

**CITY OF MIRAMAR
PROPOSED CITY COMMISSION AGENDA ITEM**

First Reading Date: February 19, 2020

Second Reading Date: March 18, 2020

Presenter's Name and Title: Michael Alpert, Principal Planner, on behalf of the Community Development Department

Prepared By: Michael Alpert, Principal Planner

Temp. Ord. Number: 1742

Item Description: SECOND READING of Temp. Ord. No. 1742, AMENDING PORTIONS OF THE LAND DEVELOPMENT CODE; MAKING FINDINGS; REVISING CHAPTER 10, SIGNS, SPECIFICALLY IN SECTION 1002, DEFINITIONS; SECTION 1005 DESIGN, MAINTENANCE AND GENERAL STANDARDS; SECTION 1006, MEASUREMENT OF SIGN AREA AND SIGN HEIGHT; SECTION 1007, PERMANENT SIGNS, SPECIFICALLY WINDOW SIGNS; SECTION 1008, TEMPORARY SIGNS, SPECIFICALLY WINDOW SIGNS, GRAND OPENING SIGNS, SPECIAL EVENT SIGNS, AND FEATHER FLAG SIGNS; PROVIDING FOR SEVERABILITY AND INTERPRETATION; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING THAT OFFICIALS ARE AUTHORIZED TO TAKE ACTION; AND PROVIDING FOR AN EFFECTIVE DATE. (Passed 1st Reading on 02/19/20) (*Principal Planner Michael Alpert*)

Consent Resolution Ordinance Quasi-Judicial Public Hearing

Instructions for the Office of the City Clerk:

Public Notice – As required by the Sec. ____ of the City Code and/or Sec. 166.041, Florida Statutes, public notice for this item was provided as follows: on 12/31/2019 in a legal display ad in the Sun-Sentinel; by the posting the property on _____ and/or by sending mailed notice to property owners within _____ feet of the property on _____ (fill in all that apply)

Special Voting Requirement – As required by Sec. ____, of the City Code and/or Sec. ____, Florida Statutes, approval of this item requires a _____ (unanimous, 4/5ths etc.) vote by the City Commission.

Fiscal Impact: Yes No

REMARKS:

Content:

- **Agenda Item Memo from the City Manager to City Commission**
- **Ordinance TO 1742**
 - **Exhibit A: Chapter 10 Amendments**
- **Attachment(s)**
 - **Attachment 1: Standards for Review for LDC Amendment Staff Report**



**CITY OF MIRAMAR
INTEROFFICE MEMORANDUM**

TO: Mayor, Vice Mayor, & City Commissioners
FROM:  Vernon E. Hargray, City Manager 
BY: Eric Silva, Community Development Director
DATE: March 12, 2020
RE: SECOND READING of Temp. Ord. No. 1742, Amendments to Land Development Code, Chapter 10 Sign Code Amendments

RECOMMENDATION: The City Manager recommends approval of Temp. Ord. No. 1742, amending the various sections of the City's Land Development Code ("LDC").

ISSUE: City Commission approval is required for any amendments to the Land Development Code.

BACKGROUND: This Ordinance proposes some minor amendments to existing text within several sections in Chapter 10 Signs. These amendments are designed to amend certain sign regulations that affect redevelopment in Historic Miramar and businesses city-wide. The current LDC was adopted in 1996 with several amendments to various chapters and sections over the years, as the needs arose. The LDC has provided a framework for the development pattern and economic development of the City, which has grown tremendously in population and developed rapidly over the last 24 years. Land development regulations are designed to work in tandem with the Comprehensive Plan, but they provide more specificity than the guiding principles found in the Comprehensive Plan. Both documents are organic in nature and are consistently reviewed over time for potential updating to be consistent with the evolving economic, physical and social conditions and needs of the City. Staff is currently working on an update of the entire LDC. On October 10, 2019, the Economic Development Advisory Board endorsed these proposed LDC amendments. The City's Local Planning Agency, the Planning & Zoning Board, is scheduled to hear this item on February 11, 2020 and to consider making a finding that the amendments are consistent with the Comprehensive Plan.

