

Agenda Item 10  
Public Use Permit  
DEV2017-033  
Ocean Center EMC  
(Quasi-Judicial Hearing)

**STAFF REPORT**

**DATE:** July 18, 2017  
**TO:** Planning Board Members  
**FROM:** Reed Berger, Redevelopment Director

**PROJECT REQUEST**

A request by James Wachtel, President, Djdesign Services Inc., on behalf of Volusia County, for approval of a resolution for a Public Use Permit to allow an Electronic Message Center (EMC) sign to be located at the Ocean Center, 101 N. Atlantic Avenue.

**PROJECT LOCATION**

The subject property is located on the west side of Atlantic Avenue (A1A) between Auditorium Avenue and Earl Street. Maps of the surrounding land uses and zoning classifications are provided for review. Adjacent land uses and zoning designations are further illustrated in the table below:

	<b>Existing Land Uses</b>	<b>Future Land Use Designation</b>	<b>Zoning Classification</b>
<b>Site</b>	Ocean Center	Public/Private Entertainment/Parking Mixed Uses	Redevelopment Beachside - Entertainment/Mixed Use (RDB-8)
<b>North</b>	Parking Garage Retail Shops Restaurants	Public/Private Entertainment/Parking Mixed Uses	Redevelopment - Beachside - Atlantic Avenue Retail (RDB-5) Redevelopment Beachside - Entertainment/Mixed Use (RDB-8)
<b>South</b>	Parking Retail Shops Restaurants	Public/Private Entertainment/Parking Mixed Uses Pedestrian Oriented Use	Redevelopment - Beachside - Atlantic Avenue Retail (RDB-5) Redevelopment Beachside - Entertainment/Mixed Use (RDB-8)
<b>East</b>	Hilton Hotel Resort	High Intensity Mixed Use	Redevelopment Beachside - Hotel/Mixed Use (RDB-1)
<b>West</b>	Parking Lots	Public/Private Entertainment/Parking Mixed Uses	Redevelopment Beachside - Entertainment/Mixed Use (RDB-8)

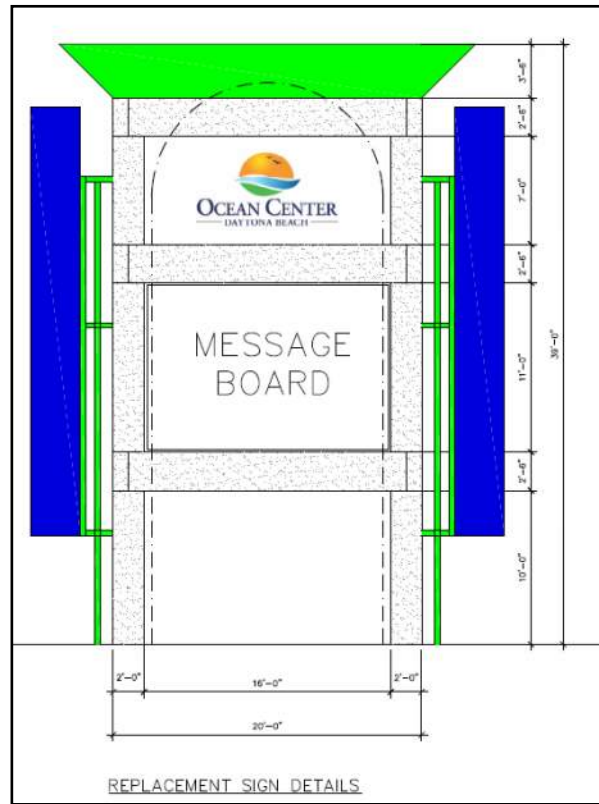
**PROJECT SUMMARY**

Section 3.4.H.1 of the City’s Land Development Code (LDC) details the purpose of a public use: “A Public or Semipublic Use is a use by a government agency, nonprofit entity, utility, broadcaster, or similar entity that serves the needs of the public, but requires special consideration of its location, design, and methods of operation before it can be deemed appropriate in zoning districts other than those in which it is expressly allowed as a permitted use or special use.” A Public Use application by Volusia County is reviewed by the Planning Board in a public hearing for recommendation to the City Commission, which will then consider final action, also in a public hearing.

The application request would permit an Electronic Message Center (EMC) sign on the subject property based on LDC standards, except where waived or altered by the City Commission as allowed through the Public Use Permit process. Proposed EMC modifications are detailed below. A plan for the proposed EMC has been submitted for review.



*Existing Sign*



*Proposed Sign*

**PROJECT ANALYSIS**

**EMC LDC Standards**

Per Section 6.10.J.6.b of the LDC, a permitted ground sign may be an electronic message center provided the following criteria are met. Please refer to the attached letter from Clay Ervin, Volusia County’s Director of Growth & Resource Management department dated July 14, 2017 that responds on behalf of the applicant to each criteria, including requests for modifications of

the LDC standards and justification for these respective requests. Staff's response to the criteria is provided for the Board's review after each criteria including proposed modifications of the LDC standards highlighted in bold underlined text.

