

ORDINANCE No. 2019-32

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING A TEXT AMENDMENT TO THE CITY OF DORAL LAND DEVELOPMENT CODE, AMENDING SECTION 80-211 "SPECIFICATIONS FOR PERMITTED TEMPORARY SIGNS", CREATING NEW SIGN CODE PROVISIONS ALLOWING FOR "TEMPORARY IDENTIFICATION BANNERS ON NEW CONSTRUCTION BUILDINGS GREATER THAN 50 FEET IN HEIGHT"; PROVIDING FOR DEFINITIONS; PROVIDING FOR SPECIFICATIONS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the intent of the text amendment to Section 80-211 of the City's Land Development Code is to establish specifications detailing the use of temporary identification banners on new construction buildings over 50 feet in height, to allow the communication of new businesses, while limiting and minimizing the adjacent and overall aesthetic impact to the character of the City; and

WHEREAS, the City Council finds it to be in the City's interest to have specifications for the limited use of temporary identification banners on new construction buildings over 50 feet in height, during a specified period of time, related to the leasing or sales of new construction buildings, in order to promote and/or communicate awareness of such new businesses to the general public while minimizing the aesthetic impacts to the overall character of the City; and

WHEREAS, the City Council finds that it to be in the City's interest to limit these banners shall be limited in time to a total of six (6) continuous months, and height to prevent the proliferation of advertising across the city while allowing for communication of new businesses to the City; and

WHEREAS, the City Council intends that these banners are to be permitted for grand openings, initial leasing and sales of new construction buildings only, and is not intended for any other purpose or period of time; and

WHEREAS, after notice duly published, a public hearing for First Reading was held before the City Council on October 23, 2019, at which hearing all interested parties were afforded an opportunity to be heard; and

WHEREAS, the City Council has reviewed the proposed text amendment to the Land Development Code and find the text amendment to be in the City's best interest.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DORAL AS FOLLOWS:

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a part of this Ordinance upon adoption hereof.

Section 2. The City Council of the City of Doral hereby approve/deny the text amendment to Section 80-211 "Temporary Identification banners on new construction buildings greater than fifty (50) feet in height", creating new sign code provisions allowing for specifications for permitted temporary identification banners on new construction buildings over fifty (50) feet in height. The Land Development Code of the City of Doral, Florida is hereby amended to read as follows¹:

Chapter 80 – SIGN REGULATIONS

ARTICLE V. – SIGN STANDARDS AND REQUIREMENT

DIVISION 2. TEMPORARY SIGNS

Section 80-211 – Specifications for permitted temporary signs

The following temporary signs are permitted as provided in the table:

All temporary signage must meet applicable Federal, State, County, and Local standards and laws.

Type of Sign	Maximum Size (in square feet)	Setbacks and Earliest Installation Date	Final Removal Date	Notes and Remarks

		(EID)			
Political signs (no permit required)	Residential—four square feet	Setback of five feet minimum from official R-O-W line	Seven days after election	One sign per candidate, race or referendum issue per private property.	
	Signs shall not exceed four feet in height	EID residential- none		Signs may not be placed on public property	
				No roof signs, banners or balloons	
	Nonresidential—four square feet Sign shall not exceed six feet in height	EID nonresidential 30 days before primary, general or runoff election of referendum		Signs may not obstruct vision at corners, intersections, etc.	
				Applicable to federal, state, county, and local elections (Ord. No. 2006-19)	
Free speech signs (no permit required)	Residential, four six square feet	Setbacks—Residential—five feet minimum from official R-O-W line unless attached to an existing building; 15 feet from an interior side property line	None	One sign per residential dwelling or lot	
				One sign per nonresidential parcel or lot	
				Sign may be installed in lieu of any permitted nonresidential sign	
	Nonresidential, as permitted by sign regulations	Setbacks—Nonresidential, as permitted by sign regulations		Signs may not be placed on public property	

