

MUNICIPAL PLANNING BOARD

DECEMBER 17, 2013

Case Number
LDC2013-00398

Applicant
City of Orlando

Requested Action
Request to amend the Land Development Code, Chapter 64 (SIGNS), Parts 3 - 4 regarding bikeshare advertising and digital kiosks.

Recommendation
Approval of LDC amendment concept and authorization for City Staff to prepare an Ordinance for First Reading at City Council.

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Updated: December 10, 2013

AGENDA ITEM #2 ■ LAND DEVELOPMENT CODE AMENDMENTS - SIGNS (CHAPTER 64)

SUMMARY

Staff is proposing an LDC amendment to update Parts 3 through 4 of Chapter 64 (Signs) of the Land Development Code regarding signage and advertising. This update includes amendments to allow for the use of advertising on bikesharing infrastructure and LYMMO transit shelters. These two amendments will provide LYNX and the City's Bikeshare program with a mechanism to generate advertising revenue to support the ongoing maintenance and operations of the transit systems.

BACKGROUND

The City of Orlando selected Cyclehop through RFP2013-0348 on October 21, 2013, to implement, operate, and maintain a bicycle sharing system within and around the Central Business District and SunRail stations. A large majority of bicycle sharing systems throughout the United States and the world all allow for advertisements and sponsorships to fund their program. The proposed bicycle sharing system will be implemented and operated without financial assistance from the City of Orlando. Since there will be no public subsidy, the vendor requires (and the City has contractually offered) the ability to sell advertisements and sponsorships on the bikesharing infrastructure to fund and operate the system, sustaining the program over the life of the contract; otherwise the program will not be financially feasible. Advertisements and sponsorships will be regulated through the contract that has been negotiated with the City of Orlando and the vendor.

The City of Orlando, in coordination with LYNX, is expanding and updating the existing LYMMO service to connect the Parramore & Thornton Park neighborhoods to the Central Business District, SunRail, County Administration Building, City Hall, Amway Center, US Courthouse, Dr. Phillips Center for the Performing Arts and Creative Village. The projects include the installation of digital kiosks, which will include not only digital signage, but static messaging as well. This will help to support the system and will be regulated by LYNX' advertising regulations.

CODE AMENDMENTS

The following sections of the City of Orlando Land Development Code need to be amended. The proposed code amendment will be in compliance with the Downtown Special Sign District. The proposed changes are written in underline and strikethrough format.

Sec. 64.276. - Signs on Transit Shelters and Kiosks.

Notwithstanding any provision of this Code to the contrary, signs may be permitted on Transit Shelters and kiosks, but only when ~~Transit Shelters with signs~~ are authorized pursuant to an interlocal agreement between the City and the Central Florida Regional Transportation Authority, or its successor agency, or any transportation provider contracted with the City of Orlando, provided that such signage complies with all other applicable provisions of this Code, and provided that the following are complied with:

(a) *Sign Faces*. Each Transit Shelter or kiosk may contain no more than two sign faces. For the purpose of this part, the term "sign face" means that portion of the Transit Shelter or kiosk structure designed and used for securing and displaying sign copy. Sign faces must display sign copy through a transparent and durable material. The orientation and positioning of sign faces affixed to Transit Shelters or kiosks shall be subject to the review and approval of the City Planning Official, or designee, prior to the issuance of any building permit for the respective Transit Shelter or kiosk. All sign faces must be erected and maintained in accordance with approved permits. Sign faces may not be erected on or upon the roof or roofline of a Transit Shelter. For the purpose of this part, and notwithstanding any provision of this Code to the contrary, a sign or signs attached to a Transit Shelter or kiosk for the sole purpose of displaying ~~transit~~ transportation service information or public service information provided by the City shall not be considered a "sign face."

