



Frank Alvarez Mayor

Planning and Zoning
111 NW 1st Street • Suite 1210
Miami, Florida 33128-1902
T 305-375-2800

miamidade.gov

February 17, 2011

Ms. Barbara K. Bisno, Esq.
1000 Venetian Way, #603
Miami, Florida 33139

RE: American Airlines Arena Signage and Digital Billboards

Ms. Bisno

We are in receipt of your letter dated December 17, 2010 related to the digital sign installed on the west wall of the American Airlines Arena and digital billboards along expressways. Our interpretation of the issues remains consistent with the findings of my letter to you dated October 26, 2010. The following summarizes my assessment of this matter:

Regarding the American Airlines Arena (AAA) Media Mesh

The sign is permitted under the regulations for Automatic Electric Changing Signs (ACS), as outlined in Section 33-96.1 of the County's Sign Code.

As outlined in the letter from County Attorney Robert Cuevas, the sign content is restricted to on-site activities, promotions and products allowing the sign to be classified as a **Class B (point-of-sale) sign**.

Pursuant to Section 33-32 of the County Code, the City of Miami is responsible for enforcement of the County's Sign Code provisions within its boundaries.

The ACS regulations were adopted during a time when incandescent lighting was the predominant technology but they do not preclude the use of more modern technology such as light-emitting diode (LED).

The American Airlines Arena meets the locational requirements for an ACS sign; it is located on an 11.02-acre site with frontage along a major roadway.

The AAA Media Mesh meets the code requirements (size, height, etc.) for ACS signs outlined in Section 33-96.1 of the County Code.

Regarding Digital Billboards

Division 5 of the County's Sign Code regulates signs along expressway's protected zones Countywide.

Division 5 provides that a municipality may opt-out from the regulations contained in the Division.

Other provisions of the Sign Code relative to the specific type of signs that are not included in Division 5, such as illumination, remain in effect.

According to our records, five (5) municipalities (Cutler Bay, Doral, Hialeah, Miami, and North Miami) have opted-out from Division 5.

Only the Cities of Miami and Doral have regulations providing for digital billboards within the expressway's protected zone.

The County's sign code does not provide for digital (automatic changing) technology for billboards. Therefore digital billboards that have been installed along the expressway are not consistent with the County-wide sign code.

We have mapped the locations of the digital billboards along our expressways. There are a total of six, four along I-95 and I-395 within the City of Miami, one along SR-826 within the City of Doral and one along the HEFT within the City of Florida City. These signs have been erected by Clear Channel Outdoor.

There are no digital billboards located within the unincorporated portion of Miami-Dade County.

In conclusion, regarding the AAA Media Mesh, the sign meets the locational and physical requirements outlined in Sec. 33-96.1 of the County Code. The City of Miami has also found this sign permissible under the Major Use Special Permit governing the American Airlines Arena. Your concerns regarding the operational and content aspects of the sign fall within the enforcement jurisdiction of the City of Miami as provided in the County Code and explained in the opinion of the County Attorney. Regarding digital billboards, the digital billboards signs that have been erected along the expressways are not consistent with the County-wide sign code. Furthermore, municipal regulations and permits providing for digital billboards may have been adopted or implemented in a manner that is also not consistent with the Countywide sign code. To that end, I will be contacting the applicable jurisdictions regarding legislative consistency and enforcement. Appropriate action will subsequently be taken in accordance with the results of this process.

If you have additional questions about this issue, please do not hesitate to contact me.

Sincerely,



Marc C. LaFerrier, AICP
Director
Department of Planning and Zoning

Joni Armstrong-Coiffey, Assistant County Attorney
Alex Muñoz, Assistant County Manager
Charles Danger, Director, Building and Neighborhood Compliance