COMPREHENSIVE PLAN ELEMENTS: Staff believes that the proposed ordinance is consistent with the several elements, goals, objectives, and policies of the Comprehensive Plan, including:

Future Land Use Element:

Goal: Maintain a long-range future land use pattern which promotes the orderly and well-managed growth and development of the community, producing quality neighborhoods, enhancing the city's aesthetic appeal, conserving the natural environment and open space, supporting a vibrant economic tax base, and minimizing risks to the public's health, safety and welfare.

Objective 1: Promote orderly and beneficial growth and development of the community through the adoption, implementation and consistent updating of this Future Land Use Element. Eliminate land uses which are inconsistent with Miramar's character and do not contribute to the quality of life desired by its citizens by 2020.

Objective 2: By 2020, complete the full revision of the Land Development Code, which will ensure the protection of natural resources, discourage urban sprawl, promote "Smart Growth" and energy efficient development and land use patterns which account for existing and future electrical power generation and transmission systems in an effort to reduce greenhouse gases, encourage the use of innovative land development techniques, promote community aesthetics, ensure the availability of the infrastructure needed to support development, and comply with the Broward County Land Use Plan.

Policy 2.1: The City shall enforce the Land Development Code provisions for minimum adequate stormwater management including wetland preservation/restoration, open space, including historic and archaeological sites, safe and convenient on-site traffic flow, adequate parking, landscaping and signage and standards and clustering of residential units, by 2020.

Policy 5E.3: Maintain and improve existing architectural, site, signage, lighting and landscaping design standards contained in the City's Land Development Code to guide the recommendations of City staff and the decisions of the Planning and Zoning Board, and City Commission.

Transportation Element:

Objective 7: The City of Miramar shall achieve an aesthetically pleasing transportation circulation environment that is compatible with adjacent development.

Temp. Ord. No. 1742
12/4/19
3/12/20

**CITY OF MIRAMAR
MIRAMAR, FLORIDA**

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF MIRAMAR, FLORIDA, AMENDING PORTIONS OF THE LAND DEVELOPMENT CODE; MAKING FINDINGS; REVISING CHAPTER 10, SIGNS, SPECIFICALLY IN SECTION 1002, DEFINITIONS; SECTION 1005 DESIGN, MAINTENANCE AND GENERAL STANDARDS; SECTION 1006, MEASUREMENT OF SIGN AREA AND SIGN HEIGHT; SECTION 1007, PERMANENT SIGNS, SPECIFICALLY WINDOW SIGNS; SECTION 1008, TEMPORARY SIGNS, SPECIFICALLY WINDOW SIGNS, GRAND OPENING SIGNS, SPECIAL EVENT SIGNS, AND FEATHER FLAG SIGNS; PROVIDING FOR SEVERABILITY AND INTERPRETATION; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING THAT OFFICIALS ARE AUTHORIZED TO TAKE ACTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City desires to update the entire Land Development Code (“LDC”) in a phased manner with the intent to: promote form-based urban design and incorporate Smart Growth principles; promote sustainability and food systems policy; embrace standards and uses that enhance the City’s economic development, as well as redevelopment and infill development opportunities; eliminate and minimize conflicts; minimize the need for variances; and incorporate user-friendly language, graphics and tables to enhance readability and usability; and

WHEREAS, this phase of LDC revision modifies Chapter 10, “Signs”, which clarifies sign regulations; and

Ord. No. _____

Temp. Ord. No. 1742
12/4/19
3/12/20

WHEREAS, the City Manager recommends amending portions of Chapter 10 “Signs” (attached hereto as Exhibit “A”); as shown herein, to update and clarify certain regulatory requirements and procedures of the LDC; and

WHEREAS, pursuant to Section 302.6 of the existing LDC, the City Commission has reviewed this proposed amendment to the LDC, considered the general purpose and standards set forth in Chapter 3 of the LDC, and considered the recommendation of the Planning and Zoning Board; and

WHEREAS, pursuant to Section 302.7 of the existing LDC, the City Commission finds that the proposed amendment is legally required to meet the revision of the LDC;

