



**AGENDA**  
**PLANNING COMMISSION**  
**CITY OF PORT ORANGE**

**Meeting Date:** Thursday, August 28, 2025

**Time:** 5:30 PM

**Location:** Council Chambers, City Hall  
1000 City Center Circle  
Port Orange

**A. CALL TO ORDER**

1. Pledge of Allegiance
2. Roll Call

**B. DISCUSSION/ACTION**

3. Consideration of Minutes
4. RECONSIDERATION OF APPLICATION:  
LDC TEXT AMENDMENT / CHAPTER 15  
CASE NO.: DCAM-24-0002  
APPLICANT: Lamar Outdoor Advertising  
STAFF CONTACT: Tim Burman, Community Development Director (386) 506-5675/tburman@port-orange.org

A request by Lamar Advertising Company to amend the Land Development Code (LDC) to allow billboard owners to submit a reconstruction agreement for approval. The amendment would allow for the conversion of an existing static billboard sign face to a digital sign face, in exchange for the removal of other billboard sign faces within the City of Port Orange. The amendment also establishes criteria and standards for the placement and operation of reconstructed digital billboard sign faces.

**C. OTHER BUSINESS**

5. Commissioner Comments
6. Staff Comments

**D. PUBLIC COMMENTS**

**E. ADJOURNMENT**

Planning Commission Meeting

Thursday, August 28, 2025

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**NOTICES** – PURSUANT TO SECTION 286.0105 OF THE FLORIDA STATUTES, IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE PLANNING COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT THIS PUBLIC MEETING OR HEARING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT, FOR SUCH PURPOSE, SUCH PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THE CITY DOES NOT PREPARE OR PROVIDE SUCH A RECORD.



FOR SPECIAL ACCOMMODATIONS, PLEASE NOTIFY THE CITY CLERK'S OFFICE (PHONE: 386-506-5563) AS FAR IN ADVANCE AS POSSIBLE, BUT PREFERABLY WITHIN 2 WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE OR 5 DAYS PRIOR TO THE MEETING OR HEARING DATE.



HELP FOR THE HEARING IMPAIRED IS AVAILABLE THROUGH THE ASSISTIVE LISTENING SYSTEM RECEIVERS CAN BE OBTAINED FROM THE CITY CLERKS' OFFICE.

**IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA)**, IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS AN ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PROCEEDING, YOU ARE ENTITLED, AT NO COST TO YOU, THE PROVISION OF CERTAIN ASSISTANCE. PLEASE CONTACT THE CITY CLERK FOR THE CITY OF PORT ORANGE, 1000 CITY CENTER CIRCLE, PORT ORANGE, FLORIDA 32129, TELEPHONE NUMBER 386-506-5563, [CITYCLERK@PORT-ORANGE.ORG](mailto:CITYCLERK@PORT-ORANGE.ORG), AS FAR IN ADVANCE AS POSSIBLE, BUT PREFERABLY WITHIN 2 WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE OR 5 DAYS PRIOR TO THE MEETING OR HEARING DATE. IF YOU ARE HEARING OR VOICE IMPAIRED, CONTACT THE RELAY OPERATOR AT 7-1-1 or 1-800-955-8771.

UPON REQUEST BY A QUALIFIED INDIVIDUAL WITH A DISABILITY, THIS DOCUMENT WILL BE MADE AVAILABLE IN AN ALTERNATE FORMAT. IF YOU NEED TO REQUEST THIS DOCUMENT IN AN ALTERNATE FORMAT, PLEASE CONTACT THE CITY CLERK WHOSE CONTACT INFORMATION IS PROVIDED ABOVE.

REGULAR PLANNING COMMISSION MEETING MINUTES  
COUNCIL CHAMBERS – CITY HALL  
1000 CITY CENTER CIRCLE  
PORT ORANGE, FLORIDA  
JULY 31, 2025

THE REGULAR PLANNING COMMISSION MEETING of the City of Port Orange was called to order by Chair Thomas Jordan at 5:30 p.m.

