



**Interoffice Memorandum**

December 30, 2019

**TO:** Mayor Jerry L. Demings  
-AND-  
Board of County Commissioners

**FROM:** Jon V. Weiss, P.E., Director  
Planning, Environmental and  
Development Services Department

**CONTACT PERSON:** Alberto A. Vargas, MArch., Manager  
Planning Division  
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*ODH  
for AV*

**SUBJECT:** January 14, 2020 – 2:00 PM Public Hearing  
Orange County Code Chapter 38 Update  
Regarding Dynamic Art in the I-Drive District Overlay Zone  
Districts 1 and 6

On May 21, 2019, the Board approved Ordinance 2019-06, which amended Chapters 31.5 and 38 of the Orange County Code to permit dynamic art within certain sub-districts of the I-Drive District Overlay Zone, to provide regulations regarding the same, and to exempt Dynamic Art from the definitions of "sign" and "work of art" in Chapter 31.5. The Board approval of Ordinance 2019-06 followed two public hearings held by the Planning and Zoning Commission (PZC) on January 17, 2019 and February 21, 2019.

Subsequent to the approval of Ordinance 2019-06, Planning Division staff has been working with an I-Drive stakeholder and the County Attorney's office on further Code changes to adjust the regulatory requirements for Dynamic Art within the I-Drive District Overlay Zone. Generally, the changes reiterate that a Dynamic Art applicant must meet the requirements of Chapter 479, Florida Statutes, on outdoor advertising, reduce the distance separation requirement between Dynamic Art and the centerline of I-4 or State Road 528 from 660 ft. to 600 ft., reword provisions regarding the text copy area within Dynamic Art, and make minor amendments to the subsection regarding the dynamic art application submittal, review, approval and appeal process.

More specifically, and as stated in the title block, the subject ordinance would amend Division 4.5 of Article VII of Chapter 38 to change and adjust Orange County Code

provisions related to Dynamic Art in the I-Drive District Overlay Zone; and provide for an effective date.

At a public hearing on October 17, 2019, the Planning and Zoning Commission (PZC) found the ordinance to be consistent with the Comprehensive Plan and recommended unanimous approval.

**ACTION REQUESTED: Make a finding of consistency with the Comprehensive Plan and approve the Ordinance to amend the I-Drive District Overlay Zone related to Dynamic Art as recommended by the Planning and Zoning Commission on October 17, 2019. Districts 1 and 6**

Attachment: Draft Ordinance

ORDINANCE NO. 2019-\_\_\_\_

AN ORDINANCE AFFECTING THE USE OF LAND IN ORANGE COUNTY, FLORIDA, BY AMENDING ORANGE COUNTY CODE PROVISIONS RELATED TO DYNAMIC ART IN THE I-DRIVE DISTRICT OVERLAY ZONE, INCLUDING DIVISION 4.5 OF ARTICLE VII OF CHAPTER 38 REGULATING DYNAMIC ART; AND PROVIDING AN EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA:

*Section 1. Amendments to the I-Drive District Overlay Zone.* The I-Drive District Overlay Zone, codified at Division 4.5 of Article VII of Chapter 38 of the Orange County Code (Sections 38-860 through 38-875), is hereby amended to read as follows, with additions shown by underlines and deletions indicated with strike-throughs:

**Sec. 38-864.1. Dynamic Art.**

**a. Intent and Purpose.**

These regulations are intended to ~~provide-establish~~ Dynamic Art standards within the I-Drive District Overlay Zone, with the purpose and goal of promoting broader-scale non-commercial works of art that are visible to the public, encouraging creativity, ~~and~~ and developing a stronger sense of place that activates the public realm and the built environment. ~~These regulations are also intended to balanee and balancing~~ a unique tourism and entertainment experience with the need for traffic safety.