(f) *Minimum Separation*. Transit Shelters with signs may not be closer than 400 feet from another Transit Shelter or kiosk with a sign on the same side of the public right-of-way. Notwithstanding any provision of this Code to the contrary, a sign or signs attached to a Transit Shelter for the sole purpose of displaying transit service information or public service information provided by the City are excluded from the provisions of this part.

(g) *Bikeshare*. Bikeshare infrastructure (racks and kiosks) at commuter rail stations, transportation hubs, parks, rights-of-way, employment centers, and community venues may have signage consistent with the above, which may display digital or static messages, even when located off the public rights-of-way. Digital messages shall operate according to the requirements of Section 64.277 (II) B. 3, "Operational Requirements", with the exception of 3) e.

Sec. 64.300. - Prohibited Signs.

The following signs are prohibited and shall be removed immediately in accordance with Section 64.302, below:

Hazardous or Confusing Signs. Advertising signs which in any way simulate emergency vehicles, traffic-control signs and devices, or directional, informational and warning signs which are erected or maintained by the State of Florida, a political subdivision thereof, or by any railroad, public utility or similar agency concerned with the protection of the public health or safety.

Signs on Public Property. Any private sign placed on public property or any public right of-way, including the median, is prohibited, except Transit Shelter signs which conform to this Code.

Obscene Signs. Any sign containing statements, words or pictures of an obscene nature.

Roof Signs. Any sign located on a roof or above the roof lines shall be prohibited.

Signs on Vehicles. Any vehicle with a sign or signs attached thereto or placed thereon subject to the following exceptions:

(a) Any vehicle parked on private property when parked within the confines of a building or in some manner which provides for effective screening so as not to allow the sign or signs on the vehicle to be viewed from any public street.

(b) Any vehicle upon which is placed a sign identifying the firm or its principal products if such vehicle is one which is operated during the normal course of business; provided, however, that no such vehicle shall be routinely parked in a location where it serves as or constitutes additional signage.

(c) Buses, taxicabs and similar common carrier vehicles which are licensed or certificated by the City of Orlando and/or the Florida Public Services Commission.

(d) Bikeshare bicycles that are approved by the City of Orlando.

Sec. 64.400. – Downtown Special Signs District

(i) *Digital kiosks.* Digital kiosks are kiosks containing 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 include static messaging, as well as display offsite messages.

Analysis

Allowing additional signage types in the Downtown, and around urban multi-modal transportation infrastructure, as provided in this Ordinance, will appropriately balance the need and desire to promote and protect the aesthetic beauty of the City of Orlando with the need and desire to promote and identify important commercial districts where these enhanced transportation options are vital, through the use of special electronic media and static off-site messaging. All installations will still require review by the Appearance Review Board and Historic Preservation Board, where applicable.

Because the proposed locations for these signs include unique cultural and retail areas, the signage contemplated in this ordinance are not considered aesthetically imposing nor visually distracting. Installing such desirable signage in urban and pedestrian oriented environments, if appropriately regulated, is unlikely to present unanticipated or dangerous distractions to passing motorists, unlike more conventional environments.

Conclusion

The purpose of this LDC Chapter 64 amendment is to address the need to allow for advertising space on the bikesharing infrastructure, as well as digital kiosks. Both bikesharing and LYMMO are important transportation programs that rely on advertising to help fund their operations. These text changes will provide the bikesharing vendor and LYNX with a mechanism to fund the implementation and operation of their programs over the coming years.

Recommendation

Staff recommends approval of the sign code changes, and requests that the Municipal Planning Board (MPB) forwards these changes to the City Council for approval, authorizing staff and the City Attorney to finalize a draft ordinance for readings, a hearing, and adoption.

REVIEW/APPROVAL PROCESS:

NEXT STEPS *

1. January 27, 2014: December 2013 MPB Minutes Review & Approval; First Reading of Sign Code Ordinance at City Council.
2. February 10, 2014: Second Reading of Sign Code Ordinance at City Council (Tentative Adoption Date).

*This timeline is provided for informational purposes only; exact dates are subject to change.