CALL TO ORDER

1. Pledge of Allegiance

2. Roll Call

Present: Chair Thomas Jordan  
Vice Chair Bo Bofamy  
Commissioner Stan Schmidt  
Commissioner Scott Steger (Excused)  
Commissioner Mark Bowling (Unexcused)  
Commissioner Maria Mills-Benat  
Commissioner Daniel Mallegol

Also Present: Shannon Balmer, City Attorney  
Tim Burman, Community Development Director  
Penelope Cruz, Planning Manager  
Amanda Bonin, Deputy City Clerk

DISCUSSION/ACTION

3. Consideration of Minutes

Motion to approve the June 26, 2025, meeting minutes as presented was made by Commissioner Maria Mills-Benat and Seconded by Vice Chair Bo Bofamy. Motion carried unanimously by roll call vote.

4. APPLICATION: VARIANCE/5784 TAYLOR BRANCH ROAD  
CASE NO.: VARC-25-0003  
APPLICANT: Robert Ziegenfuss, Z Development  
STAFF CONTACT: Penelope Cruz, Planning Manager (386) 506-5671/pcruz@port-orange.org

A request for variances from the Land Development Code to allow the redevelopment of 5784 Taylor Branch Road into a Dutch Bros Coffee shop. Due to site constraints, the applicant is requesting the following variances: a reduction in parking space width from 10 feet to 9 feet; and a reduction of the landscape buffer along Dunlawton Avenue and Taylor Branch Road to allow a variable-width buffer, ranging from a minimum of 5 feet

to a maximum of 12 feet.

Motion to approve variance/5784 Taylor Branch Road Case No.: VARC-25-0003, was made by Vice Chair Bo Bofamy and Seconded by Commissioner Maria Mills-Benat.

Penelope Cruz, Planning Manager, introduced the item, providing details on the variance request and answered the Commissioner's questions.

Applicant Robert Ziegenfuss of Z Development spoke about the site specifications, landscaping ideas, traffic concerns, the variance request and answered the Commissioner's questions.

Motion carried unanimously by roll call vote.

5. APPLICATION: LDC TEXT AMENDMENT / CHAPTER 15  
CASE NO.: DCAM-24-0002  
APPLICANT: Lamar Outdoor Advertising  
STAFF CONTACT: Tim Burman, Community Development Director (386) 506-5675/tburman@port-orange.org

A request by Lamar Advertising Company to amend the Land Development Code (LDC) to allow billboard owners to submit a reconstruction agreement for approval. The amendment would allow for the conversion of an existing static billboard sign face to a digital sign face, in exchange for the removal of other billboard sign faces within the City of Port Orange. The amendment also establishes criteria and standards for the placement and operation of reconstructed digital billboard sign faces.

Motion to approve the LDC Text Amendment/Chapter 15 Case No.: DCAM-24-0002 was made by Commissioner Maria Mills-Benat and Seconded by Vice Chair Bo Bofamy.

Thomas Jordan, Chair, read the item summary into the record.

Tim Burman, Community Development Director, introduced the item, provided details on the amendment, and answered the Commissioner's questions.

Rob Merril, Attorney for the applicant, provided details on the amendment being requested and answered the Commissioner's questions.

Applicant Peter Costanza, Vice President and General Manager of Lamar Outdoor Advertising, gave a presentation introducing the company and highlighting their ongoing

commitment to Volusia County. He addressed the safety aspects of the proposed billboards, including construction standards and hurricane wind load considerations, and answered questions from the Commissioners.

Motion carried 5-0-1 by roll call vote.

6. APPLICATION: ADMINISTRATIVE REZONING

CASE NO.: REZONING-25-0004

APPLICANT: City of Port Orange

STAFF CONTACT: Penelope Cruz, Planning Manager (386) 506-5671/pcruz@port-orange.org

An administrative rezoning for 12 properties located on the east side of the City of Port Orange, generally east of Nova Road. The proposed rezonings are to resolve zoning inconsistencies, bring the properties into compliance with the City's Comprehensive Plan, and ensure consistency with the surrounding zoning patterns as well as the historic and/or current use of the property.

