

Advertising at Transit Shelters

Council Study Session
October 22, 2009



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Present Code

- **MCC Sec 11-19-5 (II), Definition of Off-Site Sign:**
A sign which directs attention for a commercial purpose to a business, commodity, a service, entertainment, or product not related to the other commercial uses existing on the premises upon which the sign is located. Nothing contained in this definition shall be construed to apply to noncommercial messages or information placed on any sign.
- **MCC Sec 11-19-8(C): Prohibited Signs.**
 1. The following signs and conditions are prohibited:
 - (d) Off-site signs (billboards), except as permitted in Sec 11-19-7(E) of this Chapter.*

* Sec 11-19-7(E) describes allowances for Subdivision Directional Signs.

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Legal Background

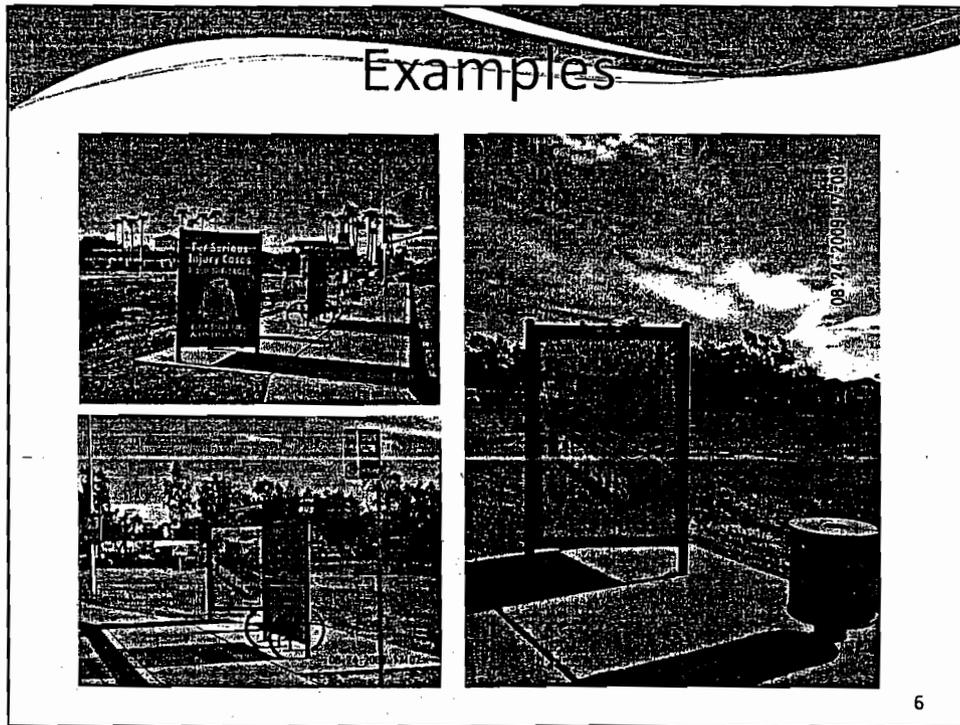
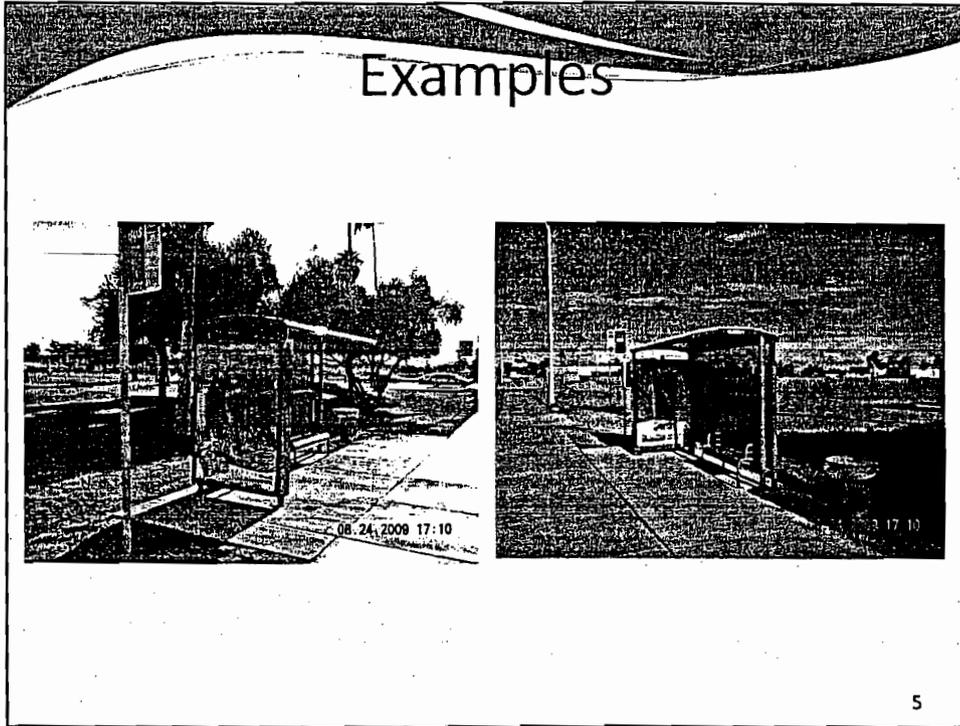
- **1986: Mesa Council Prohibits New Billboards**
 - *Part of Extensive Overhaul of Sign Ordinance*
 - *Prohibition affects all Off-site Signs (Billboards) except Subdivision Directional Signs*
- **1991: 9th Circuit ruling (Mesa & Tucson)**
 - *Prohibition of Off-site Signs is Legal Restraint of Commercial Speech*
- **2008: 9th Circuit ruling (Los Angeles)**
 - *City of Los Angeles also Prohibited Billboards*
 - *Created Exception for Transit Signs in Rights-of-Way*
 - *Court agreed - Exception for Transit Signs Reasonable*
- **Modify Sign Code Before RFP – Req'd**

