



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report: Z-TA-15-11
Zoning Ordinance Text Amendment

Application No. Z-TA-15-11: Repeal Chapter 7, Section 705.2 (Off-Premise Signs) of the Zoning Ordinance and replace it with reformatted language that updates the current outdoor advertising regulations to include criteria for digital/electronic billboards and special requirements. This request fulfills City Council direction to further study this issue based upon the previous text amendment of Z-TA-15-10.

Applicant: City of Phoenix Planning Commission.

Staff recommendation: Staff recommends approval of Z-TA-15-11 as shown in the **Attachment A** language.

Background/Purpose

This text amendment updates outdoor advertising regulations and includes criteria for digital/electronic billboards. The proposed changes are a result of numerous discussions, meetings and comments from the industry and the community. A billboard study group was formed with members of the industry and community. A summary of the three meetings held is found in **Attachment B**. Staff formulated a rough draft and solicited comments from the study group members. The study group comments are summarized and also found in **Attachment B**.

A questionnaire was sent out to all the Village Planning Committees at the same time the study group received the rough draft. Village input was necessary to ensure that the changes contemplated addressed the needs and concerns of the community.

Attachment C contains a summary of individual and committee comments received.

The update amends existing ordinance language regarding special requirements for billboards, placement, location, height, area, spacing, illumination, landscaping and nonconforming structures. Staff also proposes reformatting the ordinance for easier application and enforcement as discussed further below.

Attachment D summarizes the major changes and approximates the number of potential new structures that could be added with the proposed freeway additions. The proposed draft has addressed and balanced the needs of the industry and the community.

Summary of Proposed Zoning Ordinance Changes.

The following summary explains the proposed changes;

705.2. – All references to outdoor advertising have been changed to off-premise

705.2.A.1. (Existing 705.2.A.15) – Currently billboards are permitted in C-3, A-1 and A-2 zoning districts on arterial streets and within 300 ft of the Interstate 17 to I-10 east to the eastern city limits. Proposed text would only permit billboards in A-1 and A-2 zoning districts. Structures would be permitted in Planned Unit Developments (PUD) only on freeways. The following freeways are also added as permitted locations, the west I-10, the western Loop 101 north to Camelback Road, Inner SR (Loop) 202, SR 143. Language is also added prohibiting billboards on all existing freeways not specifically named and future freeways. Reorienting an off-premise sign to gain freeway visibility is also prohibited.

705.2.A.2. (Existing 705.2.A.13) – Adds language to permit billboards in the Planned Unit Development (PUD) when located within three hundred feet of a permitted freeway, as long as all other off-premise signage regulations are met and maintained by the PUD.

705.2.A.3. (Existing 705.2.A.7) – Billboards are currently prohibited within 1000 feet of a mountain preserve, from 250 feet of the centerline of a scenic corridor, and redevelopment areas except the Jefferson Street Master Sign Plan area. New text would increase prohibition to 2000 feet of a mountain preserve and within a scenic corridor overlay. Reorienting billboards on arterial streets to a freeway is prohibited. Billboards would be permitted in all redevelopment areas, except the Downtown where it must be part of the approved Jefferson Street Master Sign Plan.

705.2.A.4. (Existing 705.2.A.8) – Currently requires a use permit within 250 feet of a historic district. New text would increase this to 500 feet, require a use permit when in or within 250 feet of a special planning district and adds use permit criteria for special planning areas and consideration when adjacent to residential uses.

705.2.A.5. (Existing 705.2.A.25) – Current provision prohibits a billboard located in a C-3 district within 75 feet of a residential district. Proposed language requires a billboard to be 500 feet from a residential district and use in A-1, A-2 or a PUD. The exception will be residential uses located within a Planned Unit Development.

705.2.B.1. (Existing 705.2.A.11 and 705.2.A.13) – Modifies text to require a 25-foot setback from all streets except freeways. It eliminates current text which is based on the residential building setback.

705.2.B.2. (Existing 705.2.A.16 and 705.2.A.18) – Eliminates current spacing requirements that range from 300, 400, 500, 600, 750 and 1000 feet depending on billboard size and zoning district. This spacing is only measured on the same side of the street. New text will require 1000-foot spacing between all billboards regardless of which side of the street the billboard is located on. Text provides a method of measurement. This is a significant increase over current spacing requirements.

705.2.B.3. (Existing 705.2.A.17) – Currently identifies poster and bulletin size signs and permitted zoning districts in table format. New text identifies the maximum size of poster and bulletin signs. The square footage is defined in Chapter Two.

705.2.B.4. (Existing 705.2.A.22-25) – Current language permits billboard height in C-3 to be 25 feet to 45 feet, all other boards may be 48 feet in height. New language keeps 48-foot height limit, but includes language that allows for a use permit request up to 70 feet. Additional use permit criteria has also been added, that requires a demonstrated need for the additional height.

Section 705.2.C.1. – Adds language clarifying that permission needs to come from the property owner or recorded easement owner.

705.2.D.1. (Existing 705.2.A.23) – Current ordinance requires landscape to be installed on an undeveloped lot. Currently the ordinance requires 15 square feet for each lineal foot of sign face. The proposed language would require 48 square feet of landscape for each lineal foot. The current ordinance requires that the landscape consist of ground cover. The new language requires the landscape to be placed where there is the most community benefit and consist of one tree, five shrubs and ground cover for each 300 square feet of required landscape area.

705.2.E.3. – NEW section adds seven standard stipulations required when a use permit is approved for digital billboards.

705.2.E.4. (Existing 705.2.A.20) – Current language prohibits illumination to be visible from a contiguous residential zoning district. New language would clarify this to include residential use. Some of these requirements can be further reduced through the public hearing process to allow for specific neighborhood input.

705.2.G.3. – This text is proposed and is a duplication of existing text found in the on-premise section related to signs being relocated due to a government land taking for right-of-way or some other public purpose. No use permit would be required to relocate due to the government taking.

705.2.G.4. – The current ordinance permits a nonconforming billboard to be rebuilt with use permit approval and one of the following: removal of another board within 750 feet,

improvements in appearance to the board and a reduction in size height, or change in configuration. The new text will still require the use permit and will require removal of 1200 square feet of existing nonconforming signs when a digital sign is being requested. This will result in the long-term elimination of additional non-conforming off-premise signs in exchange for the ability to convert to a digital sign.

705.2.G.5. – The new text will require the improvement of appearance or addition of landscape for a nonconforming board that would be rebuilt but would not be a digital.

Conclusion

Staff recommends approval of the change to the Zoning Ordinance as proposed in Attachment A.

Writer

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11/2/11
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Attachments

- A. Reformatted text (Pages 5-20)**
- B. Summary of billboard study group meetings and draft comments (Pages 21-26)**
- C. Summary of village committee comments (Pages 27-39)**
- D. Summary of code changes and potential new freeway locations (Pages 40-41)**

**Attachment A
Reformatted Language**

Repeal Chapter 7, Section 705.2, Off-Premise Signs, and replace it with the following amended and reformatted language to read as follows:

Section 705.2. - Off-Premise Signs. *1

A. LOCATION RESTRICTIONS

1. ~~(Existing 705.2.A.15) outdoor advertising~~ **OFF-PREMISE** structures shall be located only in ~~C-3, A-1, or A-2~~ districts and shall be located on **LY ON ARTERIAL STREETS AS DESIGNATED ON THE STREET CLASSIFICATION MAP OR LOCATED WITHIN THREE HUNDRED (300) FEET OF THE RIGHT-OF-WAY AND ORIENTED TO THE FOLLOWING PERMITTED FREEWAYS:**
 - a. **INTERSTATE 17;**
 - b. **INTERSTATE 10;**
 - c. **INNER SR (LOOP) 202;**
 - d. **SR 143;**
 - e. **THE WESTERN SR (LOOP) 101 TO CAMELBACK ROAD;**
 - f. **OFF-PREMISE SIGNS ARE A PROHIBITED USE ON ALL OTHER EXISTING AND FUTURE FREEWAYS WITHIN THE CITY LIMITS AND SHALL NOT BE REORIENTED TO OBTAIN FREEWAY VISIBILITY.**
2. ~~(Existing 705.2.A.13) outdoor advertising~~ **OFF-PREMISE STRUCTURES MAY ALSO BE LOCATED IN A PLANNED UNIT DEVELOPMENT (PUD) WHEN ORIENTED AND WITHIN THREE HUNDRED FEET OF A FREEWAY AS IDENTIFIED IN SECTION 705.2.A.1. OFF-PREMISE ADVERTISING STRUCTURES LOCATED IN A PUD MUST COMPLY WITH ALL STANDARDS IN 705.2.**
3. ~~(Existing 705.2.A.14) an arterial street as designated on the street classification map or shall be located within three hundred feet of the mainline of Interstate 17 within the City limits and the mainline of Interstate 10 from the end of Interstate 17 to the eastern City limits. The mainline of~~

~~a freeway shall not include ramps to or from that freeway. *3 *4~~

4. 3. (*Existing 705.2.A.7*) No outdoor advertising **OFF-PREMISE** structure shall be erected within the following locations:

- a. In or within ~~one~~ **TWO** thousand (**2000**) feet of the boundaries of the Phoenix or South Mountain Preserves.
- b. In any historic preservation district.
- c. Within ~~two hundred fifty feet of the centerline of~~ any scenic corridor **ZONING OVERLAY** or drive adopted by the City of Phoenix.
- d. **ANY ARTERIAL STREET WHERE THE SIGN FACE IS ORIENTED TO A FREEWAY NOT SPECIFIED IN SECTION 705.2.B.1** ~~In any redevelopment area, except for an area bounded on the east by 7th Street, north by Washington Street, the west by 1st Avenue, and the south by an irregular boundary from Madison Street to Buchanan Street, known as the Jefferson Street Master Sign Plan Area, or neighborhood conservation area designated by the City of Phoenix. *6~~

5. 4. (*Existing 705.2.A.8*) Any **OFF-PREMISE** outdoor advertising structure erected within the following locations shall require a use permit:

- a. Within ~~two hundred fifty~~ **FIVE HUNDRED (500)** feet of the boundary of any historic preservation district.
- b. In or within two hundred fifty feet (**250**) of a **SPECIAL PLANNING DISTRICT PLANS** special conservation district.
- c. **IN ADDITION TO THE PROVISIONS OF SECTION 307,** Findings of approval shall include:
 - (1) ~~Compliance~~ **COMPATIBILITY** with proposed **EXISTING** redevelopment plans, **SPECIAL PLANNING DISTRICT PLANS;**
 - (2) Relation to public open areas and parks;
 - (3) Relation to historic preservation areas;
 - (4) Relation to significant public view or vistas.