- i. **Electronic message center signs are permitted only along principal arterial streets, as defined in Section 11.5, Terms and Uses Defined.***

The EMC sign will be located along Atlantic Avenue (A1A), which is a principal arterial street.
- ii. **Electronic message center signs are permitted only on sites consisting of at least eight contiguous acres with at least 650 contiguous linear feet of frontage on an arterial street. Property or frontage is contiguous where it is separated only by a public road.***

The subject site exceeds the minimum required eight contiguous acres but has roughly 580 contiguous linear feet of frontage on Atlantic Avenue, about 70 feet less than the minimum required 650 feet, and therefore **requires a modification to this LDC standard** as requested by the applicant.
- iii. **Only one sign is permitted within the same development or contiguous parcel of property under single ownership, control, or use. For purposes of this paragraph, property is contiguous where it is separated only by a public road.***

Only one EMC sign (double faced) is proposed and would replace the existing EMC sign at the same location. The proposed EMC sign complies with this LDC standard.
- iv. **Signs shall be set back at least ten feet from the right-of-way and at least 25 feet from the side property lines.***

The proposed EMC sign location is one (1) foot from the property line and therefore **requires a modification to this LDC standard** as requested by the applicant. The adjacent sidewalk along Atlantic Avenue is approximately twenty-five (25) feet wide.
- v. **Signs shall not be located within 1,000 linear feet of a conforming single-family detached dwelling, as measured along each side of the right-of-way.***

There are no single-family detached dwellings within 1,000 linear feet of the proposed sign location.
- vi. **Signs shall be constructed as monument signs with a maximum height of eight feet above grade.***

The proposed sign will be thirty-nine (39) feet in height, exceeding the eight (8) feet height limit, and does not have the characteristics of a monument sign with a solid base like the existing monument sign. This sign is a pole sign that includes ten (10) feet of clearance above grade and exceeds the existing monument sign height by approximately four (4) feet. The requested sign type and height **requires a modification to the LDC standard** as requested by the applicant.
- vii. **Where the number and type of signs permitted are controlled by Section 6.10.K, District Sign Schedules, the electronic message center shall count as a ground sign. Where more than one ground sign is permitted, it shall count as two ground signs.***

The replacement of the existing EMC sign will not increase the number or type of signs and will therefore comply with the LDC standards.

- viii. ***The display screen area shall not exceed 50 percent of the sign cabinet.***  
Excluding the structural concrete columns and bands, decorative top cap, and vertical banners, the display screen area of 176 sq. ft. is approximately 61% of the total sign cabinet area of 288 sq. ft. and is not in compliance with this LDC standard. The display screen area in excess of the 50% maximum limitation **requires a modification to the LDC standard** as requested by the applicant.
- ix. ***The sign cabinet and finished constructed base, excluding up to 22 square feet of the base, shall not exceed 360 square feet.***  
Excluding the vertical banners and decorative top cap, the proposed sign cabinet is approximately 512 sq. ft. in area and exceeds the 360 sq. ft. maximum area and therefore **requires a modification to this LDC standard** as requested by the applicant.
- x. ***Additional signage shall be permitted on the cabinet, not to exceed 15 percent of the sign cabinet size.***  
The proposed static sign area of 112 sq. ft. is approximately 21.8% of the 512 sq. ft. total sign cabinet area and therefore exceeds the 15% maximum which **requires a modification to this LDC standard** as requested by the applicant.
- xi. ***Landscaping shall be provided in accordance with requirements in Section 6.10.J.7, Ground Signs.***  
The applicant believes adequate landscaping is already present along Atlantic Avenue and that the plaza area around and under the proposed EMC sign should emphasize visibility for pedestrians. Section 6.10.J.7.b.iv of the LDC states “All ground sign design and placement shall be coordinated with requirements for traffic safety, landscaping, screening, or vegetation preservation areas”. The applicants request **requires modification to this LDC standard.**
- xii. ***A sign with sign face on two sides and no more than 4.5 feet of separation between faces shall be considered a single sign, and the total sign area shall be the area on a single face.***  
The proposed sign will meet this LDC standard.
- xiii. ***Sign copy may change only at intervals of not less than 60 seconds. Continuous scrolling, animation, or flashing of lights is prohibited.***  
The applicant is requesting that sign copy be permitted to change at intervals of not less than every 10 seconds due to the speed and location of traffic along Atlantic Avenue. This requested change to change of message timing **requires a modification to the LDC standard.** Continuous scrolling, animation, or flashing of lights will not be permitted, per LDC standards.
- xiv. ***Graphics shall not be displayed at any time on the display screen area.***  
The applicant is requesting the display of graphics on the message center sign. This requested change to allow graphics **requires a modification to the LDC standard.**
- xv. ***The display screen area shall provide a high-resolution picture quality with pixel spacing of 16 millimeters or less.***  
The proposed sign will meet this LDC standard.
- xvi. ***Maximum brightness is 5,000 nits during the day and 500 nits from dusk to dawn.***

The applicant has stated that the proposed sign will meet this LDC standard.

*xvii. A malfunctioning sign must be turned off or display a blank screen.*

The applicant has stated that the proposed sign will meet this LDC standard.

*xviii. Electronic message center signs shall not be added to, or used to change or expand, any nonconforming sign.*

This will be a new EMC sign replacing the existing non-conforming EMC sign that was established many years before LDC standards were established for EMC signs.

*xix. The background of the display screen shall be limited to one single solid color.*

The applicant is requesting multiple colors in the background of the display screens to improve visibility for both day and night, and to permit colors associated with “user specific branding”. This requested change to allow multiple background colors **requires a modification to the LDC standard.**

*xx. No off-site advertising is permitted.*

The proposed sign will meet this LDC standard.

*xxi. These criteria may be waived or altered by the City Commission in a Comprehensive Sign Plan, Planned Development Agreement, or Public or Semi-Public Use Permit.*

Section 6.10.J.7 of the LDC for Ground Signs states “Maximum height and sign area of ground signs may be increased through approval of a Public or Semipublic Use Permit (Section 3.4.H) upon a determination that the increase is necessary to properly identify the use, and that the sign will have no detrimental impact on the adjacent neighborhood.