**b. General Standards.**

Subject to approval of an application submitted under subsection c., and subject to the application ~~meeting-satisfying~~ any and all other regulatory jurisdiction's requirements, including the requirements of Chapter 479, Florida Statutes, to the extent those

40 requirements may be deemed applicable by the State of Florida  
41 Department of Transportation, Dynamic Art may only be displayed  
42 on an exterior surface area of a building or parking structure with  
43 a minimum height of 3 stories or 35 feet in I-Drive District  
44 Overlay Sub-Districts 1, 2, and 3.

45  
46 (1) Site and Building Requirements. Dynamic Art shall meet  
47 all applicable Site and Building Requirements of the I-  
48 Drive District Overlay Zone, unless otherwise stated in this  
49 Section.

50  
51 (2) Location. Dynamic Art shall comply with the requirements  
52 of Chapter 479, Florida Statutes, including for permitting,  
53 to the extent those requirements are may be deemed  
54 applicable by the State of Florida Department of  
55 Transportation. At a minimum, Dynamic Art that would be  
56 visible from any portion of the main-traveled way of  
57 Interstate 4 or S.R. 528 shall be prohibited within 660-600  
58 feet of the nearest right-of-way centerline of I-4 or S.R.  
59 528, whichever the case may be, as measured from the  
60 applicable centerline to the nearest surface area of the  
61 Dynamic Art.

62  
63 (3) Brightness. Dynamic Art illumination may not exceed the  
64 brightness level of 0.3 foot candles above ambient light  
65 levels, as defined and as measured in Orange County Code  
66 Section 31.5-16(b)(2).

67  
68 (4) Performance. Dynamic Art that is displayed through a  
69 digital medium must be equipped and maintained with a  
70 default display that will, in the event of malfunction, either  
71 effectively hold a non-distorted and steady image at a light  
72 output level in compliance with brightness level limits or  
73 display a blank and lightless screen. Prior to the issuance of  
74 a permit for a digital screen, the applicant must provide  
75 written certification from the digital manufacturer that the  
76 light intensity has been factory preset not to exceed the  
77 standards and that the intensity level is protected from  
78 manipulation by password protected software or other  
79 security systems approved by the planning division  
80 manager.

81  
82 (5) Permission/Authorization. Projections onto a building or  
83 structure from a source located on a neighboring property

84 or across or over a public right-of-way shall require  
85 appropriate written permission/authorization from the  
86 County for public rights-of-way, and any affected property  
87 owner, entity, or organization.  
88

89 (6) Sight and Safety. Changes or movement within Dynamic  
90 Art imagery and any text shall occur only through subtle  
91 transitions, and not in a manner that would obstruct the  
92 view of, or could be confused with, any traffic signal,  
93 traffic control device, or emergency vehicle lights. In  
94 addition, changes or movement within Dynamic Art  
95 imagery and Text shall not create hazards or distractions to  
96 drivers of motor vehicles resulting from direct or reflected  
97 natural or artificial light, flashing, or intermittent or  
98 flickering lighting.  
99

100 (7) ~~Text Recognition of Artistic Sponsors; Artistic Sponsor~~  
101 ~~Copy Area. Text~~Artistic Sponsors may be recognized only  
102 ~~within Artistic Sponsor Copy Area, within Dynamic Art,~~  
103 ~~and Artistic Sponsor Copy Area~~ shall adhere to the  
104 following criteria:  
105

- 106 (A) A maximum of ten percent (10%), not to exceed  
107 672 sq. ft., of the proposed Dynamic Art Surface  
108 Area displayed on a façade of a building or parking  
109 structure may be used as ~~Text-Copy-Artistic~~  
110 ~~Sponsor Copy~~ Area;  
111  
112 (B) ~~Text-Artistic Sponsor Copy Area~~ shall not be  
113 displayed more than once per minute, and no more  
114 than thirty (30) consecutive seconds per minute;  
115  
116 (C) The end and beginning of consecutive displays of  
117 ~~Text-Artistic Sponsor Copy Area~~ shall be at least  
118 thirty (30) seconds apart; and  
119  
120 (D) ~~Text-Copy-Artistic Sponsor Copy Area~~ shall not be  
121 located more than one hundred (100) feet above the  
122 finished grade at the base of the building or parking  
123 structure.  
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125 The County's sole intent in permitting ~~Text-Artistic~~  
126 ~~Sponsor Copy Area~~ is to allow a limited duration of time, a  
127 limited amount of space, and a maximum height for the

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recognition of Artistic Sponsors. However, the County does not regulate the content of ~~Dynamic Art or of any associated Text~~ Artistic Sponsor Copy Area.