WHEREAS, pursuant to Section 302.7 of the existing LDC, the City Commission finds that the proposed amendment is consistent with the goals, objectives, and policies of the City’s Comprehensive Plan; and

WHEREAS, pursuant to Section 302.7 of the existing LDC, the City Commission finds that the proposed amendment is consistent with the authority and purpose of the LDC, because the LDC revisions will aid in the harmonious, orderly, and progressive development of the City by simplifying development requirements and assuring that the standards are consistent with the Comprehensive Plan; and

Temp. Ord. No. 1742
12/4/19
3/12/20

WHEREAS, pursuant to Section 302.7 of the existing LDC, the City Commission finds that the proposed amendment furthers the orderly development of the City by assuring development consistent with the Comprehensive Plan; and

WHEREAS, pursuant to Section 302.7 of the existing LDC, the City Commission finds that the proposed amendment improves the administration or execution of the development process, because the LDC revision simplifies the LDC; and

WHEREAS, the City Commission deems it to be in the best interest of the citizens and residents of the City of Miramar to amend Chapter 10 “Signs”, of the LDC, as shown herein, to enhance usability, incorporate best-practices and modernize the City's LDC; and

WHEREAS, the Planning and Zoning Board, sitting as the Local Planning Agency, has reviewed the City’s Comprehensive Plan and consistent with Section 163.3194, Florida Statutes, and Section 302.7(2) of the LDC, finds that this Ordinance is consistent with the goals, objectives, and policies of the Comprehensive Plan; and

WHEREAS, pursuant to Section 302.7 of the existing LDC, the Planning and Zoning Board has found that the proposed amendment is consistent with the authority and purpose of the LDC, because the LDC revisions will aid in the harmonious, orderly, and progressive development of the City by simplifying development requirements and assuring that the standards are consistent with the Comprehensive Plan; and

Temp. Ord. No. 1742
12/4/19
3/12/20

WHEREAS, the City Commission hereby adopts the findings of the Planning and Zoning Board; and

WHEREAS, the City Commission deems it to be in the best interest of the citizens and residents of the City of Miramar to amend Chapter 10 of the Land Development Code, to add provisions of this Ordinance.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF MIRAMAR, FLORIDA AS FOLLOWS:

Section 1: Recitals. The foregoing “**WHEREAS**” clauses are ratified and confirmed as being true and correct and are made a specific part of this Ordinance.

Section 2: That Chapter 10 of the Land Development Code of the City of Miramar, Florida, is hereby amended to read as follows:

See Exhibit “A” attached hereto is hereby incorporated herein by this reference.

Section 3: Each and every section and subsection of the City of Miramar Land Development Code not revised herein as reflected in the attached exhibits shall remain in full force and effect as previously adopted.

Temp. Ord. No. 1742
12/4/19
3/12/20

Section 4: Intent; Inclusion in the Code of Ordinances.

(a) That it is the intention of the City Commission of the City of Miramar that the provisions of this Ordinance shall become and be made a part of the Code of the City of Miramar, and that the word “ordinance” may be changed to “section,” “article,” or such other appropriate word or phrase in order to accomplish such intention.

(b) That Sections 1. and 3. through 8. shall not be codified but shall be an effective part of this enactment.

Section 5: Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby. In the event of a subsequent change in applicable law, so the provision which had been held invalid is no longer invalid, the provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding under this Ordinance.

Temp. Ord. No. 1742
12/4/19
3/12/20

Section 6: Interpretation. It is the intention of the City Commission, and it is hereby ordained, that the provisions and revisions of this Ordinance shall become and be made a part of the Code of the City of Miramar; that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word. That in interpreting this Ordinance, underlined words indicate additions to existing text, and ~~stricken through~~ words include deletions from existing text. Asterisks (* * *) indicate a deletion from the Ordinance of text, which exists in the Code of Ordinances. It is intended that the text in the Code of Ordinances denoted by the asterisks and do not set forth in this Ordinance shall remain unchanged from the language existing prior to adoption of this Ordinance. Amendments made to the Ordinance on second reading are highlighted.

Section 7: Officials Authorized to Take Action. The appropriate City officials are authorized to do all things necessary and expedient to carry out the intent and purpose of this Ordinance.