The following EMC criteria are requested to be altered or waived as part of the Public Use Permit process:

- ii Permit a reduction of minimum street frontage from 650 feet to 580 feet.
- iv Permit a reduction of minimum setback from 10 feet to 1 foot.
- vi Permit pole sign versus monument sign requirement.
- vi Permit sign to exceed maximum height from 8 feet to 39 feet.
- viii Permit display screen area to exceed 50% max. of sign cabinet to 61%.
- ix Permit increase of sign cabinet area from 360 sq. ft. to 512 sq. ft.
- x Permit static sign area to exceed 15% maximum to approximately 21.8%.
- xi Permit sign without additional landscaping.
- xiii Permit reduction of sign copy intervals from 60 seconds to 10 seconds.
- xiv Permit graphics on EMC sign.
- xix Permit multiple background colors on EMC display screen.
- xx Permit advertising of events at Peabody Auditorium and other facilities owned by the City of Daytona Beach.

### **Public Use Permit Review Standards**

Section 3.4.H.4 of the LDC provides the criteria to review the public use request. Staff responses to the criteria are provided for the Board’s review. A Public Use Permit shall be approved only on a finding there is competent substantial evidence in the record that the proposed Public Use:

- a. **Is necessary;**  
The requested sign is necessary to relay government messages efficiently to the public.
- b. **Would be consistent with the comprehensive plan;**  
The proposed sign is consistent with the City’s Comprehensive Plan.
- c. **Would comply with all applicable zoning district standards, unless the requirements are specifically waived by the Planning Board and the City Commission;**  
Proposed modifications are identified earlier in this report.
- d. **Would comply with all standards in Section 5.2.B, Standards for Specific Principal Uses;**  
Not applicable.
- e. **Would avoid overburdening existing public facilities and services, including, but not limited to, streets and other transportation facilities, schools, potable water facilities, sewage disposal, stormwater management, and police and fire protection;**  
The proposed sign is not expected to overburden existing public facilities or services.
- f. **Would be appropriate for its location, is compatible with the general character of surrounding lands and the uses permitted in the zoning district, and does not inappropriately cluster or overburden a single area with public or semipublic uses;**  
The proposed sign is determined to be appropriate for the location and is compatible with the general character of the surrounding lands and uses.
- g. **Would avoid significant adverse odor, noise, glare, and vibration impacts on surrounding lands regarding refuse collection, service delivery, parking and loading, signs, lighting, and other site elements;**  
The proposed sign is not anticipated to produce any adverse conditions.
- h. **Would adequately screen, buffer, or otherwise minimize adverse visual impacts on adjacent lands;**  
Adverse visual impacts are limited through LDC standards remaining in place.
- i. **Would avoid significant deterioration of water and air resources, scenic resources, and other natural resources;**  
Not applicable.
- j. **Would maintain safe and convenient ingress and egress and traffic flow onto and through the site by vehicles and pedestrians, and safe road conditions around the site;**  
The proposed EMC sign has been reviewed and found acceptable by the City’s Technical Review Team (TRT).
- k. **Allows for the protection of land values and the ability of neighboring lands to develop uses permitted in the zoning district; and**  
Staff does not anticipate any diminished land values with the approval of the proposed EMC sign.

**1. Would comply with all other relevant City, State and federal laws and regulations.**

Except where modified or waived by the City Commission as part of the Public Use Permit, the EMC sign will comply with all other City, State and federal laws and regulations.

**ADDITIONAL STAFF COMMENTS**

1. The proposed EMC sign will be located in the same location as the existing EMC sign it replaces and is slightly taller and wider than the existing sign with respect to the cabinet and supporting columns and bands. In addition to the basic sign elements, the proposed EMC sign includes a bright green inverted trapezoid shaped cap on its top and vertical blue blade bands attached to each end of the sign. The colors and shapes added to the main sign structure not only draw attention to the EMC sign but also share the same shapes and colors used to accent the Ocean Center building. Staff finds the addition of the colors and shapes increase the compatibility between the sign and the principal building. Staff also finds that the use of the colors and shapes are encouraged in the E-Zone Master Plan which is part of the Main Street Redevelopment Plan. To be clear, the sign areas and dimensions (except height) of the attached top cap and blade structures were not calculated as part of sign area in the requested modifications of the LDC. Staff therefore recommends these additional structures be permitted as part of the overall sign area and dimensions as shown in Attachment A.
2. A neighborhood meeting was held in accordance with the requirements of the Land Development Code on March 23, 2017 at the Ocean Center. No persons from the public were in attendance and no comments were received. A summary of the meeting is attached.

**RECOMMENDATION**

Staff recommends approval of the Public Use permit to allow an Electronic Message Center (EMC) sign at the Ocean Center, replacing the existing monument sign, located at 101 N. Atlantic Avenue, with all requested LDC modifications and waivers.

The item is tentatively scheduled for a public hearing and consideration of a resolution for approval by the City Commission on September 6, 2017.

A majority vote of the Planning Board members present and voting is required to recommend approval to the City Commission.

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**DEV2017-033**  
**SEMI PUBLIC USE PERMIT - LOCATION MAP**

City of Daytona Beach Map disclaimer:  
 These maps were developed and produced by the City of Daytona Beach GIS. They are provided for reference only and are not intended to show map scale accuracy or all inclusive map features. As indicated, the accuracy of the map has not been verified and it should be used for informational purposes only. Any possible discrepancies should be brought to the attention of City Engineering and or Development Services.





