

**Lee County Board Of County Commissioners
Agenda Item Summary**

Blue Sheet No. 20060924

1. ACTION REQUESTED/PURPOSE: Approve new Administrative Code for the Lee County Specific Services Sign Programs to become effective upon adoption.

2. WHAT ACTION ACCOMPLISHES: Provides procedure for installing guide signs at urban interchanges.

3. MANAGEMENT RECOMMENDATION: Adopt new Administrative Code.

4. Departmental Category:

C9B

5. Meeting Date: AUGUST 1, 2006

6. Agenda:

- Consent
- Administrative
- Appeals
- Public
- Walk-On

7. Requirement/Purpose: (specify)

- Statute
- Ordinance
- Admin. Code
- Other

8. Request Initiated:

Commissioner _____
Department Transportation
Division _____
By: Scott M. Gilbertson, Director

9. Background:

Lee County is constructing Urban Interchanges and has other Expressway and Controlled Access facilities in the Long Range Plan that, when constructed, may have some impact on visibility of businesses located off the Urban Interchanges. Road users may desire to know what types of Gas, Lodging and Food Service business exist at a particular exit point and want to receive directional guidance. Safety and operational benefits can be achieved through an effective and informative program involving guide signs. Lee County Department of Transportation (DOT) has developed a recommended "Specific Services Sign" program for incorporation in the Administrative Code. The document is modeled closely to Lee County DOT practice and the Florida DOT's Operations Rule, Chapter 14-51. If approved, Administrative Code would establish the policy, guidelines, a procedure and the authority to charge for these special services signs to recover the County's costs for materials, fabrication, installation and maintenance.

10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
					Analyst	Risk	Grants	Mgr.	
<i>[Signature]</i>				<i>[Signature]</i>	RK 7/20	7/20/06	7/20/06	7/20/06	<i>[Signature]</i> 7-20-06

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY COUNTY ADMIN: 7-20-06 2:30 PM
COUNTY ADMIN FORWARDED TO: 7/20/06 4/77

Rec'd by CoAtty Date: 7/20/06 Time: 1:50 PM Forwarded to: 7/20/06 4/77

LEE COUNTY RESOLUTION NO. _____

A RESOLUTION OF THE LEE COUNTY BOARD OF COUNTY COMMISSIONERS RELATING TO ADOPTING A NEW SECTION TO THE LEE COUNTY ADMINISTRATIVE CODE; PROVIDING FOR APPROVAL OF CERTAIN AMENDMENTS TO THE LEE COUNTY ADMINISTRATIVE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners is the governing body in and for Lee County, a political subdivision of the State of Florida; and,

WHEREAS, the Board of County Commissioners has previously enacted Lee County Ordinance No. 96-01, creating a charter form of government for Lee County pursuant to Section 125.80 and ff., Florida Statutes, and which was approved and ratified by the Electorate of Lee County on November 5, 1996; and,

WHEREAS, the Board of County Commissioners has previously enacted Lee County Ordinance No. 97-23, which adopted the Lee County Administrative Code pursuant to Section 2.2.E. of Ordinance No. 96-01, the Lee County Charter; and,

WHEREAS, Lee County Ordinance No. 97-23 at Section III allows and provides for additions to the Lee County Administrative Code to be made by Resolution of the Board of County Commissioners at a regularly scheduled Board of County Commissioners' meeting; and,

WHEREAS, additions to the Lee County Administrative Code are now being proposed, and the Board of County Commissioners finds that such proposed additions are acceptable, serve a public purpose and are consistent with the terms and conditions of Lee County Ordinance No. 96-01, the Lee County Charter.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS THAT:

1. The above preamble is hereby accepted and approved as being true and accurate, and is adopted and incorporated herein as if set out further at length.
2. The proposed addition to the Lee County Administrative Code (attached hereto as Exhibit A), is approved, and are hereby directed to be incorporated into the Lee County Administrative Code as indicated.
3. The provisions of this Resolution are severable, and it is the intention to confer to the whole or any part of this Resolution, the powers herein provided for. If any of the provisions of this Resolution shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the other remaining provisions of this Resolution. It is hereby declared to be the Board's legislative intent that this Resolution would have been adopted had such an unconstitutional provision not been included herein.
4. This Resolution shall become effective immediately upon its adoption by the Board of County Commissioners.