- (8) Hours of Operation. Dynamic Art installations may only operate between 7:00 a.m. and 12:00 a.m. within Sub-Districts 1 and 2, and 7:00 a.m. and 2:00 a.m. of the following day within Sub-District 3.

**c. Dynamic Art Application.**

An application for a new Dynamic Art display, or for any material changes to an existing Dynamic Art display not included in an earlier approved application (other than changes to the content of Dynamic Art, which the County does not regulate), shall be submitted to the Planning Division for review on a County approved application form, along with payment of an application fee in an amount established by the Board of County Commissioners. The County does not regulate the content of Dynamic Art. The following items shall be included as part of any Dynamic Art application:

- (1) The proposed method or technology for displaying / projecting proposed Dynamic Art.
- (2) The exact physical location and placement of proposed Dynamic Art, including:
  - (A) A dimensioned building or parking structure elevation for all facades of the building or parking structure that will be used to display Dynamic Art ~~and Text~~, including Dynamic Art Surface Area and ~~Text Copy~~ Artistic Sponsor Copy Area; and
  - (B) Colored graphical renderings or computer simulations of proposed Dynamic Art and ~~Text~~ Artistic Sponsor Copy Area for informational purposes, it being recognized that the County does not regulate the content of Dynamic Art or Artistic Sponsor Copy Area.
- (3) The time frame of proposed Dynamic Art exhibit (hours, days, weeks, months, permanent, etc.).

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- (4) Details and specifications for proposed Dynamic Art, including:
  - (A) Narrative or explanation of the art work, concept and intent;
  - (B) Display medium, techniques and materials (provided that the applicant will not be required to reveal any proprietary intellectual property);
  - (C) Maintenance plan; and
  - (D) If applicable, information regarding the creative studio, design professional or artist.
- (5) A signed and notarized affidavit from the applicant agreeing to comply with all Dynamic Art standards and requirements; and
- (6) Completed Agent Authorization; Specific Project Expenditure Report; and Relationship Disclosure Forms, as may be applicable.

After an application has been reviewed and approved pursuant to subsection d., any proposed material changes to any of the items set forth in subsection c.(1) through (4) (other than changes to the content of Dynamic Art, which the County does not regulate) shall be presented to the Planning Manager for review pursuant to subsection d.

**d. Dynamic Art Application Submittal, Review, Approval, and Appeal Process.**

Within seven (7) days of receipt of a Dynamic Art application, the Planning Division will notify the applicant whether the application is complete or identify the specific items to be completed or additional information needed. Within thirty (30) days after a determination of completeness, the Planning Division Manager shall review the application for compliance with the standards for Dynamic Art as set forth in this section, and review any potential traffic safety hazard issues with the County Traffic Engineer pursuant to the traffic safety standards in Section 479.11, Florida Statutes. If the standards herein have been met, the Planning Division Manager shall approve the application. Should the

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County Traffic Engineer determine that proposed Dynamic Art will result in a traffic safety hazard based upon ~~applicable~~ traffic safety standards in Section 479.11, Florida Statutes, the application shall be denied.

Furthermore, if any Dynamic Art is found to constitute a traffic safety hazard after installation based upon applicable traffic safety standards in Section 479.11, Florida Statutes, the County Traffic Engineer shall require the operator of the Dynamic Art to either reduce the intensity of the condition or effect that causes the hazard to an acceptable level, or if such reduction is not feasible or possible, to remove or alter the Dynamic Art to eliminate the hazard. Finally, the County Traffic Engineer may require an immediate cessation of such conditions or effects where the County determines that an imminent danger to the traveling public exists.