(5) IMPACT TO ADJACENT RESIDENTIAL USES.

9. ~~No freeway sign may be erected along any freeway, expressway, or parkway designated on the street classification map unless fifty percent or more of the footage on that side of and said roadway the nearest intersecting arterial streets is zoned C-2, C-3, A-1, and A-2, or Commerce Park. *4~~

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6. 5. ~~(Existing 705.2.A.25) Notwithstanding other contained herein,~~ **WITH THE EXCEPTION OF RESIDENTIAL USES WITHIN A PLANNED UNIT DEVELOPMENT (PUD) no part of any outdoor advertising OFF-PREMISE structure located in a C-3 district shall MAY be located closer than seventy-five feet FIVE HUNDRED (500) FEET from a residential district AND RESIDENTIAL USE. AN UNDEVELOPED RESIDENTIALLY ZONED LOT SHALL BE TREATED AS A RESIDENTIAL USE.**

B. ~~District requirements for off-premise signs.~~

1. ~~General. The type of signs permitted, and the regulation of the number, placement, and use of signs is hereby established in the following table:~~
2. ~~General overview of off-premises districts of permitted signs. *2~~

OUTDOOR ADVERTISING

Zoning District	*a
RE-43, R-5, P.A.D. 1-15, R-O, C-O	Not permitted
Resort	Not permitted
S-1, S-2	Not permitted
PCD	Not permitted
PSC/RSC, C-1, C-2, Commerce Park	Not permitted
C-3, A-1, A-2	See Section 705.2 for height, spacing, placement requirements

~~*aOutdoor advertising structures shall be located only in C-3, A-1, or A-2 districts and shall be located on an arterial street as designated on the street classification map or shall be located within three hundred feet of Interstate 17 within the City limits and Interstate 10 from the end of Interstate 17 to the eastern City limits. *4~~

B. SETBACKS/SPACING/HEIGHT/AREA

1. ~~(Existing 705.2.A.11) (Existing 705.2.A.13)~~ **WITH THE EXCEPTION OF FREEWAY SIGNS WHICH REQUIRE NO SETBACK, An ALL OFF-PREMISE** outdoor advertising structure~~s~~, when on [a] corner lot, shall maintain a setback **OF A MINIMUM OF TWENTY FIVE (25) FEET** from **ALL PROPERTY LINES ADJACENT TO PUBLIC RIGHT-OF-WAY(S)**~~the street equal to or greater than the front yard setback of any residence district (RE-43 through R-5) which adjoins the lot. This setback shall not be required if the residence district is on an arterial street. *4~~

2. ~~(Existing 705.2.A.12)~~ No outdoor advertising structure shall be located within the following distances from a right-of-way:
 - a. For arterial streets, fifteen feet for a junior outdoor advertising structure and twenty-five feet for all other outdoor advertising structures. *4
 - b. For all other streets ten feet.

3. ~~(Existing 705.2.A.13)~~ No setback is required for a freeway sign.

4. ~~(Existing 705.2.A.14)~~ No part of such sign structure, walkway or catwalk, shall be erected closer to a street than the front line of any building within one hundred feet; provided, however, that when an advertising structure is erected between two buildings within one hundred feet of the advertising structure, no part of said structure shall be erected closer to any street line than a line drawn between the front corners of the nearest two buildings, except when a sign is erected between two such buildings and the sign face and support columns are totally contained within three feet or less of the building nearest the street, only that building setback need be maintained.

5. **2.** ~~(Existing 705.2.A.16)~~ Spacing standards for outdoor advertising **OFF-PREMISE** structures shall be: **ONE THOUSAND (1000) FEET FROM ONE STRUCTURE TO ANOTHER. MEASUREMENT SHALL BE FROM THE VERTICAL EDGE OF THE SIGN FACE CLOSEST TO THE SIGN FACE OF THE STRUCTURE TO WHICH IS BEING MEASURED.**
 - a. No portion of an outdoor advertising structure when located on an arterial street, shall be closer to any other outdoor advertising structure than as established by the following tables: *4

SPACING STANDARDS IN FEET FOR OUTDOOR ADVERTISING STRUCTURES IN C-3 DISTRICTS

From	To		
	Junior	Poster	Bulletin
Junior	300	300	400
Poster	300	500	600
Bulletin	400	600	750

SPACING STANDARDS IN FEET FOR OUTDOOR ADVERTISING STRUCTURES IN A-1 AND A-2 DISTRICTS

From	To		
	Junior	Poster	Bulletin
Junior	300	300	400
Poster	300	500	600
Bulletin	400	600	1,000

When spacing is measured across zoning district boundaries, the larger applicable distance shall be used.

- b. No portion of a freeway sign shall be closer than one thousand feet from another such structure located on the same side of the freeway or expressway except as provided in subsection c, below.
- c. A freeway sign may be less than one thousand feet from another outdoor advertising structure under the following conditions:
 - (1) The other sign structure is within three hundred feet of a freeway or expressway; it is located on a lot abutting an arterial street; and any face of the sign which is oriented to the freeway or expressway makes an angle of less than thirty degrees with the freeway or expressway; or *4
 - (2) The other sign structure is located more than three hundred feet from the freeway or expressway; provided no portion of the sign structures shall be erected closer than as established in subsection a, above.
- d. Double-face and "V" shape signs and two signs side by side shall be considered as single structures for determining spacing. When erected side by side, total area of both signs, including spacing between the faces, shall not exceed the maximum area allowed for any one such sign.

- e. ~~For spacing purposes between billboards, when two such signs lie parallel to and within three feet of opposite walls of a building and so long as no part of either sign projects beyond any portion of the nearest parallel walls, they shall be considered as a single sign structure.~~

6. 3. (*Existing 705.2.A.17*) Except as provided for double-face and "V" shape signs, no such structure face area, or combination of sign structure face area shall the following amounts: **THE MAXIMUM SQUARE FOOTAGE OF PERMITTED OFF-PREMISE SIGNS IS AS SHOWN IN THE TABLE BELOW:**

	Sign Face (square feet)	Embellishments	Total Maximum Area (square feet)
POSTER			
C-3 district except freeway signs <u>POSTER</u>	378 sq. ft.	20%	450 sq. ft.
BULLETIN			
A-1, A-2 districts, and all freeway signs <u>BULLETIN</u>	672 sq. ft.	20%	785 sq. ft.

7. 4. (*Existing 705.2.A.22*)

- a. Maximum heights for outdoor advertising **OFF-PREMISE** structures shall be as follows: **FORTY-EIGHT (48) FEET IN HEIGHT.**

b. FREEWAY SIGNS MAY BE INCREASED UP TO SEVENTY (70) FEET IN HEIGHT SUBJECT TO MEETING THE STANDARDS OF SECTION 307 FOR USE PERMITS IN ADDITION TO THE FOLLOWING:

- (1) **THE ADDITIONAL HEIGHT IS NECESSARY BECAUSE OF AN ELEVATED FREEWAY, OVERPASS, BUILDING OR OTHER PHYSICAL OBSTRUCTION THAT IMPEDES SIGN FACE VISIBILITY;**
- (2) **THE ADDITIONAL HEIGHT IS THE MINIMUM HEIGHT NECESSARY TO ENSURE SIGN FACE VISIBILITY.**

- a. ~~In C-3 districts, maximum height shall be thirty-five feet or the height of the nearest building within twenty-five feet of the sign, whichever is less; provided that if the nearest building within twenty-five feet exceeds thirty-five feet in height, the sign shall be no more than forty-five feet high or the height of the building, whichever is less, and provided that the sign does not project beyond the walls closest and most parallel to the sign. This provision shall apply only where at least fifty percent of the frontage within one-quarter mile on either side of the sign is zoned C-3, A-1, or A-2. Otherwise, the maximum height shall be twenty-five feet or the height of the nearest building within twenty-five feet of the sign, whichever is less; provided that if the nearest building within twenty-five feet exceeds twenty-five feet in height, then the sign shall be no more than thirty-five feet high or the height of the building, whichever is less and provided that the sign does not project beyond the walls closest and most parallel to the sign.~~
- b. ~~In A-1 and A-2 districts, maximum height shall be forty-eight feet.~~
- e. ~~Maximum height for freeway sign shall be forty-eight feet in C-3, A-1, and A-2 districts.~~

A. C. Special requirements for off-premise signs.

1. Sign permits for ~~outdoor advertising~~ **OFF-PREMISE** structures shall conform to the general requirements for sign permit ~~S~~ as established by Section 705.B except as provided herein and in Section 705.2.~~CG~~. *3 *4
 - a. If the application is for an ~~outdoor advertising~~ **OFF-PREMISE** sign and if the applicant is not the property owner, written authorization from the **PROPERTY** owner to erect the proposed sign or a sworn statement that the applicant has written authorization from the **PROPERTY** owner to erect the proposed sign, **OR A COPY OF AN EASEMENT WHICH IS RECORDED WITH THE COUNTY RECORDER SHOWING THAT THE SIGN OWNER OWNS THE EASEMENT UNDER THE SIGN,** shall be attached to the application. Where there exist conflicting claims concerning authorization from the property owner, no permit shall be issued until the conflict is resolved by the applicants. When conflicting claims arise after the issuance of a permit but before work is commenced, the permit shall be suspended until the conflict is resolved by the parties.