Motion to approve the Administrative Rezoning Case No.: REZONING-25-0004 was made by Vice Chair Bo Bofamy and Seconded by Commissioner Maria Mills-Benat.

Chair Jordan introduced the item.

Ms. Cruz provided details on the item and answered the Commissioner's questions.

Motion carried unanimously by roll call vote.

7. APPLICATION: LDC TEXT AMENDMENT/ CHAPTERS 3, 5, 12, 15, and 16

CASE NO.: DCAM-25-0003

APPLICANT: City of Port Orange

STAFF CONTACT: Tim Burman, Community Development Director (386) 506-5675/tburman@port-orange.org

An administrative amendment to the Land Development Code (LDC) to improve and update the content of the LDC, as part of an ongoing maintenance effort. The proposed amendments include clarifications and minor changes that make the code more efficient to use, support the City's redevelopment efforts, and compliance with recently adopted state legislation regarding the administrative approval of subdivision plats.

Motion to approve the LDC Text Amendment/ Chapters 3, 5, 12, 15, and 16 CASE NO.: DCAM-25-0003 was

made by Commissioner Maria Mills-  
Benat and Seconded by Commissioner  
Stan Schmidt.

Mr. Burman introduced the item and provided details regarding the proposed amendment, noting that the changes are primarily clean-up items, with one amendment aligning local requirements with State Statutes. He also responded to questions from the Commissioners.

Motion carried unanimously by roll call  
vote.

### OTHER BUSINESS

#### 8. Commissioner Comments

Great job to staff.

#### 9. Staff Comments

There were none.

### PUBLIC COMMENTS

There were none.

ADJOURNMENT - 6:45 p.m.

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Chair Thomas Jordan



# STAFF REPORT

**REVISED - CASE NO. DCAM-24-0002**  
**LDC TEXT AMENDMENT / CHAPTER 15**

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<b>REQUEST:</b>	Amend Chapter 15 of the Land Development Code (LDC) to allow a billboard owner to request approval of a reconstruction agreement to allow an existing billboard sign face to be reconstructed with a digital sign face in exchange for removing billboard sign faces within Port Orange and establishes criteria for a reconstructed digital sign face.
<b>APPLICANT:</b>	Lamar Outdoor Advertising
<b>STAFF CONTACT:</b>	Tim Burman, Community Development Director (386) 506-5675
<b>PLANNING COMMISSION:</b>	Recommended Approval (July 31, 2025)
<b>PLANNING COMMISSION RECONSIDERATION:</b>	August 28, 2025
<b>CITY COUNCIL:</b>	September 2, 2025

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At the December 2024 Planning Commission meeting, the Planning Commission considered and approved a proposed text amendment allowing a billboard owner to request approval of a reconstruction agreement to replace an existing billboard along I-95 with a digital sign face. In exchange, the owner would be required to remove other billboard sign faces within the City of Port Orange. The amendment also established criteria for digital sign face reconstruction with the goal of reducing the overall number of billboard sign faces and improving visual aesthetics within the city.

Before the City Council reviewed the proposed amendment, the applicant submitted a request to modify their proposal. The revised text amendment expands the eligibility to allow a billboard owner to request reconstruction of a billboard with a digital sign face at the current location of any existing billboard along I-95 or Ridgewood Avenue, still in exchange for the removal of billboard sign faces within Port Orange.

The current version of the applicant's text amendment (July 2025) would permit the reconstruction of any existing billboard within the city, including those along I-95 and Ridgewood Avenue, with a digital sign face (Figure 1). While it still references the removal of billboard sign faces within the city at a ratio of 2 faces for one digital face, it does not further the goal of removing billboards within the city.

Staff supported the December 2024 text amendment due to its clear benefit in reducing billboards, specially within the city, and enhancing the city's aesthetics. As proposed, the current proposed amendment (July 2025) could allow the reconstruction of a new billboard with digital sign face within the city.