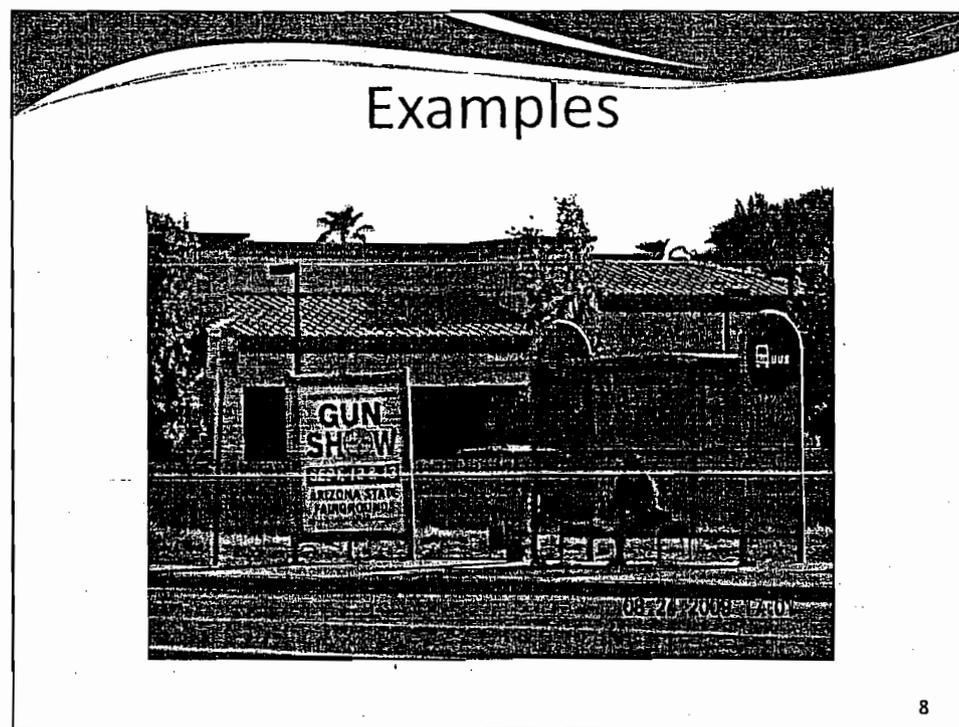
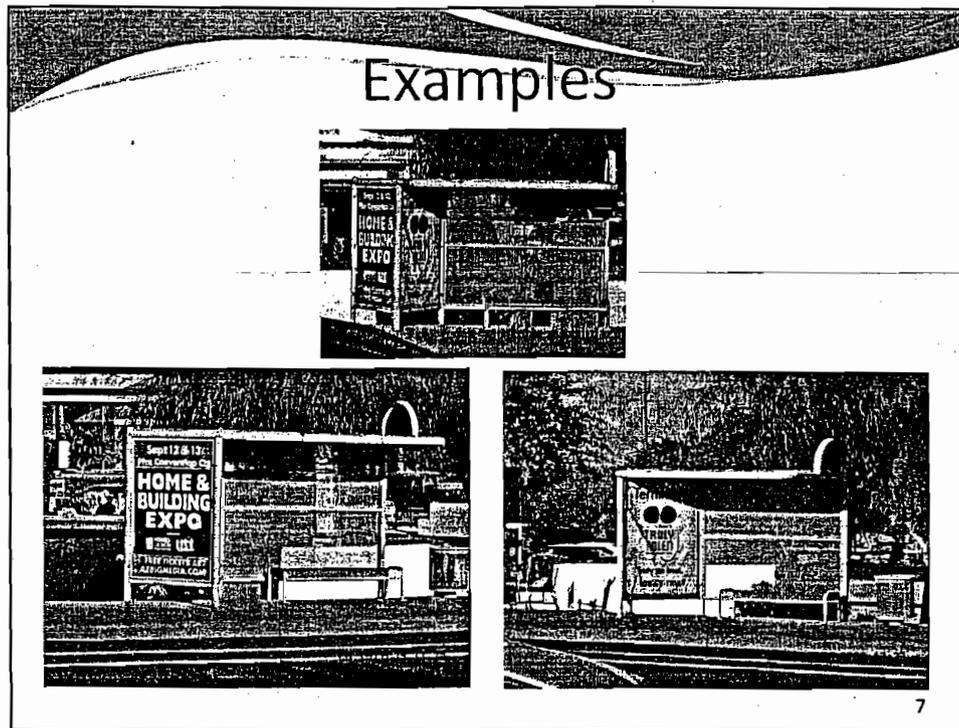
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Benchmark Findings

- Chandler - 50 to 100 shelters, \$54K to \$84K per year
- City of Phoenix – 2,500 shelters, 50% of net advertising receipts with a minimum guarantee of \$1.5 million
- Philadelphia, PA – 270 shelters, \$260,000/year
- Toronto, Ontario – 2,000 shelters, \$17.5 million/year

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Potential Model

Issue Request for Proposals:

- City identifies locations, restrictions and conditions of shelters and their placement
- Authorizes an exclusive agreement to install, provide funds for City contractor to maintain and sell advertising on transit infrastructure
- Requires the vendor to maintain shelter and install advertising
- Establish cleaning and maintenance routine and establish fines for non-compliance
- Establish financial payment schedule

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Commercial Advertising

Require in contract that shelter advertising be limited to speech or graphic images that propose a commercial transaction.