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**DEV2017-033  
SEMI PUBLIC USE PERMIT - AERIAL MAP**

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BUTLER BLVD

# FUTURE LAND USE



1 inch = 300 feet

LEVEL 1 RESIDENTIAL

OFFICE RESIDENTIAL

RIVERFRONT MIXED USE

HYDROLOGY

Halifax River

RIVERFRONT LODGE

AUDITORIUM BLVD

PUBLIC INSTI

COMMERCIAL TRANSITIONAL

TRANSITIONAL OVER

PUB PRI ENT PARK MIX

HI INT MIXED USE

LINEAR OCEANFRONT

SPRAT (ATLANTIC AV/N)

ATLANTIC SHORELINE

BOARDWALK ENT

OCEAN AV/N

PEDESTRIAN OR USE

GRANDVIEW AV-N

COATES ST-N

PARKS RECREATION

OCEAN AV-S

FERN LN-N

COATES ST-S

CR 4040 (MAIN ST)

SPRAT (ATLANTIC AV/S)

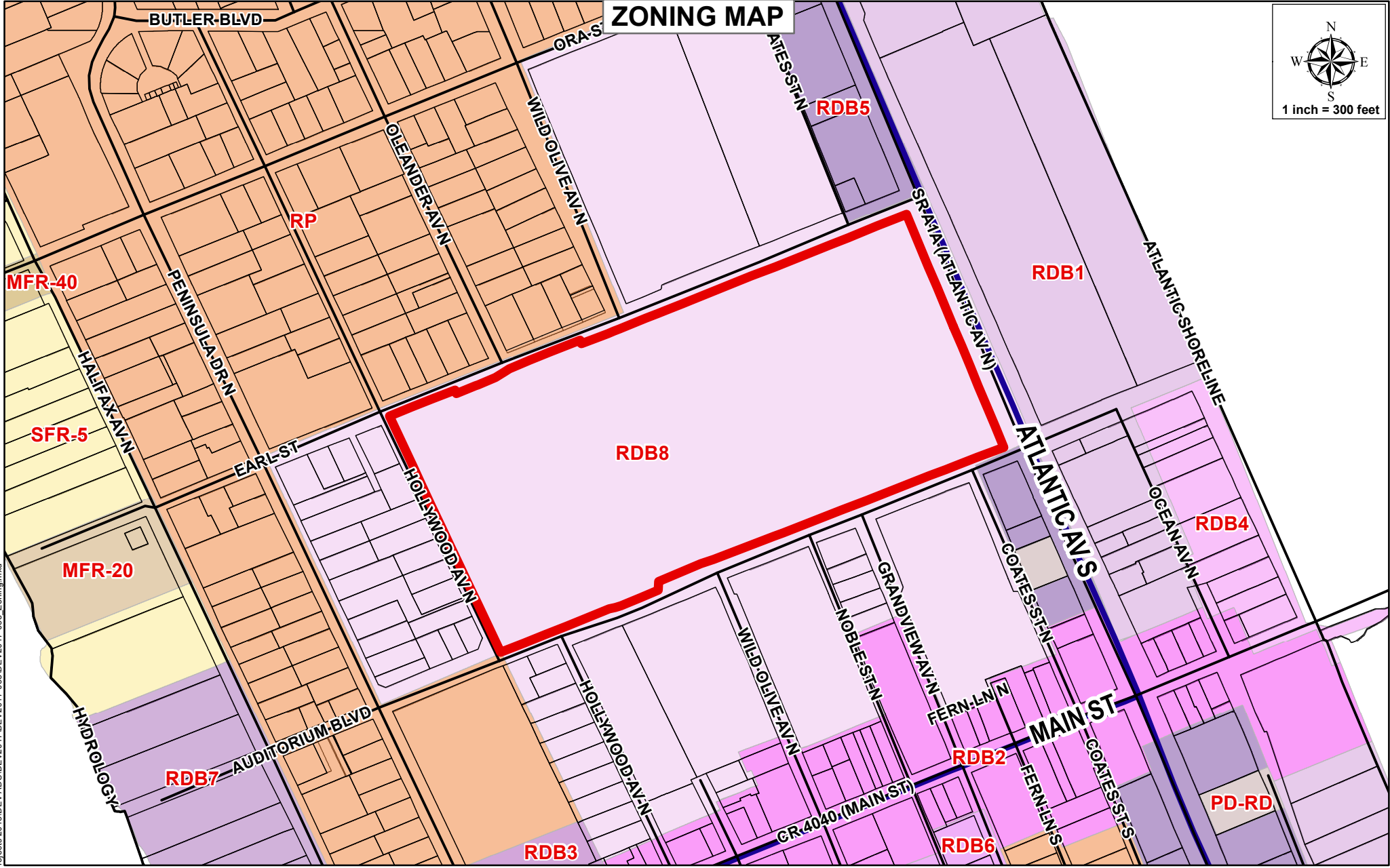
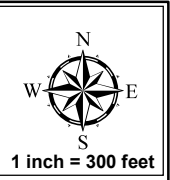
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## DEV2017-033 SEMI PUBLIC USE PERMIT - FUTURE LAND USE MAP

City of Daytona Beach Map disclaimer:  
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# ZONING MAP

