

COMMUNITY & CULTURAL DEVELOPMENT COMMITTEE

September 9, 2013

The Community and Cultural Development Committee of the City of Mesa met in the lower level meeting room of the Council Chambers, 57 East 1st Street, on September 9, 2013 at 3:35 p.m.

COMMITTEE PRESENT COMMITTEE ABSENT STAFF PRESENT

Dave Richins, Chairman Dennis Kavanaugh None

Natalie Lewis Alfred Smith

(Items were discussed out of order, but for purposes of clarity, will remain as listed on the agenda.)

1. Items from citizens present.

Chairman Richins stated that he would defer taking items from citizens present until later in the meeting.

(See citizen comments under item 2-c.1.)

2-a. Hear a presentation from the "CityScan" vendor and discuss the innovative technology and its applications to City government.

Dave Guttman, CEO of CityScan, a Chicago-based firm, addressed the Committee and played a short video outlining some of the services that the company offers to municipalities across the country.

The video highlighted the following:

- CityScan "demystifies" urban data by integrating lidar, a 3-D scanning technology, with other datasets, which allows its data scientists to scan and discover important patterns and trends.
- Such analysis can assist a city in finding lost revenue, keeping residents safe and enhancing the beauty of the community.
- The technology also aids communities in predicting the location of potential fires; identifying areas with criminal activity; and verifying that all signage and construction activity is properly permitted and safe.

Mr. Guttman reported that although lidar technology has been in existence in aerial form for a period of time, mobile lidar is a more recent innovation. He explained that Google, Apple and

Nokia Navteq are the only companies that collect such data and "drive all of the roads" in the country. He stated that CityScan has entered into an exclusive agreement with Nokia Navteq to access its lidar data for municipal purposes.

Mr. Guttman displayed a PowerPoint presentation (See Attachment 1) and remarked that through the use of the lidar technology, CityScan can conduct a virtual inspection of a city. He noted that "literally everything that can be seen, can be inventoried and measured down to a couple centimeters."

Mr. Guttman offered a short synopsis of the process that CityScan utilizes as follows:

- CityScan reads city-published or provided data
- Scans the outdoor environment
- Geo-references, compares and analyzes the results

Mr. Guttman cited, as an example, that CityScan could take all of the permits issued by a city for on-premise signs, compare the signs that were identified during the analysis and determine which signs do not have a permit or are inaccurately permitted.

Mr. Guttman referenced a variety of "Use Cases" (See Page 4 of Attachment 1) and said that CityScan provides actionable outcomes for such cases. He stated, for instance, the company is currently working on a project with the City of New York regarding construction permit enforcement. He explained that CityScan was tasked with scanning scaffolds, construction fences, dumpsters and sidewalk sheds in order to ensure that such equipment was permitted.

Discussion ensued relative to CityScan's above-referenced case study in New York City with respect to scanning the community's construction assets (See Pages 8 through 12 of Attachment 1); that CityScan selected 1.4 miles along Queens Boulevard between 56th Avenue and 65th Place for the project; that the analysis revealed that 40% of the assets did not have permits; that in one instance, a billboard, which was permitted at 300 square feet and non-illuminated, was found to be 1,200 square feet and illuminated; and that for just this one asset, New York City failed to collect more than \$20,000 in permit fees over a 20-year period.

Mr. Guttman, in addition, reviewed slides of a virtual drive that CityScan recently conducted in Phoenix when it scanned a number of signs and billboards.

Mr. Guttman reiterated that CityScan's technology creates a much more efficient way to scan "a huge piece of geography" in less time than it would take a large team of people to complete manually. He advised that the City of San Diego was conducting a sidewalk scanning project, which is estimated to cost \$1 million. He explained that San Diego intends to hire 25 engineering students to walk the sidewalks of the community, which will take more than a year to complete. He pointed out that CityScan could complete the same project within 30 days, including compiling the results and providing engineer-grade data, which would be superior to the results generated by the engineering students.

Additional discussion ensued relative to various funding options that municipalities might consider to pay for CityScan's services; that in certain use cases, if significant revenue is recaptured (i.e., uncollected permit or filing fees), CityScan and the municipality might agree to a one-third/two-third split respectively; that a similar compensation split could apply for cases

regarding construction assets; and that CityScan recognizes a significant upfront process with respect to "cleansing" government data, since such data is often siloed and obtained from multiple systems.

Mr. Guttman, in addition, reported that in most municipalities, CityScan takes the approach of conducting a pilot project associated with a use case that is of particular importance to the community. He explained that CityScan "lets the pilot inform the business model" (i.e., revenue recapture, revenue share, per asset fee, cost reduction) for a full citywide rollout.

Chairman Richins invited staff members to come forward who might have questions for Mr. Guttman.

Manager of Technology and Innovation Alex Deshuk indicated that from the City's perspective, staff was exploring ways in which to use the technologies discussed by Mr. Guttman. He acknowledged that CityScan has created a unique application, which takes visual data (geospatial data) and uses it as a major data source to "play against" the City's data. He added that staff endeavors to find ways to use such data for the purpose of optimizing revenue and increasing productivity, similar to what is done in the private sector.