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Commercial Advertising

May not be:

1. False, misleading or deceptive
2. Relate to an illegal activity
3. Explicit sexual materials, obscene by City standards, or include material harmful to minors
4. Advertise the use of alcohol or tobacco products
5. Depict violence and/or anti-social behavior
6. Include language that is obscene, vulgar, profane or scatological
7. Relate to instruments, device and items, products or paraphernalia which are designed for use in specified sexual activities

And-- The City will retain the right to utilize all unsold advertising space at our sole discretion.

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Potential Benefits

- Installation of more shelters and amenities
- Provide a new revenue source
- Vendor pays for capital installations
- Cleaning and maintenance by vendor
- Additional shelters increased use and ridership
- Unused advertising space can be used by the City

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Considerations

- Visual clutter
- Negative community response
- Possible long-term maintenance responsibility
- Considerations for additional costs:
 - Staff resources (Engineering, Real Estate, Transportation)
 - Ongoing management of the program

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Transit Shelter Inventory

- 219 shelters / 794 total bus stops
 - Full size & Mini-Shelter
 - 3-legged (older) standard
 - Downtown shelters
 - Artist shelters
- Average O&M cost (full size shelter): \$780/yr.
- Annual O&M cost (shelters): approx. \$150,000

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Direction Needed

- Full Council input and direction
- Issue requires modification of Sign Ordinance.
- If Full Council agrees, item will be forwarded to P&Z Board. P&Z recommendation then returned to Council for review and possible ordinance adoption.

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Questions?
Comments?
Discussion.

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City Council Study Session

October 22, 2009

Livestock Regulations

1

Existing Livestock Regulations

- Minimum Lot Size: 1 full acre (43,560 sf)
- Permitted: Two Head of Livestock
 - Any Combination - Cattle, Horses, Mules, Sheep, Llamas, Ostriches or Goats
 - No Swine - Pigs, Hogs, or Shoats
- Permitted Number of Animals Increases at Ratio of 1 Head every 1/2 Acre _____
(2 head/acre, ex: 1.75 acres permits 3 head)

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January 29, 2009

CNSC Alternatives Summary

Revise as follows:

- A. Allowances for Student Projects
& Allowances for Juvenile Animals
 - B. Update & Broaden Animals Listed
 - C. Lower Lot Size Threshold (1-acre to 35k sf)
 - D. Introduce Point System for Large &
Small Animals, based on Livestock Ratio
Remaining at 2 head per acre
-

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February 26, 2009

Council Direction

- Develop Draft Ordinance
 - Send Notice of Changes to Affected
Residents and Property Owners
 - Note Comments
 - Advise of results
-

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Results and Comments

- Draft redlines amendments sent August 2009 to 160 Property Owners
 - Significant Opposition to Revisions in Chicken and Fowl Requirements
 - Withdrawal:** Revisions to Chicken Reqs
 - No opposition: Lower 35,000 sf lot size
 - Support for Point System
 - Several Lehi Residents would like Livestock Ratios > 2 head/acre
-

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Draft Ordinance Sent to Residents

- Updated Animal List
 - Allowances for Infant/Project Animals
 - Large Animals Ratios Remain 2 head/acre
 - NO CHANGES TO BARNYARD FOWL RATIO**
 - Minimum Lot Area Reduced to 35k sf
 - New limits on pigeons, chinchillas
 - Point system allows additional smaller animals on proportionate basis
-

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Issue D

Revising Animals per Acre Ratio

Sub-area Option:

- Raise Ratio for Lehi area only
 - 2 livestock/acre maintained citywide
 - Two Alternatives:
 - 2 Sets of Ratios: Remainder & Lehi (2/ac & 4/ac?)
 - 3 Sets of Ratios: Remainder, Lehi, & Optional License (2/ac, 4/ac & 8/ac?)
 - Sub-area can be part of Animal Regs.
-