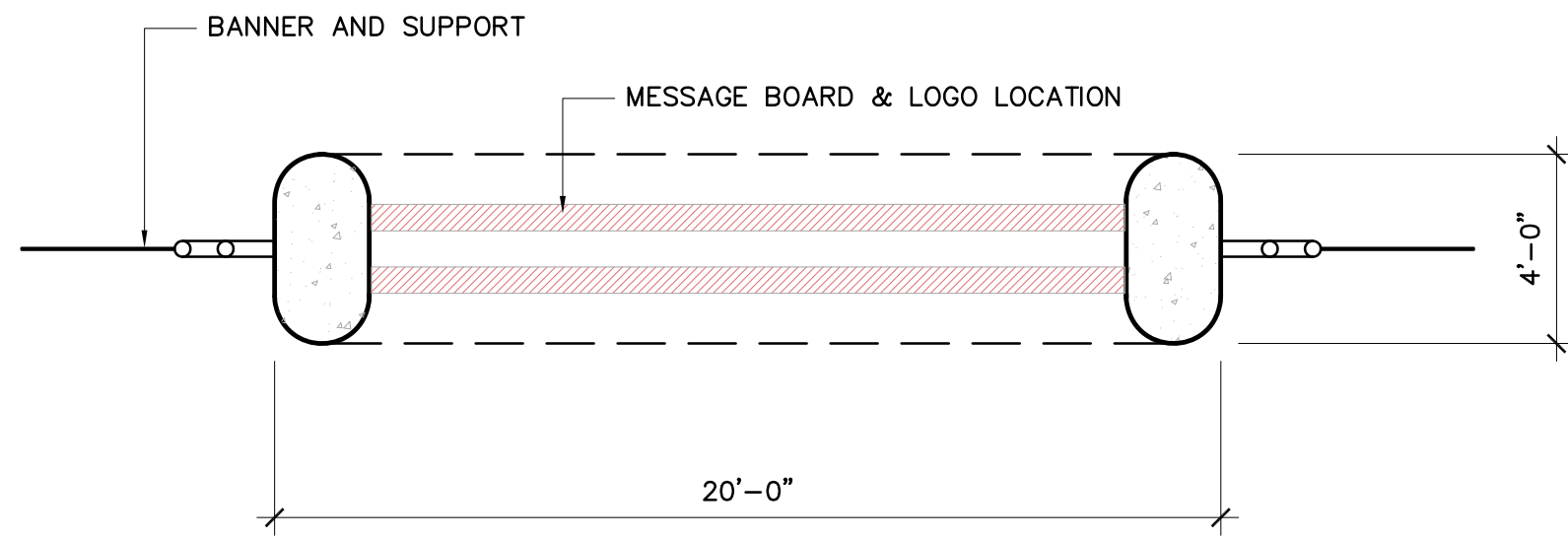


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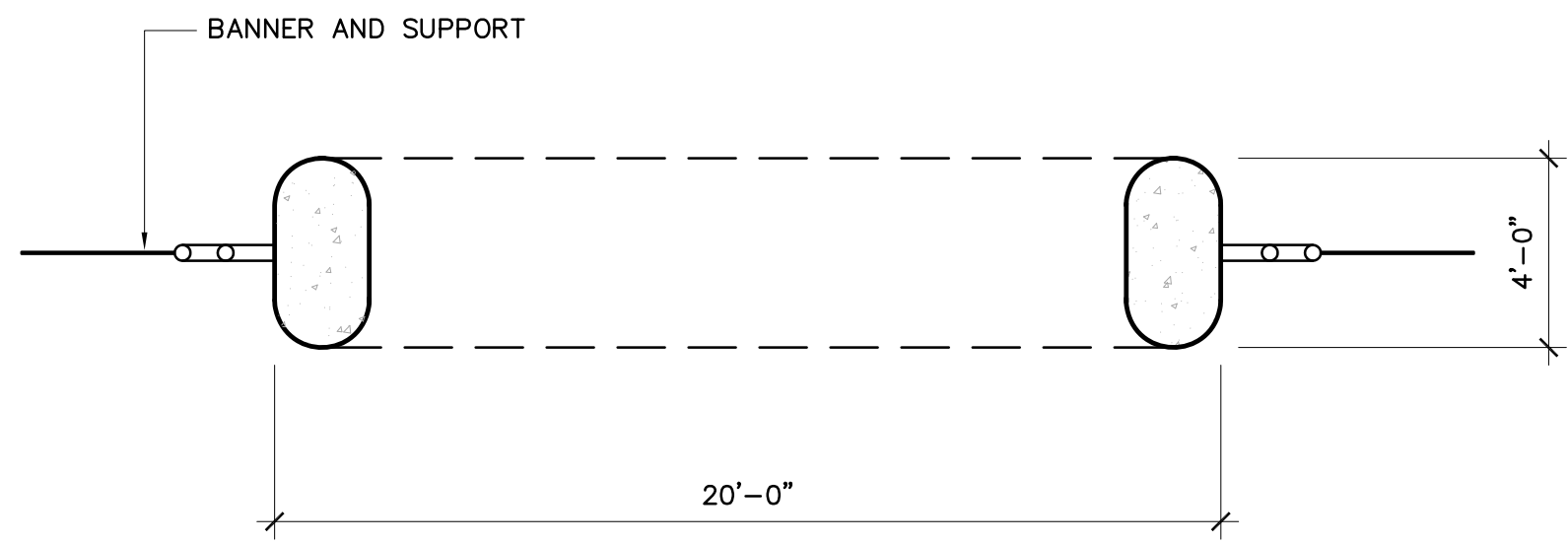