Mr. Deshuk further commented that Chief Information Officer Diane Gardner is working on the inclusion of business intelligence as a part of the City's information technology (IT) portfolio. He stressed the importance of staff assessing how CityScan's technology aligns with the City's IT portfolio and said that there were "hundreds of questions" that would need to be answered in this regard. He added that it would be appropriate for staff to talk to CityScan and other firms that provide similar services to research the issue further.

Development and Sustainability Department Director Christine Zielonka expressed interest in meeting with Mr. Guttman to discuss what CityScan has done in other municipalities with respect to building inspections, permits, and code compliance. She stated that she would anticipate that such technology would assist staff in updating a number of "old school" approaches to business.

Chairman Richins concurred with Mr. Deshuk's comments regarding the importance of understanding how the City would interface with CityScan's technology. He pointed out that it would be a major challenge for the City if it were unable to support such a system.

Further discussion ensued relative to the fact that the Nokia data is refreshed every 12 to 18 months; that with respect to on-premise signs, for example, everything would be reviewed every 18 months; that in most use cases, dense commercial corridors would be driven more frequently (i.e., every three months); and that although it is impossible to enforce the system universally, once people realize they cannot "game" the system, it might be appropriate to create an amnesty program, which would allow the individuals who did not have on-premise signs to comply within 90 days.

Mr. Deshuk noted that one of the use cases highlighted on Page 4 of Attachment 1 is related to tax compliance in businesses. He said that the geo-spatial data utilized by CityScan would assist staff with such analysis. He explained that currently, staff conducts audits by walking around businesses to determine whether a business has opened, obtained the required Transaction Privilege Tax (TPT) license and paid its taxes.

Mr. Guttman commented that with respect to a pilot project, he suggested that the City of Mesa identify a use case that is of particular interest to it and said that CityScan could complete the project within weeks. He also remarked that CityScan was looking for opportunities to assist communities that are motivated to use technology in an interesting way.

Assistant to the City Manager for Special Projects Natalie Lewis commented that the audience included many staff members who were interested in the presentation. She also stated that Mesa prides itself in finding new ways to use technology, create efficiencies and promote economic development opportunities.

Ms. Lewis, in addition, commented that since this issue will become a budgetary and resource matter for the City, staff was seeking input from the Committeemembers with respect to what level of interest they might have in such technology and how it might apply to the City. She suggested that staff could work with CityScan and other vendors, conduct additional research, and come back to the Committee for additional discussion in this regard.

Chairman Richins stated that he would like a better understanding of the procurement process and wanted to ensure, with the example of revenue sharing, that the City "stays legal under Arizona law."

Committeemember Kavanaugh commented that the technology is intriguing and has many applications with respect to code compliance, building permits and illegal signs. He stated that he believed there was a use for such technology and added that he was hopeful that staff would engage in some internal discussions and bring back a proposed pilot project and procurement and cost options for the Committee's consideration.

Committeemember Kavanaugh further remarked that from a code compliance perspective, since the City still operates on a by-complaint process, such technology would provide an opportunity to significantly expand coverage. He added that as word gets out in the community that "You're on Candid Camera," illegal uses would decline.

Chairman Richins advised that he received a letter from Patti King, Executive Director of the Arizona Sign Association, who expressed support for this technological approach. He noted that James Perkins, representing the International Sign Association, also voiced support for the technology.

In response to a question from Chairman Richins, Deputy City Attorney Alfred Smith stated that in his opinion, it would be necessary for the City to address certain privacy issues related to this technology. He stated that when the City receives a public records request, staff would be required to consider a three-pronged analysis that is allowed under Arizona law.

Mr. Guttman clarified that CityScan has addressed privacy issues with other municipalities. He explained that the images of violation would be cropped, for example, to the sign or billboard and noted that if a person were standing below the sign, that individual would not be seen. He stated that CityScan could provide the original imagery if that were the City's preference, although most municipalities want the high resolution image showing the actual violation, proof of the GPS location, time and date, but not the surroundings.

Mr. Guttman reiterated that with respect to procurement, when a municipality conducts a pilot project on a fixed-price basis and with a limited amount of geography, if the entity issues a Request for Proposals (RFP), the business model would be supported based on the data that was generated during the pilot project.

It was moved by Committeemember Kavanaugh, seconded by Chairman Richins, that staff be asked to continue to review the technology, as outlined by Mr. Guttman, develop a pilot project to bring back to the Committee, as well as options for funding the project.

Carried unanimously.

Chairman Richins thanked Mr. Guttman for his presentation.

2-b. Hear a presentation, discuss and make a recommendation on Registered Neighborhood Signage.

Neighborhood Services Coordinator Cynthia Garza introduced Interim Transportation Department Director Lenny Hulme, who was prepared to respond to any questions the Committee might have.

Ms. Garza displayed a PowerPoint presentation (See Attachment 2) and reported that Chairman Richins and various neighborhood groups have expressed interest with respect to neighborhood signage. She briefly highlighted the benefits of neighborhood signage (See Page 2 of Attachment 2), including the fact that it increases resident and Citywide recognition of neighborhoods.

Ms. Garza advised that although other communities allow neighborhood signage, such signs may not necessarily comply with the current national sign standards. She noted, however, that if Mesa allowed neighborhood signage, the City would be required to meet those standards.