		EID—None		Signs may not be placed in public rights-of-way
				Signs may not obstruct vision at corners, intersections, etc.
Sale: residential open house (no permit required)	Six	Setbacks—five feet minimum from official R-O-W line; 15 feet from an interior side property line	Day open house closes	
		EID—Day open house begins		
Sale of land, building, or portion of building and/or open house	32	Setbacks—Residential—five feet minimum from official R-O-W line; one (1) five feet from an interior side property line	five days after closing	
		EID—When property offered for sale or development order issued or day open house begins		
Rent or lease: building	32	Setbacks—Residential—five feet minimum from official R-O-W line; 15 feet from an interior side property line.	five days after rented or leased	Signs of permanent nature (no pole signs) are required for buildings that always (year round) have vacancies to rent or lease

		EID—When building offered or development order issued		buildings and/or portion of building. This sign can be combined with permanent signs.
Rent or Lease: Portion of Building	16	Setbacks—Residential—five feet minimum from official R-O-W line; 15 feet from an interior side property line	five days after 100 percent (100 percent) rented or leased	Signs of permanent nature (no pole signs) are required for buildings that always (year round) have vacancies to rent or lease buildings and/or portion of building. This sign can be combined with permanent signs.
		EID—When building offered or development order issued		
Construction and/or Development Sign	64	Setbacks—Residential—five feet minimum from official R-O-W line; 15 feet from an interior side property line	On receipt of first certificate of occupancy	One sign for every 360 feet of frontage
		EID—When complete development order application filed with city		
Project Suppliers/trades	32	Setbacks—Residential—five feet minimum from official R-O-W line; 15 feet from an interior side property line	On receipt of final certificate of occupancy	32 square feet is total for all suppliers/trades
		EID—Issuance of building permit		

Signage on construction barrier/fence	Ten percent of the total barrier area	Setbacks and EID as required for construction barriers	Same as the construction barrier.	Signage identifying the nature of the property's current development, contractor's information, leasing information, corporate logos and renditions of the future development.
		Signage may exceed 2 feet above the height of the construction barrier		
Murals and other decorative elements on the construction barriers/fence	15 percent of the total barrier area	Setbacks and EID as required for construction barriers	Same as the construction barrier	Letters, logos and numbers are prohibited
				May not contain any rendition of the proposed development or element of the proposed development
Grand opening/project opening/new businesses	32	Setbacks—Residential—five feet minimum from official R-O-W line; 15 feet from an interior side property line	Seven days after opening or event	Special event approval is required prior to sign approval
		EID—30 days before event		
Outparcel/phase opening	32	Setbacks—Residential—five feet minimum from official R-O-W line; 15 feet from an interior side property line	Ten days after opening	

		EID—7 days before event		
Special event/sale not for profit <u>charity</u>	16	Setbacks—Residential—five feet minimum from official R-O-W line; 15 feet from an interior side property line	One day after sale/event	Not for profit/nonprofit organization only
		EID—7 days before event		Special event approval is required prior to sign approval
Special event/sale for profit	16	Setbacks—Residential—five feet minimum from official R-O-W line; 15 feet from an interior side property line	One day after sale/event	Special event approval is required prior to sign approval
		EID—7 days before event		
Golf event sign	16	Setback requirements—Banner affixed to the building or tenant unit	One day after event	Banner must include reference to the golf event
		EID—7 days before event		
Special event—School/day care/nursery	32	Setbacks—Residential—five feet minimum from official R-O-W line; 15 feet from an interior side property line	Allowed for one day after the event a maximum of 30 days for every special event.	