## DEV2017-033 SEMI PUBLIC USE PERMIT - Zoning Map

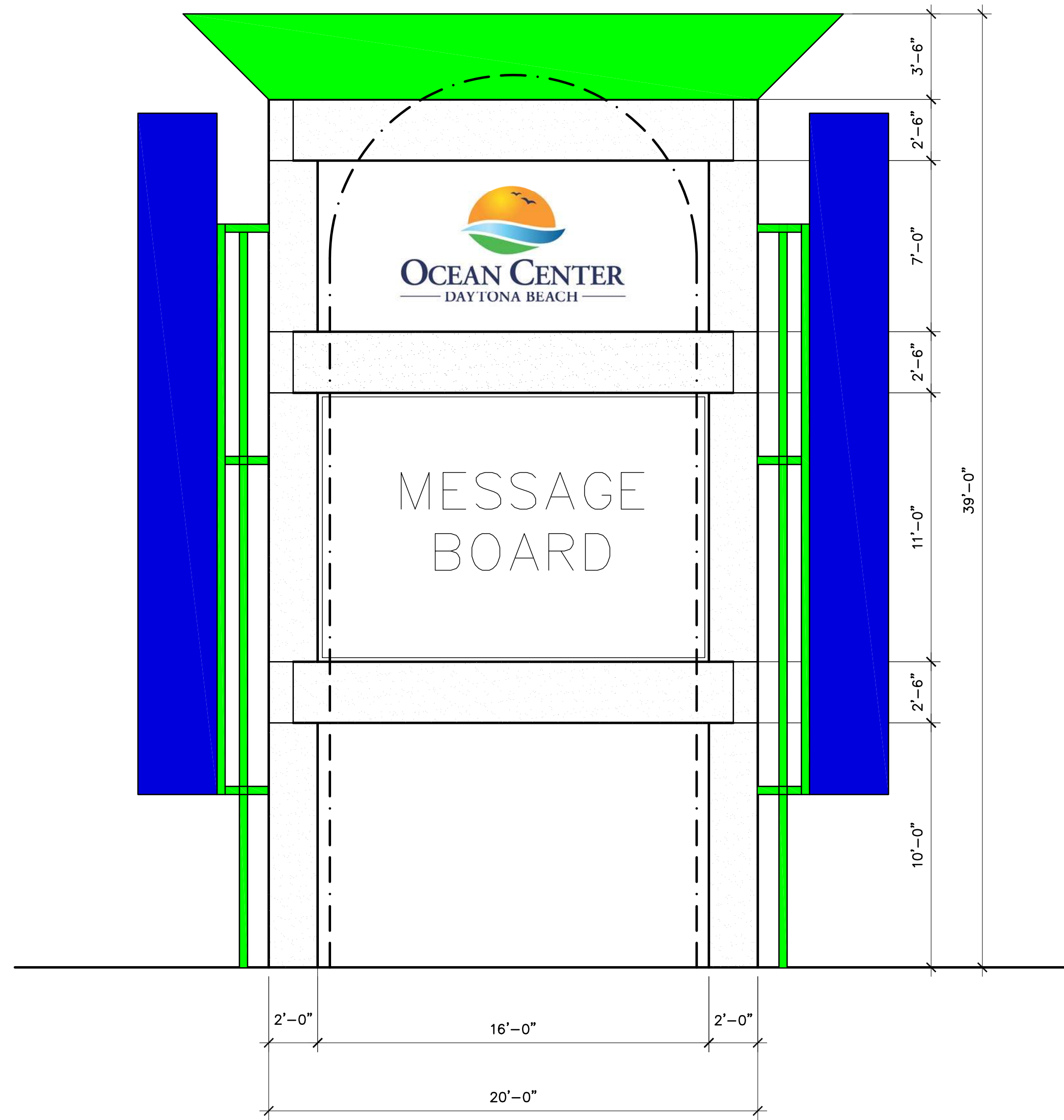
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UPPER LEVEL PLAN