Any decision of the Planning Division Manager to deny an application for Dynamic Art, or the Planning Division Manager's failure to render a decision in accordance with the time requirements of this section, may be appealed by the applicant to the Board of County Commissioners for a de novo determination of whether the application complies with the criteria in this Section. Appeals of any decision of the Planning Division Manager to deny a Dynamic Art application ~~for reasons associated with First Amendment protections~~, may also be immediately reviewed as a matter of right by a court of competent jurisdiction upon the filing of an appropriate pleading by an aggrieved party the applicant when the applicant alleges First Amendment violations relating to the denial. ~~Likewise, a~~Any determination by the County Traffic Engineer about a traffic safety hazard may be appealed to the Board ~~or a court of competent jurisdiction, whichever~~ by the operator of the Dynamic Art ~~deems appropriate~~.

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254                   **Sec. 38-869. Definitions.**

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257                   **b.       Defined Terms.**

258                   For the purposes of Sections 38-860 through 38-875, the following  
259                   terms shall have the following meanings.

260                   (1)       Accessory Use or Structure. A use or structure customarily,  
261   incidental, and subordinate to the principal use or structure  
262   and located on the same lot with such principal use or  
263   structure.

264                   (2)       Applicant. A developer or an authorized agent of a  
265   developer.

266                   (3)       Artistic Sponsor. Any person, business, organization,  
267   corporation, or other entity or party that creates, subsidizes,  
268   develops, or otherwise financially supports the installation,  
269   presentation and/or exhibition of Dynamic Art within the I-  
270   Drive District Overlay Zone.

271                   (4)       Artistic Sponsor Copy Area. The portion of the Dynamic  
272   Art Surface Area on a building or parking structure façade  
273   for the recognition of an Artistic Sponsor, as set forth in  
274   Section 38-864.1. Artistic Sponsor Copy Area shall be  
275   measured by the perimeter of the overall area within which  
276   such copy may be displayed.  
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278                   (45)     Block. The aggregate of lots, passages, lanes, and Alleys  
279   bounded on all sides by streets.

280

281                   (56)     Block Depth. A block measurement that is the horizontal  
282   distance between the front property line on a block face and  
283   the front property line of the parallel or approximately  
284   parallel block face.  
285

286                   (67)     Block Ends. The lots located on the end of a block; these  
287   lots are often larger than the lots in the interior of the block  
288   or those at the opposite end of the block and can be located  
289   on a more intense street type. They are typically more

- 290 suitable for more intensive development, such as multiple  
291 family or mixed use development.  
292
- 293 (78) Block Face. The aggregate of all the building facades on  
294 one side of a block.  
295
- 296 (89) Block Length. A block measurement that is the horizontal  
297 distance along the front property lines of the lots  
298 comprising the block.  
299
- 300 (910) Build-to-Zone. An area in which the front or corner side  
301 facade of a building shall be placed; it may or may not be  
302 located directly adjacent to a property line. The transect  
303 dictates the minimum and maximum distance a structure  
304 may be placed from a property line. Refer to Figure (51)  
305 Build-to-Zone vs. Setback Line.  
306
- 307 (4011) Coverage, Building. The percentage of a lot developed with  
308 a principal or accessory structure.  
309
- 310 (4412) Coverage, Impervious. The percentage of a lot developed  
311 with principal or accessory structures and impervious  
312 surfaces, such as driveways, sidewalks, and patios.  
313
- 314 (4213) Dedication. The intentional appropriation of land by the  
315 owner to the county for public use and/or ownership.  
316
- 317 (4314) Density. The number of dwelling units located in an area of  
318 land, usually denoted as units per acre.  
319
- 320 (4415) Dwelling Unit. A building or portion thereof, designed or  
321 used exclusively for residential occupancy, but not  
322 including hotels, lodging houses, motels, or mobile homes.  
323
- 324 (4516) Dynamic Art. Designs or images on a building or structure  
325 that employ lighting displays, projections, videos or other  
326 electronic images and graphics, or any combination thereof.  
327 Such designs or images shall consist of subtle changing or  
328 moving elements of color, shapes, symbols, images,  
329 graphics and patterns, as created by artists, creative  
330 agencies or studios, design professionals or others.  
331 (4617) Dynamic Art Surface Area. The cumulative surface area of

