

1           **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF**  
2           **ORLANDO, FLORIDA, RELATING TO BILLBOARDS;**  
3           **AMENDING CHAPTER 64 ORLANDO CITY CODE, TO**  
4           **EXPAND THE DIGITAL BILLBOARD EXCHANGE PROGRAM;**  
5           **TO TERMINATE THE BILLBOARD REPLACEMENT PILOT**  
6           **PROGRAM; AND TO ALLOW GOBO PROJECTION SIGNS IN**  
7           **THE DOWNTOWN CORE SUBDISTRICT; PROVIDING**  
8           **LEGISLATIVE FINDINGS, AND FOR SEVERABILITY,**  
9           **CODIFICATION, CORRECTION OF SCRIVENER'S ERRORS,**  
10          **AND AN EFFECTIVE DATE.**

11  
12           **WHEREAS**, section 163.3202(1), Florida Statutes, requires that the city of  
13 Orlando, Florida (the "city"), adopt or amend and enforce land development regulations  
14 that are consistent with and implement the city's adopted comprehensive plan; and  
15

16           **WHEREAS**, section 163.3202(3), Florida Statutes, encourages the use of  
17 innovative land development regulations and requires that all land development  
18 regulations be combined into a single land development code for the city; and  
19

20           **WHEREAS**, from time to time, amendments and revisions to the city's adopted  
21 comprehensive plan (the "Growth Management Plan"), progress in the field of planning  
22 and zoning, or changes to state law make it necessary or desirable to amend the land  
23 development regulations of the city; and  
24

25           **WHEREAS**, at its regularly scheduled meeting of February 21, 2017, the Municipal  
26 Planning Board recommended to the Orlando City Council that the provisions of this  
27 ordinance are consistent with the applicable provisions of the city's adopted Growth  
28 Management Plan, are in the best interest of the public health, safety, and welfare, are in  
29 harmony with the purpose and intent of the Land Development Code of the City of Orlando,  
30 Florida (the "Land Development Code"), will not result in disorderly and illogical  
31 development patterns, and will not result in incompatible land uses; and  
32

33           **WHEREAS**, the Orlando City Council hereby finds and determines that this  
34 ordinance is consistent with the applicable provisions of the city's adopted Growth  
35 Management Plan, is in the best interest of the public health, safety, and welfare, is in  
36 harmony with the purpose and intent of the city's Land Development Code, will not result  
37 in disorderly and illogical development patterns, and will not result in incompatible land  
38 uses; and  
39

40           **WHEREAS**, the City seeks to improve the visual aesthetics of the City and the  
41 safety of the public by reducing sign clutter on several major thoroughfares, within the  
42 Downtown CRA/Interstate 4 view corridors, throughout the City, and in specific pedestrian  
43 oriented corridors; and  
44

45           **WHEREAS**, the Orlando City Council finds and determines that the electronic  
46 signs contemplated within this ordinance will not harm the City's natural beauty and

scenery and will help enliven and define several downtown urban commercial districts;  
and

**WHEREAS**, the Orlando City Council hereby finds and declares that this ordinance is in the best interest of the public health, safety, and welfare; and

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

**SECTION 1. SEC. 64.277, AMENDED.** Section 64.277, Code of the City of Orlando, Florida, is hereby amended as follows:

**Sec. 64.277. – Off-Premises Digital Billboard Signs.**

\*\*\*\*

B. (1) Off-premises digital billboard signs must be approved through the Digital Billboard Exchange Program and must ~~shall~~ comply with the following requirements:

a) *Locations where allowed:* Off-premises digital billboard signs shall be allowed only in the following zoning districts and only within 150 feet of the right-of-way along limited access highways or a designated state arterial roadway:

I-G General Industrial

I-P Industrial Park

I-C Industrial - Commercial

AC-1 Activity Center

AC-2 Activity Center

AC-3 Activity Center

AC-N Activity Center

MU-2 High Intensity Mixed Use Corridor, located within 150 feet of the right-of-way, only along limited access roadways.

b) In order to allow for further digital billboard exchanges, exchanges are allowed at a ratio of 4:1 based on square footage in the following identified corridors for properties that are either adjacent to the corridor or where an existing billboard is sited within 150 feet of the right-of-way as calculated by the shortest measurable distance between the nearest point of the sign to the edge of the right of way. At least 50% of the traded square feet must come from that particular corridor and the remaining 50% may come from throughout the city.