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Lehi Alternatives

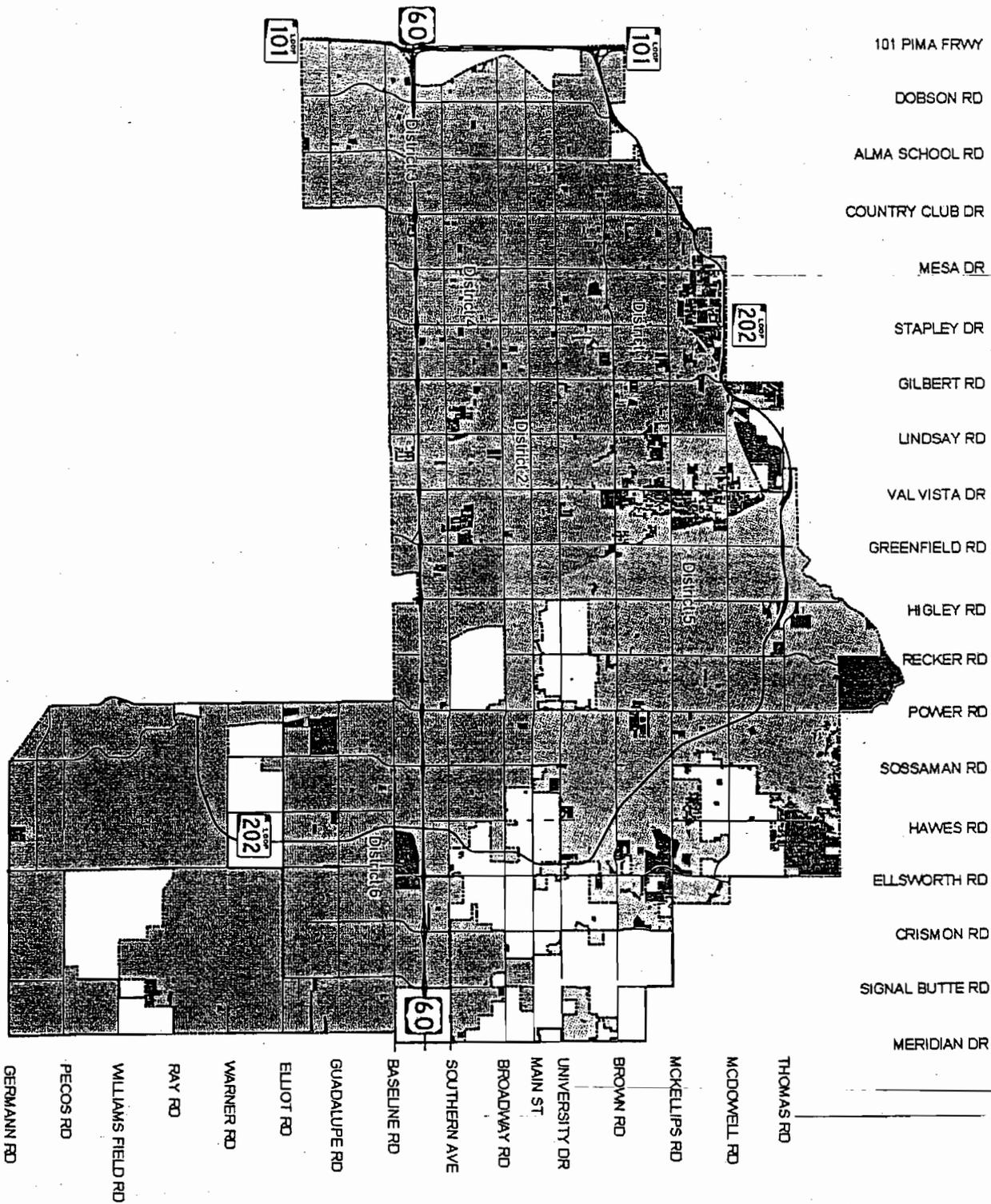
Lehi Alternative A

- Revisions A through C, Point System
- Higher Ratio for Lehi Sub-area 8 head/acre

Lehi Alternative B (not recommended)

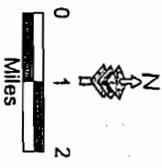
- Revisions A through C, Point System
 - Higher "Default Ratio" set at 2 head for first acre, and 4 head/ac for additional acreage
 - Higher Licensed Ratio set at 8 head/ac
-

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35K Sq Ft + Residential Parcels

- 35,000 Sq Feet- 1 Acre Parcels
- 1 Acre+ Parcels
- Council Districts**
- DISTRICT 1
- DISTRICT 2
- DISTRICT 3
- DISTRICT 4
- DISTRICT 5
- DISTRICT 6
- City Limits



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Livestock and Large Animal Regulations By Councilmember Dave Richins

Supportive of the following Livestock revisions:

