

# ***I-Drive District Overlay Zone*** ***Code Update***

# **I-Drive** **2040** **DISTRICT** **VISION**



***May 21, 2019***

**ORANGE COUNTY PLANNING DIVISION**

**PLANNING, ENVIRONMENTAL & DEVELOPMENT SERVICES DEPARTMENT**



# ***Presentation Overview***

- 1) Planning & Zoning Commission (PZC) Recommendations
- 2) Alternative Recommendations (May 7<sup>th</sup>)
- 3) Final Recommendations (May 21<sup>st</sup>)
- 4) Public Comment / Q&A
- 5) Requested Action





# Meetings & Milestones

2018

July

29 **1<sup>st</sup> I-Drive Steering Review Group Meeting**

December

7 **2<sup>nd</sup> I-Drive Steering Review Group Meeting**  
20 **PZC Work Session**

2019

January

17 **1<sup>st</sup> PZC Adoption Public Hearing**

February

20 **2<sup>nd</sup> PZC Adoption Public Hearing**

April

8 **Area-Wide Community Meeting**  
9 **BCC Work Session**

May

7 **1<sup>st</sup> BCC Public Hearing**  
21 **2<sup>nd</sup> (Final) BCC Public Hearing**



# I-Drive District Overlay Zone

CODE UPDATE

## PZC Recommendations (1-17-2019 & 2-20-2019)

- Expand Residential Use to include ‘Live/Work’
- Refine Prohibited Uses Section
- Update Bicycle Parking Standards
- Eliminate Loading Facility Pavement Standards
- Other Code ‘Cleanups’
- Create Open Air Market Retail Use / Standards
- Create Dynamic Art Standards

| I-Drive District Overlay Zone               |    |
|---|----|
| Adopted February 7, 2017                    |    |
| Sec. 38-860. District & Transects           | 2  |
| Sec. 38-861. Block Configuration            | 3  |
| Sec. 38-862. Street Types                   | 4  |
| Sec. 38-863. Open Space Types               | 10 |
| Sec. 38-864. Site and Building Requirements | 13 |
| Sec. 38-865. Uses                           | 16 |
| Sec. 38-866. Off-street Parking and Loading | 19 |
| Sec. 38-867. Landscape                      | 22 |
| Sec. 38-868. Approval Requirements          | 22 |
| Sec. 38-869. Definitions                    | 25 |
| Sec. 38-870 - 38.875. Reserved              |    |



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# ***I-Drive District Overlay Zone***

## **CODE UPDATE**

### **Alternative Recommendations / May 7, 2019**

- 1) Open Air Markets – Annual Permit Renewals**
- 2) Dynamic Art:**
  - a. Hours of Operation (Dawn – 12:00 am)**
  - b. Limited to Parking-Related Structures Only**
  - c. Motorist Safety – 660' Separation from I-4 & 528 Centerline**
  - d. Motorist Safety – Subtle Lighting & Pattern Changes**
  - e. Motorist Safety – Deny Application or Modify / Cease Operations**
  - f. Max. Text Coverage – 10% / Not to Exceed 672 SF**
  - g. Intermittent Text Coverage – Max. of 15 Seconds / Minute**

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# ***I-Drive District Overlay Zone***

**CODE UPDATE**

**Final Recommendations – *As Reflected in Board's Agenda Packet***

**1) Open Air Markets – Annual Permit Renewals**



# ***I-Drive District Overlay Zone***

**CODE UPDATE**

**Final Recommendations – As Reflected in Board's Agenda Packet**

~~1) Open Air Markets – Annual Permit Renewals~~ **Postpone - Continued Review**



# ***I-Drive District Overlay Zone***

**CODE UPDATE**

**Final Recommendations – As Reflected in Board's Agenda Packet**

~~1) Open Air Markets – Annual Permit Renewals – Postpone - Continued Review~~

**2) Dynamic Art:**

**a. Hours of Operation (Dawn – 12:00 am)**



# ***I-Drive District Overlay Zone***

**CODE UPDATE**

## **Final Recommendations – As Reflected in Board's Agenda Packet**

~~1) Open Air Markets – Annual Permit Renewals~~ *Postpone - Continued Review*

### **2) Dynamic Art:**

a. **Hours of Operation** ~~(Dawn – 12:00 am)~~ **(7:00 am – 2:00 am)**



# ***I-Drive District Overlay Zone***

## **CODE UPDATE**

### **Final Recommendations – As Reflected in Board's Agenda Packet**

~~1) Open Air Markets – Annual Permit Renewals – Postpone - Continued Review~~

#### **2) Dynamic Art:**

- a. Hours of Operation (Dawn – 12:00 am)
- b. Limited to **Parking-Related Structures Only**