2. There shall be no more than a total of two **(2)** support columns for any ~~outdoor advertising~~ **OFF-PREMISE** sign.
3. Access ladders to maintenance platforms shall be constructed or maintained in such a position as not to project beyond a visual envelope established by structural elements or projections of the sign face and trim to the ground as viewed from a plane parallel to the face of the sign.
4. Other than support columns, maintenance walkways, embellishments, ends, cross bracing, tops or bottoms of parallel or V-shaped signs, no back braces, torque arms, stringers, panel attachments or similar structural elements or accessories shall be exposed. If not covered by a sign face, screening of such elements shall be colored similarly to the remaining portions of the signs.
5. A third face may be used to screen a V-shape sign so long as it conforms to the remaining provisions of this ordinance and so long as that face is oriented to an arterial street when used for advertising. The area of said face shall not be counted toward the maximum allowed area so long as each end is not farther than five **(5)** feet from its adjacent face. *4
6. For the purpose of rotation of sign faces, an ~~outdoor advertising~~ **OFF-PREMISE** structure may be left exposed for a period of not more than sixty days.
7. *(Existing Code 705.2.A.18-Rewrite 705.2.A.17)* Embellishments may extend not more than five and one-half **(5.5)** feet above or below the horizontal edges and three **(3)** feet beyond any vertical edge of the sign structure face area.
8. *(Existing Code 705.2.A.21)* ~~outdoor advertising~~ **OFF-PREMISE** signs shall not be erected upon the roof of any building, nor shall any sign be partially or totally supported by the roof or roof structure of any building.
9. *(Existing Code 705.2.A.24)* No part of any sign structure, except the sign copy, shall be painted in an enamel or gloss paint, or a color with a reflectivity of more than twenty percent, or with a metallic color. In addition hues of red, orange, yellow, or purple shall not be used.

10. ~~(Existing Code 705.2.A.26) Changing copy on a legal sign, bulletin board, outdoor advertising sign, display encasement, or marquee; or maintenance where no structural changes are made; or the changing of the interchangeable letters on signs designed for them. However, repainting of painted wall signs when more than fifty percent of the copy has been removed shall require that written notice of the proposed repainting be received by the Planning and Development Department at least three days prior to repainting.~~ **COPY CAN BE CHANGED AND NON-STRUCTURAL MAINTENANCE CAN BE DONE ON A LEGAL SIGN, BULLETIN BOARD, OFF-PREMISE SIGN, DISPLAY ENCASEMENT, OR MARQUEE. THIS ALSO ALLOWS FOR COPY CHANGES UTILIZING INTERCHANGEABLE LETTERS ON SIGNS DESIGNED FOR THAT PURPOSE. WALLS PAINTED WITH SIGN COPY SHALL REQUIRE WRITTEN NOTICE OF THE PROPOSED REPAINTING BE RECEIVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT AT LEAST THREE DAYS (3) PRIOR TO REPAINTING THE WALL SIGN WHEN MORE THAN FIFTY (50) PERCENT OF THE COPY WILL BE REMOVED.** Change on any sign when an increase in square footage occurs, shall require a permit. The nonconforming status of a sign shall not be affected by the repainting.

D. LANDSCAPE

1. ~~(Existing 705.2.A.23) LandscapingE.~~
- a. LandscapingE shall be provided with the erection of a ~~n~~ billboard **OFF-PREMISE SIGN** on any lot not occupied by permanent structures, outdoor uses or parking.
 - b. LandscapingE shall equal fifteen **FORTY-EIGHT (48)** square feet for each lineal foot of sign face to a maximum of seventy-five **(75)** percent of the area of the lot.
 - c. The landscapingE shall **BE PLACED WHERE THERE IS THE MOST COMMUNITY BENEFIT AND SHALL** consist of **ONE TREE, FIVE SHRUBS AND** ground cover and **OF** living plant materials **FOR EACH THREE HUNDRED (300) SQUARE FEET OF REQUIRED LANDSCAPE AREA,** a plan for which shall be submitted in conjunction with the application for a permit in accordance with Section 705.D. Landscaped area shall be provided with a permanent watering system and all plant materials shall be maintained in a living condition.

E. ILLUMINATION/DIGITAL STANDARDS

1. *(Existing 705.2.A.10)* outdoor advertising **OFF-PREMISE** signs may be internally illuminated, indirectly illuminated, or directly illuminated.
2. *(Existing 705.2.A.19)* Intermittent or flashing illumination or animation may be permitted subject to a use permit. Automatic panel changes (Trivision) are permitted.
3. **ELECTRONIC MESSAGE DISPLAYS ARE PERMITTED SUBJECT TO OBTAINING A USE PERMIT IN ACCORDANCE WITH THE PROVISIONS OF SECTION 307 AND SATISFYING THE FOLLOWING CONDITIONS:**
 - a. **THE SIGN COPY IMAGE SHALL BE STATIC WITH NO ANIMATION AND WITH NO FLASHING, BLINKING, OR MOVING LIGHTS;**
 - b. **IN THE TRANSITION BETWEEN COPY CHANGES, THERE SHALL BE NO SENSE OF MOVEMENT FROM ONE IMAGE TO THE NEXT;**
 - c. **NETWORK TIME SHALL BE MADE AVAILABLE ON THE DIGITAL SIGN FACES TO THE CITY OF PHOENIX FOR EMERGENCY MESSAGING – MESSAGES TO OVERRIDE ALL COPY FOR ONE HOUR, THEN DISPLAY FOR EIGHT (8) SECONDS IN EVERY MINUTE AS LONG AS NEEDED;**
 - d. **IN THE EVENT OF AN ELECTRONIC MALFUNCTION THE SIGN SHALL BE SHUT OFF UNTIL REPAIRS HAVE BEEN MADE TO RESTORE THE ELECTRONIC MESSAGING SYSTEM;**
 - e. **THE SIGN COPY CHANGES SHALL NOT OCCUR MORE FREQUENTLY THAN EVERY EIGHT (8) SECONDS, UNLESS OTHERWISE SPECIFIED BY THE ZONING ADMINISTRATOR;**

- f. DIMMER ON SIGN SHALL BE SET IN THE EVENING HOURS (FROM SUNSET TO 11:00 P.M.) NOT TO EXCEED 300 NITS FOR SIGNS THAT ARE FOURTEEN (14) FEET BY FORTY-EIGHT (48) FEET AND THREE HUNDRED FORTY TWO 342 NITS FOR SIGNS THAT ARE TEN (10) FEET BY THIRTY (30) FEET TO ENSURE COMPLIANCE WITH CURRENT ORDINANCE STANDARD FOR ILLUMINATION, UNLESS OTHERWISE SPECIFIED BY THE ZONING ADMINISTRATOR;**
- g. FROM 11:00 P.M. UNTIL SUNRISE ALL SIGN ILLUMINATION SHALL BE EXTINGUISHED AND SIGN SHALL BE EQUIPPED WITH AUTOMATIC DEVICE TO ASSURE COMPLIANCE. THE ONLY EXCEPTION TO THIS STIPULATION WILL BE FOR AMBER ALERTS AND OTHER GOVERNMENTAL EMERGENCIES, UNLESS OTHERWISE SPECIFIED BY THE ZONING ADMINISTRATOR.**
4. *(Existing 705.2.A.20)* On any lot contiguous to a residential zoning district **AND RESIDENTIAL USE** (RE-43 through R-5 **R-2** and P.A.D.-1 through P.A.D.-4**512**) or separated therefrom only by a street or alley, no such illuminated sign structure may be placed in such manner that any portion of the face of the sign is visible at or behind the existing or required yard setback, whichever is the greater of the adjacent residential lot. **AN UNDEVELOPED LOT SHALL BE TREATED AS A RESIDENTIAL USE.**
5. *(Existing 705.2.A.27)* Lighting for outdoor advertising **OFF-PREMISE** structures shall be shielded in accordance with Section 23-100 of the Municipal Code unless: 1) the structure exceeds three hundred one **(301)** square feet per sign face; 2) consists of panels which are designed to be removed from the top of the sign board; and 3) is equipped with an automatic device which shuts off the fixture between 11:00 p.m. and sunrise. For such signs, the lighting may consist of no more than four bottom-mounted individual fixtures (or lamps) which produces a maximum of forty thousand **(40,000)** lumens per fixture, and where no more than one thousand seventeen **(1117)** lumens per fixture spills or is cast beyond the sign face.