Temp. Ord. No. 1742
12/4/19
3/12/20

Section 8: Effective Date. This Ordinance shall become effective immediately upon adoption.

PASSED FIRST READING: _____

PASSED AND ADOPTED ON SECOND READING: _____

Mayor, Wayne M. Messam

Vice Mayor, Alexandra P. Davis

ATTEST:

City Clerk, Denise A. Gibbs

I HEREBY CERTIFY that I have approved this ORDINANCE as to form:

City Attorney
Austin Pamies Norris Weeks Powell, PLLC

<u>Requested by Administration</u>	<u>Voted</u>
Commissioner Winston F. Barnes	_____
Commissioner Maxwell B. Chambers	_____
Commissioner Yvette Colbourne	_____
Vice Mayor Alexandra P. Davis	_____
Mayor Wayne M. Messam	_____

Ord. No. _____

EXHIBIT A

Sec. 1002. - Definitions.

It is the intention of this section to classify all types of signs. If a sign is not specifically mentioned herein, the city manager or said manager's designee, shall choose the most appropriate classification(s) for that sign.

Director: See "community and economic development director."

Family event sign: A sign on a residential lot indicating a family event such as birthday, wedding, anniversary, or family reunion, are examples of family events. It may be attached or freestanding.

Feather flag sign: A free-standing, temporary advertising sign typically constructed of a single plastic or metal shaft or harpoon-style pole driven into the ground for support or supported by means of an individual stand with an attached pennant that is vertically elongated and attached to the shaft.

Flag: A piece of fabric with a color or pattern representing a government or other noncommercial organization or idea. It may be attached or freestanding.

Handheld sign: A sign which is temporary in nature that is held by an individual person and used to identify an establishment or activity located on or in immediate proximity to the location where the sign is displayed. Also known as a "human" sign.

Nameplate sign: An attached sign, consisting of either a panel or individual letters applied to a building indicating the name, profession, or address of a persons or persons residing on or tenants legally occupying the premises.

~~*Nightclubs* means a place of entertainment open at night usually serving food and alcoholic beverages, as defined in s. 561.01(4)(a), Florida Statutes, and providing music and space for dancing and often having a floor show; an establishment for evening entertainment, generally open until the early morning, that serves liquor and usually food and offers patrons music, comedy acts, a floor show, or dancing; nightspot.~~

Nits (nt): The unit of measurement for luminance is nits (nt), which is the total amount of light emitted from a sign divided by the surface area of the sign (candelas per square meter (cd/m²)).

Sec. 1005. - Design, maintenance, and general standards.

All signs, whether permanent, temporary, or exempt, as defined by this chapter, shall comply with the design criteria and community appearance standards and shall be used to enhance, not detract from, the buildings or site upon which they are placed.

1005.1. *General guidelines.* Any sign displayed in the city shall comply with the following:

- (a) All provisions of this chapter and the community appearance standards set forth in Section 813, "community appearance board";
- (b) All applicable provisions of the Florida Building Code and Fire Prevention Code and the city code and all amendments thereto; and
- (c) All state and federal regulations pertaining to the display of signage; and
- (d) If any two or more sections of the above referenced regulations are in conflict, the most restrictive standard shall apply; and
- ~~(e) Signs shall be limited to a maximum of two faces.~~

1005.2. *Sign location.* Signs or their supports shall not be placed in such position or manner as to obstruct or interfere, either physically or visually, with any other pre-established legally conforming and permitted sign, or legally nonconforming sign; any backflow preventer, fire hydrant, fire department connection ("FDC"), fire alarm, police alarm, traffic signal or sign, transformer, light pole, utility pole, or any devices maintained by or under public authority; landscaping pre-existing the placement of the sign; or with vehicular or pedestrian ingress or egress to or from any public or private ROW, roadway, driveway, or sidewalk. Where applicable, signs shall be erected only at locations shown on plans approved by the city, ~~and~~ and maintain a clear site triangle as provided in Section 804.8.2. Written consent from the easement holder(s) shall be submitted to the city for location within any easement.