332 any one building or structure elevation used for Dynamic  
333 Art, as defined in this Section.  
334

335 (~~1718~~) Easement. A legal interest in land, granted by the owner to  
336 another person or entity, which allows for the use of all or a  
337 portion of the owner's land for such purposes as access or  
338 placement of utilities.  
339

340 (~~1819~~) Expression Line. An architectural feature. A decorative,  
341 three dimensional, linear element, horizontal or vertical,  
342 protruding or indented at least two inches from the exterior  
343 facade or a building typically utilized to delineate floors or  
344 stories of a building.  
345

346 (~~1920~~) Facade. The exterior face of a building, including but not  
347 limited to the wall, windows, windowsills, doorways, and  
348 design elements such as expression lines. The front facade  
349 is any building face adjacent to the front property line.  
350

351 (~~2021~~) Frontage Type. The permitted treatment types of the  
352 ground floor facade of a building. Refer to the Transects  
353 section for more information and a list of permitted  
354 Entrance Types.  
355

356 (~~2122~~) Grade. The average level of the finished surface of the  
357 ground story adjacent to the exterior walls of a building.  
358

359 (~~2223~~) Gross Floor Area. The sum of all areas of a building,  
360 including accessory storage areas or closets within sales  
361 spaces, working spaces, or living spaces and any basement  
362 floor area used for retailing activities, the production or  
363 processing of goods, or business offices. It shall not include  
364 attic space having headroom of seven feet or less and areas  
365 devoted primarily to storage, balconies, off-street parking  
366 and loading areas, enclosed porches, roof decks, roof  
367 gardens, or basement floor area other than specified above.  
368

369 (~~2324~~) Impervious Surface. Also referred to as impervious  
370 material. Any hard surface, man-made area that does not  
371 absorb water, including building roofs, sidewalks, parking,  
372 driveways, and other paved surfaces.

- 373 (2425) Landscape Area. Area on a lot not dedicated to a structure,  
374 parking or loading facility, frontage buffer, side and rear  
375 buffer, or interior parking lot landscaping.  
376
- 377 (2526) Lot. A parcel of land occupied or intended for occupancy  
378 by a use permitted in this chapter. Refer to Figure (50)  
379 Lots.  
380
- 381 (2627) Lot, Corner. A parcel of land abutting at least two vehicular  
382 rights-of-way, excluding an Alley, at their intersection.  
383 Refer to Figure (50) Lots.  
384
- 385 (2728) Lot, Flag. A parcel of land having its only access to the  
386 adjacent vehicular right-of-way, excluding an Alley,  
387 through a narrow strip of land. Refer to Figure (50) Lots.  
388
- 389 (2829) Lot, Interior. A parcel of land abutting a vehicular Right-  
390 of-way, excluding an Alley, along one (1) Property Line;  
391 surrounded by Lots along the remaining Property Lines.  
392
- 393 (2930) Lot, Through. Also referred to as a double frontage lot. An  
394 interior lot having frontage on two approximately parallel  
395 vehicular rights-of-way, excluding an Alley. Refer to  
396 Figure (50) Lots.  
397
- 398 (3031) Lot Area. The computed area contained within the property  
399 lines; it is typically denoted in square feet or acres.  
400
- 401 (3132) Lot Depth. The distance measured from the midpoint of the  
402 front line to the midpoint of the opposite rear line of the lot.  
403 Refer to Figure (50) Lots.  
404
- 405 (3233) Lot Frontage. The horizontal distance between the Side  
406 Property Lines, measured at the Front Property Lines.  
407 Through lots may have two frontages. Refer to Figure (50)  
408 Lots.
- 409 (3334) Nonconformance. A structure, use, lot, or site characteristic  
410 that was legally constructed or operated prior to the  
411 effective date of or Amendment to this code, but that  
412 cannot be constructed, platted, or operated after the  
413 effective date of or Amendment to this code.  
414

