



CITY OF ORLANDO

MEMORANDUM

DATE: January 12, 2015 City Council Meeting

TO: Mayor Dyer and City Commissioners

FROM: Dean J. Grandin, Jr., AICP, Planning Division Manager

SUBJECT: Temporary Use Permit - LDC2014-00372, Artistic Mural Pilot Program

Request. Authorize a two-year pilot program which would allow the Planning Official to exempt artistic murals (or portions thereof) from the City's sign code on private properties, provided they meet certain placement, size, text and appearance criteria. Existing murals that are inventoried by the City (Exhibit A), or otherwise register and are accepted by the Planning Official within 90 days would be "grandfathered" under this program. Authorize the Planning Official to extend this program for up to one additional year based on the effectiveness of the program.

Summary. Increasingly, City Planning staff has received multiple requests from property owners and artists to allow murals on buildings. These murals take on various forms with some being pure art, some "sponsored" art with off-site messages, and some murals being business-related graphics. All of these items could be construed to be "signs" under the City's sign regulations of the Land Development Code, which generally defines a sign as any graphic that causes attention.

Staff also believes that the City's sign code may not intend to regulate art, but current definitions could construe these items as signs. However, as City staff has a desire to support art, and even business-related art due to the City's interest in placemaking and support of the Main Street program (where a majority of the murals are installed), there is good reason to clarify what constitutes a mural and where it can be installed.

Orlando, like other Florida cities has not addressed murals in depth, and has an ad hoc approach to any approvals. As such, a uniform policy is needed to exempt murals visible to the public from the City's sign code.

Proposal. The intent of the proposed temporary regulations is to limit the location and placement of murals visible to the public from rights-of-ways, railroads, limited access roads and adjacent properties, while not regulating the content of private artwork.

- Define "Artistic Mural". An Artistic Mural that could be potentially exempted from the City's sign code is an original, hand-painted graphic that communicates artistic expression.
- Joint Application by Artist and Property Owner. When applying to the Planning Official for a determination exempting an Artistic Mural from the sign code, the artist and owner will jointly

submit the concepts as well as the size and location of the work of art in advance of its installation.

- Prohibit Murals in Residential and Historic Districts, Locations Where Allowed. Artistic murals would only be allowed in non-residential zoning districts and prohibited in all historic districts. Artistic Murals may only be approved in Orlando Main Street Districts, Orlando Market Street Districts, and within Traditional City Activity Centers and Mixed-Use Corridors. Any non-residential zoning district property adjacent to a premium transit line (bus rapid transit or commuter rail) or along off-street bike trails and multi-purpose pathways will also be eligible.
- Approved Site Locations for Artistic Murals. Artistic Murals are limited to the sides and rear of buildings, and shall not cover architectural details of a building (doors, windows, and other architectural details), and non-residential sides of solid privacy and retaining walls.
- Heights of Artistic Murals. Allow Artistic Murals to take up a certain percentage of existing wall area, depending on the height of the overall mural; the taller the mural, the less of the total wall area it should cover due to its increased visibility.
 - Artistic Murals up to 15-ft tall – allowed on up to 100% of the subject wall
 - Artistic Murals up to 30-ft tall – allowed on up to 50% of the subject wall
 - Artistic Murals up to 60-ft tall – allowed on up to 25% of the subject wallThe maximum height of any mural shall be limited to 60-ft from ground level.
- Allow for Artistic Mural Sponsorships. Allow Artistic Murals to display a sponsor (text or logo) on a limited percentage of the total artwork of up to 5%. The sponsor could be an on-site or off-site message, and would require a separate sign permit for that area.
- Limit Text. Non-commercial text, separate from the sponsorship area above, shall be limited to up to 5% of the area of the artwork. Commercial text, logos and messages separate from the sponsor may be considered a sign by the Planning Official during the review, and may be rejected as an Artistic Mural, or a portion of the Artistic Mural thereof.
- Maintenance Standards. The area to be painted for an Artistic Mural must be prepared prior to its installation; any mold and/or peeling paint on an install location shall be powerwashed and properly primed prior to installation. If an Artistic Mural is defaced, peels, fades or is not otherwise maintained, it shall be repaired or painted over within 30-days.
- Appearance Review Board (ARB) Review inside of DDB/CRA Area. The location and placement of an Artistic Mural within the Downtown Development Board and Community Redevelopment Area shall be reviewed by the ARB staff for its placement and architectural compatibility with the design of the building through a minor certificate of appropriateness according to ARB guidelines. Of note, the ARB also reviews art and artistic treatments required for density bonuses Downtown, a separate process.