		EID—Allowed for a maximum of 30 days for every special event.		
Garage sale	4	Setbacks—Residential—five feet minimum from official R-O-W line; 15 feet from an interior side property line	Day of sale	One sign for the sale
		EID—One day before sale		
Outside sales/sites without buildings	16	Setbacks—Residential—five feet minimum from official R-O-W line; 15 feet from an interior side property line	One day after sale	Must comply with council-approved administrative policy
		EID—Day before sale		
Special event direction signage	4	Setbacks—Residential—five feet minimum from official R-O-W line; 15 feet from an interior side property line	One day after event	Special event approval is required prior to sign approval
		EID—Day before event		
Construction entrance	16	Setbacks—Residential—five feet minimum from official R-O-W line; 15 feet from	On receipt of final certificate of occupancy	

		an interior side property line		
		EID—Issuance of land clearing, land alteration, or building permit		
<u>Temporary Identification banners on new construction buildings greater than fifty (50) feet in height</u>	<p><u>Banner size is calculated as gross square footage from edge to edge of the banner including all logos, type, and blank space within the physical banner dimensions.</u></p> <p>i. <u>For Buildings over fifty (50) feet in height; banners shall not exceed one hundred sixty (160) square feet gross area.</u></p> <p>ii. <u>For Buildings over eighty (80) feet in height; banners shall not exceed three hundred twenty (320) square feet gross area.</u></p> <p>iii. <u>For Buildings over one-hundred eighty (180) feet in height; banners shall not exceed four hundred fifty (450) square feet gross area.</u></p>	<p><u>Banners shall be affixed flush to the building façade wall surface.</u></p> <p><u>EID-- At the time that the new building construction is topped off per approved plans on file.</u></p>	<u>Maximum six (6) months from Certificate of Occupancy</u>	<p><u>Maximum of two (2) banners per building and one (1) banner per cardinal direction of building façade elevation.</u></p> <p><u>Banners are to be used for grand openings, temporary leasing and sales of new construction buildings only and is not intended for any other purpose or building.</u></p> <p><u>Banners shall not extend or project off the primary wall surface.</u></p> <p><u>Banners shall not be lit, 3-D, electronic, or illuminated in any way.</u></p> <p><u>The maximum duration of any temporary banner shall not exceed a one-time installation of 6 (six) continuous months total.</u></p> <p><u>Banners shall be static fixed copy.</u></p>

				<u>non-changeable type. Any changes would require a new permit and does not extend the maximum length of total allowable permitted time.</u> <u>Banners shall be attached to, and within the upper one-third (1/3) of the total building height for the structure.</u>
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(a) Temporary identification banners on new buildings greater than 50 feet in height.

- a. Permit fees will be assessed and paid in full at time of permitting, based on the amount of time that the banner will be visible, with a maximum of six (6) continuous months and no extensions. The fee shall be \$1,000 per month, per banner.
- b. Any violations for illegal banners shall be subject to an amount equal to 2x the monthly permit fee. Fines will accumulate on the first day of each month and shall not be reduced, modified, or altered by a special magistrate or any judicial proceeding.
- c. All banners must meet all requirements of 23 U.S.C. s.131.

Section 3. That if any section, subsection, sentence, clause, phrase, work or amount of this ordinance shall be declared unconstitutional or invalid by competent authority, then the remainder of the ordinance shall not be affected thereby, and shall remain in full force and effect.

Section 4. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

Section 5. It is the intention of the City Council and it is hereby ordained that the provisions of this Ordinance shall become and made part of the City of Doral Code; that the sections of this Ordinance may be renumbered or relettered to accomplish such

intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 6. This Ordinance shall be effective immediately upon passage by the City Council on second reading.

The foregoing Ordinance was offered by Councilmember Cabrera who moved its adoption. The motion was seconded by Vice Mayor Fraga upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Christi Fraga	Yes
Councilwoman Digna Cabral	Yes
Councilman Pete Cabrera	Yes
Councilwoman Claudia Mariaca	Yes

PASSED AND ADOPTED on FIRST READING this 23 day of October, 2019.

PASSED AND ADOPTED on SECOND READING this 19 day of November, 2019.

JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:

CONNIE DIAZ, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
FOR THE USE AND RELIANCE OF THE CITY OF DORAL ONLY:

LUIS FIGUEREDO, ESQ.
CITY ATTORNEY