GROUND LEVEL PLAN



REPLACEMENT SIGN DETAILS



913 NORTH NOVA RD.  
 HOLLY HILL, FL 32117  
 AA 26000567  
 PHONE (386) 255-6987  
 FAX (386) 255-6988

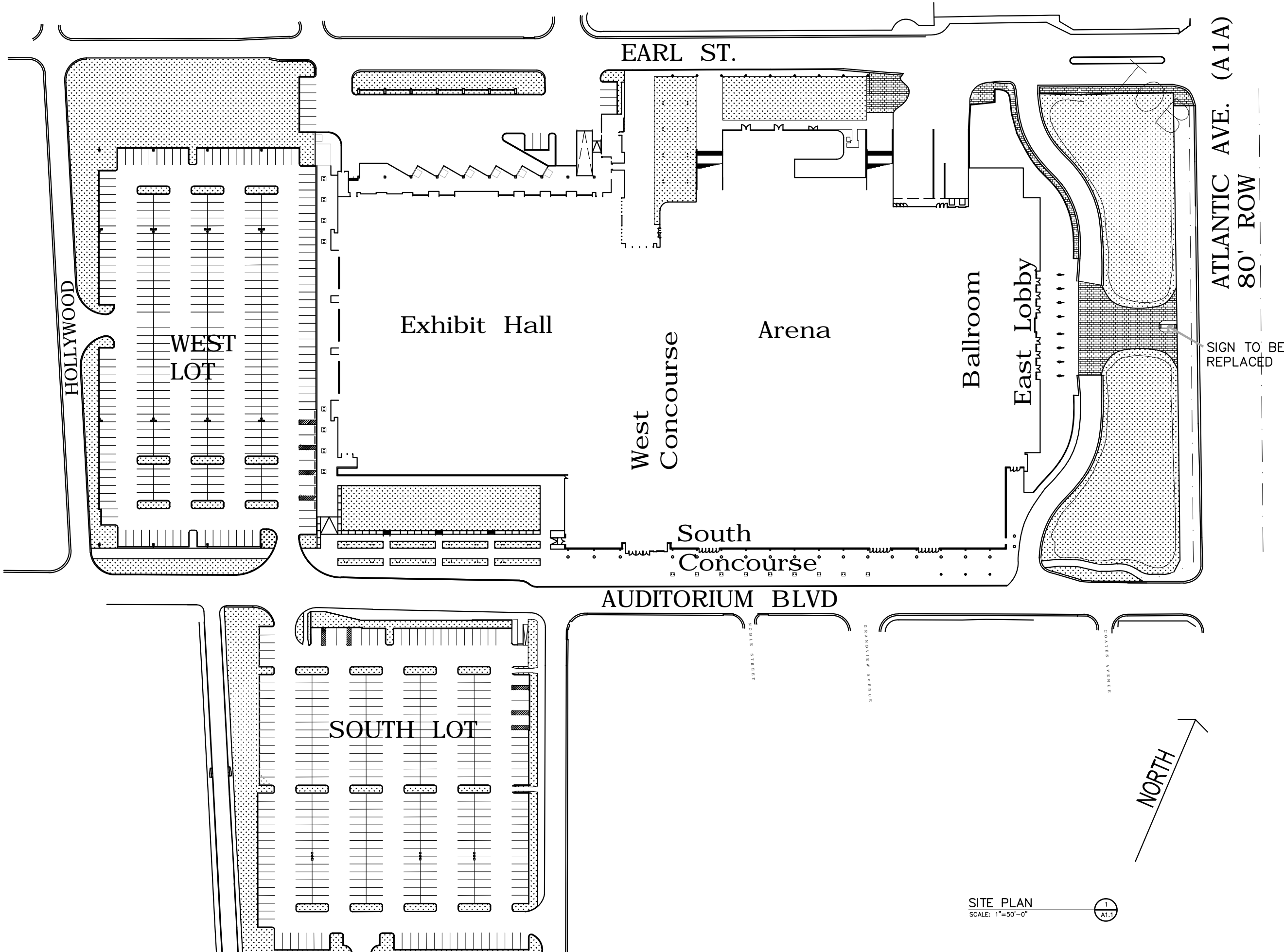
REV#	DATE	REVISIONS

OCEAN CENTER  
 NEW MONUMENT SIGN  
 101 N. ATLANTIC AVENUE  
 DAYTONA BEACH, FL. 32118

PJT#: 02268.19  
 DATE: 4-10-17  
 DRN BY: JMW  
 DGN BY: -  
 REV BY: -  
 SCALE: -

SHEET  
 A1.2





EARL ST.

ATLANTIC AVE. (A1A)  
80' ROW

HOLLYWOOD

WEST LOT

Exhibit Hall

West Concourse

Arena

Ballroom

East Lobby

SIGN TO BE REPLACED

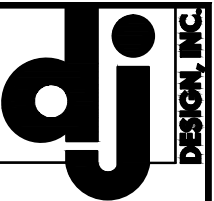
South Concourse

AUDITORIUM BLVD

SOUTH LOT



SITE PLAN  
SCALE: 1"=50'-0"



913 NORTH NOVA RD.  
HOLLY HILL, FL 32117  
AA 26000567  
PHONE (386) 255-698  
FAX (386) 255-698

REV#	REVISIONS	DATE

OCEAN CENTER  
SIGN REPLACEMENT  
101 N. ATLANTIC AVE.  
DAYTONA BEACH, FL.

PJT#:	-
DATE:	4-10-17
DRN BY:	-
DGN BY:	-
REV BY:	-
SCALE:	-

SHEET  
A1.1

**Ocean Center Marquee Design  
Public Meeting  
Minutes – March 23, 2017 @ 7:00pm  
Ocean Center Meeting Room 104AB**

**Attendees:**

Kristofer Beatty, Ocean Center  
Jim Wachtel, DJ Design Services, Inc.  
Sharon Angelastri, Ocean Center

This public meeting on the Ocean Center Marquee Design was scheduled for 7:00pm. No one from the public showed up and the meeting was adjourned at 7:15pm.



## Growth and Resource Management

Revision to letter dated July 14, 2017, as follows:

July 18, 2017

Mr. Dennis Mrozek, AICP,  
City of Daytona Beach Planning Department  
P.O. Box 2451  
Daytona Beach, FL 32115-2451

Subject: Dev-2017-033 Ocean Center Sign (Public Use Permit)

Mr. Mrozek,

As you are aware DJ Design, Inc., submitted a letter on May 31, 2017, regarding the requested waivers for the proposed electronic message center (EMC) sign for the Ocean Center. Since that time, staff members from the City of Daytona Beach and Volusia County reviewed the requested amendment to the Ocean Center Public Use Permit and made several revisions. This letter is to identify and provide justification for the waiver of specific requirements associated with the proposed replacement EMC sign. The existing EMC sign for the Ocean Center was erected with the initial development of the Ocean Center and needs replacement. The current regulations pertaining to EMC signs have specific regulations as to the size, type and operation. The proposed replacement EMC sign is generally consistent with those regulations, but there are some facets of the EMC sign that do not fully comply with the City of Daytona Beach regulations.

The City of Daytona Beach staff identified that waivers of the EMC sign regulations may be processed through the Public Use Permit process. The following is a summary of the regulations pertaining to the EMC sign. Additionally, the following identifies the specific waivers that Volusia County requests through the Public Use Permit amendment process. In accordance with Section 6.10.J.6.b., a permitted ground sign may be an electronic message center provided the following criteria are met:

- i. Electronic message center signs are permitted only along principal arterial streets, as defined in Section 11.5, Terms and Uses Defined.**

The proposed sign complies with this criteria.

- ii. Electronic message center signs are permitted only on sites consisting of at least eight contiguous acres with at least 650 contiguous linear feet of frontage on an arterial street. Property or frontage is contiguous where it is separated only by a public road.**

A waiver is requested for the proposed sign. The proposed sign complies with the minimum area requirement since the Ocean Center is located on approximately 15 acres of contiguous property and includes additional property to the south (parking). The frontage of the Ocean Center along South Atlantic Avenue is approximately 550 feet so it is less than the 650 feet required by this criterion. The sign is located in the approximate center of the 550 feet of frontage along South Atlantic Avenue. There is sufficient frontage to ensure that the proposed EMC sign is in scale with the surrounding development and will not create a negative impact on adjoining properties.

- iii. Only one sign is permitted within the same development or contiguous parcel of property under single ownership, control, or use. For purposes of this paragraph, property is contiguous where it is separated only by a public road.**

The proposed sign complies with this criteria.

- iv. Signs shall be set back at least ten feet from the right-of-way and at least 25 feet from the side property lines.**

The proposed sign is to be located one (1) foot from the South Atlantic Avenue right-of-way so waiver is requested from this setback. The proposed sign will be located in the location of the existing sign. This is necessary to ensure pedestrian flow along the entry of the Ocean Center. The existing and proposed sign location also serves as a wayfinding guide for visitors to the Ocean Center so it is important to have a location with high visibility.

- v. Signs shall not be located within 1,000 linear feet of a conforming single-family detached dwelling, as measured along each side of the right-of-way.**

The proposed sign complies with this criteria.