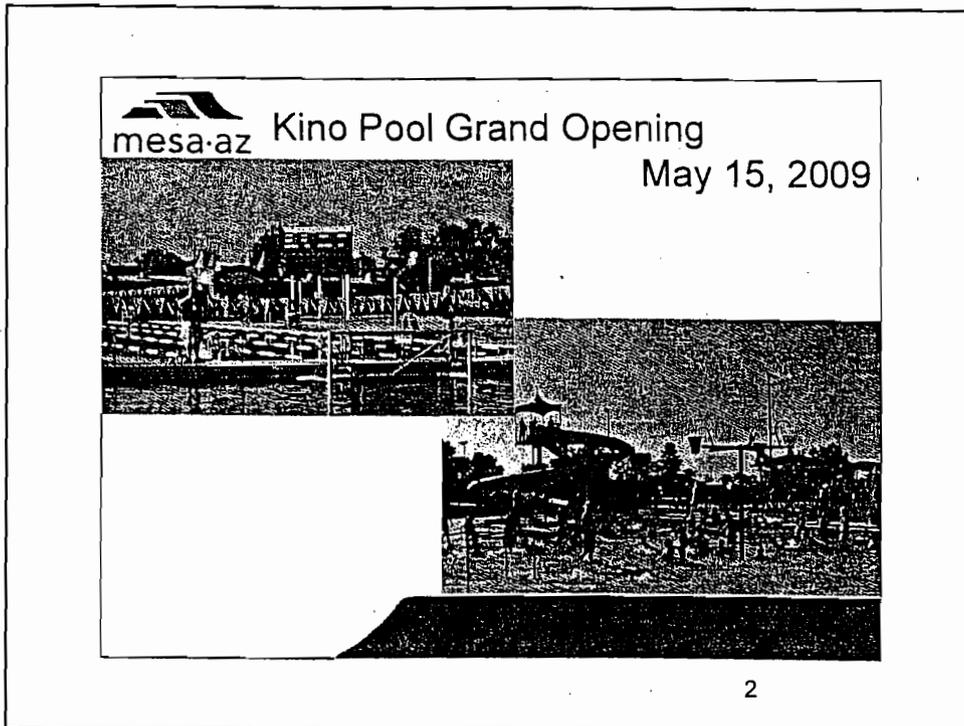
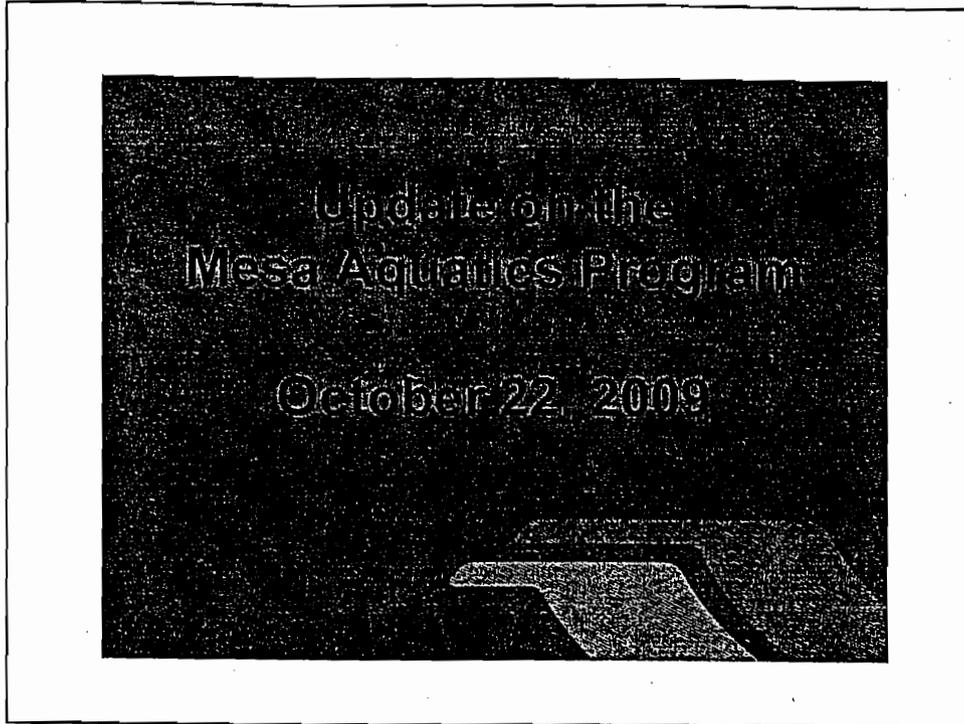
- 1) Updates to health, safety and maintenance of livestock as proposed
- 2) FFA or project animal allowed
- 3) 35,000 square foot lot minimum for livestock allowed
- 4) New animal list, with new animal points system defined
- 5) Small animals on list worth ½ point, large animals worth 1 point to avoid confusion
- 6) Chickens/Fowl allowed on any lot size (up to 10 per acre)
- 7) 2 Animal points over first 35,000 ft lot to 1 acre lot
- 8) 1 animal point for each ¼ acre over 1 acre or 4 per acre for properties over 1 acre
 - a. Example – If a property is 1.5 acres, a property owner would be allowed 2 animals for first acre and 2 for the additional half acre for a total of 4 large animals.