1. Colonial Drive East (East of Orange Avenue to the eastern City limit);

2. Colonial Drive West (West of Orange Avenue to the western City limit);
3. Orange Blossom Trail Corridor (South of Colonial Drive to the southern City limit);
4. North John Young Parkway (W.D. Judge Road to north of Orange Blossom Trail);
5. International Drive/South Kirkman Road/Sand Lake Road/Conroy Road;
6. Semoran Blvd (Beachline Expressway to the north City limit);
7. South Orange Avenue (from Michigan Street to the southern City limit).
8. Downtown Orlando CRA/Downtown View Corridor Area and Interstate 4 View Corridor.

Billboard signs located in the Downtown Orlando CRA/Downtown View Corridor area must abide by one of the following conditions:

- i. Billboard construction is allowed on developed sites. Architectural integration is required into a principal building or parking garage and the proposed billboard structure must be reviewed through an ARB major review process, the Historic Preservation Board or the Creative Village Development Review Committee, as applicable. The maximum number of billboard structures allowed per development site is one.
- ii. An existing non-digital billboard may be converted to digital. As a result of the use of this Digital Billboard Exchange Program, future relocation on the same parcel is permitted without trading in square footage so long as the siting of the billboard allows for logical development of the site or can be relocated on the site to allow logical redevelopment, subject to minor review by the Appearance Review Board within the Downtown CRA.

d) *Billboard Exchange Incentive.* Billboards located along the following pedestrian oriented main streets are eligible for a 3:1 exchange ratio based on square footage. This incentive is proposed to provide an appealing pedestrian-oriented urban and mixed use environment. To receive the incentive, a portion of the traded square footage must come from one of the pre-identified billboards below in its entirety along with any of the eligible billboards described in section 64.277(B)(1)(b) above. The addresses of these proposed "incentive" billboards are:

1. 2601 Delaney Avenue
2. 2702 S. Orange Avenue

3. 2830 S. Orange Avenue

4. 1508 E. Michigan Street

5. 1323 N. Orange Avenue

6. 2912 Edgewater Drive

7. 201 N. Bumby Avenue

8. 717 N. Mills Avenue

9. 1001 N. Mills Avenue

10. 1349 N. Mills Avenue

11. 2720 E. Robinson Street

12. 3500 Curry Ford Road

13. 802 W. Church Street

14. 410 N. Orange Blossom Trail

15. 1500 W. Smith Street

16. 3117 S. Orange Avenue

be) Off-premises digital billboard signs shall not be located within the following designated view corridors unless otherwise stated above: (GMP Figure UD32), as amended.

- John Young Parkway from Silver Star Road south to the southern entrance of Orlando Executive Park;

- Princeton Street from Silver Star Road to Orange Blossom Trail;

- Semoran Boulevard from Hoffner Road south to the City limits, including the Orlando International Airport;

- All roadways within or abutting Loch Haven Park, including Lake Estelle and its shoreline;

- Lake Ivanhoe and all roadways abutting its shorelines;

- Orange Avenue;

- State Road 408 from Conway Road west to Bumby Avenue;

- I-4 from Princeton Street to Michigan Avenue;

- Mills avenue from the northern City limits south to Virginia Drive;

• Kirkman Road, I-4 north to the City limits; and

• Any view corridor described in the Urban Design Element of the Growth Management Plan, Figure UD-32, as amended.

ef) No off-premises digital billboard sign shall be located within ~~300~~ 400 ft. of any residentially zoned property, except AC-1 Activity Center, AC-2 Activity Center, AC-3 Activity Center, AC-N Activity Center, or MU-2 High Intensity Mixed Use Corridor as described in subsection (a) above, or within 400 ft. of any property with an existing, legal residential land use. If a limited access roadway separates the digital billboard sign from residentially zoned property, the digital billboard sign must be a minimum of 300 ft. away from the residentially zoned property. The distance shall be calculated as the shortest measurable distance between the nearest point of the billboard sign to the edge of the residentially zoned property.

dg) No off-premises digital billboard sign shall be located within an historic district, or within 400 ft. of an historic district boundary. The distance shall be calculated as the shortest measurable distance between the nearest point of the sign to the edge of the historic district.

eh) No off-premises digital billboard sign shall be located within fifteen feet of any public road right of way as calculated by the shortest measurable distance between the nearest point of the sign to the edge of the right-of-way, except for the conversion of existing non-digital billboards and any associated structural improvements necessary and approved by the planning official.

fi) No off-premises digital billboard sign shall be located within 400 feet of any public park, community/neighborhood centers, public or private elementary, middle, or high school or religious institution. The distance shall be calculated as the shortest measurable distance between the nearest point of the sign to the edge of the premises on which the any public park, community/neighborhood centers, public or private elementary, middle, or high school or religious institution is located.