1005.5. *Landscaping.* Refer to Section 506.11.

~~The following landscaping standards shall apply to all monument signs of at least 20 square feet, in accordance with Figure 1 and with general landscaping requirements of LDC Section 901.7. Other freestanding signs require landscaping treatment as well; refer to Sign Tables and the following standards for design guidelines. Applicants are encouraged to exceed the minimum monument sign landscaping requirements with an attractive landscaping design.~~

- ~~(a) A landscape area shall be provided, in addition to all other landscaping present or proposed on-site.~~
- ~~(b) The total required landscape area shall be derived from the following chart (Figure 1), based on a consideration of the area and height of the sign. Figure 1 estimates approximate sign structure areas and the minimum amount of required landscaping. The minimum number of trees and shrubs are rounded~~

up to the nearest whole number. The landscape area shall be as approved in conjunction with the associated sign permit, is not necessarily required to completely encircle the sign and is intended to enhance the aesthetic value of the sign, not to obstruct its visibility or readability.

(c) A minimum of one tree or three palms shall be provided per monument sign, except Royal Palms are equivalent to three palms. Ground cover and annuals should be used to enhance the design.

Figure 1: Monument Sign Landscaping Chart			
Monument — Sign Square Footage ¹	Height (ft.)	Number of Trees ²	Number of Shrubs ²
20	2—4	1	10
	4+	1	16
45	4—6	2	20
	6+	3	24
60	4—6	4	24
	6+	6	27
72	4—6	6	28
	6+	6	32
84+	For each additional 20 square feet, add two trees and five shrubs		

¹ Based on minimum total sign structure area.

² The minimum number of trees and shrubs is always rounded up to the next highest number.

Sec. 1006. - Measurement of sign area and sign height.

1006.1. Sign area. Measurement of sign area shall be as follows:

- (a) *Freestanding signs*: The total area within the smallest rectangle, circle, or triangle, which will completely enclose the sign face. The sign structure must be designed proportionally with the sign face and may not exceed three times the area of the sign face, inclusive of the area of the sign face, excluding architectural embellishments
- (b) *Attached (wall) signs*: The total area within the smallest rectangle, circle, or triangle, which will completely enclose the sign face. If the sign consists of both a pictorial or iconic logo and lettering of different sizes, then it is permitted to measure each of the two components separately and add their total combined area as part of the allowable sign face area. These two components do not have to be in close proximity but do have to be on the same façade.
- (c) *All signs*: When a sign has two faces, the area of all sides shall be included in determining the area, unless they are placed back-to-back. If back-to-back, then the sign area shall be taken as the area of either side, and if the sides are of unequal area, the larger shall determine the area.
- (d) *Exclusion of sign structure*: The sign structure shall not be included as a portion of the sign face, provided that no message, symbol, or anything that can be construed as part of the sign face is displayed on or designed as part of the sign structure.

1006.2. *Sign height*. Sign height for freestanding signs shall be measured from the crown of the nearest road (not including limited-access highways or other raised roadways) or paved area adjacent to the sign to the highest point of the overall sign structure, excluding architectural embellishments.

1006.3. *Formula for calculating maximum wall sign area not specifically limited by permanent sign standards in Section 1007 and permanent sign table (Table 1)*: Maximum of 25 percent of linear building frontage of the establishment on the façade where the sign is located, multiplied by one square foot (or a base of ~~30~~ 45 square feet, whichever is greater), plus distance and height bonuses, as applicable. Bonus factors include (1) distance from nearest common access way (as measured from the edge of pavement) or street (as measured from the ROW) to the façade on which the sign is located; and (2) height of building.

- (1) *Distance bonus*: Multiply maximum sign area (linear frontage calculation) by:
 - (a) ~~1.2~~ 1.25 for distances of at least 100 feet and less than ~~200~~ 250 feet;
 - (b) ~~1.3~~ 1.5 for distances of at least ~~200~~ 250 feet and less than ~~300~~ 500 feet;
 - (c) ~~1.4~~ 2.0 for distances of at least ~~300~~ 500 feet, ~~and less than 500 feet;~~
 - ~~(d) 1.67 for distances of at least 500 feet and less than 750 feet;~~
 - ~~(e) 2.0 for distances of at least 750 feet.~~
- (2) *Height bonus*: Multiply maximum sign area (with or without distance bonus applied) by 1.25 for each 15 feet of height measured to the top of parapet or to the median point of a sloped roof, excluding towers and other architectural features that project beyond the primary building height.

