sign per building façade with frontage on a right-of-way, up to a maximum of two (2) wall signs. In lieu of a wall sign on the building façade with frontage on a right-of-way one (1) wall sign may be located on the building façade if such building façade faces into the parking area and is not abutting single family residentially developed property.
    - b) If a second wall sign is permitted, the second sign shall be identical copy, color, illumination method and method of construction to the first sign. Each sign's size will be determined independently based on the façade frontage.
  - 2. **Size.**
    - a) The total area of the wall sign shall not exceed ten percent (10%) of the building façade with frontage on a right-of-way for the first fifteen (15) feet in height of the building, then the area may be increased by 1.5 percent for each foot of building height measured to the bottom of where the sign is located, up to a maximum of two hundred (200) square feet for buildings with up to one hundred (100) feet of building façade with frontage on a right-of-way.
    - b) Up to four hundred (400) square feet for buildings with more than one hundred (100) feet of building façade with frontage on a right-of-way.
- 3) **Window Signs Collector and All Other Rights-of-Way.** In accordance with Window Sign design and locational requirements and standards set forth in this Schedule.

### **XIII. TEMPORARY SIGNS.**

- D. **Real Estate Signs (Non-residential and Mix-Use Developments).** A maximum of one (1) sign per lot frontage on a right-of-way, except that Properties with a lot frontage of five-hundred (500) linear feet or more are allowed a maximum of two (2) signs per lot frontage on right-of-way.
- 8. **Size.** Real Estate signs shall not exceed six (6) square feet when affixed to a window or building façade, and forty-four (44) square feet for freestanding real estate signs. The support structure of the freestanding sign shall not be counted towards the area of the sign.
  - 9. **Setback.** Freestanding real estate signs shall setback a minimum of ten (10) feet from all property lines.
  - 10. **Height.** Real estate signs shall be a maximum height of eight (8) feet.
  - 11. **Spacing.** Real Estate signs shall be spaced a minimum of two-hundred fifty (250) feet apart when located on the same property, and spaced a minimum

of one hundred (100) feet from real estate signs on other property. Real estate signs shall be spaced a minimum of five (5) feet from any other sign on the property.

12. **Location.** Freestanding real estate signs shall only be placed in landscaped areas of the property, and shall not be located in the sight distance triangle, and shall be placed at either a 45 degree or 90 degree angle to the right-of-way.
13. **Maintenance.** Real estate signs shall be maintained in good condition and readable and shall not be faded or weathered, and shall be replaced every twelve (12) months.
14. **Copy.** Sign copy shall only contain necessary copy directly related to the real estate activity/transaction for the property of which the sign is located. Advertising of products or services other than the real estate shall be prohibited.
15. **Duration.** Real Estate signs shall be permitted up to one (1) year from approval, and may be extended for an additional period at the discretion of the Director, providing just cause and reason is provided by the applicant. Real estate signs shall be removed within fifteen (15) days after the sale or transaction of the property.
16. **Permit.** A sign permit shall be required.
17. **Exception.** ~~A banner used as a real estate sign shall require public hearing approval.~~ **Exception for Banners.**
  - a) **Size.** Real estate banner signs shall be allowed up to a maximum size of ten percent (10%) of the building façade area of which the banner is mounted.
  - b) **Location.** Real estate banner signs shall only be affixed or mounted to the building façade. Notwithstanding compliance with these standards, no real estate banner sign may be located on the property as to pose or create a hazardous or health safety concern.
  - c) **Permit.** A sign permit shall be required prior to the mounting of a real estate banner sign.

**E. Real Estate Signs (Single Family Residential, Individual Townhouse, Duplexes, and Similar Dwelling Units).** ~~One (1) real estate sign per property shall be permitted, and one (1) open house real estate sign shall be permitted only during periods of actual open house activities.~~ Real estate signs shall be permitted subject to compliance to the following standards:

1. **Number.** One (1) real estate sign per property and one (1) open house real estate sign per property. Up to three (3) temporary off-premise open house directional signs per residential development for the purpose of providing directions to multiple new dwellings for sale or lease in said development, or per resale home.
2. **Size.** Each Real estate sign on the property shall not exceed four ~~six (6)~~ four (4) square feet in area. Off-premise open house signs shall not exceed three (3) square feet in size.
3. **Setback.** Signs Real estate signs shall be setback a minimum of five (5) feet from any property line.
4. **Height.** Signs Real estate signs on the property shall be a maximum height of ~~six (6)~~ five (5) feet. Temporary off-premise open house signs shall not exceed a maximum height of two (2) feet.