gj) No off-premises digital billboard sign shall be located within 100 feet of a hotel or motel, as that term is defined in City Code. The distance shall be calculated as the shortest measurable distance between the nearest point of the sign to the edge of the premises on which the hotel or motel is located. However, as an alternative to the enforcement of this subsection, the sign owner may obtain a written document signed by all of the owner(s), and any individual or entity having a real property interest, including lessees, in the affected hotel(s) or motel(s) indicating the owner(s) consent to the applicable sign permit application. In such an event, a copy of the written consent document(s) shall be filed with the permit application.

k) No off-premises digital billboard sign shall be located within 1500 feet of another off-premise digital billboard sign or within 1000 feet of a non-digital billboard sign. The distance shall be calculated as the shortest measurable distance between the edge of one sign to the edge of the other sign.

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**SECTION 2. SEC. 64.278, AMENDED.** Section 64.278, Code of the City of Orlando, Florida, is hereby deleted in its entirety:

**~~Sec. 64.278. — Billboard Replacement Pilot Program.~~**

~~Purpose. The purpose of this Section is to establish a Billboard Replacement Pilot Program pursuant to state statute. The Program allows, but does not mandate, the City of Orlando to enter into Agreements providing for the removal of billboards in designated areas, such as historic and residential districts, downtown and other such areas designated by the City of Orlando, in exchange for the right to construct a billboard along an interstate highway. The Program constitutes a public purpose and is in the public interest of the citizens of the City of Orlando by causing the removal of billboards in certain designated areas, thus enhancing the visual aesthetics of the City of Orlando.~~

~~(I) Pursuant to Section 479.07(9)(c) Florida Statutes, which encourages the voluntary removal of billboard signs in downtown, historic, redevelopment, infill or community, civic or residential areas or other areas so designated by the City of Orlando, in exchange for the right to erect a replacement billboard sign on an interstate highway, a Billboard Replacement Pilot Program is hereby established by the City of Orlando. Under the auspices of this Pilot Program, City Council may, upon separate City Council approval and consistent with Florida Statutes and local regulations, enter into agreement(s) with billboard sign owner(s) establishing the terms of the removal of existing, legally non-conforming billboard signs located in downtown, historic, redevelopment, infill or community, civic or residential areas or other areas so designated by the City of Orlando, in exchange for the right to construct a new billboard along interstate highways within the City of Orlando. The City is not, by the terms of this section or otherwise, obligated to enter into any such agreement(s) with billboard sign owner(s). Upon the execution of an Agreement pursuant to this Pilot Program, the Florida Department of Transportation is authorized to reduce the required spacing of billboards along interstate highways within the City of Orlando from 1,500 feet to 1,000 feet. The spacing requirements authorized by this section and Section 479.07(9)(c) Florida Statutes, are not applicable to off-premises digital billboard signs, the construction and placement of which signs shall be exclusively governed by City Code and other applicable law.~~

~~(II) This Billboard Replacement Pilot Program shall terminate one year from the Effective Date of this section.~~

~~Secs. 64.2798—64.299. - Reserved.~~

**SECTION 3. Part 8, SEC. 64.400, AMENDED.** Part 8, Section 64.400, Code of the City of Orlando, Florida, is hereby amended as follows:

**Sec. 64.400. - Downtown Special Sign District.**

\*\*\*\*

(d) *Gobo projection signs.* Gobo ("goes between optics") projection signs are signs displayed on a fixed surface by projecting light through a semitransparent template that contains a static image. Each principal building in the Downtown Special Sign District may display one static gobo sign. Additionally, each ground floor retail use may project one static gobo sign onto the adjacent sidewalk. All gobo signs are subject to the following regulations:

1. Gobos may only project from dusk to 2:00 a.m. the following day.
2. Gobo images may not change until the following dusk.
3. Gobo signs may not flash, animate, or distract passing motorists.
4. Gobo signs may only project onsite ~~directory messages, or artistic images that do not fall within the definition of "sign" found in Chapter 66 of this Code.~~
5. Gobos may not project upon parts of buildings that are used for residential or lodging purposes.
6. Because gobos are temporary in nature, they do not count toward the calculation of maximum allowable copy area.

(e) *Animated gobo projection signs in the Downtown Core Subdistrict.* Animated gobo ("goes between optics") projection signs are signs displayed on a fixed surface by projecting light through a semitransparent template that contains animated videos. Each principal building in the Downtown Core Subdistrict may display one animated or static gobo sign. Additionally, each ground floor retail use may project one animated or static gobo sign onto the adjacent sidewalk. All animated gobo signs are subject to the following regulations:

1. Gobos may only project from dusk to 2:00 a.m. the following day.
2. Gobo signs may only project onsite messages.
3. Gobos may not project upon parts of buildings that are used for residential or lodging purposes.
4. Because gobos are temporary in nature, they do not count toward the calculation of maximum allowable copy area.
5. Animated gobos may not exceed 1,600 square feet and may not be visible from a limited access highway.