Ms. Garza remarked that Tempe neighborhood signage is available for active registered neighborhood associations. She stated that the "sign toppers" are funded through the municipality's Neighborhood Grant Program, per the request of the neighborhood. (See Page 3 of Attachment 2) She advised that the grant monies are derived from Tempe's General Fund and added that Tempe's sign shop designs, manufactures and installs the sign toppers, at a cost of \$52 each.

Ms. Garza indicated that with respect to the City of Phoenix, community groups that are listed in its Historic Preservation or Neighborhood Notification databases can apply for neighborhood signage. (See Page 4 of Attachment 2) She said that the group must circulate a petition that is signed by all of the residents in the neighborhood who are willing to incur the cost to manufacture and maintain the sign topper. She added that the average cost for a sign topper is \$100.

Ms. Garza, in addition, reported that approximately two years ago, the City of Chandler implemented its sign program through its Neighborhood Grant Program. She explained that the intent of the program is to assist residents of traditional, non-HOA neighborhoods to purchase signs in an effort to enhance the character of their neighborhoods and foster a sense of pride

and belonging. (See Page 5 of Attachment 2) She said that the program is available to registered neighborhoods in the community.

Ms. Garza further remarked that the City of Mesa currently allows historic neighborhood signage, such as in the Wilbur District, and Neighborhood Watch signs. (See Page 6 of Attachment 2) She noted that Marlborough Mesa was one of the first neighborhoods in the community to install neighborhood signage. (See Page 7 of Attachment 2)

Mr. Hulme said that the Transportation Department was interested in this item since the City must adhere to certain sign standards, as contained in the "Manual of Uniform Traffic Control Devices." He pointed out that the photographs illustrating signs in Tempe and Phoenix (See Pages 3 and 4 of Attachment 2) reflect outdated standards.

Responding to a question from Chairman Richins, Mr. Hulme clarified that a typical Mesa Historic District sign is approximately 18 inches high, whereas a typical street name sign is 12 inches high. He cautioned that when a street name sign is stacked on top of another sign, it becomes quite high and changes the sign standard with respect to the base and pole. He reiterated that Transportation staff was interested in this matter not only from a structural perspective of the signs, but also their initial cost and ongoing maintenance.

Committeemember Kavanaugh commented that neighborhood signs are a good form of identification and noted that the signs installed in historic neighborhoods have been well-regarded by the community. He inquired that if the City created a neighborhood signage program, what would be the anticipated cost; would the program be extended to all registered neighborhoods in Mesa; and what would be the scope of the program, such as including signs at a neighborhood entrance.

Ms. Garza responded that staff would most likely implement a pilot program, which would include the first eight to ten traditional, non-HOA neighborhoods that expressed interest in the signage. She explained that the neighborhoods would be required to register and pointed out that staff "rates" the neighborhoods on a scale of 1 to 3, with 3 being the most active and 1 being the least active. She further commented that staff would prefer to begin the program with the most active neighborhoods and might even include a few neighborhoods along the light rail line (i.e., Fraser Field, Mesa Grande and Pepper Place neighborhood).

Committeemember Kavanaugh clarified that staff was referring to street signs, as opposed to monument signs, such as Marlborough Mesa or Rancho Del Mar, which were funded by the residents.

Ms. Garza clarified that staff was considering street signs only. She stated that she was aware of the fact that Chandler installs street signage at every neighborhood entrance point. She noted, however, that she was unsure whether the Committee would propose the same option in Mesa, especially since some of the most active neighborhoods are quite large and have multiple entrance points. She added that Phoenix and Gilbert install a few signs at entrance points and suggested that perhaps staff could meet with neighborhood leaders to solicit their input in this regard.

Committeemember Kavanaugh restated that staff was not proposing street signage within every neighborhood, but at certain entrance points.

Mr. Hulme remarked that as mentioned by Committeemember Kavanaugh, he would expect to see monument signs at the entry points to subdivisions. He stated that the cost would increase dramatically if signs were installed throughout the neighborhood. He pointed out that most of Mesa's signs are currently updated and expressed concern that the cost for additional signs could become cost prohibitive for the City.

Discussion ensued relative to the fact that many HOAs have private streets and it would be necessary for the City to seek approval for sign changes from those entities; that in east Mesa, many subdivisions have installed monument signs that identify the neighborhood (i.e., Las Sendas, Alta Mesa); that certain areas in Mesa were registered under the Nuestro neighborhood, but are identified by different names, such as Washington Park, Escobedo neighborhood and Guerrero Park, which has created confusion over the years; and that the proposed neighborhood signage would recognize those areas that were specifically named by the residents.

Chairman Richins commented that some of the neighborhoods in District 1 were not developed like the subdivisions in Committeemember Kavanaugh's district, where many of the homes are situated behind a block wall. He stated that there may not be an opportunity to install monument signs in District 1 neighborhoods due to their configuration, whereas the other type of signs would probably be appropriate. He noted that his only concern would be who would decide the name for the neighborhood signs. He added that the registered neighborhoods have created names that are somewhat random and do not necessarily have anything to do with the historic context of the neighborhood.

Chairman Richins further remarked that any proposal he would entertain must include some strict guidelines with respect to the naming process so that it does not cause any controversy. He suggested that staff explore this matter further and acknowledged that the City has expended significant funds upgrading its signage. He also noted that if a group of residents wanted a neighborhood sign, he would like staff to consider an option that would allow those individuals to pay for the cost on their own. He added that a City plat might be the best guideline within which to arrive at an appropriate street name.