- (3) *Maximum total sign area:* Maximum total sign area for all wall signs may not exceed 200 square feet, even if the permitted area may be calculated to exceed this amount and even if the area of more than one permitted sign is specifically permitted to be combined.

1006.4. *Formula for calculating maximum monument sign structure area not specifically limited by permanent sign standards in Section 1007 and/or permanent sign table (Table 1):*

- (1) *Maximum base area of ~~60~~ 72 square feet* for parcels with at least 100 feet of linear lot frontage where the sign is located, multiplied by the following acreage bonus factors:
 - (a) ~~1.2~~ 1.25 for gross site area of at least two and one-half acres and less than five acres;
 - (b) ~~1.3~~ 1.5 for gross site area of at least five acres and less than ten acres;
 - (c) ~~1.4~~ 2.0 for gross site area of at least ten acres and less than ~~15~~ 25 acres;
 - (d) ~~1.67~~ 2.5 for gross site area of at least ~~15~~ 25 acres and less than ~~20~~ 40 acres;
 - (e) ~~1.8~~ 3.0 for gross site area of at least ~~20~~ 40 acres, and less than ~~25~~ acres;
 - (f) ~~2.4~~ for gross site area of at least 25 acres and less than 40 acres;
 - (g) ~~3.0~~ for gross site area of at least 40 acres.
- (2) *Height bonus:* Multiply maximum height allowance in permanent sign table by ~~1.25~~ 1.5 for each ~~ten~~ 5 acres of gross site area, up to a maximum of ~~12~~ 16 feet in height.
- (3) *Maximum allowance:* Maximum total monument sign structure area may not exceed ~~180~~ 216 square feet and sign height may not exceed ~~12~~ 16 feet in height, as measured from the crown of the adjacent roadway.

Sec. 1007. - Permanent signs.

1007.3 cc. *Window sign—Identification.*

- A. Window identification signs may include only parts of the business establishment name that are not included on the permitted wall identification sign, due to space or allowance.

dd. *Window sign—Message.*

- A. Window message signs are considered permanent, and shall include messages of a permanent nature, such as phone numbers and primary goods and services offered by the business(es) located within.

ee. *Specific to all window signs.*

- A. Only the following window sign types shall be permitted, and shall be subject to the following requirements:
 - 1. One per establishment frontage.
 - 2. Window signs shall consist of professionally-made vinyl appliqué letters applied to the window. Appliqués shall consist of individual letters or graphics with no visible background.
 - 3. Hanging signs that hang from the ceiling behind the window shall be considered window signs and shall be included in the calculation of maximum allowable window sign area.
 - 4. Neon signs or signs which approximate neon in appearance shall be limited to a maximum of one square foot for the entire tenant storefront, ~~and~~ and must be placed inside the tenant space.
 - 5. Door signs applied to or hanging inside the glass portion of an entrance doorway shall be considered window signs and shall be included in the calculation of maximum allowable window sign area.
- B. Window signs shall not interfere with the primary function of windows, which is to enable passersby and public safety personnel to see through windows into premises and view product displays.
- C. The maximum area for all window signs on any establishment shall be no larger than ~~ten~~ 25 percent of the total area of all windows. Sign area shall be measured using smallest rectangle that fully encompasses the entire extent of letters, logo and background.
- D. Message window signs may list services and/or products sold on the premises, or provide phone numbers, operating hours or other messages, provided that the total combined area of both message window signs, and identification window signs, do not exceed the limit provided in subsection (c) above.
- E. Letters on window signs shall be no taller than eight inches.

Sec. 1008. - Temporary signs.

1008.5. Specific sign standards (supplemental to Table 2).

- g. *Grand opening sign (banner)/grand opening sign (freestanding)/grand opening residential sign (banner).*
 - A. May not be erected unless a temporary use permit ("TUP") or TSP has been granted by the city.