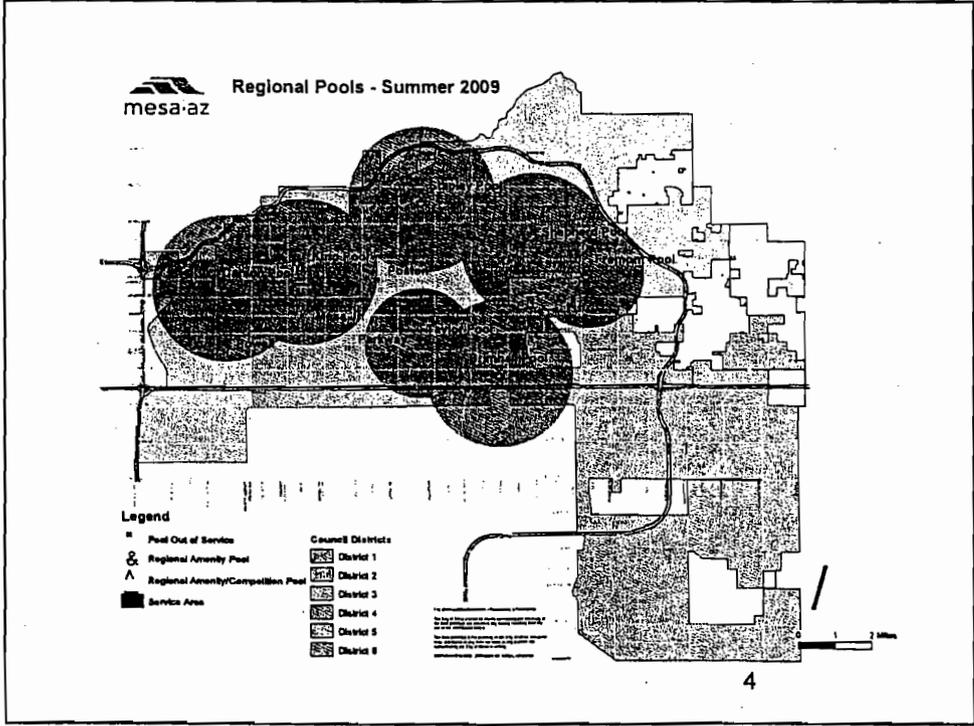
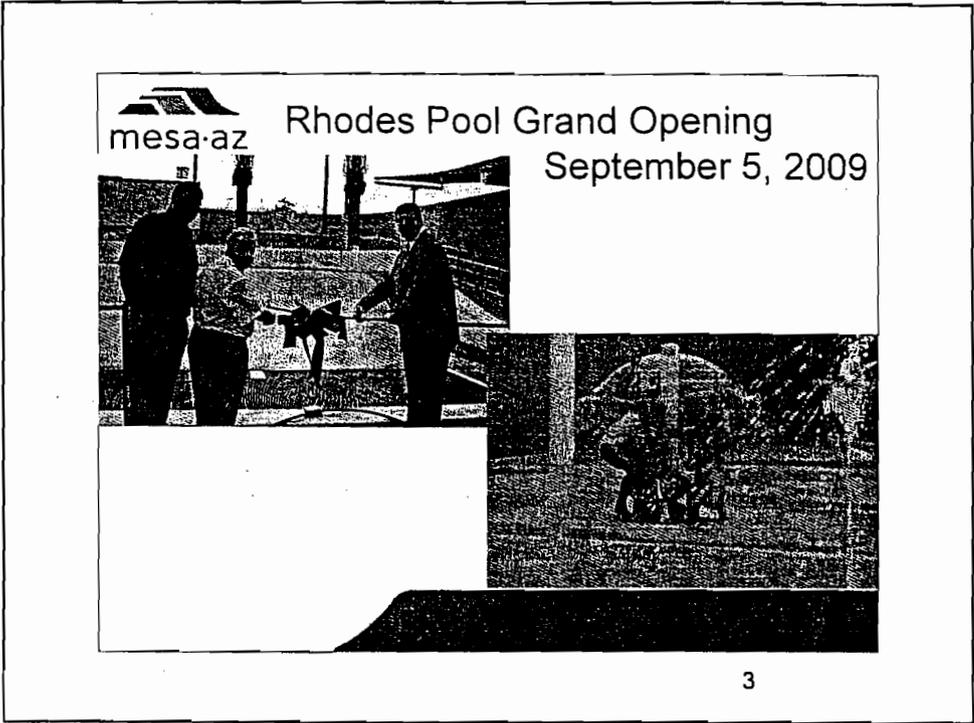
Supportive of a Lehi sub area for the purposes of restoring historic livestock uses by right:

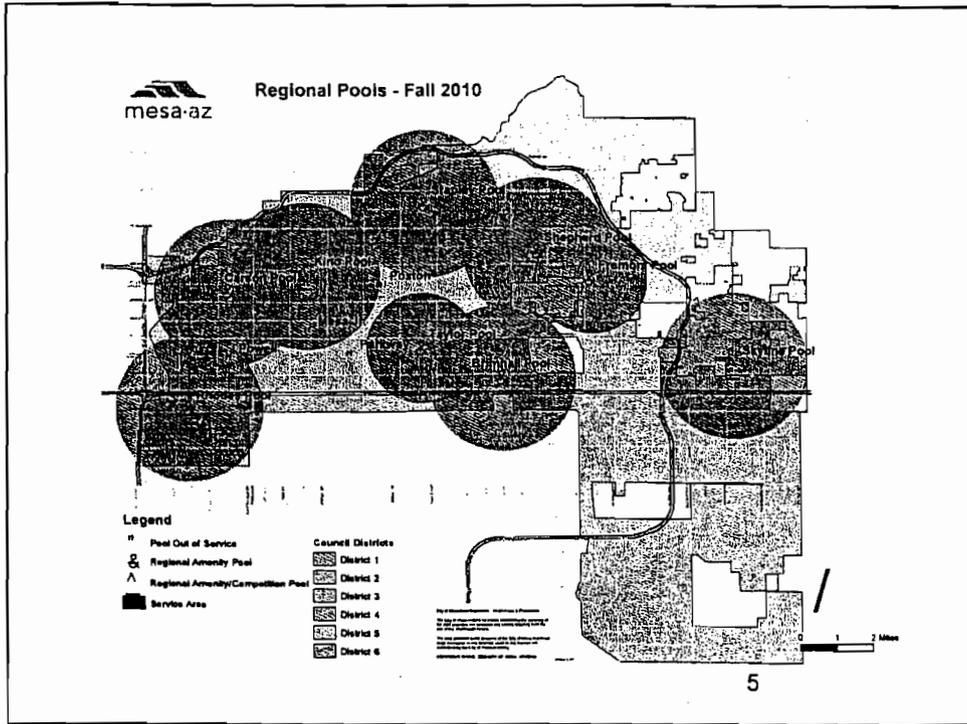
- 1) All of the above, however, increase number of allowed animals
- 2) 2 Animal points for first 35,000 square feet to 1 acre lots; however,
 - a. if property is over 1 acre we should allow 4 animal points per acre, including first acre, plus an additional animal point for each 1/8 acre over first acre
 - b. using example in 8a above: if a property is 1.5 acres, a property owner would be allowed 4 animals for first acre and 4 for the additional half acre for a total of 8 large animals
 - c. on page 2 (E) should read FFA
 - d. on 8-6-34 (B) eliminate automatically and say until reviewed by staff a license will be issued.

