



VILLAGE OF KEY BISCAYNE

Village Council

Joe I. Rasco, Mayor
Oscar Sardinas, Vice Mayor
Michael F. Bracken
Franklin H. Caplan
Edward London
Nancy Stoner
Fernando A. Vazquez

LOCAL PLANNING AGENCY MEETING

TUESDAY, MARCH 18, 2025
6:15 PM

1. CALL TO ORDER/ROLL CALL OF MEMBERS

2. APPROVAL OF MINUTES:

2.A. JANUARY 14, 2025 MINUTES
(LOCAL PLANNING AGENCY MEETING)

[TAB 1](#)

3. PUBLIC COMMENTS:

4. ORDINANCE:

4.A.

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AMENDING CHAPTER 30, "ZONING AND LAND DEVELOPMENT REGULATIONS," OF THE VILLAGE CODE OF ORDINANCES, BY AMENDING SECTION 30-191, "PROHIBITED SIGNS," AND SECTION 30-195, "NONRESIDENTIAL DISTRICT SIGNS," TO PERMIT MONUMENT SIGNS IN THE C-1 LOW INTENSITY COMMERCIAL DISTRICT AND THE INSTITUTIONAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE. (BUILDING, ZONING AND PLANNING DIRECTOR JEREMY CALLEROS GAUGER)

[TAB 2](#)

5. ADJOURNMENT

I. ANY PERSON WISHING TO ADDRESS THE VILLAGE COUNCIL ON AN ITEM ON THIS AGENDA IS ASKED TO REGISTER WITH THE VILLAGE CLERK PRIOR TO THAT ITEM BEING HEARD. PRIOR TO MAKING A STATEMENT, PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD.

II. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, ALL PERSONS WHO ARE DISABLED AND WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS PROCEEDING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE OFFICE OF THE VILLAGE CLERK, 88 WEST MCINTYRE STREET, KEY BISCAYNE, FLORIDA 33149, TELEPHONE NUMBER (305) 365-5506, NOT LATER THAN TWO BUSINESS DAYS PRIOR TO SUCH PROCEEDINGS.

III. IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE VILLAGE COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT A MEETING OR HEARING, THAT PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED (F.S.286.0105).

IV. IN ACCORDANCE WITH VILLAGE CODE SECTION 2-161, ADOPTING SECTION 2-11.1(s) OF THE MIAMI-DADE COUNTY CODE, ANY PERSON ENGAGING IN LOBBYING ACTIVITIES, AS DEFINED THEREIN, MUST REGISTER AT THE VILLAGE CLERK'S OFFICE BEFORE ADDRESSING THE COUNCIL ON THE ABOVE MATTERS OR ENGAGING IN LOBBYING ACTIVITIES.

THE ABOVE MEETINGS ARE HELD IN THE COUNCIL CHAMBER, 560 CRANDON BOULEVARD AND ARE SUBJECT TO CHANGE. ZONING MEETINGS AND SPECIAL COUNCIL MEETINGS WILL BE SCHEDULED ON AN AS NEEDED BASIS. PLEASE VISIT www.keybiscayne.fl.gov TO VIEW THE MEETING SCHEDULE.

MINUTES

LOCAL PLANNING AGENCY
KEY BISCAVNE, FLORIDA

TUESDAY, JANUARY 14, 2025

COUNCIL CHAMBER
560 CRANDON BOULEVARD

1. **CALL TO ORDER/ROLL CALL OF MEMBERS:** The meeting was called to order by the Chairman at 6:20 p.m. Present were Councilmembers Michael F. Bracken, Franklin H. Caplan, Edward London, Nancy Stoner, Fernando A. Vazquez, Vice Mayor Oscar Sardiñas, and Chairman Joe I. Rasco. Also present were Village Manager Steven C. Williamson, Village Clerk Jocelyn B. Koch, and Village Attorney Chad Friedman.

2. **APPROVAL OF MINUTES:** Councilmember Caplan made a motion to approve the minutes of the December 17, 2024 Local Planning Agency Meeting. The motion was seconded by Vice Mayor Sardiñas and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Bracken, Caplan, London, Stoner, Vazquez, Vice Mayor Sardiñas, and Chairman Rasco voting Yes.

3. **PUBLIC COMMENTS:** There were no residents that addressed the Council.

4. **ORDINANCE:** A public hearing and recommendation of the Village Council sitting as the Local Planning Agency on the following proposed ordinance.