- B. Only one grand opening sign of either permissible type (banner or freestanding) is permitted per establishment per approval period.
- C. Maximum area is 32 square feet.
- D. Time of display: No earlier than 30 days prior to the grand opening event; banner or sign shall be removed no later than ~~seven~~ 45 days after the event. Exceptions are made for a business owner to erect a banner for up to 90 days while waiting for the permanent identification wall sign to be installed.
- E. Purpose is to advertise a grand opening for a new business or a change in ownership of a business, or a new residential development; no business may have more than one grand opening.
- F. Banners may only be attached to a building surface or another sign and shall not be attached to trees, poles or fences.

k. *Special event sign/special event banner.*

- A. May not be erected unless a TUP or TSP has been granted by the city.
- B. May be freestanding on a post or posts (up to 32 square feet in sign area) or a wall-mounted banner (not to exceed 32 square feet in sign area for a one-story or two-story building, or no more than 60 square feet for a three-story or higher building).
- C. No more than two special event signs of either type (banner or freestanding) are permitted per establishment during any single approval duration.
- D. No more than twelve special event signs may be erected during one calendar year for any individual property or establishment, or for any multi-tenant center, for no more than ~~3~~ 14 days at a time, provided that the sign permit is issued in accordance with a TUP.
- E. Time of display: Banner or sign shall be removed immediately after the event.

l. *Window sign—Advertising.*

- A. The total area of all window signs, including advertising window signs, shall not exceed ~~to a~~ 25 percent of total window area of an establishment.
- B. Advertising window signs must comply with the regulations specific to all window signs in Section 1007.

m. *Yard sale sign.*

- A. Up to two per dwelling unit on residential property only, provided it shall be set back at least five feet from any public ROW, does not exceed six square feet in sign area excluding posts, and does not exceed three feet in height including posts, measured from the yard at the post location.

- B. Time of display: Posting: One day prior to yard sale; Removal: Same day.
- C. A yard sale sign may be posted no more than once every 180 days on any single parcel.

n. *Park fence banner sign.*

- A. Allowable area is 40 square feet, 10-foot width and 4-foot height.
- B. Up to two banners per applicant per park.
- C. Banners shall be visible only from inside the park and not from the adjacent roadways and walkways.
- D. Time of display: upon issuance of permit from the City of Miramar; Removal: upon expiration of permit approval.
- E. Park fence banner signage is permitted only at public parks and when erected by the city or through written agreement with the city.

o. *Feather flag sign.*

- A. Allowable height is 15 feet.
- B. Only one per business.
- C. Time of display: 90 days upon issuance of TSP from the City of Miramar; removal: upon expiration of permit approval.
- D. Must be placed within the property lines where the business is located.



ATTACHMENT 1

City of Miramar Community Development Department Development Review Report

I) Application Summary / Background

These are proposed amendments to the Land Development Code (“LDC”) to modify various existing and new chapters in order to further clarify, streamline and update several procedures and regulations within 7 existing chapters of the LDC.

Applicant: City of Miramar

II) Standards for Reviewing Proposed Text Amendments:

The City's Land Development Code provides that consideration of proposed text amendments includes a review of the following standards (*Section 302.7*).

(a) *The proposed amendment is legally required.*

Staff's Evaluation:

This amendment is legally required, as modifications to existing authoritative provisions, procedural obligations, permitted and conditional uses, bulk and height standards, and development standards within the Land Development Code and/or the City Code of Ordinances, are subject to adoption of an ordinance by the City Commission upon the conclusion of three duly noticed public hearings.

(b) *The proposed amendment is consistent with the Goals, Objectives, and Policies of the Comprehensive Plan.*

Staff's Evaluation:

The proposed amendment is consistent with overall goals, policies, and objectives of the Comprehensive Plan.

Future Land Use Element:

Goal: Maintain a long-range future land use pattern which promotes the orderly and well-managed growth and development of the community, producing quality neighborhoods, enhancing the city's aesthetic appeal, conserving the natural environment and open space, supporting a vibrant economic tax base, and minimizing risks to the public's health, safety and welfare.