Supportive of the Livestock regulations citywide under the following conditions:

- 1) Approval of a Livestock License – residents outside the Lehi community would be required to apply for a license (for a small nominal fee) which would allow for all of the above, including the Lehi Sub Area ratios.
 - 2) Requests for increases over these ratios could only be granted through a Special Use Permit.
-







Statistics 2008 versus 2009

	2008 10 Pools ^a		2009 7 Pools ^b		Change	
	Total	Avg/Pool	Total	Avg/Pool	Total	Avg/Pool
Public Swim	101,619	10,162	91,256 ^c	13,037	-10,363	+2,875
Lessons	8,361	929	6,269	1,045	-2,092	+116
Competitive	2,236	224	2,128	304	-108	+80
Reservations	337	34	263	38	-74	+4

^aClosed in 2008: Kino and Rhodes
^bClosed in 2009: Mesa Jr., Powell, Poston, Rhodes, Parkway
^cLost 34,000 visits due to elimination of most COM summer programs

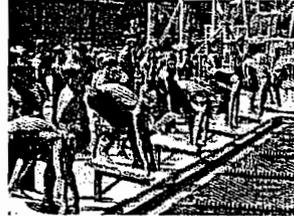
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 Trends

•Compliance with Virginia Baker Graeme Pool and Spa Safety Act at all pools operated in 2009

-Average compliance cost per pool = \$11,430

•All pools except Taylor and Fremont meet minimum starting block diving depth



•2009 efforts to control Cryptosporidium were successful with no reported illnesses

-Award-winning swimsuit donation program

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 Trends (continued)

•Evening swim lessons continue to be popular

-Currently at Fremont

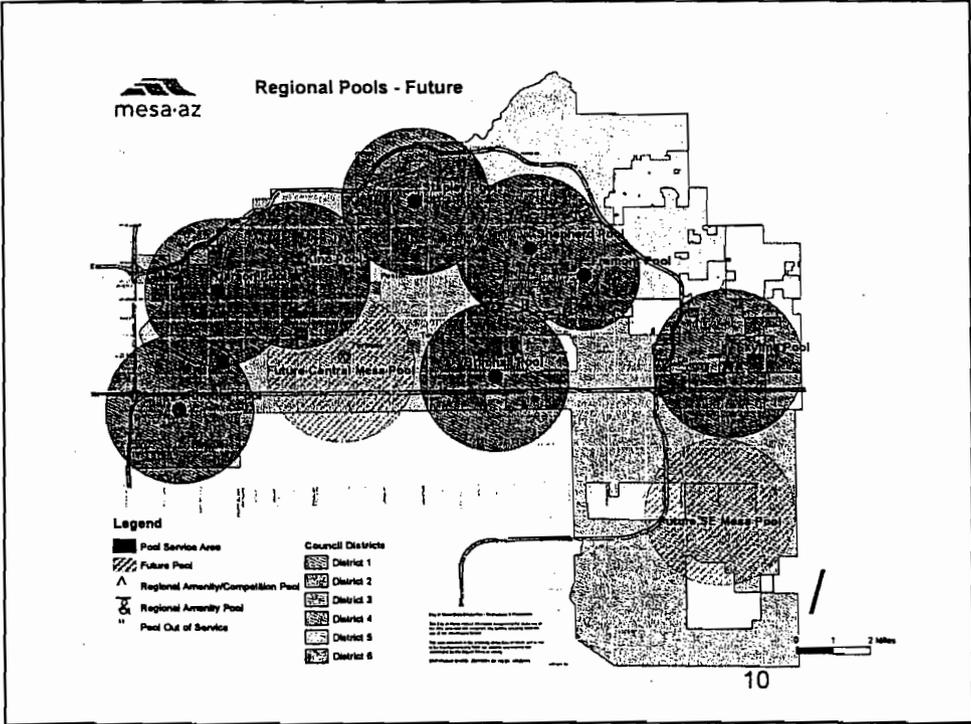


•Flowrider interest high for daily use and future rentals

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 **Issues and Actions**

- Awaiting final FlowRider operational approval from County
-Expected in November – temporary approval to date
- Planned closure of Taylor Pool in Summer 2010 leaves a service void until a replacement pool in South-Central Mesa is constructed in the future
-Recommend Taylor Pool remain open until it can be replaced or a significant failure requires its closure