AN ORDINANCE OF THE VILLAGE OF KEY BISCAVNE, FLORIDA, AMENDING SECTION 1-2, "RULES OF CONSTRUCTION AND DEFINITIONS", TO CREATE A DEFINITION FOR THE TERM "PUBLICATION" AND COMPREHENSIVELY AMENDING AND REVISING THE VILLAGE CODE OF ORDINANCES TO ALLOW VILLAGE ADVERTISEMENTS AND LEGAL NOTICES TO BE PUBLISHED IN ANY MANNER PERMITTED UNDER FLORIDA LAW; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Caplan made a motion to recommend the adoption of the proposed ordinance to

the Council as it is consistent with the Master Plan. The motion was seconded by Councilmember London.

The Attorney addressed the Council regarding the above ordinance.

The motion to recommend the proposed ordinance to the Village Council as it is consistent with the Master Plan was approved by a 7-0 roll call vote. The vote was as follows: Councilmembers Bracken, Caplan, London, Stoner, Vazquez, Vice Mayor Sardiñas, and Chairman Rasco voting Yes.

5. **ADJOURNMENT:** The meeting was adjourned at 6:23 p.m.

Respectfully submitted:

Jocelyn B. Koch
Village Clerk

Approved this _____ day of _____ 2025:

Joe I. Rasco
Mayor

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE VILLAGE COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT A MEETING OR HEARING, THAT PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.



VILLAGE OF KEY BISCAIYNE

MEMORANDUM

Village Council
Joe I. Rasco, Mayor
Oscar Sardiñas, Vice Mayor
Michael F. Bracken
Franklin H. Caplan
Edward London
Nancy Stoner
Fernando A. Vazquez

Village Manager
Steven C. Williamson

DATE: March 18, 2025
TO: Honorable Mayor and Councilmembers
FROM: Steven C. Williamson, Village Manager
THRU: Jeremy Calleros Gauger, Director – Building,
Zoning, & Planning Department
RE: Zoning and Land Development Regulation Amendment
regarding Monument Signs

RECOMMENDATION

Recommend the Village Council approve an Ordinance which will allow direct improvements to new and existing, stand-alone monument signs in Institutional and Commercial Districts.

BACKGROUND

On March 9, 1993, the Village of Key Biscayne adopted a Sign Code to regulate signage within the border of the Village. (Ordinance 93-4) which allowed monument signs for multi-family dwellings with certain conditions. This ordinance called for Nonconformities created by subsequent amendments to be completely removed within 5 years.

On 12th of October 2010, the Village of Key Biscayne modified the Sign Code and added monument signs to the list of prohibited signs.

Per provisions of the original Sign Ordinance, monument signs should have been removed by October of 2015. The Village did not uniformly enforce the provision of the code that requires removal of monument signs.

Rather than enforce the existing ordinance and force the removal of signs, staff proposes modifying the ordinance to allow monument signs under certain circumstances and with restrictions which should ensure architectural and aesthetic compatibility. Enforcement will begin one year after adoption.

REVIEW CRITERIA

The Village's procedures for a text change provides for the amendment of the Zoning and Land Development Regulations provided that such amendments are consistent with the following criteria per Sec. 30-71(b) of the Village Ordinances:



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Criteria 1	The proposed amendment is consistent with the Comprehensive Plan.
Analysis	Goal 1 regarding community character. Shall limited (sic) signs to the minimum amount consistent with reasonable identification of retail and other non-residential uses. The changes proposed are consistent with the intent and purpose of the goals, objectives, and policies stated on the Village of Key Biscayne's Master Plan (Comprehensive Plan).
Finding	Consistent
Criteria 2	The proposed change will result in Buildings that are consistent in scale and otherwise compatible with those within 300 feet of the site.
Analysis	This ordinance limits improvements to existing signs which will not allow for expansion of monument signs but allows improvements to existing signs which will maintain consistent with buildings in the proximity.
Finding	Consistent
Criteria 3	The resulting boundaries of a zoning district are logically drawn.
Analysis	The changed regulations apply only to commercial and institutional districts. This will limit the aesthetic impact of monument signs while allowing easy identification of multi-family properties.
Finding	Consistent
Criteria 4	The proposed change will enhance property values in the Village.
Analysis	This ordinance allows existing signs to be repaired and substantially improved which will enhance the value of those properties.
Finding	Consistent
Criteria 5	The proposed change will enhance the quality of life in the Village.
Analysis	Improvements and repairs to existing signs while not expanding the amount of signage will enhance the quality of life.
Finding	Consistent



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Criteria 6	There are substantial and compelling reasons why the proposed change is in the best interests of the Village.
Analysis	A number of existing signs have not been repaired due to previous ordinances. Furthermore, it is desirable to create regulations which are consistently enforced and create the desired aesthetics and characteristics of the Village.
Finding	Consistent

CONCLUSION

Based on findings, relevant background information, and consistency with the review criteria under Chapter 30-71(b), staff recommends that Council approve requested changes.