The foregoing Resolution was adopted by the Lee County Board of County Commissioners upon a motion by Commissioner _____, and seconded by Commissioner _____ and, upon being put to a vote as follows:

BOB JANES _____
DOUGLAS ST. CERNY _____
RAY JUDAH _____
TAMMARA HALL _____
JOHN E. ALBION _____

DULY PASSED AND ADOPTED THIS _____ day of _____, 2006.

ATTEST: CHARLIE GREEN
CLERK OF COURTS

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
Deputy Clerk

BY: _____
Tammara Hall, Chairwoman

APPROVED AS TO FORM:

BY: _____
Office of the County Attorney

**ADMINISTRATIVE CODE
BOARD OF COUNTY COMMISSIONERS**

CATEGORY: Transportation and Traffic Management	CODE NUMBER: AC-
TITLE: Lee County Specific Services Sign Programs	ADOPTED:
	AMENDED:
	ORIGINATING DEPARTMENT: Department of Transportation

PURPOSE/SCOPE: To implement a limited program to install guide signs, that provide road users with business identification and directional information, for services and for eligible attractions at specific urban interchanges on Lee County roadways, in order to enhance the road users' ability to safely and efficiently locate their intended destination. The guide signs are to be used only when the destination is not visible when approaching the specific urban interchange. Nothing in this Administrative Code shall restrict the responsibility of the Lee County Department of Transportation (DOT) Director, or designee, in the determination of other special sign requests consistent with State of Florida, Department of Transportation, Operations Rule, Chapter 14-51. The Lee County DOT Director, or designee, may where appropriate, utilize the applicable Section of Chapter 14-51 (latest issue) to evaluate special directional sign requests and issue approval or denial for County jurisdiction roads.

POLICY/PROCEDURE:

- 1.0 Specific Service signs shall be defined as guide signs that provide road users with business identification and directional information for services and for eligible attractions, and shall conform to the most current edition of the Manual on Uniform Traffic Control Devices (MUTCD) approved by the Florida Department of Transportation (FDOT).
- 2.0 The use of Specific Service signs should be limited to areas where adequate sign spacing can be maintained, and those interchanges with Lee County Department of Transportation (DOT) controlled roadways, as approved by the Director of DOT, or designee.
- 3.0 Eligible service facilities shall comply with laws concerning the provisions of public accommodations without regard to race, religion, color, age, sex, or national origin, and laws concerning the licensing and approval of service facilities. The attraction services shall include only facilities, which have the primary purpose of providing amusement, historical, cultural, or leisure activities to the public.

4.0 Selection of Eligible Businesses

4.1 Space availability is on a first come, first served basis for each service type, and will be limited to only FOUR (4) logos per service type at an interchange.

4.2 The following criteria will be used to determine the program eligibility:

4.2.1 To qualify for a GAS logo panel, a business should have:

4.2.1.1 Vehicle services including gas and/or alternative fuels, oil, and water;

4.2.1.2 Modern sanitary facilities and drinking water;

4.2.1.3 Continuous operation at least 12 hours per day, 7 days per week; and

4.2.1.4 Public telephone.

4.2.2 To qualify for a FOOD logo panel, a business should have:

4.2.2.1 Licensing or approval, where required;

4.2.2.2 Continuous operations to serve at least two meals per day, at least 6 days per week;

4.2.2.3 Public telephone; and

4.2.2.4 Modern sanitary facilities.

4.2.3 To qualify for a LODGING logo panel, a business should have:

4.2.3.1 Licensing or approval;

4.2.3.2 Adequate sleeping accommodations;

4.2.3.3 Public telephone; and

4.2.3.4 Modern sanitary facilities.

4.2.4 To qualify for a CAMPING logo panel, a business should have:

4.2.4.1 Licensing or approval, where required;

4.2.4.2 Adequate parking accommodations; and

4.2.4.3 Modern sanitary facilities and drinking water.

4.2.5 To qualify for an ATTRACTION logo panel, a facility should have:

4.2.5.1 Regional significance; and

4.2.5.2 Adequate parking accommodations.

4.3 Distances to eligible services – A service must be located no further than one-half (0.5) mile from the interchange unless a deviation is approved by the DOT Director, or designee.