Mr. Hulme indicated that some of the Neighborhood Block Watch signs were installed in certain neighborhoods and noted that residents have sometimes disbanded the organization. He explained that when Transportation staff goes to maintain or replace the sign, it is often difficult to determine whether the neighborhood organization is still operating. He added that it would be helpful for staff to establish a program to track and monitor those organizations.

Chairman Richins asked staff to bring back some cost estimates and innovative design standards that would be permitted under the guidelines mentioned by Mr. Hulme. He also suggested that perhaps it might not be necessary for the neighborhood signage to be attached to the street sign post and encouraged staff to consider other options.

Mr. Hulme responded that a street name sign is typically attached to a stop sign and noted that there are traffic engineering reasons for doing so. He added that staff would prefer to not clutter the intersection with too many signs and would be cautious in that regard.

Chairman Richins thanked staff for the presentation.

2-c. Hear a presentation, discuss and make a recommendation on the following Zoning Ordinance Provisions:

1. Portable Storage Containers

Chairman Richins stated that this item has been "on his radar screen" in working with the Lehi community. He noted that it has been an issue "for better and for worse" with individuals using portable storage containers (PSC) for sheds and various other purposes. He also commented that it was his understanding that the containers are cheaper to make in China than they are to ship back to that country.

Zoning/Civil Hearing Administrator Gordon Sheffield displayed a PowerPoint presentation (See Attachment 3) and reported that PSCs are made in standardized sizes, such as 8 feet by 20 feet or 8 feet by 40 feet, and used to ship manufactured goods overseas. He explained that a considerable surplus of the containers currently exists and said that people are considering alternative uses for the PSCs besides storage.

Mr. Sheffield advised that currently, the City of Mesa's Zoning Ordinance allows PSCs in residential districts only for temporary storage. He cited, by way of example, if a person was moving from one site to another, the individual would be permitted to maintain the container on a residential lot for seven calendar days per year.

Mr. Sheffield further remarked that PSCs, which are required to be screened, are also allowed in multiple residence, commercial and industrial districts. He said that in the case of an isochronal event, or when a one-time event occurs the same time every year, a person is required to obtain a Special Use Permit (SUP).

Mr. Sheffield commented that this summer, an intern working in the City Manager's Office researched the PSC issue. He said that the intern determined that the City of Apache Junction passed an ordinance that permits PSCs on lots that are 1.25 acres or larger so long as the owners apply for a permit and meet certain requirements. (See Page 4 of Attachment 3) He noted, for example, that within five years, 75% of the container must be screened from public view and added that the PSC must be painted in an earth-tone color.

Mr. Sheffield displayed schematic drawings illustrating the potential uses of the PSCs beyond merely storage. (See Page 5 of Attachment 3) He said that the containers can be used for modular storage and added that with the correct veneers, the PSCs can be quite attractive.

Mr. Sheffield indicated that staff was presenting three options for the Committee's consideration with respect to the issue of PSCs. He briefly outlined each option (See Page 6 of Attachment 3) and requested input from the Committee in this regard.

Steve Neil, a Lehi resident, addressed the Committee and recounted some of the difficulties he encountered with the City in 2000 when he wanted to install solar panels on the top of a PSC located on his property. He commented that he painted the container and suggested that the City allow a more varied color selection. He also stated that it would be appropriate to screen the PSC, but noted that the use of vegetation might be difficult to maintain.

Chairman Richins remarked that he has been working with Mark Freeman on this issue and invited him to come forward and address the Committee. He also commented that he was interested in purchasing some type of storage container to store equipment on his property and had considered a Tuff Shed.

Mark Freeman, a Lehi resident and a neighbor of Mr. Neil, spoke regarding an incident that occurred several years ago in Lehi when a resident placed a PSC on his property and was cited by Code Compliance as a result of the surrounding neighbors' complaints. He explained that the resident determined that 45 other Lehi residents also had PSCs situated on their property and added that the resident thought it would be appropriate for the matter to be addressed with respect to everyone and not just him.

Mr. Freeman also commented that during his long career with the Mesa Fire Department, he has seen PSCs located throughout the City and acknowledged that businesses often use them for storage. He further stated that the objective of the Lehi residents who have placed the containers on their property is to reduce the caseload for the Code Compliance Officers and to bring the matter into Code so that people do not have to be fearful about being caught and cited in this regard. He added that Mr. Sheffield has offered some viable solutions to resolve the issue.

Mr. Freeman inquired what the difference was between a PSC and a Tuff Shed, especially since both structures are portable. He recognized that there would be differences if plumbing and electricity were installed, but said that was a separate matter that could be handled as needed.

Chairman Richins suggested that there were two issues associated with PSCs: structures that are used as sheds; and the containers that are used for a business. He stated that he was unsure how to reconcile those differences.

Committeemember Kavanaugh commented that he has been aware of this issue since 1996 and stated that it was his understanding that the Zoning Code the City developed met a majority of the needs for PSCs. He noted that although he does not often look to Apache Junction for "creative legislation," its ordinance reflects certain improvements with respect to screening the containers. He also acknowledged that PSCs are located around the City and stated that "one person's shed is another person's nightmare." He added that many of the containers are an eyesore and a safety hazard.