(ef) *Interactive storefronts.* Interactive storefronts are digital signs oriented and designed to interact with pedestrians passing along the adjacent sidewalk. Interactive storefronts are allowed within the Downtown Core, Midtown, and Creative Village subdistricts. All interactive storefronts are subject to the following regulations:

1. Interactive storefronts must be designed, installed, and maintained to function as a computer-generated interactive display that responds to the physical activity of engaged pedestrians passing along the adjacent sidewalk.
2. Interactive storefronts do not count towards the calculation of maximum allowable copy area.
3. Interactive storefronts may display onsite and offsite messages.

4. Messages displayed on interactive storefronts must be oriented towards the pedestrian, not passing motorists.
  5. Interactive storefronts are only allowed along sidewalks that are at least 15 feet wide, measured perpendicular to the storefront, or along publicly-accessible plazas that are at least 15 feet wide, measured perpendicular to the storefront.
  6. Interactive storefronts may comprise no more than 15% of a block face, and no more than 25% of the width of the applicable building face.
  7. Buildings with interactive storefronts are not exempt from minimum transparency requirements.
  8. The applicable Downtown Special Sign subdistricts may have no more than eight interactive storefronts. However, each commercial ground floor use that meets the above dimensional requirements for sidewalk and plazas may have one interactive sign of up to a maximum of three square feet or a 28-inch monitor (e.g., interactive menus, catalogs, etc.).
  9. All interactive storefronts are subject to the operational requirements of subsections 64.277-B(3) f), g), h), i), j), and k), of this Code.
- (fg) *Kinetic signs.* Kinetic signs are signs with components that spin, rotate, or otherwise mechanically move or display the perception of movement through the manipulation of light. Kinetic signs are allowed throughout the Downtown Special Sign District, subject to the following regulations:
1. Kinetic signs may move, flash, or display the perception of motion only from dusk to 2:00 a.m. the following day.
  2. Freestanding kinetic signs are prohibited.
  3. Kinetic signs count towards the calculation of maximum allowable copy area.
  4. Kinetic signs must be turned off if they are not fully operational as designed and permitted.
- (gh) *Digital onsite signs.* Digital onsite signs are onsite signs that display images or messages through a digital medium. Digital onsite signs are allowed within the Downtown Core, Midtown, and Creative Village Special Sign subdistricts, subject to the following regulations:
1. Digital onsite signs are only allowed as a marquee sign.
  2. Digital onsite signs are only allowed for commercial uses.
  3. Digital onsite signs count towards the calculation of maximum allowable copy area.
  4. Digital onsite signs are prohibited on contributing structures within the Downtown Orlando Historic Preservation Overlay District, but may be allowed on City-designated Historic Landmarks outside of the Downtown Orlando Historic Preservation Overlay District if approved by certificate of appropriateness.
  5. Digital onsite signs must conform to the operational requirements of section 64.277-B(3) of this Code, except for subsection e).
  6. Digital onsite signs may not be a high-rise sign.



- (h) *Digital screens.* Digital screens are signs comprised of a television-like screen that displays full-motion images and messages through the digital manipulation of light. Digital screens are allowed within the Creative Village Special Sign subdistrict, and sites within the Downtown Core Special Sign subdistrict that abut the Church St. right-of-way and the Orange Ave. right-of-way between Jackson St. and Pine St., and that conform to the requirements of this part. All digital screens are subject to the following regulations:
1. Digital screens may display onsite and offsite messages.
  2. Digital screens must be flush with the building façade, architecturally integrated into the building onto which it is affixed, and oriented towards the pedestrian and not passing motorists.
  3. Digital screens are only allowed on mixed-use sites.
  4. Digital screens are only allowed on sites that contain ground floor retail uses throughout a majority of the ground floor leasable area.
  5. Digital screens are only allowed on sites with at least 250,000 square feet of building area.
  6. Digital screens are only allowed on sites with a public or private plaza at least 0.1 acres in area.
  7. Digital screens may not be visible from a limited access highway.
  8. All digital screens on the same site must be part and parcel of a singular, master sign plan that is controlled by a common computerized control system. Individual screens must work in coordination with each other and may not be controlled separately by different tenants of the site.
  9. Digital screens may not exceed 400 square feet per principal building or 1,600 square feet per principal building if built and maintained behind glass windows designed for such purpose. A building site may only have outdoor or indoor digital screens, but not both. Buildings with such a display are not exempt from regular building transparency requirements.
  10. Digital screens are prohibited above 60 feet from the ground, or the top of the building's second floor, whichever is less, and may not be below 9.5 feet above the surface of the nearby sidewalk, plaza, or other walkway.
  11. Digital screens are subject to the operational requirements of subsections 64.277(3) f), g), h), i), j), and k), of this Code.
  12. Within the Downtown Core subdistrict, digital screens must be primarily oriented towards Church St. or Orange Ave.
- (i) *Digital kiosks.* Digital kiosks are kiosks containing primarily digital signs. Subject to approval from the City to use its right-of-way for such purpose, digital kiosks are allowed within public sidewalks throughout the Downtown Special Sign District, and may display offsite messages as well as static sign copy.
- (j) *Monument signs.* Monument signs are allowed throughout the Downtown Special Sign District, subject to the following regulations:
1. Monument signs are only allowed on sites with at least 250,000 square feet of building area and a public or private plaza at least 0.1 acres in area

