

1 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY**
2 **OF ORLANDO, FLORIDA, RELATING TO REGIONAL**
3 **PUBLIC FACILITY DESIGNATION AND SIGNAGE;**
4 **APPROVING EXTERIOR SIGN PACKAGE FOR THE**
5 **DESIGNATED REGIONAL PUBLIC FACILITY (BOONE**
6 **HIGH SCHOOL) PURSUANT TO SECTION 64.320,**
7 **ORLANDO CITY CODE; PROVIDING FOR PENALTIES,**
8 **SEVERABILITY, CORRECTION OF SCRIVENER'S**
9 **ERRORS, PERMIT DISCLAIMER, AND AN EFFECTIVE**
10 **DATE.**

11
12 **WHEREAS**, section 64.320, Code of the City of Orlando, Florida (the "Orlando
13 City Code") provides that "...City Council may approve signage for regional public
14 landmarks, and public regional facilities which serve the greater metropolitan area and/or
15 the tourist population;" and

16
17 **WHEREAS**, section 64.320, Orlando City Code further provides that "Such
18 signage shall be approved by ordinance for regional public landmarks/facilities identified
19 by City Council..." and

20
21 **WHEREAS**, section 64.320, Orlando City Code further provides that "Such
22 landmark/facility shall be owned or controlled by a federal, state, or local government
23 entity;" and

24
25 **WHEREAS**, the Orlando City Council hereby approves the planning official
26 determination dated Oct. 27, 2016, attached to this ordinance as **Exhibit "A,"** as made
27 in accordance with section 64.320, Orlando City Code, that (1) Boone High School is a
28 regional public landmark within the meaning of section 64.320, Orlando City Code, (2)
29 the proposed signage for this landmark reviewed by the planning official, included in
30 **Exhibit "B"** (the "sign package"), fosters the public health, safety, and welfare by
31 promoting safe and efficient public access to the subject facility, and (3) such signage
32 will not have a negative impact on surrounding land uses; and

33
34 **WHEREAS**, the Orlando City Council hereby finds and declares that this
35 ordinance is in the best interest of the public health, safety, and welfare, and that it
36 advances a valid and important public purpose.

37
38 **NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY**
39 **OF ORLANDO, FLORIDA, AS FOLLOWS:**

40
41 **SECTION 1. SIGN PACKAGE APPROVED.** In accordance with section 64.320,
42 Orlando City Code, the Orlando City Council hereby approves the sign package
43 described and depicted in **Exhibit "B"** to this ordinance for use at Boone High School.
44 Depictions and descriptions in the package are depictions and descriptions of the
45 approved size, type, and location of allowed signs. Requested changes to the copy in
46 the sign package are subject to review and approval by minor certificate of appearance

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47 approval in accordance with Part 4F, Chapter 65, Orlando City Code. In addition,
48 requested changes to the size, type, material, color, location, and other elements of
49 signs may be approved by planning official determination if the proposed changes
50 constitute a minor modification. For purposes of this ordinance, a minor modification
51 means any of the following:

- 52 a. Removing or reducing the size of any sign.
- 53 b. Increasing the size of any sign by 10% or less.
- 54 c. Changing the display technology, illumination features, type, materials,
55 shape, design, or colors of any sign.
- 56 d. Any changes to an existing sign not visible from a public right-of-way or the
57 addition of a new sign not visible from a public right-of-way.
- 58 e. Changing the location of any sign if the sign remains within the same
59 architectural feature or element of the building.
- 60 f. Addition or elimination of flags and flagpoles.
- 61 g. Addition or elimination of temporary signs and banner signs.

62
63 Notwithstanding any other provision of the Orlando City Code to the contrary,
64 proposed minor modifications to the sign package are subject to review and approval by
65 minor certificate of appearance approval. In reviewing an application for a proposed
66 minor modification, the planning official may approve, approve with conditions, or deny
67 the application based on the standards provided at sections 64.320 and 65.519, Orlando
68 City Code.

69
70 **SECTION 2. CONFLICTS.** In the event of conflict, the text of this ordinance
71 controls over the depictions, descriptions, and text contained within the exhibits to this
72 ordinance.

73
74 **SECTION 3. PENALTY.** Violations of this ordinance are violations of the City's
75 land development code and shall be punished as provided therein.

76
77 **SECTION 4. SEVERABILITY.** If any provision of this ordinance or its application
78 to any person or circumstance is held invalid, the invalidity does not affect other
79 provisions or applications of this ordinance which can be given effect without the invalid
80 provision or application, and to this end the provisions of this ordinance are severable.

81
82 **SECTION 5. SCRIVENER'S ERROR.** The City Attorney may correct scrivener's
83 errors found in this ordinance by filing a corrected copy of this ordinance with the City
84 Clerk.

85
86 **SECTION 6. OTHER STATE AND FEDERAL PERMITS.** As provided by
87 subsection 166.033(5), Florida Statutes, issuance of a development permit by a

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88 municipality does not in any way create any right on the part of an applicant to obtain a
89 permit from a state or federal agency and does not create any liability on the part of the
90 municipality for issuance of the permit if the applicant fails to obtain requisite approvals
91 or fulfill the obligations imposed by a state or federal agency or undertakes actions that
92 result in a violation of state or federal law. In accordance with subsection 166.033(5),
93 Florida Statutes, it is hereby made a condition of this ordinance that all other applicable
94 state or federal permits be obtained before commencement of the development.

95
96 **SECTION 7 EFFECTIVE DATE.** This ordinance takes effect immediately upon
97 final passage.

98
99 **DONE, THE FIRST READING,** by the City Council of the City of Orlando,
100 Florida, at a regular meeting, this _____ day of _____, 2016.

101
102 **DONE, THE PUBLIC NOTICE,** in a newspaper of general circulation in the City
103 of Orlando, Florida, by the City Clerk of the City of Orlando, Florida, this _____ day
104 of _____, 2016.

105
106 **DONE, THE SECOND READING, A PUBLIC HEARING, AND ENACTED ON**
107 **FINAL PASSAGE,** by an affirmative vote of a majority of a quorum present of the City
108 Council of the City of Orlando, Florida, at a regular meeting, this _____ day of
109 _____, 2016.

110
111
112 BY THE MAYOR/MAYOR PRO TEMPORE
113 OF THE CITY OF ORLANDO, FLORIDA:

114
115
116 _____
117 Mayor / Mayor Pro Tempore

118
119 ATTEST, BY THE CLERK OF THE
120 CITY COUNCIL OF THE CITY OF
121 ORLANDO, FLORIDA:

122
123 _____
124 City Clerk

125
126 APPROVED AS TO FORM AND LEGALITY
127 FOR THE USE AND RELIANCE OF THE
128 CITY OF ORLANDO, FLORIDA:

129
130 _____
131 City Attorney

132 ****[Remainder of page intentionally left blank.]****