5.0 Application Process

5.1 Prior to filing an application, a pre-application meeting with DOT Traffic staff is recommended. The business or attraction desiring their logo to be considered for the program shall submit a permit application and fee to the Lee County DOT, in order to receive a permit to have their logo placed on a sign.

5.2 The fees and permit application will be established utilizing procedures from the County External Fees Manual, and will cover the costs to review the application and to process the application for denial or approval. In the event that the business or attraction does not qualify for the program, the application fee will not be refunded.

5.3 If the permit application is approved, DOT will calculate the actual cost to design, fabricate and install logo signs using current DOT procedure and the audited overhead factor. The cost will be provided to the applicant for written approval prior to any fabrication commencing. Additionally, there will also be an annual maintenance fee to cover costs of maintenance and

repairs to the signs. The maintenance fee will be billed annually at the beginning of the County's Fiscal Year in October. Once a maintenance history has been established, Lee County may elect to offer an one-time or multi-year fee in lieu of billing the applicant annually.

5.4 The Director of DOT, or his designee, shall approve or disapprove, the permit application.

5.5 The Board of County Commissioners may, by majority vote, waive fees and costs if special circumstances are determined.

6.0 Signage Requirements

6.1 The general use of logo panels, legends, and signs shall conform to the MUTCD and FDOT design requirements.

6.2 The number of Specific Service signs along an approach to an interchange, regardless of the number of service types displayed, shall be limited to a maximum of four. In the direction of traffic, successive Specific Service signs shall be for attraction, camping, lodging, food, and gas services, in that order.

6.3 A Specific Service sign shall display the word message GAS, FOOD, LODGING, CAMPING, or ATTRACTION, an appropriate directional legend such as the word message NEXT RIGHT, SECOND RIGHT, or directional arrows, and the related logo sign panels. No more than three types of services shall be represented on any sign or sign assembly. If three types of services are shown on one sign, then the logo panels shall be limited to two for each service (for a total of six logo panels). The legend and logo panels applicable to a service type shall be displayed such that the road user will not associate them with another service type on the same sign. No service type shall appear on more than one sign. The signs shall have a blue background, a white border, and white legends of upper-case letters, numbers, and arrows.

6.4 The Specific Service signs should be located to take advantage of natural terrain, to have the least impact on the scenic environment, and to avoid visual conflict with other signs within the highway right-of-way.

6.5 General Service signs (see MUTCD Sections 2D.45 and 2E.51) may be used in conjunction with Specific Service signs for eligible types of services, that are not represented by a Specific Service sign.

6.6 Examples of Specific Service signs are shown in MUTCD Figure 2F-1. Examples of sign locations are shown in MUTCD Figure 2F-2.

6.7 A logo shall be either an identification symbol/trademark or a word message. Each logo shall be placed on a separate logo panel, which shall be attached to the Specific Service sign. Symbols or trademarks used alone for a logo shall be reproduced in the colors and general shape consistent with customary use, and any integral legend shall be in proportionate size. A logo that resembles an official traffic control device shall not be used.

6.8 Guidance:

A word message logo, not using a symbol or trademark, should have a blue background with white legend and border.

6.9 Option:

Where business identification symbols or trademarks are used alone for a logo, the border may be omitted from the logo panel.

6.10 A portion at the bottom of a GAS logo panel may be used to display the legends for alternative fuels (see MUTCD Section 2E.51) available at the facility. A portion at the bottom of a FOOD logo panel may be used to display the word CLOSED and the day of the week when the facility is closed.

6.11 A business using a logo, using a symbol or trademark, which is in color may be required to arrange for the manufacture and provide copies of the logo to the County. This would be required in the event that the colors used in the logo do not match those generally available and used by the County, or if the lay-out of the logo is too complex and labor intensive.

7.0 Number and Size of Logos and Signs

7.1 Sign sizes should be determined by the amount and height of legend and the number and size of logo panels attached to the sign. The maximum size of a sign with a single service type shall be 48 inches by 48 inches. The maximum size for a sign showing multiple service types shall be 72 inches by 48 inches. All logo panels on a sign should be the same size.