Application. A Planning Official Determination application is required with a pre-application meeting with Planning staff; a \$50 fee is required for the determination for new murals, as well as changes to existing murals. No additional sign permit is required from the Permitting Division for the Artistic Mural portions of the artwork in accordance with the above requirements.

EXHIBIT A
Known Locations
of Existing Artistic Murals (as of 12/31/2014)

The following are known locations of artistic murals that are “grandfathered” and are exempted from the Planning Official determination requirement. Additional artistic murals not identified here must register within 90-days of this Council action and be accepted by the Planning Official as meeting the general intent of the program and include installation date, property owner permission and artist.

New artistic murals installed after this Council action must apply for a Planning Official determination in conformance with the program.

Mills 50

Alligator - Rise Above Tattoo, 1009 N Mills Ave
Sebastian Coolidge Mural – Lamp Shade Fair, 1336 N Mills Ave
Andrew Spear Mural - I Fix Your I Smart Device Repair, 1200 E Colonial Dr
Andrew Spear Mural - Forbidden City, 948 N Mills Ave
Red Bull Mural - Little Siagon, 1106 E Colonial Dr
Red Bull Mural - Luan Studios, 1201 N Mills Ave
Dionysus - Wills Pub, 1042 N Mills Ave
Runners - Track Shack, 1104 N Mills Ave
Breathe in the Air - Track Shack, 1104 N Mills Ave
Mark Gmehling Mural - SNAP! Space, 1013 E Colonial Drive
Permission Wall (south façade) – Pho 88 Noodle House, 730 N Mills Ave
Permission Wall (north façade) – Trung My, 720 N Mills Ave
Permission Walls (north and south façades) – Pho Hoa, 695 N Primrose Ave
Suntrust Tower and Figure - Former Sam Flax, 1233 E Colonial Drive
Mondrian-inspired - Sam Flax, 1800 E Colonial Dr
Orlando Urban Trail (Bad Kitty, etc) – Between Brookhaven and Wilfred Dr
Buffalo – Say It Loud! (Orange Studio), 1121 N Mills Ave (to be installed January 2015)

Milk District (and nearby)

“Come on In” - Seven Bites Bakery, 207 N Primrose Dr
Dragon - Primrose Tattoo, 47 N Primrose Dr
Octopus - The Milk Barbershop, 49 N Primrose Dr
Cars - Whiskey Lou’s, 121 N Bumby Avenue
Van Halen - Covert Skate Shop, 2424 E Robinson St
Delacruz Wings – All State Insurance, 2424 E Robinson St
Western Scene and Agave - Gringo’s Locos, 2406 E Robinson St
Dolla Short Murals – Drunken Monkey, 444 N Bumby Ave

EXHIBIT A Continued...

Downtown

The Arts Move Us – Bigeye, 500 South Magnolia Ave
Vines - Library Parking Garage East Façade, 112 E Central Ave
Gator in Swan Boat – Harry Buffalo, 129 W Church St
Communications Murals – AT&T Building, 45 N Magnolia Ave
Penguin and Balloons – 319 N Magnolia

Thornton Park

Bar Scene - Burton's Bar, 801 E Washington St
Street Art - Dexter's, 808 E Washington St

College Park

Eat More Ice Cream – The Soda Fountain, 2525 Edgewater Dr
Flamingos, Bike, Swan and Fountain – David's World Cycles, 2517 Edgewater Dr
Animated Pipe and Wildlife – Former Amazon Hose and Rubber, 1625 W Princeton St