- a. ~~outdoor advertising~~ **OFF-PREMISE** structures may use florescent fixtures. These fixtures must be mounted at the top of the sign structure and must be partially shielded so that the candlepower per one thousand **(1000)** lamp lumens does not numerically exceed twenty-five **(25)** (two and one-half **(2.5)** percent) at an angle of ninety **(90)** degrees above nadir (horizontal), and one hundred **(100)** (ten **(10)** percent) at a vertical angle of eighty **(80)** degrees above nadir. This applies to any lateral angle around the luminaire.

F.G. Special Requirements For Groundsheet Signs. Groundsheet signs are permitted in the A-1 and A-2 Zoning Districts located within the boundaries of 35th Avenue and the eastern City limits along Van Buren Street on the north; from Van Buren Street to Interstate 10 (I-10) along the eastern City limits; along the centerline of I-10 and Interstate 17 (Maricopa Freeway) from the eastern City limits to 19th Avenue; from 19th Avenue south to Broadway Road; along Broadway Road on the south between 19th and 35th Avenues; and along 35th Avenue between Broadway Road and Van Buren Street, subject to the following restrictions: +5

1. There shall be a minimum property size of four (4) undeveloped acres, +5
2. There shall be a maximum sign area of six (6) acres, +5
3. Signs shall not be located within two thousand (2,000) feet of another sign, +5
4. Signs shall be screened to eliminate legibility from adjacent roadways, freeways, or adjacent properties, +5
5. Screening shall be provided on all sides of the property on which the sign is located as follows: +5
 - a. Fences: A six (6) foot high solid fence shall be built in compliance with the applicable provisions of Sections 507.Tab A. and 703 of the Phoenix Zoning Ordinance and consistent with all setback requirements. +5
 - b. Landscaping: Shall be in conformance with the standards for the Underlying Zoning District and Sections 507.Tab A. and 703 of the Zoning Ordinance, as approved by Planning and Development Department. +5
6. The illumination of signs is prohibited. +5

7. The sign and associated structures shall be constructed as follows: +5
 - a. The materials used must be non-reflective, and +5
 - b. The materials used must be flame retardant and environmentally safe, as approved by Planning and Development Department, and +5
 - c. The materials used must be permeable so as to allow rainwater to pass through the sign and associated structures to allow drainage per grading and drainage plans approved by the Fire and Planning and Development Departments, and +5
 - d. To be securely fastened to the ground or support structure, subject to plans approved by the Planning and Development Department, and +5
 - e. The height of three (3) feet above natural grade shall not be exceeded, as approved by the Planning and Development Department, and +5
 - f. No more than one (1) advertisement, logo or message is permitted per sign. +5
8. Prior to issuance of the sign permit, the Zoning Administrator or his or her designee shall review the permit to ensure compliance with the requirements of Sections 705.2.C.1 through 705.2.C.7. +5
9. In addition to appropriate sign permits, all necessary structural plan approvals and permits must be obtained prior to the installation of the sign or any associated structures. +5

G.D. Nonconforming off-premises signs. *5

1. It shall be unlawful to hereafter erect, construct, alter, maintain, or use any sign in violation of any provisions contained herein, except as provided in this section.

2. No nonconforming outdoor advertising **OFF-PREMISE** sign shall be moved, altered, re-erected, relocated or replaced unless brought into compliance with screening and projecting ladder requirements of Section 705.2.A. 3 and 4, except as provided in this section. The area of the sign is **MAY** not **BE** increased. ~~except any nonconforming outdoor advertising sign which is permitted for seven hundred sixty-eight square feet may be increased to seven hundred eighty-five square feet.~~
3. ~~No nonconforming outdoor advertising sign shall be moved or relocated such that any part of the structure, including walkways and catwalks, is closer to a street than the front line of any building within one hundred feet; provided, however, that when an advertising structure is erected between two buildings each within one hundred feet of the advertising structure, then no part of said structure shall be erected closer to a street than a line drawn between the front corners of the nearest two buildings; unless the outdoor advertising sign maintains the spacing requirements of Sections 705.2.A.2 through 27.~~
3. **NOTWITHSTANDING ANY OTHER PROVISION OF THIS CHAPTER AND ORDINANCE, A LEGAL NONCONFORMING SIGN THAT IS LOCATED ON A PARCEL OF PROPERTY WHICH IS SEVERED FROM A LARGER PARCEL OF PROPERTY AND ACQUIRED BY A PUBLIC ENTITY FOR PUBLIC USE BY CONDEMNATION, PURCHASE, OR DEDICATION, MAY BE RELOCATED ON THE PROPERTY THAT WAS NOT ACQUIRED WITHOUT EXTINGUISHING THE LEGAL NONCONFORMING STATUS OF THAT SIGN PROVIDED THAT THE NONCONFORMING SIGN:**
 - a. **IS NOT INCREASED IN AREA OR HEIGHT;**
 - b. **REMAINS STRUCTURALLY UNCHANGED EXCEPT FOR REASONABLE REPAIRS OR ALTERATIONS;**
 - c. **IS PLACED IN THE MOST SIMILAR POSITION POSSIBLE ON THE REMAINING PROPERTY THAT IT OCCUPIED PRIOR TO THE RELOCATION;**
 - d. **IS RELOCATED IN A MANNER SO AS TO COMPLY WITH ALL APPLICABLE SAFETY REQUIREMENTS. AFTER RELOCATION PURSUANT TO THIS SUBSECTION, THE LEGAL NONCONFORMING SIGN SHALL BE SUBJECT TO ALL PROVISIONS OF THIS SECTION IN ITS NEW LOCATION.**

4. ~~In order to promote a general upgrading of the visual environment of the City through a reduction in numbers or improvements in appearance, location, appropriateness of scale, or relation to adjacent development, a nonconforming outdoor advertising structure may be altered or rebuilt notwithstanding the provisions of Sections 705.1.C.1.c.3, 705.2. C.2, 705.2.C.3 and Sections 705.2.A.2 through 27 upon the securing of a use permit.~~
- a. ~~In addition to the standards enumerated in Section 307 for the granting of a use permit, the Zoning Administrator or Board of Adjustment must also make a finding that one or more of the following actions proposed to be taken by the applicant in relation to the altered or rebuilt outdoor advertising structure will improve the visual environment:~~
- ~~(1) Reductions in size, height, changes in configuration, angle or construction which will bring the structure into greater compatibility with the size and scale of nearby buildings.~~
 - ~~(2) Improvements in appearance through placement of the sign, additions of landscaping, improvements in lighting.~~
 - ~~(3) Removal of other nearby outdoor advertising structures when located no farther than the following distances from the subject structure:

Junior: 400 feet.
Poster: 500 feet.
Bulletin: 750 feet.~~
- b. ~~In no event shall relief, in accordance with this subsection, permit alteration or re-erection of a sign not in compliance with the other provisions of this section~~

4. A REDUCTION IN THE NUMBER OF NONCONFORMING BOARDS WILL PROMOTE A BETTER VISUAL ENVIRONMENT IN THE CITY. A NONCONFORMING BOARD LOCATED ON A CITY STREET OR ON A PERMITTED FREEWAY CAN BE REBUILT TO A DIGITAL SUBJECT TO THE USE PERMIT STANDARDS IN SECTION 307, IN ADDITION TO THE FOLLOWING:

- a. REMOVAL OF TWELVE HUNDRED (1200) SQUARE FEET OF EXISTING NONCONFORMING OFF-PREMISE SIGNS WITHIN THE CITY LIMITS;**
 - b. IF THE PARCEL HAS NO LANDSCAPING ALONG THE STREET FRONTAGE, A MINIMUM FIVE (5) FOOT LANDSCAPE STRIP CONSISTING OF ONE (1) TWO-INCH CALIPER TREE FOR EVERY THIRTY (30) FEET ON CENTER ALONG WITH FIVE (5) SHRUBS AND GROUND COVER FOR EVERY TREE SHALL BE PROVIDED ALONG THE STREET FRONTAGE, INCLUDING A PERMANENT WATER SUPPLY.**
- 5. A NONCONFORMING OFF-PREMISE SIGN NOT REQUESTING A DIGITAL, MAY BE REBUILT SUBJECT TO THE USE PERMIT STANDARDS IN SECTION 307, IN ADDITION TO THE FOLLOWING:**
 - a. REDUCTION IN SIZE, HEIGHT, CHANGE IN CONFIGURATION, ANGLE OR CONSTRUCTION WHICH BRINGS THE STRUCTURE INTO GREATER COMPATIBILITY WITH THE SIZE OF ADJACENT BUILDINGS WITHIN THE CONTEXT AREA;**
 - b. IMPROVEMENT IN PLACEMENT, ADDITION OF LANDSCAPING, IMPROVEMENTS TO LIGHTING.**

Attachment B
Consolidated Billboard Study Group Meeting Notes

Three separate meetings were held on 6/7, 6/28 and 7/19 at Phoenix City Hall in Room 1W.