7.2 Each Specific Service sign or sign assembly shall be limited to no more than six logo panels. There shall be no more than four logo panels for one of the two service types on the same sign or sign assembly.

7.3 Each logo panel attached to a Specific Service sign shall have a rectangular shape with a width longer than the height. A logo panel on signs for designated roadways shall not exceed 18 inches in width and 15 inches in height.

7.4 Refer to MUTCD Sections 2A.15, 2E.14, and 2E.15 that contain information regarding borders, interline spacing, and edge spacing.

8.0 Size of Lettering

8.1 All letters and numerals on Specific Service signs, except on the logo panels, shall be a minimum height of 10 inch for signs on designated expressways or roadways with a posted speed limit of at least 50 mph, and 6 inch for signs on conventional roads and ramps.

8.2 Any legend on a symbol/trademark should be proportional to the size of the symbol/trademark.

9.0 Signs at Interchanges

9.1 The Specific Service signs shall be installed no further than 800 ft. in advance of the Exit Direction sign at the interchange, from which the services are available (see MUTCD Figure 2F-2).

9.2 There should be at least 800 ft. spacing between the Specific Service signs, except for Specific Service ramp signs. However, excessive spacing is not desirable. Specific Service ramp signs should be spaced at least 100 ft from the exit gore sign, from each other, and from the ramp terminal. The Chief Traffic Engineer shall determine the appropriate spacing on a case-by-case basis, if limitations exist.

10.0 Single-Exit Interchanges

10.1 At single-exit interchanges, the name of the service type followed directional guidance shall be displayed. The directional legend NEXT RIGHT (LEFT) shall be used, unless otherwise approved.

10.2 At single-exit interchanges, Specific Service ramp signs shall be installed along the ramp or at the ramp terminal for facilities that have logo panels displayed along the main roadway if the facilities are not readily visible from the ramp terminal. Directions to the service facilities shall be indicated by arrows on the ramp signs. Logo panels on Specific Service ramp signs shall be duplicates of those displayed on the Specific Service signs located in advance of the interchange, but shall be reduced in size.

11.0 Installation, Maintenance and Removal

11.1 Prior to fabrication of the sign(s), the applicant will be billed for the cost to design, fabricate, and install the approved sign(s), as well as, the first year's maintenance cost and the removal cost. Upon payment of the County's Invoice, the signs will be installed and maintained by Lee County. All signs shall be the property of Lee County with full rights to remove or relocate them.

11.2 Should Lee County determine that the signs require relocation, through no fault of the applicant or the applicant's agents or representatives, Lee County will pay the cost of relocation. Should permanent removal of the sign(s) be necessary, through no fault of the applicant or the applicant's agents or representatives, Lee County will determine a fair share reimbursement to the applicant based upon the date of removal and the remaining life of the sign(s).

11.3 The removal cost will be paid by the applicant as a non-refundable charge, should the applicant or the applicant's agents or representatives cause the sign to be removed, or the applicant fails to pay the County's periodic maintenance charge, or the business closes or no longer exists as originally permitted.

11.4 It is the applicant's sole responsibility to notify Lee County DOT of any changes affecting the sign(s), the billing address, contact persons, and business ownership.

11.5 The first year's maintenance charge will be billed to the applicant prior to installation. Subsequent years' maintenance costs will be evaluated by DOT and a periodic billing rate provided to the applicant. Payment of periodic maintenance costs billed to the applicant, will be paid by the applicant within thirty (30) calendar days of receipt of the Invoice. Failure to make a timely payment will result in both a removal of the sign(s) after thirty-one (31) calendar days from notification by Lee County DOT, and the loss of all removal charges previously paid. The sign(s) will be disposed of or recycled after thirty-one (31) calendar days from removal.

11.6 All Appeals shall be submitted in writing stating the Appeal, reason for appeal and the specific case for consideration. Appeals shall be directed to: Lee County, Director, Lee County DOT, 1500 Monroe Street, Post Office Box 398, Fort Myers, FL 33902

12.0 This policy pertains to roadways controlled by Lee County. It does not address roadways or approaches that are controlled by another governmental entity. These other roadways or approaches may have signs placed on them in conformance with this policy and practice provided that the installation of any such signs are approved by the controlling entity.