Ivanhoe Village

Faux Storefronts – A&T Antiques, 1620 N Orange Ave
Andrew Spear Mural – Hideaway, 516 Virginia Dr
Thorsprecken Mural - Mennello Museum, 900 Princeton St

Downtown South

Patriotic Scene - Colonial Medical Supply, 915 S Orange Ave
Western Scene – Johnny's Fillin' Station, 2631 S Ferncreek Ave
Child's Scene – Elite Learning Academy, 2606 S Ferncreek Ave

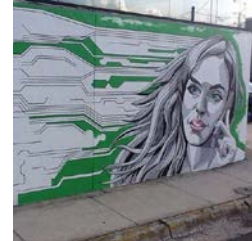
Traditional City

Nuclear Hands - Former McNamara Pontiac, 1100 W Colonial Dr
Diamond Demons - Former McNamara Pontiac, 1100 W Colonial Dr

EXHIBIT B

Pictures of Known Existing Murals

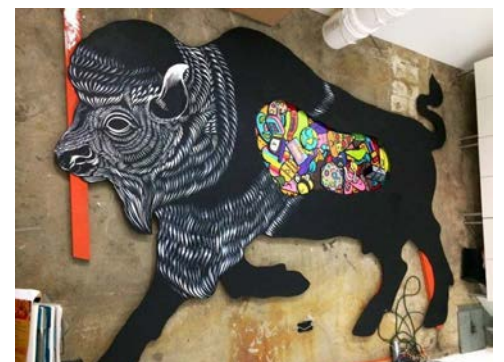
Mills 50



Mills 50 Cont...



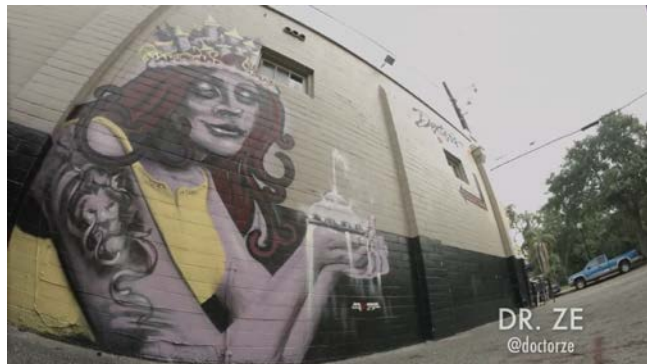
Milk District



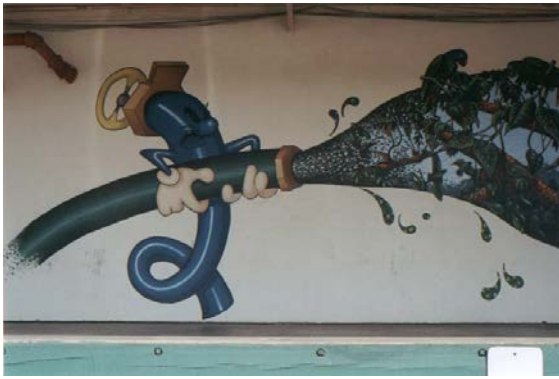
Downtown



Thornton Park



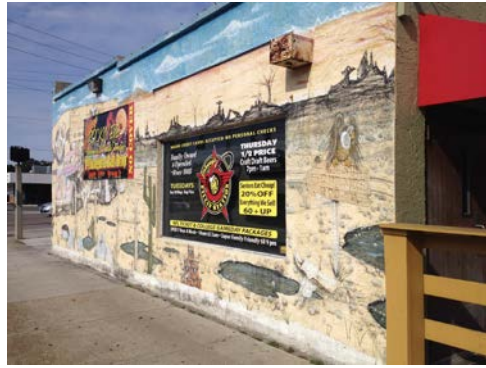
College Park



Ivanhoe Village



Downtown South



Elsewhere in Traditional City

