

ORDINANCE NO. 16 – 1653

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING”; SECTION 90-69. DEFINITIONS; AMENDING THE DEFINITION OF “AREA” OF A SIGN TO INCLUDE THE SUPPORTING STRUCTURE WITHIN THE MAXIMUM ALLOWABLE SIGN AREA; AMENDING THE DEFINITION OF “MONUMENT SIGN” TO ADD THAT THE BASE OF THE SIGN IS INDEPENDENT OF THE WALL, ENTRY FEATURE OR FENCE; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Planning and Zoning Board has requested the definition of the “area” of a sign pursuant to Article VI of Chapter 90 of the Town of Surfside Zoning Code to be amended to include supporting structures within the maximum allowable sign area; and

**WHEREAS**, the Planning and Zoning Board has requested the definition of a “monument sign” pursuant to Article VI of Chapter 90 of the Town of Surfside Zoning Code to be amended to add that the base of the sign is independent of the wall, entry feature or fence; and

**WHEREAS**, the Town Commission held its first public hearing on July 12, 2016 having complied with the notice requirements required by Florida Statutes; and

**WHEREAS**, the Planning and Zoning Board, as the local planning agency for the Town, held its hearing on the proposed amendments on September 29, 2016 with due public notice and input and recommended approval of the proposed amendments to the Code of Ordinances and also found the proposed Code amendments to be consistent with the Comprehensive Plan; and

**WHEREAS**, the Town Commission conducted a second duly noticed public hearing on these regulations as required by law on October 13, 2016.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, 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. Code Amendment.** The Code of the Town of Surfside, Florida is hereby amended as follows:

**Sec. 90-69. - Definitions.**

*Area:* The entire perimeter of a sign which encloses visually communicative copy such as letters, symbols, or logos, including the advertising surface and any framing, trim, or molding ~~but not~~ including the supporting structure.

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*Entry feature:* An architectural feature that identifies a residential or hotel building. Such architectural features may include columns, trellises, ornaments, metalwork, light fixtures and similar decorative elements to enhance the attractiveness of the structure and shall be consistent with the architecture of the primary structure. A sign shall be permitted and the size of that sign is limited to the area within a continuous perimeter enclosing the letters, symbols or logos.

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*Monument sign:* A free-standing sign generally having a low profile where the base of the sign structure is on the ground independent of the building, wall or fence, but does not include a pole sign.

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**Section 3.** **Severability.** If any section, subsection, clause or provision of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, the remainder shall not be affected by such invalidity.

**Section 4.** **Conflict.** All sections or parts of sections of the Town of Surfside Code of Ordinances in conflict herewith are intended to be repealed to the extent of such conflict.

**Section 5.** **Inclusion in the Code of Ordinances.** It is the intention of the Town Commission, and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the Town of Surfside Code of Ordinances, that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and the word "Ordinance" may be changed to "Section" or other appropriate word.

**Section 6.** **Effective Date.** This Ordinance shall be effective upon adoption on second reading.

**PASSED** and **ADOPTED** on first reading this 13<sup>th</sup> day of September 2016.

**PASSED** and **ADOPTED** on second reading this 13<sup>th</sup> day of October, 2016.

On Final Reading Moved by: Commissioner Hanu Kin

On Final Reading Second by: Commissioner Paul

**FINAL VOTE ON ADOPTION**

Commissioner Daniel Gielchinsky  
Commissioner Michael Karukin  
Commissioner Tina Paul  
Vice Mayor Barry Cohen  
Mayor Daniel Dietch

yes  
yes  
yes  
yes  
yes



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Daniel Dietch, Mayor

**ATTEST:**



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Sandra Novoa, MMC, Town Clerk

**APPROVED AS TO FORM AND LEGALITY FOR THE USE  
AND BENEFIT OF THE TOWN OF SURFSIDE ONLY:**



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Linda Miller, Town Attorney