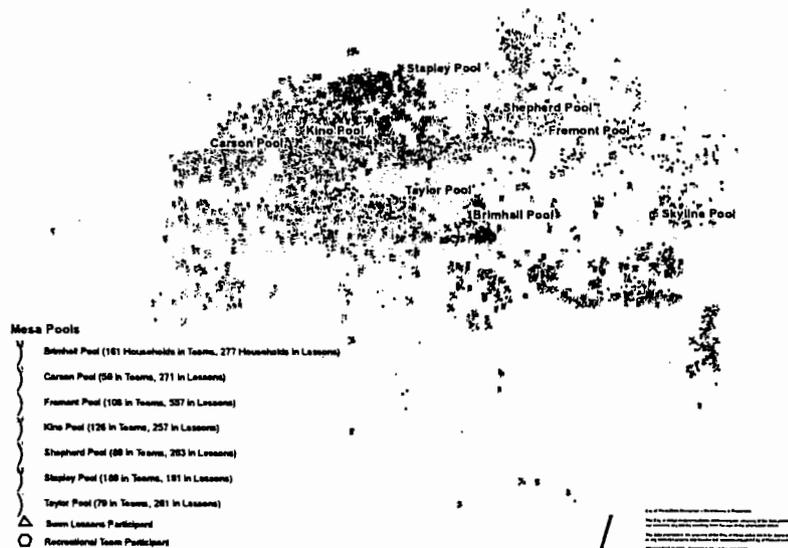


Issues and Actions (continued)

- Approximately 900 registered non-resident participants in 2009 swim lessons and competitive programs
 - Recommend 20% non-resident surcharge for lessons and competitive programs
- Interest in expanding evening lessons
 - reviewing Taylor as a potential site

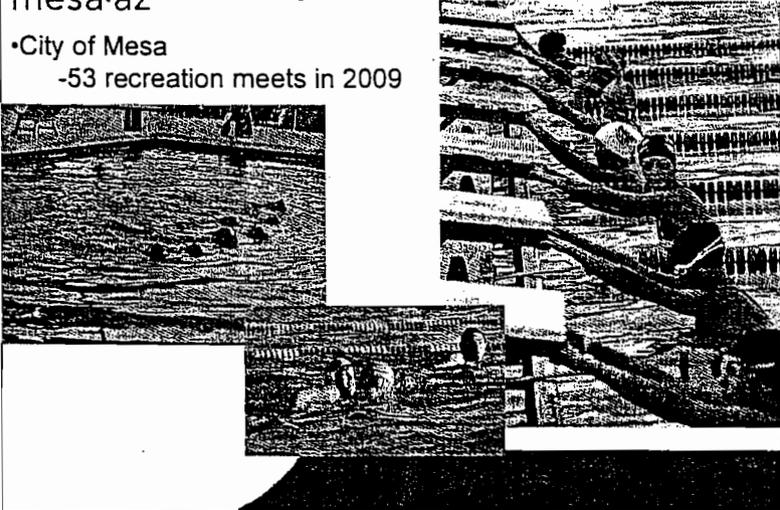


Distribution of 2009 Households in Aquatics Teams and Swim Lessons



 Facility Utilization

- City of Mesa
 - 53 recreation meets in 2009



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 Facility Utilization (continued)

- Mesa Public Schools
 - Jr. High physical education curriculum
 - High School meets
 - State Championships
- National recognition
 - 2011 Master's National championships
 - Holiday break collegiate practice and potential "Citrus Classic"

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Kino Aquatic Complex Championship Schedule

Event	Dates	Room Nights	Rate	Tax Revenue	State	County	City	Bed
2011 Short Course Nationals	Late April 2011	12,000	\$85	\$122,604.00	\$56,100.00	\$18,054.00	\$17,850.00	\$30,600.00
2011/12 NCAA DIII Championships	March 2011/2012	5300	\$119	\$75,810.14	\$34,688.50	\$11,163.39	\$11,037.25	\$18,921.00
2011 U.S. Junior Open	Early April 2011	160	\$105	\$2,019.36	\$924.00	\$297.36	\$294.00	\$504.00
2011/2012 NAIA Championships	March 2011/2012	900	\$99	\$10,709.82	\$4,900.50	\$1,577.07	\$1,559.25	\$2,673.00
TOTALS		17460		\$200,433.50	\$91,712.50	\$29,514.75	\$29,181.25	\$50,025.00

Estimated Economic Impact	Est. Athletes	Daily Spending	Days	Estimated Direct Economic Impact
2011 Short Course Nationals	2,000	\$177	5	\$1,770,000
2011/12 NCAA DIII Championships	1,200	\$177	6	\$1,274,400
2011 U.S. Junior Open	250	\$177	3	\$132,750
2011/2012 NAIA Championships	800	\$177	6	\$849,600

Comments:

Estimated economic impact formula is devised from the Phoenix Regional Sports Commission and the National Association of Sports Commissions. The formula is (Number of Competitors X Average Daily Spending for PHX Metropolitan Area (\$177) X Number of Days of Competition) = Estimated Economic Impact. There are no multipliers used in this formula and considers only visitors coming from outside Maricopa County for the sole reason of competing of the specific sporting event at Kino Aquatic Complex. Bids have been submitted for the NCAA Championships, NAIA and U.S. Synchro Junior Open. The U.S. Masters Short Course National Championships selected mesa to host their 2011 event this past September at the United States Aquatic Sports Symposium in Chicago.