ORDINANCE NO. 2025-_____

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AMENDING CHAPTER 30, "ZONING AND LAND DEVELOPMENT REGULATIONS," OF THE VILLAGE CODE OF ORDINANCES, BY AMENDING SECTION 30-191, "PROHIBITED SIGNS," AND SECTION 30-195, "NONRESIDENTIAL DISTRICT SIGNS," TO PERMIT MONUMENT SIGNS IN THE C-1 LOW INTENSITY COMMERCIAL DISTRICT AND THE INSTITUTIONAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Village Council of the Village of Key Biscayne (the "Village") has adopted regulations regulating signage within the Village under Article VIII of Chapter 30 of the Village Code of Ordinances (the "Code"); and

WHEREAS, the Village Council finds it periodically necessary to amend its Code of Ordinances in order to update regulations and procedures to implement planning goals and objectives; and

WHEREAS, the Village Council desires to amend Sections 30-191, "Prohibited Signs," and Section 30-195, "Nonresidential District Signs," to permit monument signs in the C-1 Low Intensity Commercial District and the Institutional District; and

WHEREAS, the Village Council, sitting in its capacity as the Local Planning Agency, has reviewed this Ordinance and recommends approval; and

WHEREAS, the Village Council, desires to maintain standards, aesthetics, and character of the Village; and

WHEREAS, the Village Council finds that this Ordinance is in the best interest of the Village's residents.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AS FOLLOWS:¹

Section 1. **Recitals.** The above-stated recitals are true and correct and are incorporated herein by this reference.

¹ Coding: ~~Strikethrough words~~ are deletions to the existing words. Underlined words are additions to the existing words. Changes between first and second reading are indicated with ~~double strikethrough~~ and double underline.

Section 2. Amending Sections 30-191 and 30-195 of the Village Code. That Sections 30-191, “Prohibited Signs,” and 30-195, “Nonresidential District Signs,” of the Code of Key Biscayne, Florida, is hereby amended to read as follows:

CHAPTER 30 – ZONING AND LAND DEVELOPMENT REGULATIONS

* * *

ARTICLE VIII. – SIGNS

* * *

Section 30-191. - Prohibited Signs.

The following are prohibited in the Village:

* * *

~~(22) Monument Signs:~~

~~(23 22)~~ V-signs.

* * *

Section 30-195. - Nonresidential district Signs.

The following Signs are authorized in all nonresidential districts in the Village:

* * *

(8) Monument Signs. Monument signs shall be permitted only in the C-1 Low Intensity Commercial District and the Institutional District, subject to the following restrictions:

<u>Location</u>	<u>Allowed within front setback area when the front setback exceeds 10 feet.</u>
<u>Number</u>	<u>One per property</u>
<u>Area (maximum)</u>	<u>25 square feet</u>
<u>Height (maximum)</u>	<u>Five feet</u>
<u>Illumination</u>	<u>See definition of Reverse Channel Wall Sign</u>

Section 3. Severability. That the provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 4. Codification. That it is the intention of the Village Council and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Village’s Code of Ordinances, and 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 5. **Conflicts.** That all ordinances or parts of ordinances, resolutions or parts of resolutions, in conflict herewith, are repealed to the extent of such conflict.

Section 6. **Effective Date.** That this Ordinance shall become effective immediately upon final adoption on second reading. Notwithstanding the foregoing, pursuant to Section 30-199, the Village Manager shall implement a public education campaign relating to this Ordinance and commence amortization enforcement of this Ordinance against nonconforming monument signs in the C-1 Low Intensity Commercial District and the Institutional District one year after adoption on second reading.

PASSED on first reading on the _____ day of _____, 2025.

PASSED AND ADOPTED on second reading on the _____ day of _____, 2025.

JOE I. RASCO
MAYOR

ATTEST:

JOCELYN B. KOCH
VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY:

WEISS SEROTA HELFMAN COLE & BIERMAN, P.L.
VILLAGE ATTORNEY