2. Only one monument sign is allowed per site.
3. Monument signs must be located within a public or private plaza and may not be located within five feet of any public right-of-way.
4. Monument signs may not exceed 10 feet in height, and may not exceed 60 feet square in area.
5. Monument signs may only display onsite ~~directory and identification~~ material.
6. A monument sign may contain an electronic directory screen of up to 50 inches diagonal, provided that it is not visible to motorists on nearby roads.

(k) *Televisions.* Outdoor and indoor televisions visible from the public right-of-way are allowed throughout the Downtown Special Sign District, subject to the following regulations:

1. Televisions are only allowed on the first and second floors, and never above 30 feet from the ground.
2. Television screens count towards the calculation of maximum allowable copy area when located within 6 feet of either the public right-of-way or a window, and oriented primarily toward the public right-of-way, even if the television is located within a building.
3. Televisions may only broadcast during the business hours of the business at which the television is located.
4. Televisions may only broadcast onsite messages and regular broadcast television programming.
5. Buildings with television screens are not exempt from minimum transparency requirements.
6. Only one television of no more than 50 inches is allowed per commercial use, except that approved sidewalk cafes may have one television of no more than 50 inches per 50 feet of lineal right-of-way frontage.
7. Television studios are allowed one outdoor television over 50 inches in size broadcasting programs originating from the building site. The size of the television is counted towards the building site's sign area allocation.

(l) *Temporary special event signs.* Council may, by resolution, approve a sign package of banners and building-wrap signs for significant downtown-wide special events. The proposed package must be reviewed by the Planning Official before consideration by Council. Signs approved pursuant to this part may be displayed no more than 30 days before the special event, and must be removed no later than 7 days after the special event.

**SECTION 4. CODIFICATION.** The city clerk and the city attorney shall cause the Code of the City of Orlando, Florida, to be amended as provided by this ordinance and may renumber, re-letter, and rearrange the codified parts of this ordinance if necessary to facilitate the finding of the law.

**SECTION 5. SCRIVENER'S ERROR.** The city attorney may correct scrivener's errors found in this ordinance by filing a corrected copy of this ordinance with the city clerk.

**SECTION 6. SEVERABILITY.** If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

**SECTION 7. EFFECTIVE DATE.** This ordinance takes effect upon adoption.

**DONE, THE FIRST READING,** by the City Council of the City of Orlando, Florida, at a regular meeting, the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**DONE, THE PUBLIC NOTICE,** in a newspaper of general circulation in the City of Orlando, Florida, by the city clerk of the City of Orlando, Florida, the \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_.

**DONE, THE SECOND READING AND PUBLIC HEARING, AND ENACTED ON FINAL PASSAGE,** by an affirmative vote of a majority of a quorum present of the City Council of the City of Orlando, Florida, at a regular meeting, the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

BY THE MAYOR/MAYOR PRO TEMPORE  
OF THE CITY OF ORLANDO, FLORIDA:

\_\_\_\_\_  
Mayor/Mayor Pro Tempore

ATTEST, BY THE CLERK OF THE  
CITY COUNCIL OF THE CITY OF  
ORLANDO, FLORIDA:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Print Name

THIS ORDINANCE DRAFTED BY AND  
APPROVED AS TO FORM AND LEGALITY  
FOR THE USE AND RELIANCE OF THE  
CITY OF ORLANDO, FLORIDA:

\_\_\_\_\_  
Assistant City Attorney

\_\_\_\_\_  
Print Name