Committeemember Kavanaugh, in addition, remarked that he recognizes the creative uses of PSCs in many communities around the country, but noted that was not typically what a person would see in someone's backyard. He expressed concern with respect to this matter and said he would need to be persuaded to change the ordinance. He also stated that some of the components of Apache Junction's ordinance are worthwhile, but cautioned that he would not want any changes made to the ordinance to be done on a Citywide basis.

Committeemember Kavanaugh suggested that if Lehi residents were interested in moving forward with this item, that it be accomplished in a similar manner as the livestock ordinance, which promoted a rural lifestyle in that area of the community. He noted, however, that there were many neighborhoods in his Council district in which he would prefer not to deal with this issue since "it is ripe for a lot of abuse."

Chairman Richins said that although he was impressed by Apache Junction's approach to this issue, he was also interested in staff's Option 3. He suggested that perhaps staff could expand those concepts with respect to design, treatment, beautification and where the containers would be allowed. He also commented that unlike Committeemember Kavanaugh, he would entertain a conversation about specific zoning categories related to the specific size of PSCs. He cited, for example, in his property's zoning category, a 40-foot container in his backyard would be absurd, whereas a 10-foot container would not be much different from the size of a Tuff Shed.

Mr. Neil pointed out that Option 3A (See Page 6 of Attachment 3) references reducing the minimum lot area requirement to a smaller standard lot size, such as one acre. He said that such an option would make more sense in order to allow an 8 by 10 container on a smaller lot. He also commented that since many of the properties in Lehi are less than one acre in size, it might be more appropriate to use a lot coverage formula as opposed to an arbitrary lot size.

Chairman Richins suggested that a committee, perhaps comprised of Planning staff and Lehi residents, could be formed to address this matter. He stated that the goal of the group would be to expand on the concepts included in Option 3 as he previously mentioned.

Assistant to the City Manager for Special Projects Natalie Lewis responded that staff would be happy to assemble a committee comprised of staff, a stakeholder group from Lehi, and possibly residents from other areas of the community. She suggested that the committee could develop some general guidelines with respect to how the process would work and added that staff would bring back those guidelines to the Committee for further input.

Chairman Richins requested that the stakeholder group include some members of the Design Review Board. He stated that he would prefer that staff bring back the guidelines to the Committee first before they are presented to the full Council.

Chairman Richins thanked staff for the presentation.

2. Medical Marijuana Facilities in Commercial Districts

Mr. Sheffield displayed a PowerPoint presentation (See Attachment 4) and reported that the City Council adopted Ordinance No. 5025 shortly after the proposition for Medical Marijuana (MM) dispensaries was passed on a statewide basis. He explained that the Council's adoption of the ordinance was also done prior to the time that the Arizona Department of Health Services (AZDHS) finalized its regulations for the issuance of certifications to MM dispensaries.

Mr. Sheffield briefly highlighted the existing location standards for MM dispensaries, as determined by the Council. (See Page 2 of Attachment 4) He stated that the MM-related facilities are limited to Light Industrial (LI) and General Industrial (GI) zoning districts. He also referenced a map titled "Eligible Sites," which illustrates the potential MM dispensary locations in Mesa. (See Page 3 of Attachment 4)

Mr. Sheffield advised that when the AZDHS developed its allocation system of where the MM dispensaries would be located throughout Arizona, it used Community Health Assessment Areas (CHAAs). He pointed out that this process had nothing to do with medical marijuana, but rather maintaining a statistical analysis of cancer clusters. He noted, however, that the number of CHAAs in Arizona matched the number of dispensaries it had and also provided a geographic

distribution that would eliminate the number of times that people could have "grow your own" options, since those individuals would be situated less than 25 miles away from a dispensary.

Mr. Sheffield further remarked that as a result of such efforts, the AZDHS selected five CHAAs for Mesa's planning area. (See Page 4 of Attachment 4) He stated that the Mesa Central CHAA, which is bounded by Country Club Drive, Power Road, Broadway Road and Brown Road, did not conform with Mesa's regulations due to the fact that in that particular geographic area, neither the Mesa General Plan nor the existing Mesa zoning map authorized any industrial uses or any future industrial uses.

Mr. Sheffield, in addition, reported that staff initially considered recommending to AZDHS that the MM dispensary certification be transferred from the Mesa Central CHAA to a neighboring Mesa-area CHAA. He explained that when staff made the recommendation to the AZDHS, they were informed that State regulations regarding dispensary transfers between CHAAs had been revised and transfers were no longer permitted. He stated that such a decision left the recipient of the Mesa Central CHAA certification in a quandary since there were no eligible sites for the person to consider without rezoning, which is the reason for today's presentation.

Mr. Sheffield offered a short synopsis of possible options for the Committee's consideration in this regard. (See Page 5 of Attachment 4)

Mr. Sheffield stated that an additional option staff recently considered was to allow MM facilities in Infill Districts. He pointed out that it would not be necessary to modify the Zoning Code in order to accomplish such an option. He explained that the Mesa Central CHAA is central to Mesa and not situated on the periphery of the City. He also noted that Infill Districts are specifically designed to address circumstances or properties that are not located on the periphery and generally involve bypass properties or redevelopment of bypass properties.