# ***I-Drive District Overlay Zone***

## **CODE UPDATE**

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~~1) Open Air Markets – Annual Permit Renewals~~ Postpone - Continued Review

#### **2) Dynamic Art:**

a. Hours of Operation (Dawn – 12:00 am)

b. Limited to ~~Parking Related Structures Only~~ **any Building or  
Parking Structure with a Min. Height of 3 Stories / 35 Feet**



# ***I-Drive District Overlay Zone***

## **CODE UPDATE**

### **Final Recommendations – As Reflected in Board's Agenda Packet**

~~1) Open Air Markets – Annual Permit Renewals – Postpone - Continued Review~~

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- g. Intermittent Text Coverage – ~~Max. of 15 Seconds / Minute~~  
**Max. of 30 Seconds / Minute**



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- f. Max. Text Coverage – 10% / Not to Exceed 672 SF
- g. Intermittent Text Coverage – ~~Max. of 15 Seconds / Minute~~ Max. of 30 Seconds / Minute
- h. Max. Text Coverage Display Height – **3 Stories / 35 feet**



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## **CODE UPDATE**

### **Final Recommendations – As Reflected in Board's Agenda Packet**

~~1) Open Air Markets – Annual Permit Renewals~~ *Postpone - Continued Review*

2) Dynamic Art:

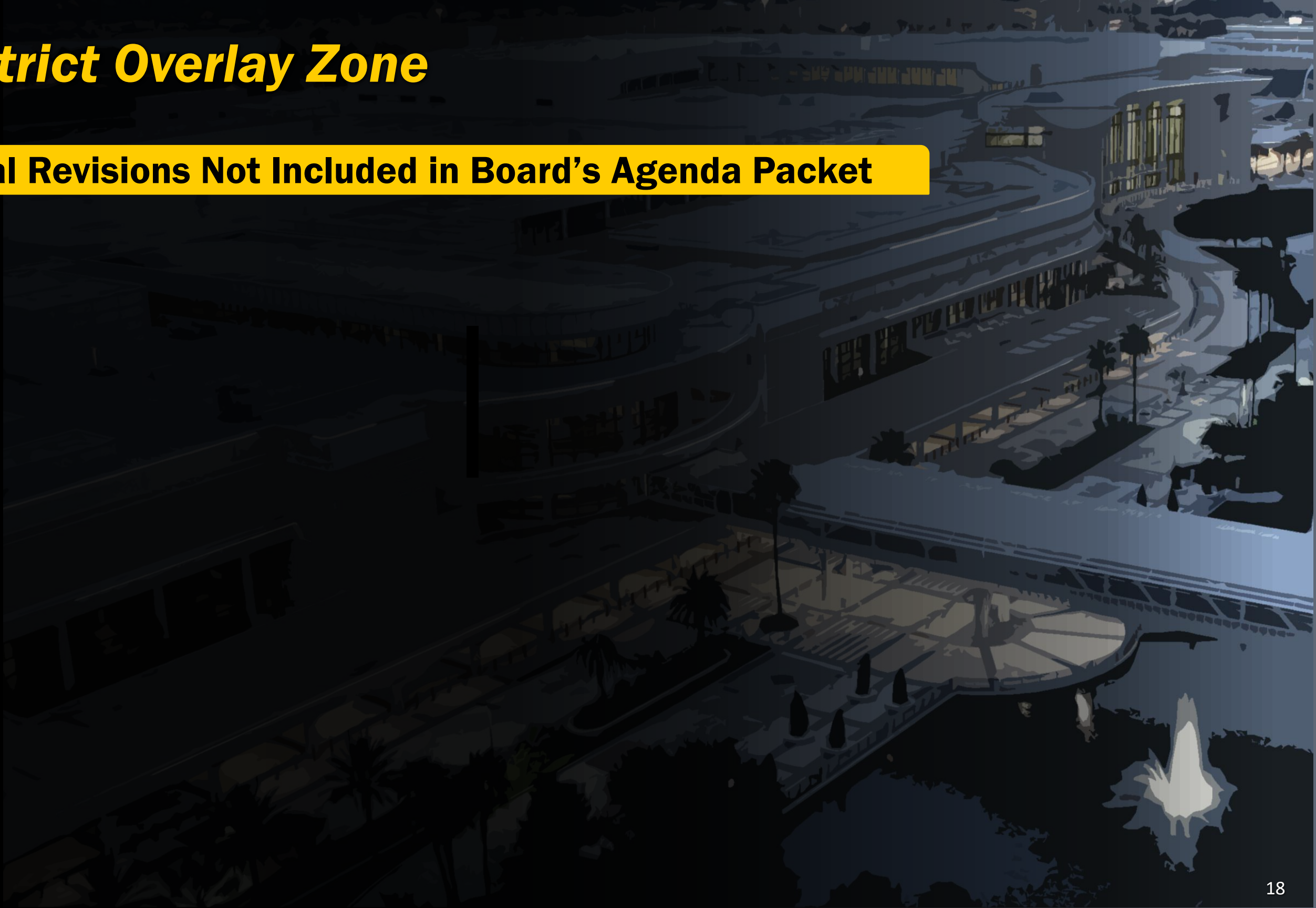
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- b. ~~Limited to Parking Related Structures Only~~ any Building or structure with a Min, Height of 3 Stories / 35 Feet
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- f. Max. Text Coverage – 10% / Not to Exceed 672 SF
- g. Intermittent Text Coverage – ~~Max. of 15 Seconds / Minute~~ Max. of 30 Seconds / Minute
- h. Max. Text Coverage Display Height – 3 Stories / 35 feet
- i. Dynamic Art May Be Subject to Other Jurisdictional Permits