Study Group Members

Jim Mapstead – Chairman
Bob Beletz
Bill Allison
Cameron Artigue
Tom LeClair (American)
JC Clements (CBS)

Katrin de Marneffe (Clear Channel)
Wes Lines
Jenny Richardson
Diane Veres (Alternate–Clear Channel)
Bruce Brenneman (Alternate-CBS)
Jonathan Levine (Alternate-American)

Interested Observers

Stephen Earl
Jason Morris
Jim Miller
Mark Becker
Joe White
Brandon Colvin
Gabe Rushing
Joshua Offenhartz
Terry Goddard

Staff Members in Attendance

Debra Stark
Derek Horn
Carol Johnson
Alan Stephenson
Kelly Kvetko

- Discussion of pausing all applications until the adoption of a new code
 - American Outdoor – just go as the code is written, don't apply for any variances
- Zoning Districts for Billboards
 - CBS – keep C-3, A-1, A-2
 - Maybe add industrial park/commerce park (IP/CP)
 - American Outdoor – doesn't like that zoning code and PUDs are running side by side and potentially conflicting

There was discussion regarding which freeways should permit billboards; which zoning categories billboards should be permitted in; whether billboards should be prohibited in a PUD.

- Freeways
 - Currently allowed on I-17 and I-10
 - Not allowed on northern 101 or 51 due to scenic overlays
 - General consensus to allow billboards on the west-bound I-10, western portion of the 101, 143, and 202 until it hits the river bed

- There was a general consensus to ban billboards on new freeways and to re-examine the issue as the alignments are approved by the city and/or ADOT
- Arterials
 - Talk focused on maintaining the existing zoning categories
- PUD Zoning
 - Talk of only allowing billboards in a PUD along designated freeways
 - No billboards allowed until substantial development within the PUD
 - Use either percentage of total project developed or capital invested as the trigger to allow billboards
 - Other parameters:
 - Acreage requirements to keep PUDs that want billboards off of arterials
 - Apply the existing development standards for the C-3, A-1, A-2 zoning districts to PUD billboards
- Commerce Park Zoning?
 - Talk about whether billboards should be allowed in CP zoning along the freeways
 - Maybe only in certain subcategories of CP zoning?
- Variances
 - Talk about eliminating variances and making the billboards go through the public hearing process

There was discussion regarding the appropriateness of billboards in IP/CP zoning districts; whether LED boards should be permitted on arterial streets; a brief introduction of draft language for part of the text amendment.

- IP/CP Zoning
 - Examination of the maps showing what areas IP/CP would open up to billboards
 - Freeways vs. arterials
 - There was a general consensus to allow IP/CP only along freeways
 - These new areas would be subject to the existing spacing requirements
- LEDs on Arterials
 - Bill Allison – they are more appropriate than tri-visions
 - Should stay out of residential areas
 - Bob Beletz – they are positive; more community friendly
 - Diane Veres – Clear Channel has received no complaints about LEDs on arterials in any other markets
 - Tom Leclair – only issue is when its too close to residential
 - Its all about placement and sensitivity to residential

- Asked what is appropriate when there is a neighborhood just behind a C-3 piece
- Jim Mapstead – need to examine the issue as a citizen of Phoenix
- Bruce Brenneman – should be allowed in commercial districts, areas with very high traffic counts
- A hearing process is needed because the valley is not uniform
 - It should be a use permit and not a variance
 - Within the process there should still be some objective criteria that must be met.

CONSOLIDATED BILLBOARD COMMITTEE RESPONSES TO FIRST DRAFT

Jim Mapstead – Believes elimination of C-3 is a small concession to the billboard industry; is against PUD's because no spacing and/or size requirements. (I e-mailed Jim that the spacing and size requirements would apply) Spacing should be 500 feet from a residential area. Believes more non-conforming boards should be eliminated in order to rebuild one.

JC Clements – CBS Outdoor–

705.A.2.1 – delete – proposed text – add the following; “ or a copy of an easement which is recorded in the public records showing that the sign owner owns an easement under the sign

705.A.2.7.c. – Add DESIGNATED in front of Zoning Overlay District and delete “or drive adopted by the City of Phoenix;

705.A.2.8.b. – Comment, “Since most of Phoenix is covered by a SPD or SPO this may well mean every sign in the City will require a use permit. Was this intended?”

705.2.A..c.(1) – Same comment as above

705.2.A.c.(5) – Comment; “ What does this mean”

705.2.A – Eliminating C-3 may create 207 issues for the City – deleted FROM THE EASTERN AND WESTERN CITY LIMITS

705.2.A.18 – adds the following to proposed language; “ One thousand feet from one structure to another ON THE SAME SIDE OF THE STREET. . .

705.2.A.26.b – Adds – “as an alternative a decorative column encasement can be provided in lieu of landscaping.

705.2.A.26.c – comments – This section shall be construed as meaning that landscaping or the financial equivalent of such may be provided to a community organization or Village organization in lieu of landscaping on an otherwise vacant parcel and modify to add “. . . if water is available to the site . . . “

705.2.A.28 – Changed 250 distance from residential to 150 feet

705.2.C.4.b – add – “. . . in lieu thereof a decorative column encasement may be provided.

705.2.C.4.c – questions meaning of residentially used property.

Katrin De Marneffe – Clear Channel

1. **Section 705.2.A.1.a.** Add language to make it clear that a written copy of a recorded easement will suffice as evidence of written consent of the property owner.
2. **Section 705.2.A.8.b.** The addition of a requirement for a use permit for a new billboard within 250 feet of a special planning district or specific plan overlay should be deleted. This will in essence require that many if not most potential new billboards would require a use permit, which is a significant change to the current code and is unduly onerous.
3. **Section 705.2.A.8.c.1.** The addition of the requirement that an approval for a new billboard shall include findings of compliance with existing special planning district or specific plan overlays should be deleted. Since many if not most of these prohibit billboards this in essence would remove entire segments of the city from allowing billboards, regardless of zoning, and might also be construed to prohibit the rebuilding of any existing nonconforming signs (which is currently allowed under the code). Moreover, these plans could be amended to prohibit billboards or new plans could be adopted by the Council to do the same thing. Many of these special planning districts and specific plan overlays are only policy documents and requiring billboards to be in compliance with the provisions of such plans would elevate policies into regulations without ordinance authority.
4. **Section 705.2.A.18.** This provision should include language that makes it clear that spacing requirements are related to the same side of the freeway only, not radial.

5. **Section 705.2.A.22.** The Zoning Administrator should not have the discretion to impose greater restrictions than the minimum standards set forth in subsections (e) through (g).
6. **Section 705.2.A.26. a - c.** This section should be amended to allow for a decorative pole cover to be provided in lieu of landscaping. Landscaping requirements should be consistent with the current code.
7. **Section 705.2.C.** We strongly urge that Staff retain the existing provisions of Section 705.2.C. The current language has proven to be effective in promoting the City's goals of enhancing the visual environment as well as in reducing in the number of nonconforming signs and there is no need to change an ordinance system that has and is working. In fact, if these removal ratios were to be enacted, it would likely result in an overall decrease in the number of signs removed in the City, since it would not be economically viable to remove this number of existing signs just to rebuild one existing sign. In addition, the proposed language requiring removal of two existing nonconforming bulletins, four posters or eight juniors significantly favors those few billboard companies that have large numbers of these smaller signs, which are significantly less valuable than bulletins, and unfairly discriminates between companies. These ratios in no way reflect the relative value of the different sized signs. However, we recommend that the existing code language be amended to eliminate the distance requirements for signs to be removed.

Wes Lines – Comment as follows; “I am ok with the rough draft and have no changes to add.”

Cameron Artigue – Comments as follows; “Thank you for circulating the staff's draft Text Amendment. I think it's great. Staff has done an excellent job of capturing the consensus of the Committee, and creating a Text Amendment that will set the stage for the oversight of billboards in the City for the next two to three decades, just as occurred 25 years ago. In particular, I think staff has identified the need for the City to phase out some old activities that used to be permitted, while creating a framework for adapting to new technologies. This is a very balanced draft that respects residents while allowing the City to remain competitive.

In your e-mail, you unfairly described the draft as “rough.” I could propose some editorial/typographical corrections, but to me the substance is nearly complete.

Actually, I only have one substantive suggestion. The draft proposes a new Section (A)(16), which reflects some of the Committee's discussion regarding which zoning Districts are appropriate for billboards (not in C-3 anymore; not in Commerce Parks; yes in the new Council-approved PUD Districts). However, rather than split the Committee's efforts into two Sections, (15) and (16), to me it makes for a much better structure if all of the Committee's discussions on this issue are placed in a single

Section (15) as follows: “Outdoor advertising structures shall be located only in ~~C-3~~, A-1, ~~or~~ A-2, or Planned Unit Development districts....” The draft’s two-section approach seemed less logical to me. Again, I don’t want to detract from the outstanding work staff has done here.

With that, I encourage the City staff to proceed. I am eager to see our Committee’s suggestions considered, and, if the Council agrees, our efforts implemented, as soon as the Council is ready. Let me know if I can do anything else to help. Thanks.

Bill Allison – Bill’s comments were similar to JC’s and Clear Channels with the exception of a couple of questions which have already been addressed in the revision related to setbacks on local streets and residential use.

Bob Belitz - Sent e-mail reminder requesting comments - spoke with Bob, he will submit his comments along with his village

Jennie Richardson – Sent e-mail reminder requesting comments also left phone messages – no response yet

Tom LeClair/Jonathon Levine – American – Sent e-mail reminder – spoke with Jonathon wants to meet as he has questions. Alan and I are meeting with Jonathon on 10/17 – Jonathan canceled the meeting. Tom sent me the following comment, “ The input/comments I would have with regard to the draft would be consistent with the statements I made during the three panel sessions. Thank you. Tom LeClair

Attachment C Village Planning Committee Comments

The following questionnaire was sent to all the Village Planning Committee members at the end of September. Responses were requested back by November 1st.

