

ORDINANCE NO. 2018-10

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 (BARNETT
6 PARK) PURSUANT TO SECTION 64.320, ORLANDO
7 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 landmarks
14 and regional facilities which serve the greater metropolitan area and/or the tourist
15 population;" and

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

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

24
25 **WHEREAS**, the Orlando City Council hereby approves the planning official
26 determination dated January 11, 2018, attached to this ordinance as **Exhibit A**, as made
27 in accordance with section 64.320, Orlando City Code, that (1) Barnett Park is a regional
28 public landmark within the meaning of section 64.320, Orlando City Code, (2) the
29 proposed signage for this landmark reviewed by the planning official, included in **Exhibit**
30 **B** (the "sign package"), fosters the public health, safety, and welfare by promoting safe
31 and efficient public access to the subject facility, and (3) such signage will not have a
32 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:**

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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 Barnett Park. Depictions
44 and descriptions in the package are depictions and descriptions of the approved size,
45 type, and location of allowed signs. Requested changes to the copy in the sign package
46 are subject to review and approval by minor certificate of appearance approval in

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

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

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

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

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

SECTION 4. 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 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. DISCLAIMER. In accordance with section 166.033(5), Florida Statutes, the issuance of this development permit does not in any way create any right

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on the part of the applicant to obtain a permit from a state or federal agency, and does not create any liability on the part of the city for issuance of this permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. All other applicable state or federal permits must be obtained before commencement of the development authorized by this development permit.

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, this _____ day of _____, 2018.

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, this _____ day of _____, 2018.

DONE, THE SECOND READING, A 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, this _____ day of _____, 2018.

BY THE MAYOR 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

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

Assistant City Attorney

Print Name