- 415 (3435) Occupancy. The portion of a building or premises owned,  
416 leased, rented, or otherwise occupied for a given use.  
417
- 418 (3536) Open Space Type. The permitted and regulated types of  
419 open spaces in this code.  
420
- 421 (3637) Open Water. A pond, lake, reservoir, or other water feature  
422 with the water surface fully exposed.  
423
- 424 (3738) Package sale vendor. A “package sale vendor” means as  
425 defined at Section 38-1414(a).  
426
- 427 (3839) Passageway. A pathway designed for use by pedestrians; it  
428 can be located mid-block allowing pedestrian movement  
429 from one street to another without traveling along the  
430 block’s perimeter.  
431
- 432 (3940) Pervious Surface. Also referred to as pervious material. A  
433 material or surface that allows for the absorption of water  
434 into the ground or plant material, such as permeable pavers  
435 or a vegetated roof.  
436
- 437 (4041) Plat. A map, drawing, or delineated representation of the  
438 division or subdivision of lands, being a complete and exact  
439 representation of the division or subdivision and other  
440 information in compliance with the requirements of all  
441 applicable provisions of any applicable ordinance and Part  
442 I, Chapter 177, Florida Statutes  
443
- 444 (4142) Primary Street. A street designated on the Regulating Plan  
445 that receives priority over other streets in terms of setting  
446 front property lines and locating building entrances.  
447
- 448 (4243) Principal Use or Structure. Also referred to as the principal  
449 building. A building that contains the dominant use of the  
450 Lot. It is typically located toward the front of the Lot in the  
451 front Build-to Zone or behind the Front Yard Setback.  
452
- 453 (4344) Property Line. Also referred to as lot line. A boundary line  
454 of a parcel of land or lot. Refer to Figure (50) Lots.  
455

- 456 (4445) Property Line, Corner. A boundary of a lot that is  
457 approximately perpendicular to the front property line and  
458 is directly adjacent to a public right-of-way, other than an  
459 Alley or railroad. Refer to Figure (50) Lots.
- 460 (4546) Property Line, Front. The boundary abutting a right-of-  
461 way, other than an Alley, from which the required setback  
462 or build-to transect is measured, with the following  
463 exceptions.  
464
- 465 (A) Corner and Through Lots that abut a Primary Street  
466 shall have the front property line on that Primary  
467 Street.  
468
- 469 (B) Corner and Through Lots that abut two Primary  
470 Streets or do not abut a Primary Street shall utilize  
471 the orientation of the two directly adjacent lots, or  
472 shall have the front property line determined by the  
473 Zoning Administrator.  
474
- 475 (4647) Property Line, Rear. The boundary of a lot that is  
476 approximately parallel to the front property line; this line  
477 separates lots from one another or separates a lot from an  
478 Alley. Refer to Figure (50) Lots.  
479
- 480 (4748) Property Line, Side. The boundary of a lot that is  
481 approximately perpendicular to the front and rear property  
482 lines; it is not adjacent to the public right-of-way. Refer to  
483 Figure (50) Lots.  
484
- 485 (4849) Right-of-way. A strip of land acquired by the state, county  
486 or any municipality by reservation, dedication, forced  
487 dedication, prescription, or condemnation, and intended to  
488 be occupied or occupied by a road, crosswalk, sidewalk,  
489 bike path, electric transmission lines, oil or gas pipeline,  
490 water pipeline, sanitary sewer, storm sewer, or other similar  
491 uses.  
492
- 493 (4950) Roof Type. The detail at the top of a building that finishes a  
494 Facade, including a pitch roof with various permitted  
495 slopes and a parapet. Refer to the Transects section for  
496 more information and a list of the permitted Roof Types.  
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- 498 (5051) Scale. The relative size of a building, street, sign, or other  
499 element of the built environment.

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(~~5152~~) Setback. The horizontal distance from a property line inward, beyond which a structure may be placed. Structures or other impervious surfaces are not permitted within a setback, unless specifically permitted in this code (e.g. sidewalks). Refer to Figure (51) Build-to Zone vs. Setback Line.

