



## Legislation Text

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**File #:** 140514., **Version:** 3

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### **Painted Intersections and Crosswalks (B)**

#### **This item is a referral from the City Commission.**

The City Commission referred the Students for New Urbanism (SFNU) proposal to uniquely paint pedestrian crosswalks on select City streets. The SFNU worked with the Public Works Department in fall 2014 to identify a location for SFNU to paint a crosswalk with chalk spray paint as a pilot project. SFNU believes a solution to provide crosswalks in locations where there are currently none located would be to allow citizens to submit design ideas and roll out painted artwork into intersections and crosswalks.

Following the February 12, 2015 discussion of this item the Committee requested the Public Works staff to work with the City Attorney's office to review peer city programs, determine feasibility of this program in Gainesville, and bring a report back to the Committee.

The City Attorney's office reviewed the City of Gainesville Code of Ordinances for possible references to the painting of crosswalks. Sec. 30-318(i): Murals and other works of art, as defined in Chapter 5.5, shall not require a sign permit provided that they meet any applicable regulations in section 30-320 and have no electrical parts or usage unless ULI listed, and contain no commercial message. Any part of a mural or work of art that contains a commercial message shall require a sign permit and shall be included within the applicable calculation of maximum allowable sign area. A second reference is to the definition of "obscene" (as defined in 30-23) signs, including art/murals, are prohibited by Sec. 30-317(14).

Madison, Wisconsin has a Decorative Pavement Painting Ordinance which states that the program is not intended to create a forum for speech; allow only decorative designs and patterns and not text, symbols, overt messages, or images designed to convey a message. The Ordinance further states that the decision whether to approve a proposed intersection/design is a local affair of the government of the City of Madison and is only allowed on "local" streets with a speed limit of not more than 25 mph, and not on federal, state, or county highways. The City Traffic Engineer must approve the location via a permit application. Applicant must indemnify the City and provide proof of insurance. In addition, the applicant is required to contact the Alder over the specific location and obtain an email or letter of support from the Alder.

Boulder, Colorado has a Paint the Pavement program that allows neighbors to apply for a location for the Paint the Pavement mural application. An Agreement and Permit Application is required. Eligible locations include residential streets; generally at an intersection carrying less than 2,500 vehicles per day or for mid-block locations the street should carry less than 1,250 vehicles per day. The location is subject to approval by the City Traffic Engineer. In addition the applicant is required to obtain the Boulder Arts Commission approval prior to the public art installations.

Both Madison and Boulder provide direction on the type of paint that is allowable. Both require that the paint not result in a slippery surface and not be retroreflective.

As part of its Complete Streets initiatives the City of Ft. Lauderdale hosted the Connecting the Blocks Painted Intersection Project at three intersections. In advance of the painting all four approaches to the intersection were brought up to ADA standards. Each project must comply with the Manual on Uniform Traffic Control Devices (MUTCD) standards, thus addressing safety and regulatory concerns (including use of non-slip paint). More information can be found at: <http://www.fortlauderdale.gov/departments-/transportation-mobility/transportation-division/building-community-today/connecting-the-blocks-painted-intersections>

There is no fiscal impact associated with the discussion of this item.

The Recreation, Cultural Affairs and Public Works Committee discuss peer city programs and the feasibility of a similar program in Gainesville.