The villages that met in the month of October mostly reviewed the questionnaire. Alhambra and Camelback East both requested to continue to a later date. Ahwautkee had questions and provided no comment to the questionnaire. The following villages are scheduled to discuss as follows; Encanto and Paradise Valley on 11/7; North Gateway on 11/10; Laveen on 11/14 and Deer Valley on 12/12.

The following responses were received:

Question #1: Currently, the ordinance permits billboards in the C-3, A-1 and A-2 zoning districts. The proposed text amendment will permit billboards only in the A-1 and A-2 zoning districts and in a Planned Unit Development (PUD). Billboards in PUD's will only be allowed to do so on a permitted freeway. Allowing billboards in PUD's on freeways will permit more public input during the process. ***Do you believe that eliminating the C-3 zoning district and adding PUD's for freeway locations addresses recent concerns regarding billboards?***

South Mountain Comments/Questions:

- Committee members were generally supportive of the proposed changes, noting that it would eliminate several locations along Broadway Road. In addition, South Mountain Village has several areas (Rio Salado Interim Overlay, Dobbins Road Scenic Corridor etc.) that provide additional restrictions on billboards.
- Committee members questioned what would happen to existing billboards in C-3 zoning, and staff explained they would become non-conforming and be subject to the proposed non-conforming standards.

Rio Vista Comments/Questions:

- The committee expressed the desire to maintain the C-3 zoning district as a permitted district and add the PUD district as an additional district to allow billboards.

Alhambra Comments/Questions:

- **Vice Chairman Jon Paladini** commented that billboards were first allowed on certain freeways in Phoenix and then exceptions began to be made for other

- freeways. Eliminating billboards in the C-3 district doesn't work if you allow variances to be exceptions. PUDs can "manage" billboard locations.
- **Jack Keyser** asked whether billboards would be allowed in a PUD not on a freeway. He also wondered what would happen if a C-3 location happened to be an appropriate location for a billboard
 - **Alex Malkoon** stated that he supports strengthening restrictions on billboards on freeways and **Sheryl Wirken** agreed.

Question #2: The ordinance permits billboards on arterial streets; the I-17 freeway to the I-10 east to the end of the eastern city limits. The proposed text amendment would add the I-10 West freeway, West Loop 101 to the northern boundary at Camelback Road; SR-143 and the Inner Loop. Billboards remain prohibited on the SR 51 and Northern Outdoor Loop. The additional freeways will not create many new locations due to the district restrictions; the intent being to push billboards off of city streets and onto the commercial portions of the freeways. ***Do you support the addition of the proposed freeways? If no, would you support adding any additional freeways?***

South Mountain Comments/Questions:

- Committee members expressed support for adding the proposed freeways but questioned why SR 51 between the Inner Loop and Piestewa Peak was not included.

Rio Vista Comments/Questions:

- The committee expressed support for the addition of the proposed freeways (Interstate 10 West freeway, West Loop 101 to the northern boundary at Camelback Road, SR-142 and the Inner Loop.) **Mr. Tony Sawyer**, Clear Channel, explained that the addition of the proposed freeways would not increase the number of permitted areas significantly. **Mr. Jeff Cody** and **Ms. Donna Gutowski** agreed that they did not like billboards on surface streets.

Alhambra Comments/Questions:

- Many committee members were emphatic in responding "No" to this question. **Alex Malkoon** commented that billboards support a certain business interest. He likened it to visual graffiti. Do we want to see more of them on freeways? No. He would go after CBS Outdoor for what they did on the Loop 101, it was just like scribbling graffiti. Most committee members agreed with his statements.

Question #3: Current spacing requirements from one billboard structure to another ranges from 300 – 1000 feet. Current spacing for freeway boards is 1000 feet spacing of structures on city streets ranges from 300, 400, 500, 600 and 1000 feet based on the zoning and size of the billboard. The new proposal will require 1000 feet of spacing between all billboards.

Do the proposed increased spacing requirements adequately address community concerns?

South Mountain Comments/Questions:

- Committee members expressed support for the increased spacing requirements.

Rio Vista Comments/Questions:

- The committee agreed that the increased spacing requirements to 1000 feet would adequately address community concerns. The committee did not want billboards to be clustered together.

Question #4: Currently the ordinance permits three sizes of billboards. The sizes are as follows:

- Junior - 75 square feet or less with 20% embellishments
 - Poster – 76-300 square feet plus 20% embellishments
 - Bulletin – 301-672 square feet plus 20% embellishments
- The draft proposes to eliminate junior size billboards.

Should junior size billboards still be permitted?

South Mountain Comments/Questions:

- Committee members stated they had no preference on this issue.

Rio Vista Comments/Questions:

- The committee was not opposed to eliminating the junior size billboards, but offered limiting junior size billboards to arterial streets and requiring them to be LED only to allow for amber or other governmental alerts.

Question #5: Currently the ordinance prohibits billboards when placed in a C-3 zoning district to be no closer than 75 feet to a residential district. The proposal will prohibit any billboard regardless of zoning district to be closer than 250 to a residential district and use.

Does this new spacing requirement from residential uses address the concerns of the community?

South Mountain Comments/Questions:

- Committee members expressed support for the proposed spacing requirements.

Rio Vista Comments/Questions:

- **Mr. Jeff Cody** felt that the spacing requirement should be increased to 300 feet. **Mr. Bob Beletz** felt that the spacing requirement was sufficient at 250 feet; however the billboard should face away from residential. **Ms. Donna Gutowski** also felt that 250 feet was sufficient, but standards limiting hours and brightness needed to be addressed. **Ms. Gomes** pointed out that standards for electronic billboards were proposed in question six.

Question #6: Currently there are no standards regarding digital billboards. The proposed text continues to require a use permit and codifies the following stipulations; (1) 8 second copy changes, (2) no blinking, flashing or animation, (3) the transition between copy changes show occur so that the change is not noticeable; (4) From sunset to 11 pm the sign shall not exceed 300 nits for bulletins and 342 nits for posters; (5) from 11 pm until sunrise all sign illumination shall be turned off with the exception of an amber or other governmental alert. (6) Network time shall be available to the city for emergency messaging to override all copy for one hour than 8 seconds every minute as long as needed (7) In the event of an electronic malfunction the sign shall be shut off until repairs have been made to the messaging system. ***Does the use permit requirement along with the additional stipulations address or provide the avenue to address community concerns?***

South Mountain Comments/Questions:

- Committee members expressed support for the proposed use permit requirement and stipulations, but added that an increased distance from residential development should strongly be considered.

Rio Vista Comments/Questions:

- The committee felt that the use permit requirement along with the additional stipulations addressed community concerns.

Question #7: The current nonconforming standards require one of three additional requirements be met in order to rebuild the structure through the use permit process. The three requirements include removal of a junior board within 300 ft, or a poster within

500 ft or a bulletin within 750 ft.; OR a reduction in size, height, configuration to bring the structure more in scale with the surrounding area; OR an improvement in appearance through landscaping or improvements to lighting. The new language would still require the use permit and the following (1) Removal of an existing nonconforming bulletin or two posters or four juniors within the City of Phoenix AND (2) provide a minimum 5 foot landscape strip along the property frontage if none exists, including a permanent water supply. ***Do the new requirements go far enough in reducing the number of nonconforming billboards in the city?***

South Mountain Comments/Questions:

- Committee members questioned the fairness in requiring property owners to depend on the willingness of other property owners/competitors to cooperate with them in order to meet the requirements of this provision. Staff explained that this is only in the case of wanting to replace an existing non-conforming billboard. The committee could look at the provision as a means of encouraging property owners to focus their efforts to erect billboards in appropriately zoned locations.

Rio Vista Comments/Questions:

- The committee agreed that the new requirements did go far enough to reduce the number of nonconforming billboards in the city; however the committee did not feel that the required five foot landscaping standard was not appropriate. The committee agreed that the site should be enhanced, but requiring five feet of landscaping for every site may not be appropriate in every instance. Landscaping may not be in character for all sites and provide little or no improvement to the site. The committee expressed the need to provide flexibility to the five foot landscaping requirement either by staff review or by the design review committee.
- **Mr. Dale Starr**, area resident provided comments regarding the proposed billboard ordinance changes. Mr. Starr stated that billboards should not be permitted on future freeways such as the Loop 303 or Loop 202 and the north of Bell Road to the City's northern boundary.

Estrella Comments/Questions:

Mr. Marc Thornton provided an overview of the current and proposed zoning regulations regarding billboards/off-site advertising. He then answered questions from the VPC.

VPC members had questions regarding what constitutes a on or off site billboard, position of billboards in relation to vehicular traffic and pedestrians, dark sky ordinance

and other municipal jurisdiction's (Tolleson, Goodyear, etc..) restrictions in relation to electronic billboards.

A representative of Clear Views Phoenix was present and stated concerns with the Zoning Administrator and Use Permit process, lack of recourse for neighborhoods once billboards are proposed/built, loopholes for electronic billboards to be approved/constructed, proximity of use to neighborhoods, additional spacing requirements needed, static conversion policy a loophole.

Chairwoman Eastburn stated she looked forward to the item being presented again in the future to the VPC and to hopefully see a representative of the Clear Views Phoenix again to continue the robust discussion.

Central City Comments/Questions:

Katherine Coles related to the committee that there are changes proposed regarding billboards/off-site advertising signs and that a questionnaire to solicit input from village planning committee members.

