

**ORDINANCE No. 2015-32**

**AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AMENDING THE SIGN REGULATIONS OF THE LAND DEVELOPMENT CODE OF THE CITY OF DORAL, CHAPTER 80, ARTICLE V, DIVISION 3, CREATING SECTION 80-234, ENTITLED LED ELECTRONIC MESSAGING SIGN IN ~~SINGLE-FAMILY~~ GATED RESIDENTIAL COMMUNITIES WITH AN EXISTING HOMEOWNER ASSOCIATION; PROVIDING FOR GENERAL OPERATING STANDARDS; PROVIDING FOR PREVENTION OF UNSAFE DRIVER DISTRACTION CONDITIONS; PROVIDING FOR A FULL BALANCING OF LEGIBILITY, MESSAGE FUNCTION, CLEAR PURPOSE AND REASONABLE PUBLIC INTEREST CONSIDERATIONS; PROVIDING FOR ENFORCEMENT; PROVIDING FOR INCLUSION IN THE CODE, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the Mayor and City Council of Doral find it to be in the best interest of the citizens of this community to amend the sign regulations of the Land Development Code to establish minimum standards to permit “LED Electronic Messaging Sign for ~~Single-Family~~ Gated Residential Communities” with an existing Homeowner Association (HOA) to keep the residences informed of community activities; and

**WHEREAS**, after careful review and deliberation, staff has determined that this amendment is consistent with the City’s Comprehensive Plan Goals, Objectives and Policies; and

**WHEREAS**, on September 16, 2015, the City Council conducted a duly advertised public hearings on the amendment to the City’s Land Development Code, and has considered all evidence and comments received concerning the proposed amendment to the Land Development Code as required by state law and local ordinances; and

**WHEREAS**, the City Council has reviewed the City staff's report, incorporated herein, which contains information supporting the amendment to the City's Land Development Code; and

**WHEREAS**, the City Council finds that the proposed text amendment to the Land Development Code is consistent with the City's Comprehensive Plan as adopted and supported by staff and the City Council.

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

**Section 1. Recital.** The above recitals are true, correct, and incorporated herein by this Ordinance upon adoption hereof.

**Section 2. Amendment.** Chapter 80, Article V, Division 3, creating Section 80-234, entitled "LED Electronic Messaging Sign for ~~Single-Family-Gated~~ Residential Communities" with an existing HOA hereby reads as follows:

**Sec. 80-234. – LED ELECTRONIC MESSAGING FOR SINGLE-FAMILY RESIDENTIAL DEVELOPMENTS.**

(a) *Permitted.* The following sign is permitted as provided in this section for all authorized ~~single-family~~ gated residential communities with an existing HOA.

(1) *Wall Sign.* The LED Electronic Messaging sign is permitted only as part of the guardhouse or design. This sign is permitted as follows:

Approvals Necessary	Planning and Zoning and Building Departments
Number (maximum)	One (1) per development.
Sign area (maximum)	Eight (8) square feet
Sign height (maximum)	Eight (8) feet from adjacent grade
Setback (minimum)	Shall only be allowed as part of a wall-scape of the guard house.
Illumination	Stagnant LED display and shall be limited to static messages only.
Supplemental provisions	Shall contain a default mechanism that freezes the image in one position in case of a malfunction.
	Shall have an integral and fully operational ambient light monitor, dimmer(s), photocells and similar light cutoff and management devices which shall continuously monitor and automatically adjust the permit-approved sign brightness levels based on natural ambient light conditions.
	Shall operate only with automatic dimmer software or solar sensors to control brightness for night time viewing. The intensity of the light source shall not produce glare, the effect of which constitutes a traffic hazard.
	The sign shall not be visible from the right of way.
Landscaping and visibility sight triangle on corner lot	See applicable provisions contained in this section

Digital Changeable message	Shall be displayed for a minimum of eight (8) seconds.
	The transition duration between messages shall be accomplished within two (2) seconds, including all Changes of message must appear on the entire sign face.
	No flashing dimming or brightening is permitted except to accommodate changes of message.
<u>Other Restrictions</u>	<u>The City Manager or his designee shall cause the removal of any LED electronic messaging sign which is in violation of this ordinance, in accordance with the Code Compliance procedures.</u>
	<u>No sign permit shall be issued unless the Planning &amp; Zoning Department has first determined that the residential community is in compliance with applicable local regulations.</u>
	<u>No commercial advertisement.</u>

**Section 3. Enforcement.** Violations of this section shall be enforced by the Code Compliance Department in accordance with Chapters 11 and 80-73 – 80-79 of the City Code, with penalties as provided therein.

**Section 4. Incorporation into the Code.** This ordinance shall be codified and included in the Code of Ordinances.

**Section 5. Conflicts.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are repealed.

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**Section 6. Severability.** If any section, clause, sentence, or phrase of this ordinance is for any reason held invalid or unconstitutional by a court of competent

jurisdiction, the holding shall not affect the validity of the remaining portions of this ordinance.

**Section 7. Effective Date.** This Ordinance shall be effective upon adoption.

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

Mayor Luigi Boria	Yes
Vice Mayor Sandra Ruiz	Yes
Councilman Pete Cabrera	Yes
Councilwoman Christi Fraga	Yes
Councilwoman Ana Maria Rodriguez	Absent/Excused

PASSED AND ADOPTED on FIRST READING this 5 day of August, 2015.

PASSED AND ADOPTED on SECOND READING this 16 day of September, 2015.

  
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LUIGI BORIA, MAYOR

ATTEST:

  
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CONNIE DIAZ, CITY CLERK

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

  
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WEISS, SEROTA, HELFMAN, COLE & BIERMANN, P.L.  
CITY ATTORNEY