Mr. Sheffield advised that a person would petition the Council for rezoning and explained that the rezoning is a legislative decision on the part of the Council. He noted that was an important element, since it gives the Council some discretion as opposed to a Council Use Permit (CUP). He said that with a CUP, staff develops criteria and if the applicant meets such criteria, the Council would approve the petition.

Mr. Sheffield, in addition, commented that the Infill District is set up so that certain improvements are made to the property to upgrade and "fit in" with the surrounding properties. He noted that as part of the Infill Development Plan, an applicant can request that they add to the permitted uses based on the base zones. He cited, for instance, if an applicant was zoning to an Infill District, the permitted uses for that district are based on the permitted uses allowed in another zoning category. He added that while the applicant might petition for adoption of an Infill District, they might wish to base the permitted uses on what is allowed, as an example, in an Industrial District that authorizes medical marijuana, but also limit that to just medical marijuana or a few other uses that would be compatible with the district.

Mr. Sheffield stated that he was seeking direction from the Committeemembers whether staff should move forward to develop a text amendment, and if so, what options would they prefer that staff use.

Chairman Richins referenced Option 5(B) (See Page 5 of Attachment 4) and inquired if the City can legally restrict depictions of a marijuana leaf or the use of the words "marijuana" or "cannabis" on signs.

Assistant City Attorney II Margaret Robertson responded that it would be necessary for her to determine whether it meets the commercial speech test under the First Amendment of the United States Constitution as to whether it is content neutral.

Mr. Sheffield clarified that certain regulated products have had restricted use regarding the manner in which they can be advertised (i.e., cigarettes, distilled spirits, beer). He explained that sometimes such restrictions have occurred as a result of industry codes or federal standards. He added that staff wanted the business to have the opportunity to advertise, but not necessarily display what is a federally-regulated drug.

Committeemember Kavanaugh commented that from an equity standpoint, it would be difficult for the City to make no changes. He stated that he was intrigued by Option 6 (See Page 5 of Attachment 4), which would allow MM facilities in Infill Districts. He further remarked that he was looking for an option that "creates the least unintended consequences in terms of allowing proliferation in the other areas that already have the State permits." He noted that this was a unique situation, particularly since the State changed its policy of permitting transfers. He added that from a legal standpoint, he was not sure that the City could restrict the name on a sign and said he did not believe that it did so with the other facilities.

Chairman Richins stated that in his opinion, this is not the City's problem since the County drew the lines and the State made their decisions with respect to the CHAAs. He explained that the City had "a lot of property" that was available to these sites and it was not for a lack of providing opportunities for people who could engage in this business in Mesa.

Chairman Richins further commented that it is not the City's responsibility to change its rules to accommodate another level of government. He also noted that this is not a decision that should be left to two people on a short-handed committee, but rather should be heard by the full Council. He added that at that time, he will vehemently oppose the issue.

Mr. Sheffield inquired whether the Committee's direction was to pursue the Infill District option or should staff develop some language relative to the SUP option.

Committeemember Kavanaugh stated that he would prefer that staff look at the Infill District option.

Chairman Richins commented that "the least painful" option would be Option 6, which would give the Council the most discretion.

Chairman Richins thanked staff for the presentation.

3. Adjournment.

Without objection, the Community and Cultural Development Committee meeting adjourned at 4:52 p.m.

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I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Community and Cultural Development Committee meeting of the City of Mesa, Arizona, held on the 9th day of September, 2013. I further certify that the meeting was duly called and held and that a quorum was present.

DEE ANN MICKELSEN, CITY CLERK

pag (attachments – 4)

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City of Mesa

CityScan Capability Presentation

What CityScan Does

city in a cost-effective way that leverages the latest in proactively help respond to changes that impact your CityScan inspects, observes and predicts street-level activity to discover revenue, improve safety and technology.



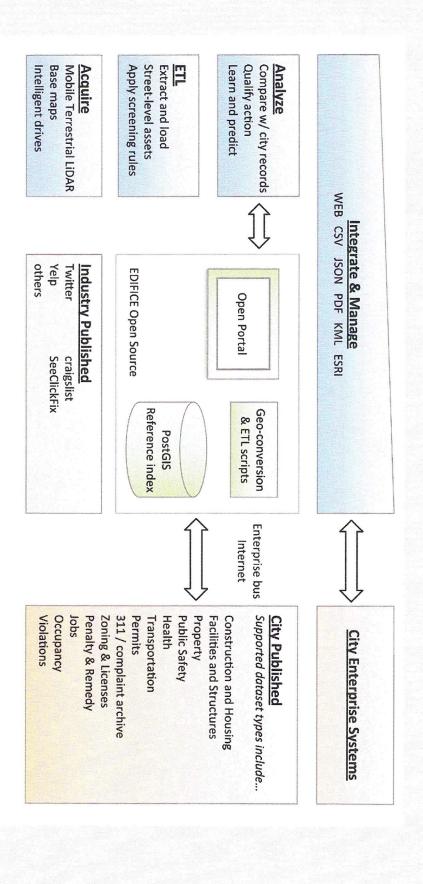
How We Do It

- Read city published or provided data
- 2. Scan outdoor environment
- 3. Geo-reference, compare and analyze
- 4. Integrate, qualify and act