Dana Johnson commented regarding digital billboards, noting that some of them are blinding. He feels that the discussion regarding their placement being tied to zoning is not what's needed, rather it needs to be related to safety. **Mr. Johnson** referenced the digital billboard next to the freeway at the transition from westbound I-10 to northbound I-17, stating that it is very distracting and a danger to drivers. He also commented that the time before the images are allowed to change needs to be extended. **Mr. Johnson** stated emphatically that billboards should not be allowed along the freeways.

Louisa Stark agreed with **Mr. Johnson**, commenting that she can see the digital billboard at the freeway transition from her home and finds it to be very intrusive. She wondered how easily applicants will be able to be granted variances to ignore distance requirements for digital billboards.

Vice Chairman Bob Graham offered a general comment about billboards. He stated that he is torn on the issue. In certain areas they are at the very least not a negative and sometimes they might even be a positive. He understands that billboards visible from residential land would be an irritant. He noted that perhaps billboards should be in PUD districts because in those districts their placement could be targeted.

Veronyka Lockhart asked about time limits for dimming digital boards and wondered what would happen if a board was malfunctioning. How would the public make contact with the company to tell them the board was still lit after the appointed time? **Chairman John Glenn** responded that maybe contact information for the company could be required at the time of permitting.

Louisa Stark said that the companies should have a number that members of the public could call. She stated that digital billboards are distracting and will be multiplying. She also doesn't believe they belong on freeways and that they'll be proliferating there as well.

Vice Chairman Bob Graham commented that he feels the distance requirement from residential is weak. **Chairman John Glenn** wondered whether a proposed amendment would affect the districts downtown that are intended for high amounts of billboards and if changes would be creating more non-conforming situations. He also commented that maybe a Special Permit process should be used to determine appropriate locations for digital billboards. He also noted that digital billboards are LED lights and can be dimmed at night whereas the statically lit billboards cannot be dimmed. He commented that dimming of a billboard can reduce its intrusiveness. **Chairman Glenn** suggested that digital billboards can be used for announcements to benefit the public, perhaps to smaller non-profits with a public function/benefit. He stated that LEDs use less electricity and fewer carcinogens than standard lights. He wondered how building wraps and environmental graphics figure into a proposed amendment. He concluded with the comment that there are many jurisdictions (Philadelphia, Toronto, Orlando, etc.) that have instituted a billboard tax so that in order to get something the billboard companies have to pay.

Committee members asked to receive a copy of the staff report regarding the amendment and they also suggested that an e-survey be conducted instead of the paper questionnaire in their agenda packets.

Alhambra Comments/Questions:

The Alhambra village responded to the first two questions and then had the following dialogue:

Charlie Jones stated that most of the committee members don't understand the reasoning for these proposed changes. He asked that the city come make a presentation to show what we have now and what is proposed. He does not feel that there is nearly enough adequate information and he suspects that there is a profit motivation going on. He said that it should just be put on the table, he wants honesty and doesn't like being snookered. He mentioned that the City should present all of the information before asking the committee to make a recommendation.

Vice Chairman Jon Paladini said that the questionnaire refers to a group that met this past summer. He asked **Jim Mapstead**, to speak regarding this. **Mr. Mapstead** reported that the group met three times and discussed a wide variety of issues. He said that he has issues with the draft text which eliminates the variance process entirely. He

has issues with the use of PUDs, which can occur anywhere in the city, and he noted that there are instances where properties have been rezoned to C-3 just to allow placement of a billboard. **Mr. Mapstead** commented that many cities have just banned billboards. He also said that the draft language opens up all billboard sites to conversion from static lighting to LED (digital) lighting. The billboard industry says that the LEDs are not a distraction, however he feels differently and likened the claims that they are safe to the claims made by the tobacco lobby years ago insisting that cigarettes were not harmful. Mr. Mapstead distributed a collection of information to the committee members with a cover page stating: Why the Alhambra Village Planning Committee should suggest revisions to the proposed draft ordinance regarding billboards. In the hand out he raised six points:

- There is a poll out that shows an overwhelming number of Phoenix voters are opposed to allowing billboards on freeways not currently authorized, and, that the city's views and scenic corridors need to be protected.
- The use of the variance process needs to be eliminated concerning billboards. The ordinance needs to be drafted in such a way that all billboard companies operate under the same guidelines, and going through the Zoning Adjustment Hearing Officer (ZAHO) and appeals to the Board of Adjustment should not be allowed.
- The use of PUDs should not incorporate billboards, or at a minimum, there should be concurrent underlying A-1 and A-2 zoning. Otherwise, this opens the entire city for billboard locations.
- Every other urban area in America is banning or severely restricting the use of billboards and especially the use of LEDs in billboards.
- Nearly three quarters of the city of Phoenix budget is devoted to public safety. There are numerous studies that show the inherent hazard that LED billboards pose to drivers' safety, and we should not allow the use of further distractions to interfere with the safe operation of cars on the streets and freeways in Phoenix.
- The citizens of Phoenix don't want our neighborhoods to look like the Strip in Las Vegas with every billboard being converted from static to LED. The Board of Adjustment upheld a ZAHO decision for CBS Outdoor to convert static non-conforming boards to LEDs at 4402 East Indian School Road and 2106 East Indian School Road, thereby allowing any billboard in any neighborhood in the City of Phoenix available for conversion to LED.

Vice Chairman Jon Paladini commented that there are conflicting studies about the safety issues that might or might not be associated with digital billboards. He also noted that there are 17 billboards possible on the Loop 101 if placed within a PUD.

Mr. Mapstead referred to an April 2009 study by the National Cooperative Highway Research Program (NCHRP): Safety Impacts of the Emerging Digital Display Technology for Outdoor Advertising Signs. The study is 195 pages and **Mr. Mapstead**

can make it available by email if the committee wishes to receive a copy. The study concludes with recommendations for developing suggested guidelines for the control of Digital Billboards. **Katherine Coles** stated that if **Mr. Mapstead** would send the study to her by e-mail, she would distribute it electronically to the committee members.

Jeff Fine stated that he cannot see why more billboards are needed in Phoenix, reminding the committee that billboards do not go away, even with their non-conforming status. Once a billboard converts to digital it will never go away. He commented that city policy had changed to no longer have village planning committees review zoning ordinance text amendments, yet now the committee has just such an amendment before them, disguised as a questionnaire. He contended that the village committees are being asked to comment on these changes to provide cover for the City Council when the matter eventually comes before them.

Diane Veres, President and General Manager of Clear Channel Outdoor, stated that she generally supports the proposed amendment. The language protects the SR 51 corridor and the northern Loop 101. Very few opportunities for billboard sites remain. She feels that the City of Phoenix has done a strong job with regard to conversions of billboards to digital. The digital boards have static images that can change every eight seconds and they are turned off at 11:00 PM to contribute to a dark sky. The advertising companies have entered into a Memorandum of Understanding with the Arizona Department of Transportation granting full access to all digital billboards for safety/emergency messages.

Alex Malkoon made the request that the timeline for review of possible changes be adjusted so that the new City Council would be hearing the request. He has a growing discomfort about this effort. **Jim Mapstead** agreed, stating that there is no need to rush.

Charlie Jones stated that he is offering no opinions on this issue at this time. He wants more information for a bigger picture before making a recommendation.

Vice Chairman Jon Paladini commented that not being provided the text of the actual amendment is problematic.

Individual Village Responses Received

1) *Do you believe that eliminating the C-3 zoning district and adding PUD's for freeway locations addresses recent concerns regarding billboards?*

- Yes, and I commend the City for the addition of the PUD, which will provide the community the right to be heard in a specific situation, when the need arises.
- No. The location of electronic/digital billboard along freeway corridors does not mitigate the light pollution caused by these signs, nor does it negate the effect of

this light pollution on our neighborhood. These signs pose additional threats to freeway driving safety, as they are far brighter than other light sources in drivers' field of vision. The bright light, and the constantly changing images, are an unnecessary distraction to drivers.

- Yes
- Yes
- If C-3 is truly a "commercial" area I would prefer to see billboards there rather than in a PUD.
- A PUD can include housing and is perhaps not the best location for a billboard. If C3 is all commercial that seems the place for a billboard.
- Yes, I do. This is what I brought up during my speech before the City Council on June 1, 2011.

2) Do you support the addition of the proposed freeways? If no, would you support adding any additional freeways?

- No, but is supportive of I-10 West and SR 143
- No, for the reasons stated above. I am against the proliferation of electronic/digital billboards as they are a public nuisance and a safety hazard.
- No
- Yes
- No, most new freeways encroach on residential areas so putting billboards along these areas would, in fact, be putting them closer to residential areas than should be allowed
- No. All the freeways I drive seem to skirt residential areas. I am sure the new freeways will also be near housing areas and thus this appears to put billboards close to housing.
- Yes, I can with the exception of SR 143 (Hohokam Expressway). It would allow encroachment into the neighborhoods that border that freeway. Also allowing billboards on that route would effect Sky Harbor Airport and the Pueblo Grande Museum.

3) Do the proposed increased spacing requirements adequately address community concerns?

- Yes
- No. While the distance between billboards should logically limit the number of billboards, the light pollution and driver distraction are neither necessary to commerce nor beneficial for the community.
- No
- Yes

- If permitted in residential areas, billboards should be placed at the maximum distance apart to limit the number considered for such an area.
- Yes
- Yes, they do. The proposed spacing is greater than what the City of Glendale is proposing for their stretch of the Loop 101 freeway (1000 ft. vs. 660 ft.)