Figure 1. Rendering of a billboard with a LED sign face.

### **PROPOSED TEXT AMENDMENT:**

The applicant requests an amendment to the Land Development Code (LDC), allowing the static sign face on existing billboards to be replaced with a digital sign face. If approved, the amendment would allow the City Council the ability to choose to enter into an agreement with a billboard owner to allow the reconstruction of existing billboards within the City of Port Orange with a digital sign face in exchange for removing other existing billboard sign faces within Port Orange to reduce the number of billboard sign faces within Port Orange. The proposed amendment (Exhibit A) would allow a billboard owner to replace an existing billboard with a digital sign face if at least two static sign faces are removed.

Under the City's current sign regulations, a billboard is a prohibited sign. Furthermore, structural repairs or reconstruction of existing non-conforming signs is not permitted, requiring them to be removed as they become structurally unsound. The applicant has requested this amendment to allow billboard companies to be able to reconstruct some existing billboards with a digital sign face in exchange for eliminating the number of billboard sign faces within the city. According to the applicant, Daytona Beach has a similar code to incentivize the removal of billboard sign faces within their city in exchange for allowing billboards with a digital sign face on I-95. In addition, cities such as Orlando and St. Petersburg have recently approved ordinances that reduce the number of billboard sign faces or billboards by allowing existing billboards or billboard sign faces in their city to be reconstructed with a digital sign face.

There are 13 billboards or a total of 17 billboard sign faces within Port Orange, and the applicant owns 6 billboards or a total of 10 sign faces (Exhibit B). According to the applicant, if the LDC text amendment is approved, the applicant will submit an agreement for City

Council review to allow the removal of four (4) billboard sign faces located north of the intersection of Ridgewood Avenue and Nova Road and the reconstruction of a billboard structure with a digital sign face along I-95 (See Figure 2) and at the intersection of Ridgewood Avenue and Nova Road (See Figure 3) According to the applicant, the proposed billboard along Ridgewood Avenue will feature an LED sign face directed toward northbound traffic. Southbound drivers will see the blank rear side of the sign. Landscaping will be installed at the base and on the north side of the sign to eventually screen the back and enhance the surrounding area (See Figure 4 and Exhibit C).



Figure 2. Billboard along I-95 southbound, at the Dunlawton Avenue/Taylor Road interchange proposed to be rebuilt with a digital sign face.



Figure 3. Existing billboard sign with four sign faces on the east side Ridgewood Avenue, north of Nova Road within Port Orange proposed to be rebuilt with a digital sign face toward northbound traffic.



Figure 4. Proposed billboard structure with one LED sign face toward northbound traffic and landscaping and blank panel toward southbound traffic to be rebuilt on the east side of Ridgewood Avenue, north of Nova Road.

The requirements in the applicant's proposed LDC text amendment would be the minimum that a billboard owner would need to meet to replace an existing billboard sign face with a digital sign face, along with criteria for the size, height, brightness, display time, and overall operation.

If approved, the proposed text to be added to Chapter 15 is similar to the LDC text amendment approved in 2009. The 2009 text amendment allowed a billboard owner to request city council approval of a reconstruction agreement to rebuild a billboard in exchange for removing billboards destroyed by fire, flood, explosion, collapse, wind, war, or other catastrophe. The digital billboard located on the east side of the Dunlawton Bridge was built under a reconstruction agreement between the billboard owner and the City of Port Orange.