Objective 1: Promote orderly and beneficial growth and development of the community through the adoption, implementation and consistent updating of this Future Land Use Element. Eliminate land uses which are inconsistent with Miramar's character and do not contribute to the quality of life desired by its citizens by 2020.

Objective 2: By 2020, complete the full revision of the Land Development Code, which will ensure the protection of natural resources, discourage urban sprawl, promote "Smart Growth" and energy efficient development and land use patterns which account for existing and future electrical power generation and transmission systems in an effort to reduce greenhouse gases, encourage the use of innovative land development techniques, promote community aesthetics, ensure the availability of the infrastructure needed to support development, and comply with the Broward County Land Use Plan.

Policy 2.1 The City shall enforce the Land Development Code provisions for minimum adequate stormwater management including wetland preservation/restoration, open space, including historic and archaeological sites, safe and convenient on- site traffic flow, adequate parking, landscaping and signage and standards and clustering of residential units, by 2020.

Policy 5E.3 - Maintain and improve existing architectural, site, signage, lighting and landscaping design standards contained in the City's Land Development Code to guide the recommendations of City staff and the decisions of the Planning and Zoning Board, and City Commission.

Transportation Element:

Objective 7 - The City of Miramar shall achieve an aesthetically pleasing transportation circulation environment that is compatible with adjacent development.

Recreation & Open Space Element:

Policy 2.1.3 - Maintain and improve existing architectural, site, signage, lighting and landscaping design standards contained in the City Land Development Code to guide the recommendations of City staff and the decisions of the Planning and Zoning Board and City Commission.

In summary, in Staff's professional opinion, these amendments are consistent with the City of Miramar's Comprehensive Plan.

- (c) *The proposed amendment is consistent with the authority and purpose of this Code.*

Staff's Evaluation:

Pursuant to Land Development Code Section 102, the purpose of this LDC is to implement further the Comprehensive Plan ("the Plan") of the City by establishing regulations for all development and use of land and water in the City in addition to and in more detail than those in the Plan. Further, this LDC is adopted in order to foster and preserve public health, safety, comfort and welfare, and to aid in the harmonious, orderly, and progressive development of the City. It is the intent of this LDC that the land use patterns in the City of Miramar be effective, in terms of providing the proper balance of commercial and residential property; and equitable, in terms of consistency with established regulations and procedures, respect for the rights of property owners, and the consideration of the long-term interests of the citizens of the City.

The proposed amendments support this section by expanding businesses opportunities, streamlining procedures, and clarifying and simplifying regulations while maintaining an aesthetically pleasing built and natural environment.

- (d) *The proposed amendment furthers the orderly development of the City.*

Staff's Evaluation:

Developing a more user-friendly and understandable land development code, while establishing parameters for uses that are not previously mentioned or included in the city's standards, is a basic tool for addressing an issue that is meaningful to residents, and directly supports the goal of orderly development of the City.

- (e) *The proposed amendment promotes sustainability and efficiency of the city and whether the proposed amendment promotes the public health, safety, welfare, and aesthetics; and*

Staff's Evaluation:

The LDC is a living document and should be updated from time to time to reflect adapting environments, societal changes and greater communication. Furthermore, the amendments open the door to uses and needs not contemplated before, with regulations as to a process, and specific standards and criteria, these amendments take the residents' welfare, safety concerns and environmental aesthetics into consideration.

- (f) *The proposed amendment improves the administration or execution of the development process.*

Staff's Evaluation: The amendment will accomplish this, as well as satisfying certain needs not previously addressed in the Code.

III) Planning & Zoning Board

Pursuant to Land Development Code Section 107.2(b), the Planning and Zoning Board will conduct a public hearing on these proposed amendments to the Land Development Code on February 11, 2020.

IV) Staff Recommendation

Staff finds that the proposed amendments to the Land Development Code, amending Chapters 1, 2, 3, 4, 7, 8, and 10, meet the criteria of the review standards of existing Land Development Code Section 302.7 for consideration of code text amendments and recommends approval by the City Commission.