5. **Location.** Open house Signs Real estate signs shall be free-standing attached to their own support anchored in the ground, and shall not be affixed to the building and shall not located in the right-of-way. Permission to locate off-site open house signs shall be obtained from property owners. Signs located in the rights-of-way, or without property owner permission may be removed and discarded accordingly.
6. **Maintenance.** ~~Real estate Signs and all supporting structures shall be maintained in good condition and readable and shall not be faded or weathered, and shall be replaced every twelve (12) months.~~
7. **Copy.** Real estate sign copy shall be limited to the "for sale" or "for rent", name of the agent, company, broker, phone number, address, web-site/email address, and other information as may be required by law or regulations. Personal photographs of agents/brokers shall be prohibited. Open house directional sign copy shall be limited to "open house" and an address and/or directions.
8. **Duration.** Off-premise open house signs shall be permitted only during actual open house events and only between the hours of 9:00 a.m. on Fridays to 10:00 p.m. on Sundays. These hours shall be extended to include federal holidays.
9. **Permit.** A sign permit shall not be required. The exemption from a sign permit shall not be construed to waive or otherwise exempt compliance with the Florida Building Code, or other provisions of this Schedule.

**F. Banner Signs.** Banner signs shall be permitted subject to compliance to the following standards:

18. **Number of Signs.** One (1) banner sign shall be permitted per tenant/use in conjunction with an event conducted pursuant to a dedication, a grand opening, going out of business, ~~or public hearing approval promotion or sales event; or as a temporary wall sign.~~ No more than three (3) banner signs shall be permitted at any one time at a multi-tenant/multi-use development.
19. **Sign Size.** Up to fifty (50) square feet maximum.
20. **Setback.** Freestanding banner signs shall be setback a minimum of seven (7) feet from all right-of-way lines.
21. **Location.** Freestanding banner signs shall only be located in a landscaped area, and shall not be located in the sight distance triangle. Banner signs may be affixed to a building or fence or other structure on the property, subject to all applicable standards set forth herein. Notwithstanding, no banner sign may be located on the property as to pose or create a hazardous or health safety concern. Temporary banner wall signs shall only be affixed or mounted to the building façade at a location as a wall sign may be approved.
22. **Spacing.** Freestanding banner signs shall be spaced a minimum of ten (10) feet from any other freestanding sign, and spaced one hundred (100) feet from any other banner sign; and banner signs affixed to a wall or fence shall be spaced a minimum of five (5) feet from any other wall sign.
23. **Duration.** Each tenant/single may be issued only two (2) banner sign permits per calendar year which shall be valid for a period of thirty (30) consecutive days up until February XX, 2011; after which time, only one (1) banner sign permit may be issued per calendar year for a period of forty five (45) consecutive days. Banner signs are not to be posted more than thirty (30) days preceding the event, and are to be removed within seven (7) days following the event.—Temporary banner sign permits shall only be valid for a period of sixty (60) days.

24. **Permit.** A sign permit shall ~~not~~ be required for a banner sign. ~~The exemption from a sign permit shall not be construed to waive or otherwise exempt compliance with the Florida Building Code, or other provisions of this Schedule.~~
25. **Exception.** ~~Any banner sign used as a real estate sign shall require public hearing approval.~~ Banner signs erected in connection with a city sponsored or approved special event shall be exempt from these standards.

**J. Mascot/Figurine/Costume signs.** Mascot/Figurine/Costume signs shall be permitted until February XX, 2011, provided they are in compliance the standards set forth below, at which time they shall be expressly prohibited:

1. **Number.** The maximum number of signs shall be limited to one (1) per single use development and one (1) per multi-use/multi-tenant development, for a period of up to one hundred twenty (120) consecutive days, once per calendar year.
2. **Location.** Signs shall only be located on single use developments, multiuse/multi-tenant developments, non-residential developments, or mix-use developments. Such signs shall only be displayed within the property and at ground level.
3. **Copy.** Signs shall have a direct and logical and practical association with the business sponsoring such sign.
4. **Permit.** A sign permit shall be required for a costume and mascot sign.
5. **Prohibited.** It shall be prohibited to display a costume or mascot sign on public rights-of-way, sidewalks, roof-tops or stories above ground level, in parking and drive aisles or as to impede traffic or pedestrian flow, or to create an unsafe or hazardous situation on or off the property. The mascot/figurine/costume sign shall be prohibited to hold, carry or display any other type of sign, except as approved by the sign permit.

#### **XIV. PROHIBITED SIGNS**

It shall be unlawful for any person to install, alter, erect, construct, post, paint, maintain, or relocate, within the municipal limits of the City of Miami Gardens any sign, without first having obtained a permit from the City, and/or have a valid permit for said work, unless otherwise exempt by this schedule.

- B. Before any permit is issued, an application for such permit shall be filed in a manner required by the City. Any sign that does not have or has not been issued a valid permit as may be required by this Schedule shall be prohibited. In addition, the following signs shall be prohibited in the City of Miami Gardens;
  24. Neon signs, except as specifically permitted in Section IX (F).
  28. ~~Reserved.~~ Mascot/Figurine/Costume signs after February XX, 2011.
  31. Temporary Banner signs after February XX, 2011.
  32. Automatic Changeable Copy window signs.