- vi. Signs shall be constructed as monument signs with a maximum height of eight feet above grade.**

A waiver is required for the proposed sign. The primary purpose of the sign is the identification of a public facility that serves a large tourist population. The proposed electronic message sign replaces an existing sign that advertises regional activities at a public facility. The location, type and size of the sign is needed in order to efficiently notify the public of the location of the facility and the programming occurring at the facility. Additionally, the Ocean Center is a visitor/tourist attraction that needs to be clearly identified in order to assure visitors are properly oriented on the property and can safely access the Ocean Center facility.

- vii. Where the number and type of signs permitted are controlled by Section 6.10.K, District Sign Schedules, the electronic message center shall count as a ground sign. Where more than one ground sign is permitted, it shall count as two ground signs.**

The proposed sign complies with this requirement.



**viii. The display screen area shall not exceed 50 percent of the sign cabinet.**

A waiver is requested for the proposed sign. The visual impact of the larger display screen is offset by the decorative elements of the sign. The proposed EMC sign provides for a continuity of the signage already established for the Ocean Center. The massing and scaling of the sign in relation to the surrounding structures supports this waiver. It is equally important to note that the Ocean Center sign is a long standing fixture at this location.

**ix. The sign cabinet and finished constructed base, excluding up to 22 square feet of the base, shall not exceed 360 square feet.**

A waiver is requested for the proposed sign. The sign cabinet including decorative banding and columns, is 20 feet in width and 28 feet in height for a total area of 560 square feet. The sign cabinet area is in scale with the remainder of the sign.

**x. Additional signage shall be permitted on the cabinet, not to exceed 15 percent of the sign cabinet size.**

A waiver is requested for the proposed sign. The additional signage request on the sign is a static sign with the name and logo of the Ocean Center. The size of the sign is in scale with the remainder of the sign and is needed for identification of a public facility used by tourist and other visitors to the area.

**xi. Landscaping shall be provided in accordance with requirements in Section 6.10.J.7, Ground Signs.**

A waiver is requested to accommodate the location of the sign within the plaza of the Ocean Center. The existing landscaping along South Atlantic Avenue was designed to incorporate the sign. Also, the height and location of the sign requires that there be minimum objects under the sign to ensure visibility of pedestrians.

**xii. A sign with sign face on two sides and no more than 4.5 feet of separation between faces shall be considered a single sign, and the total sign area shall be the area on a single face.**

The proposed sign complies with this requirement.

**xiii. Sign copy may change only at intervals of not less than 60 seconds. Continuous scrolling, animation, or flashing of lights is prohibited.**

A waiver is requested for the proposed sign. Volusia County seeks a waiver to allow for an interval of less than 60 seconds. An interval of 10 seconds is appropriate and should not create a safety issue, given the location and the speed of traffic of South Atlantic. Please disregard our previous request for a 5 second interval. It is important to note that the 10 second interval is consistent with the EMC sign located on the I-95 frontage of Tanger Shops.

**xiv. Graphics shall not be displayed at any time on the display screen area.**

A waiver is requested from this requirement. The Ocean Center is a tourist destination so it is important that both wording and graphics are used to identify the facility and the events

occurring at the facility. The graphics that are used in the display are not intended to convey typical commercial-retail activities. The graphics are needed to inform the public of different activities occurring at the Ocean Center, Peabody Auditorium and other facilities in the greater Daytona Beach area, and provides specific branding for the activities occurring in the Ocean Center and Peabody Auditorium.

**xv. The display screen area shall provide a high-resolution picture quality with pixel spacing of 16 millimeters or less.**

The proposed sign complies with this requirement.

**xvi. Maximum brightness is 5,000 nits during the day and 500 nits from dusk to dawn.**

The proposed sign complies with this requirement. Please consider the original application as amended to remove any references that do not comply with this requirement.

**xvii. A malfunctioning sign must be turned off or display a blank screen.**

The proposed sign complies with this requirement.

**xviii. Electronic message center signs shall not be added to, or used to change or expand, any nonconforming sign.**

There is an existing, non-conforming electronic message sign on the property. This sign was part of the original site improvements for the Ocean Center. The sign is past its useful life and a replacement is needed given the targeted population is tourists seeking convention facilities in the Daytona Beach E-Zone.

**xix. The background of the display screen shall be limited to one single solid color.**

A waiver is requested from this requirement. The Ocean Center is a tourist destination so it is important that both wording and graphics are used to identify the facility and the events occurring at the facility. Background color of the sign will be needed to ensure that wording and graphics used to identify the activities at the Ocean Center can be clearly seen during the day and night. The sign is designed to provide for multiple colors and the use of a monochromatic background will limit visibility and effectiveness. Additionally, user specific branding is an important component for marketing the Ocean Center and the Peabody Auditorium so the signage must be able to accommodate the color schemes of the organizations/performers using the facilities.

**xx. No off-site advertising is permitted.**

The proposed sign complies with this requirement.

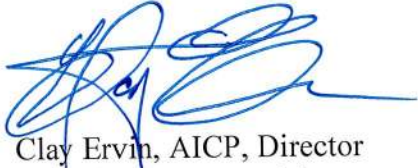
**xxi. These criteria may be waived or altered by the City Commission in a Comprehensive Sign Plan, Planned Development Agreement, or Public or Semi-Public Use Permit.**

This letter summarizes the waivers and justifications requested by Volusia County. The waivers are needed in order to provide additional wayfinding signage in the core tourist area.

Please let me know if there is additional information that is needed.

Thank you for the assistance and cooperation shown by the City of Daytona Beach staff.

Sincerely,



Clay Ervin, AICP, Director  
Growth & Resource Management

cc: James Dinneen, County Manager  
George Recktenwald Deputy County Manager  
Don Poor, Ocean Center Department Director  
Jamie Seaman, Deputy County Attorney  
Shannon Eller, Assistant County Attorney  
Jim Wattle, DJ Design