(~~5253~~) Sign. See Ch. 31.5, Orange County Code.

(~~5354~~) Solar Reflectance Index (SRI). A measure of a constructed surface's ability to reflect solar heat, as shown by a small temperature rise. The measure utilizes a scale from 0 to 100 and is defined so that a standard black surface is 0 and a standard white surface is 100. To calculate for a given material, obtain the reflectance value and emittance value for the material; calculate the SRI according to ASTM E 1980-01 or the latest version.

(~~5455~~) Story. A habitable level within a building measured from finished floor to finished floor.

(~~5556~~) Story, Ground. Also referred to as ground floor. The first floor of a building that is level to or elevated above the finished grade on the frontage, excluding basements or cellars.

(~~5657~~) Story, Half. A story either in the base of the building, partially below grade and partially above grade, or a story fully within the roof structure with transparency facing the street.

(~~5758~~) Story, Upper. Also referred to as upper floor. The floors located above the ground story of a building.

(~~5859~~) Street Face. The facade of a building that faces a public right-of-way.

(~~5960~~) Street Frontage. Also refer to lot frontage. The portion of a building or lot directly adjacent to a vehicular right-of-way.

- 541 (6061) Street Type. The permitted and regulated types of streets in  
542 this code. Refer to the Street Types section for more  
543 information and a list of the permitted Street Types.  
544
- 545 (6162) Structure, Principal. Also referred to as the principal  
546 building. A building that contains the dominant use of the  
547 Lot. It is typically located toward the front of the Lot in the  
548 front Build-to Zone or behind the Front Yard Setback.  
549
- 550 (6263) Swale. A low lying, naturally planted area with gradual  
551 slopes that facilitate the transport, absorption, and/or  
552 filtration of stormwater.  
553
- 554 ~~(63) Text. Letters, logos, trademarks, symbols, numbers and the~~  
555 ~~like displayed within the Text Copy Area.~~  
556
- 557 ~~(64) Text Copy Area. The portion of the Dynamic Art Surface~~  
558 ~~Area on a building or parking structure façade within which~~  
559 ~~Text may be displayed, subject to the requirements of~~  
560 ~~Section 38-864.1. Text Copy Area is measured by the~~  
561 ~~perimeter of the overall area within which Text may be~~  
562 ~~displayed, and not by the area covered by the actual Text.~~  
563
- 564 (6564) Transect. A designation given to each lot within the district  
565 that dictates the standards for development on that Lot.  
566 Refer to the Transects section for more information and a  
567 list of permitted Transects.  
568
- 569 (6665) Transit Shed. An area that is centered around an existing, or  
570 planned and funded, transit stop using a quarter mile or half  
571 mile distance meant to demonstrate 5-10 minute walking  
572 distances. Also referred to as the “Pedestrian Shed.”  
573
- 574 (6766) Tree Canopy. The uppermost area of spreading branches  
575 and leaves of a tree.  
576
- 577 (6867) Tree Canopy Coverage. The area of ground covered or  
578 shaded by a tree’s canopy, measured in square feet.
- 579 (6968) Use. Also referred to as land use. A purpose or activity that  
580 may occur within a building or a lot.  
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(~~7069~~) Visible Basement. A half story partially below grade and partially exposed above with required transparency on the street facade.

(~~7170~~) Water Body. A body of water, such as a river, pond, or lake that may be man-made or naturally occurring.

**Section 2. Effective date.** This Ordinance shall become effective as provided by general law.

ADOPTED THIS \_\_\_ DAY OF \_\_\_\_\_, 2019.

**ORANGE COUNTY, FLORIDA**  
By: Board of County Commissioners

By: \_\_\_\_\_  
Jerry L. Demings  
Orange County Mayor

**ATTEST:** Phil Diamond, CPA, County Comptroller  
As Clerk of the Board of County Commissioners

By: \_\_\_\_\_  
Deputy Clerk