4) *Should junior size billboards still be permitted?*

- Yes
- Unlighted junior billboards that are not electronic/digital do not cause the nuisance, light pollution and driver distraction that electronic billboards deliver. I have no objection to junior billboards as long as they are not electronic/digital
- No
- Yes, however, I don't like them in Laveen... The Laveen Planning Committee fought against the posters on the NEC of 43rd Avenue and Southern, but the county allowed them. They have been repeatedly tagged and do not contain vital information. I don't feel that they posters are in good taste in such a rural community.
- Yes. If possible reduce the size of the Bulletin to a maximum of 600 square feet.
- I am not sure I understand the rationale of eliminating the smallest of the signs. To me the Junior seems to be the least objectionable. I would eliminate the Bulletin. Is it possible to limit the size of the Bulletin to 600 square feet with no embellishment?
- No, if I understand correctly, these are the most prevalent signs found in neighborhoods.

5) *Does this new spacing requirement from residential uses address the concerns of the community?*

- I think this means no closer than 250 feet to a residential district, and that would address community concerns.
- No. Being within 250 feet of a 672 sq. ft. lighted, electronic/digital billboard means you will still be subjected to the constant 24-hour light source and the nuisance, distraction and safety hazard it inherently will bring.
- Yes
- Yes
- Yes but it needs to go further. If placing billboards in a residential areas they should be a minimum of 100 feet from nearest residence.
- This is certainly an improvement but it seems that 1000 feet from any residential is more fitting.
- Yes, it does.

6) Does the use permit requirement along with the additional stipulations address or provide the avenue to address community concerns?

- Use permits allow maximum community input, and are appropriate
- There should be extremely stiff fines for any violation of this standard. Lax enforcement will invite abuse by the sign companies.
- Nit is a deprecated term – use candela per square metre (cd/m²). 300 cd/m² is a typical desktop LCD display and should be sufficient for general display-no sign should exceed 300 cd/m² after sunset.
- Yes and no. Yes, in that the billboard would have certain restrictions, however, I don't see where the limits on where the billboards can be placed is included in this text. A digital billboard at night along a major freeway could cause an accident depending on the light emitted, and depending on what is allowed to be shown. I don't want digital billboards in Laveen where we have the dark sky ordinance and would like to see that text written as well
- I would agree with a change to item (3) if it stipulated the time to change from 11 pm to 10 pm. Lighting should be generated by solar power as opposed to electric.
- Yes
- Yes, it does. I like the Amber/Government alert feature.

7) Do the new requirements go far enough in reducing the number of nonconforming billboards in the city?

- Yes
- Absolutely not. Removing other billboards does not reduce the nuisance. Adding landscaping does not reduce the nuisance, and adding additional lighting does not reduce the nuisance. Adding billboards that require additional electricity AND water to be maintained properly is both wasteful and imprudent. Our electric grid does not need the added strain, and our limited water supplies should not be used to provide lush landscaping as a barrier to these already annoying and wasteful nuisance installations.
- Yes
- Yes
- Yes with consideration to changing the landscape element to a minimum of 15 feet.
- A five foot landscape strip is no wider than many of our sidewalks. At least 15 feet of landscaped should be required. Who takes care of the landscaped strip?
- Yes, it does.

Additional comments:

From second bullet point: There are myriad ways in which businesses can advertise their products and services. Television, radio, newspapers, transit advertising, online advertising, promotional items, email advertising, banner ads, direct mail, door-to-door delivery, cable TV. . . the list is almost endless. The recent addition of electronic/digital billboards is but one way to reach potential customers, and they do not deserve special consideration. At present, there is no evidence that these billboards are more effective, from an advertising standpoint, than any other form of advertising. If advertisers were to discover that electronic billboards are not cost-effective, or that they do not effectively influence consumers, we could very well be left with a city full of abandoned advertising platforms. As city officials we need to be cognizant of the long-term relevance of the zoning ordinances we are considering. It is my opinion that electronic/digital billboards are not in the best interest of our city, our neighborhoods or our citizens. Laws can always be loosened up if there is a public clamor in favor of these ad platforms, but I seriously doubt that citizens will want them, now or in the future. If these billboards are to be allowed, it should only be under the most restrictive standards possible.

From fourth bullet point: Billboards in general are ugly and so out dated. The old Biddulph billboard along the I-17 and Thomas is ugly, hideous and needs to be removed. There is no need to place billboards where there isn't a lot of industrial. The idea of billboards in communities, such as the four along 67th Ave and Southern, just because the owner of the land can have one, is ridiculous, and the community should have been allowed to have a voice BEFORE they were put in. I would love to see them removed as the only people who are going to see them are people who live in Laveen.

From sixth bullet point: All new electric signage should be solar generated electricity only. Any existing electric signs being replaced should be replaced with solar generated electricity.

I do not have strong feelings about billboards. May I submit this as my only comment?

Just want to let you know that I am in agreement with the proposed changes to the ordinance, with the exception of part of Item 7. I see no reason to require a 5' minimum landscaping. I think a better idea is to require that the area around the sign be compatible with the area next to the sign.

From the seventh bullet point: Thank you for allowing me to comment on this subject. Living as close to the Loop 101 Freeway, I feel that my input will help my neighborhood maintain it's lifestyle in the future.

**Attachment D
 Major Changes to the Billboard Ordinance**

Existing	Proposed
705.2.A.7 -Billboards prohibited within 1000 ft of Mtn. Preserve, 250 from centerline of a scenic corridor, redevelopment areas – except the Legends in the Downtown Redevelopment area.	Increase Mtn. Preserve distance to 2000 ft.; not permitted within scenic corridor, eliminate prohibition in redevelopment areas.
705.2.A.8 -Use permit required for billboards within 250 ft. of HP district or Special Conservation district, special planning area or specific plan overlay	Modify to require use permits within 500 ft of HP district and added within 250 of a special planning district. Modify additional UP requirements to consider the special planning area plan and add in relation to residential uses.
705.2.A.11 -Requires setback equal to or greater than adjacent residential property except when located on an arterial street and only applicable on a corner lot.	Modify all street setback to require a 25 ft. setback from both street fronts.
705.2.A.15 -Permit billboards in C-3, A-1 and A-2 zoning districts on arterial streets and on the 1-17 freeway to the I-10 east to the city limits	Modify to prohibit boards in C-3 district add I-10West, Inner Loop (202), Outer Western Loop 101 north to Camelback, SR 143 as permitted freeways. Permit PUD's to be used on freeways only and subject to the same development standards for boards located in A-1 and A-2 districts.
705.2.A.16 -Spacing as follows 300 ft between juniors and posters, 400 from bulletins, 500 for poster to poster, 600 for poster to bulletin and 750 ft for bulletin to bulletin in A-1, A-2, 1000 ft in C-3 district. 1000 ft spacing on freeways.	Modify to require 1000 ft spacing between all billboard structures.
Add NEW	NEW Standard stipulations for electronic message centers requiring them to be shut off at 11 p.m, regulating the nit output and requiring them to be shut down immediately if there is a malfunction of the the message screen
705.2.A.21 -Requires no visible illumination when contiguous to RE-43-R-5, PAD 1-15 zoning.	Modify to add USE and reduce the restriction to RE-43-R-2, PAD 1-12 which makes the section consistent with illumination for on-premise signs

Existing	Proposed
<p>705.2.A.23-Restricts billboard height to 48 ft in A-1, A-2 districts and all freeway boards, Height restricted in C-3 on arterial to max 45 ft.</p>	<p>Delete C-3 requirements. Permit all billboards at 48 feet in height. Add Use permit provision to increase billboard height to 70 ft. when located on a freeway subject to additional criteria.</p>
<p>705.2.A.24-Requires landscaping (groundcover) on undeveloped lots in the amount of 15 square feet for each lineal ft of sign face to a maximum of 75% of the lot</p>	<p>Modify requirement to require 48 square feet for each lineal ft of sign face to max of 75% of lot and require one tree, five shrubs and ground cover for each 300 square feet of required landscape area</p>
<p>705.2.A.26-Prohibits a b/b from being within 75 ft of a residential district when located in a C-3 district</p>	<p>Modify to prohibit b/b's within 500 ft. of a residential district and residential use; exception residential uses within a PUD.</p>
<p>NO CHANGES TO SECTION C – GROUNDSHEETS</p>	
<p>705.2.D – Nonconforming – requires use permit to alter a nonconforming outdoor advertising sign, compliance with projecting ladder requirements, permits increase in size for existing structures that are 768 square ft. Requires removal of another board, improvement in appearance or addition of landscaping in addition to UP standards in 307.</p>	<p>Modify to prohibit increase in sign area, permit structures to be relocated when there is a government action without a use permit, use permit still required to rebuild subject to 307 UP standards and for digital requests on a nonconforming board all of the following if applicable –(1) Require removal of 1200 square feet of existing nonconforming boards within the city limits; (2) Provide a minimum 5 ft. landscape strip along the property frontage if none exists, when adjacent to residential the new structures should have a reduced impact to the residential use.</p>

Potential New Billboard Structures with the additional freeways – There currently exist over a dozen billboards on freeways that currently prohibit billboard. Many of the structures existed prior to the construction of the freeway or obtained variance approval for the location. Staff as well as the industry have concluded that based on the existing structures and zoning classifications, at most there is a potential of a possible nine to twelve more structures with the added freeways.