If the LDC text amendment proposed by the applicant is approved, it will allow for a billboard owner to request an agreement with the city to replace a billboard with a digital sign face at a ratio of removing at least two sign faces for each reconstructed sign face, and the reconstructed sign face will be subject to the following criteria:

1. Only an existing sign along the I-95 corridor can be reconstructed and located on the same property and in the exact location of the current sign.
2. A reconstructed sign can only be located on a property that abuts the I-95 right-of-way and Ridgewood Avenue, within the I-95 right-of-way, and in no case can a reconstructed sign be located on the property with a residential zoning district.
3. The square footage of the sign face for a reconstructed sign face **shall not exceed** that of the largest sign face removed as part of the exchange.
4. Structural components surrounding the reconstructed sign face **shall not exceed** a size of ten percent of the sign face.
5. The reconstructed sign may have a sign face with a changeable copy. If electronic or digital (See - Figure 3 on Page 4), the frequency of copy change shall be at intervals of eight seconds, and the maximum transition time between messages shall not exceed one second.
6. If a reconstructed sign is electronic or digital, it shall comply with the following: high-resolution picture quality with a pixel spacing of 20 millimeters or less.
  - The digital sign face shall be high-resolution picture quality with a pixel spacing of 20 millimeters or less.
  - Messages shall not display any illumination that moves, appears to move, flashes, scrolls, or changes in intensity during the static display period, but static graphic pictures may be displayed with no limitations on color.
  - Messages shall not operate at a brightness level of more than 5,000 foot-candles during the day and 500 foot-candles from dusk to dawn.
  - Each digital sign shall have a light-sensing device to adjust the brightness of the sign face as ambient light conditions change. A malfunctioning sign face must be turned off or display a blank screen.

- The sign area shall display emergency announcements or alerts, including, but not limited to, Amber Alerts, Silver Alerts, and Evacuation Alerts on the sign at no charge on an as-needed basis as determined by the City.
7. The tallest portion of the reconstructed sign, including appurtenances, **shall not exceed** the height of the existing sign being replaced with the reconstructed sign.
  8. All new utilities to the reconstructed sign shall be undergrounded.
  9. A billboard to be removed as part of the exchange, per an approved reconstruction agreement, shall be removed before the building permit to reconstruct a sign is issued.



Figure 3. A billboard along I-95 in Daytona Beach with a digital sign face

In addition to the text proposed by the applicant, city staff also included clean-up items to Chapter 15, Section 14 to remove duplicate code requirements that inadvertently got added more than one time when the sign code was updated in 2021 and to make the existing digital sign face requirements in Section 14 consistent with the digital sign face requirements being proposed.

#### **RECOMMENDATION:**

Staff is not recommending approval of the text amendment to Chapter 15 of the Land Development Code as the revised text amendment may not lead to the ultimate removal of billboards within the City of Port Orange.

#### **ATTACHMENTS:**

1. Exhibit A - *DRAFT* text changes to Chapter 15 of the Land Development Code
2. Exhibit B – Billboard locations within Port Orange
3. Exhibit C – Renderings of the proposed Billboard to be rebuilt on the east side of Ridgewood Avenue, north of Nova Road.

**Section [14]: Nonconforming signs.**

[No changes to subsections (a) and (b)]

- (c) Use of a nonconforming sign may be continued, subject to the following regulations:
- (1) No nonconforming sign shall be enlarged or increased in any way from its lawful size at the time it was installed or constructed, nor shall a nonconforming sign be relocated from its lawful location at the time it was installed or constructed.
  - (2) Nonconforming signs or sign structures that are considered abandoned signs under this chapter shall not be permitted for reuse.
  - (3) Except as authorized in subsections (e)(1) and (f)(1), hereinbelow, Use of a nonconforming sign shall immediately terminate upon a change of business type, business ownership or business name, regardless of whether property ownership of the lot on which the nonconforming sign is located has been transferred.

[No changes to subsections (4) through (6)]