# ***I-Drive District Overlay Zone***

**CODE UPDATE**

**Additional Revisions Not Included in Board's Agenda Packet**





# ***I-Drive District Overlay Zone***

## **CODE UPDATE**

### **Additional Revisions Not Included in Board's Agenda Packet**

#### **1. Sec. 38-864.1.b.(8) - Hours of Operation**

Dynamic Art Installations may only operate between 7:00 a.m. and 12:00 a.m. of the following day within Sub-Districts 1 and 2, and 7:00 am – 2:00 a.m. of the following day within Sub-District 3.



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## **CODE UPDATE**

### **Additional Revisions Not Included in Board's Agenda Packet**

#### **2. Sec. 38-864.1.d – Traffic Safety Hazards**

**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. If the standards herein have been met, the Planning Division Manager shall accept the application. Should the County Traffic Engineer determine that proposed Dynamic Art will result in a traffic safety hazard, the application shall be denied.**



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### **Additional Revisions Not Included in Board's Agenda Packet**

#### **2. Sec. 38-864.1.d – *Traffic Safety Hazards (Con't.)***

Furthermore, if any Dynamic Art is found to constitute a traffic safety hazard after installation, 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.



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## **CODE UPDATE**

### **Additional Revisions Not Included in Board's Agenda Packet**

#### **2. Sec. 38-864.1.d – Traffic Safety Hazards**

**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 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. Likewise, 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 the operator of the Dynamic Art deems appropriate.**



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### **Additional Revisions Not Included in Board's Agenda Packet**

#### **3. Sec. 38-864.1.b.(7)(D) – Height Limitation for Text**

Text Copy Area shall not be located more than one hundred (100) feet above the finished grade at the base ~~above the first 3 stories or the first 35 feet~~ of the building or parking structure.



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**Additional Revisions Not Included in Board's Agenda Packet**

4. Remove **all proposed amendments** related to “open air markets.”



# ***I-Drive District Overlay Zone***

## **CODE UPDATE**

### **Final Recommendations (As Revised) / May 21, 2019**

1) Remove all Proposed Amendments Relating to **“Open Air Markets”** - *Continued Review*

2) Dynamic Art:

a. Hours of Operation - **Sub-Districts 1 & 2:** 7:00 am – 12:00 am  
**Sub-District 3:** 7:00 am – 2:00 am

b. Limited to any **Building or Parking Structure** with  $\geq 3$  Stories / 35 Feet

c. Motorist Safety – **660' Separation** from I-4 & 528 Centerline

d. Motorist Safety – **Subtle Lighting & Pattern Changes**

e. Motorist Safety – Deny Application or Modify / Cease Operations

***(With References to County Traffic Engineer & Appeal Process)***

f. Max. Text Coverage – **10% / Not to Exceed 672 SF**

g. Intermittent Text Coverage – **Max. of 30 Seconds / Minute**

h. Max. Text Coverage Display Height – **100 Feet**

i. Dynamic Art May Be **Subject to other Jurisdictional Permits**



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## ***Code Update***

### **Requested Action:**

- **Make a finding of consistency with the Comprehensive Plan;**
- **Allow staff to correct any non-substantial grammatical or scrivener's errors; and**
- **Approve the proposed ordinance as recommended by the Planning & Zoning Commission on January 17, 2019 and February 20, 2019, along with the 'Final Recommendations' as presented and revised by staff today.**



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# **I-Drive**

# **2040**

**DISTRICT**

# **VISION**



***May 21, 2019***

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