- (d) Normal repairs, maintenance and improvements may be made to nonconforming signs or sign structures; however, the cost of such repairs, maintenance or improvements made during any two-year period shall not exceed 25 percent of the overall replacement cost of the sign or sign structure at the end of the two-year period.
- (e) If any nonconforming sign is damaged by fire, flood, explosion, collapse, wind, war or other catastrophe to such an extent that the cost of repair and reconstruction will exceed 50 percent of the overall replacement cost of the sign at the time of damage, it shall not be repaired or reconstructed except in full conformity with the provisions of this code, except as follows:
- (1) A nonconforming offsite sign damaged by catastrophe exceeding 50 percent of the overall replacement cost of the sign may be reconstructed pursuant to the authority set forth in F.S. § 70.20, if the reconstruction agreement complies with all of the requirements set forth as follows:
    - (a) The reconstructed sign shall be located on the same property as the damaged sign
    - (b) The reconstructed sign shall be located within a commercially zoned district, not including a planned commercial development or a planned unit development zoned district and shall comply with the requirements of this chapter regarding prohibited signs.
    - (c) The sign owner shall submit a proposed agreement for the reconstructed sign to the city for review.
    - (d) City council shall determine whether to approve or deny the proposed agreement submitted in accordance with this section; The reconstructed sign shall be a nonconforming sign.

## Exhibit A – DRAFT Text Changes Proposed by Applicant – July 2025

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- (e) The sign owner agrees to remove or to abstain from rebuilding other damaged nonconforming signs within the city at a ratio of at least four sign faces for each reconstructed sign face
- (f) The sign owner agrees to remove or to abstain from rebuilding other damaged nonconforming signs within the city at a ratio of at least four sign faces for each reconstructed sign face.
- (g) The vertical dimension for the reconstructed sign face shall not exceed 25 percent of the permitted building height in the commercial district or 12 feet, whichever is greater in height.
- ~~(h) The vertical dimension for the reconstructed sign face shall not exceed 25 percent of the permitted building height in the commercial district or 12 feet, whichever is greater in height.~~
- ~~(i) The vertical dimension for the reconstructed sign face shall not exceed 25 percent of the permitted building height in the commercial district or 12 feet, whichever is greater in height.~~
- (hj) The reconstructed sign face shall not exceed the square footage of the largest damaged sign face for any one sign display being removed or not rebuilt, notwithstanding the location within the city of the sign face removed or not rebuilt.
- ~~(k) The reconstructed sign face shall not exceed the square footage of the largest sign face for any one sign display being removed or not rebuilt, notwithstanding the location within the city of the sign face removed or not rebuilt.~~
- (i) Structural components surrounding the sign face shall not exceed a size of ten percent of the sign face.
- ~~(j)~~ (j) The reconstructed sign face may change copy and if electronic or digital, the frequency of copy change shall not be less than ~~ten~~ eight second intervals, and the maximum transition time between messages shall not exceed one second.
- ~~(k)~~ (k) The reconstructed sign, if electronic or digital, shall provide a high-resolution picture quality with pixel spacing of 20 millimeters or less. Messages shall not display any illumination that moves, appears to move, flashes, scrolls, or changes in intensity during the static display period, but static graphic pictures may be displayed with no limitations on color. Messages shall not operate at a brightness level of more than 5,000 foot-candles during the day and 500 foot-candles from dusk to dawn. Each digital sign shall have a light-sensing device to adjust the brightness of the sign face as ambient light conditions change. A malfunctioning sign face must be turned off or display a blank screen. Sign shall display emergency announcements or alerts, including, but not limited to Amber Alerts, Silver Alerts, and Evacuation Alerts on the sign at no charge on an as-needed basis as determined by the City.~~The reconstructed sign, if electronic or digital, shall provide a high-quality resolution for the display of not more than eight-~~

## Exhibit A – DRAFT Text Changes Proposed by Applicant – July 2025

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~~millimeter pixel spacing, and shall include dimmers installed and operated to eliminate glare, and at night the sign face display light shall not exceed a brightness levels of more than 0.3 foot candles above ambient light as measured using a foot candle (Lux) meter at a preset distance depending on sign area. Illuminance measurement requires two steps: First — ambient light shall be measured with the sign turned off. Second — sign light output shall be measured with the sign turned on as a solid white display. The difference between the two measurements shall be 0.3 foot candles or less. The distance at which to take measurements is calculated with the following formula and rounded to the next whole number: Measurement distance =  $\sqrt{\text{Area of sign square feet} \times 100}$ .~~

- ~~(l)~~ (e) The tallest portion of the reconstructed sign, including appurtenances, shall not exceed the permitted building height in the commercial district.
  - ~~(m)~~ (p) The sign agreement shall not contain any provision that would require the city shall not be required to pay compensation for any sign removed or not rebuilt pursuant to the agreement.
  - ~~(n)~~ (q) The reconstructed sign shall comply with setback, landscaping, and architectural standards consistent with the requirements for the construction of a building within the zoning district and applicable design manuals.
- (f) In an effort to reduce the number of nonconforming signs located within the city that have a sign face greater than 200 square feet, an existing nonconforming sign with a sign face greater than 200 square feet may be reconstructed pursuant to the authority set forth in F.S. § 70.20, provided that the number of reconstructed sign faces result in a net reduction in the number of sign faces greater than 200 square feet nonconforming signs within the city and the reconstruction agreement complies with all of the requirements set forth as follows:
- (1) A new sign face may be reconstructed on a new sign structure in exchange for the removal of at least two (2) sign faces located within the city so long as each sign face to be removed is greater than 200 square-feet. The reconstruction of a nonconforming sign with a new sign face (s) may be in the same location as the removed nonconforming sign and sign face(s). This exchange shall comply with all of the requirements set forth as follows:
    - (a) Only an existing non-conforming sign with a sign face greater than 200 square-feet located along Ridgewood Avenue or the I-95 corridor can be reconstructed with a new sign face. The reconstructed sign structure and sign face(s) shall be reconstructed in the same location on the same property where the existing sign structure and sign face(s) is located .
    - (b) A reconstructed sign can only be located on property that abuts Ridgewood Avenue or the I-95 right-of-way, or is within the I-95 right-of-way. A reconstructed sign cannot be located on property within a residential zoning district.

**Exhibit A – DRAFT Text Changes Proposed by Applicant – July 2025**

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- (c) The sign owner shall submit a proposed reconstruction agreement to reconstruct a sign for the city for review.
  - (d) City Council shall determine whether to approve or deny the proposed reconstruction agreement submitted in accordance with this section; The reconstructed sign shall continue to be a nonconforming sign.
  - (e) The sign face for a reconstructed sign shall not exceed the square footage of the largest sign face removed as part of the exchange.
  - (f) Structural components surrounding the reconstructed sign face shall not exceed a size of ten percent of the sign face.
  - (g) The reconstructed sign may have a sign face with a change copy, and if electronic or digital, the frequency of copy change shall not be less than eight-second intervals, and the maximum transition time between messages shall not exceed one second.
  - (h) If electronic or digital, the reconstructed sign face, shall provide a high-resolution picture quality with pixel spacing of 20 millimeters or less. Messages shall not display any illumination that moves, appears to move, flashes, scrolls, or changes in intensity during the static display period, but static graphic pictures may be displayed with no limitations on color. Messages shall not operate at a brightness level of more than 5,000 foot-candles during the day and 500 foot-candles from dusk to dawn. Each digital sign shall have a light-sensing device to adjust the brightness of the sign face as ambient light conditions change. A malfunctioning sign face must be turned off or display a blank screen. Sign shall display emergency announcements or alerts, including, but not limited to Amber Alerts, Silver Alerts, and Evacuation Alerts on the sign at no charge on an as-needed basis as determined by the City.
  - (i) The tallest portion of the reconstructed sign, including appurtenances, shall not exceed the current height of the sign on the same property and same location as the sign being removed.
  - (j) All new utilities to the reconstructed sign shall be undergrounded.
  - (k) The non-conforming sign and its sign face(s) being removed as part of the exchange shall be removed prior to the issuance of the building permit to reconstruct a non-conforming sign and its sign face(s), subject to an approved reconstruction agreement.
- (6 g) The casual, temporary, or illegal use of any sign shall not be sufficient to establish the existence of a nonconforming use or to create any rights in the continuance of such use.

# Exhibit B

## Existing Billboard Locations with Port Orange



# EXHIBIT C