Use Cases

Road condition and sign inventory	Building safety and fire risk profile	Identify gaps in licensing and taxes	On-premise & awnings permitting	Billboard code enforcement	Construction permit enforcement
×	×	×			Life Safety X
		×	×	×	Revenue X

Workflow



CityScan layer

EDIFICE layer

City layer

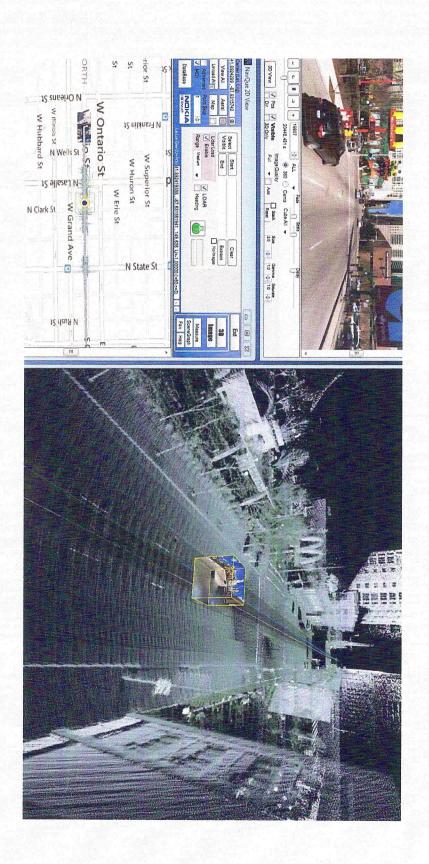
Mobile Terrestrial LiDAR

- Panoramic Cameras capture a 360 degree image
- ensure that all data collected is accurately geo-Positioning sensors, such as GPS and IMU, referenced
- 360° LiDAR collects 1.3M 3D data points every second, creating an engineering-grade, digital model of streets and buildings
 High-Resolution Multi-View Cameras capture
- High-Resolution Multi-View Cameras capture additional details of close range objects allowing for precise measurement of features

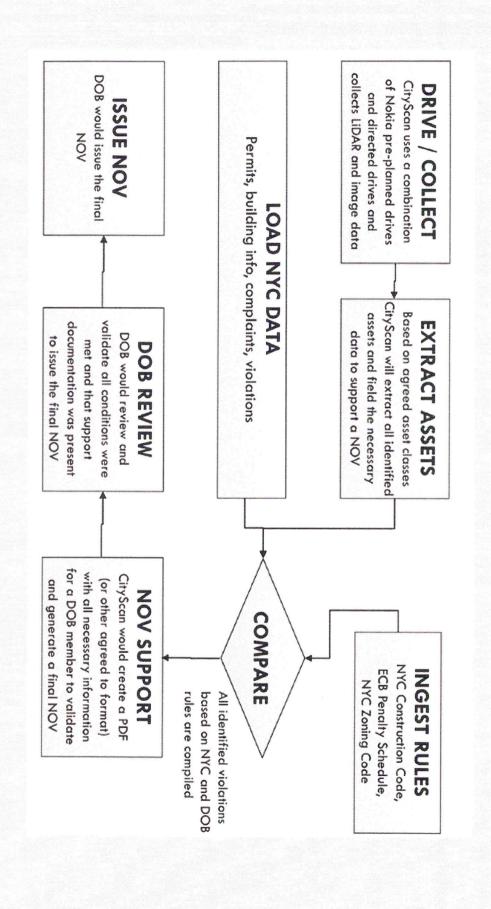


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ntelligent Virtual Drive Tools



NYC Case Study -Workflow



NYC Case Study - Results

Drive date: Jan 18, 2012

Coverage: Queens Blvd between 56 Ave & 65th place

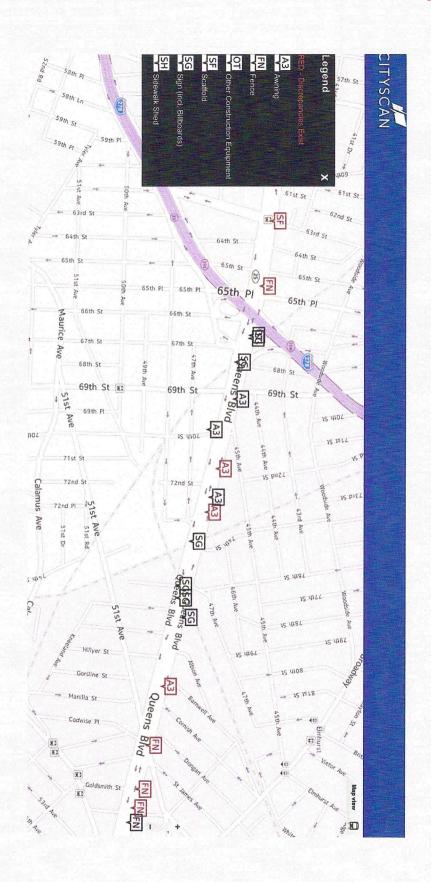
(1.4 miles)

Distance:

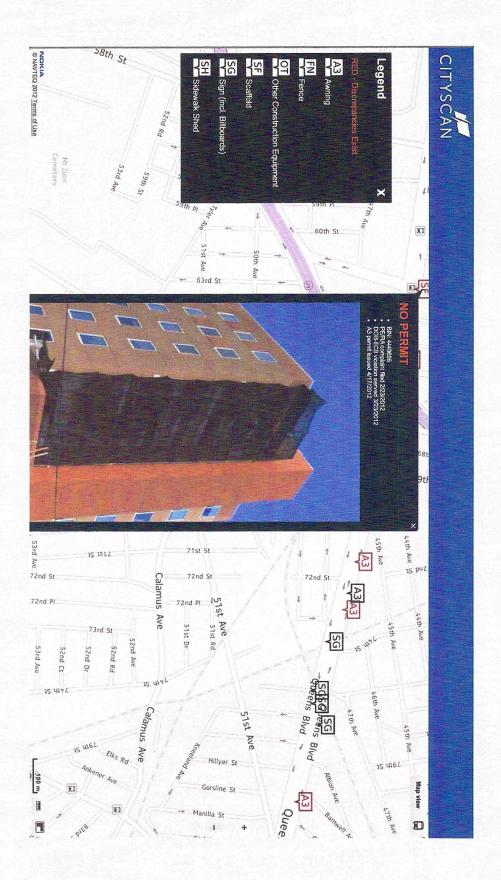
Assets analyzed: 25

	6	တ	10	Discover ed
Scaffolds	Construction n fences	Awnings	Billboard	Type
0	O	ယ	all	Permitt ed
0	4	_		Non- conformi ng
Unsafe compliant reported. In 30 days City inspector corroborates. 30 days later	Expired permits	Complaints filed	Illuminated, not renewed in 20 years, wrong size, 7 complaints	Notes

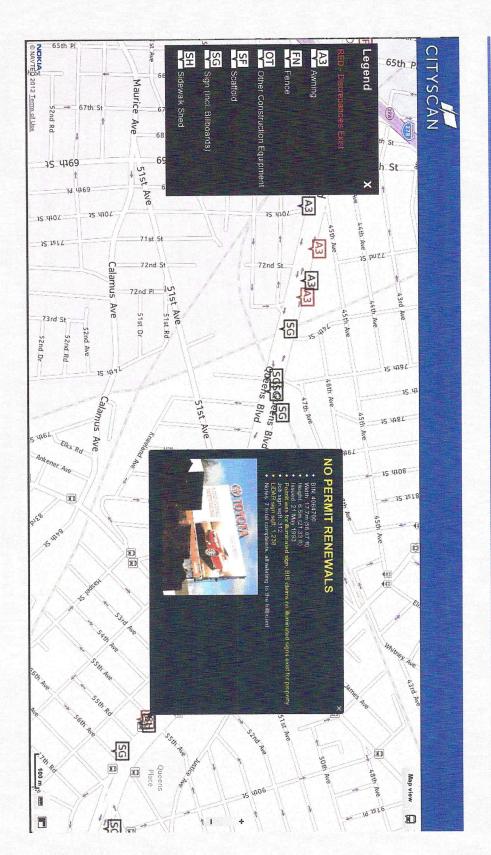
NYC Case Study - Results



NYC Case Study - Violation



NYC Case Study - Violation



Community & Cultural Development September 9, 2013 Attachment 2 Page 1 of 8

Development Committee Community and Cultural

September 9, 2013

Registered Neighborhood Signage



mesa·az Neighborhood Signage

- Strengthens community identity
- Increases community pride
- Increases resident and City-wide recognition of the neighborhood
- **Builds Neighborhood Image**



City of Tempe





Tempe neighborhood signage is available for active registered Neighborhood Grant Program at the neighborhood request. neighborhood associations and are funded through their



City of Phoenix



Garfield Neighborhood Sign





City of Chandler

character of their to help residents of grant program intended belonging. a sense of pride and such signs to enhance the neighborhoods, purchase traditional, non-HOA are installed under a City neighborhoods and foster The City of Chandler signs





Mesa's Neighborhood Watch Sign Historic Neighborhood Signage







Marlborough Mesa

"Signs for a neighborhood are like an address to your home. When you drive by a neighborhood, that sign tells everyone who knows you, 'That's their community' – home addresses say, 'That's where they live.' There is something about signage that gives a sense of belonging."

-Alma Jones, Marlborough Mesa Neighborhood



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Questions?

Community & Cultural Development September 9, 2013 Attachment 3 Page 1 of 6

Community and Cultural Development Committee

September 9, 2013

ortable Storage Containers

materials Currently used for temporary the loading or unloading of storage on residential lots during construction or during

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Typically 8 by 20 or 8 by 40



Current Zoning Regulations

- Allowed in some cases on multiple residence, commercial, and industrial districts
- As temporary storage during construction or remodeling.
- retail activities inventory or addresses questions such as lay-away storage for As seasonal storage to address temporary increases in
- Screening required
- Temporary placement on residential lots only 7 calendar days per year
- Designed to address situations such as using shipping containers for facilitating moving to or from a location.

Page 4 of 6

Other Cities Approach

- Apache Junction Ordinance
- Permitting process Parameters on:
- Size of container: Allows two 8-ft x 20-ft, or one 8-ft x 40-ft
- Placement/positioning on lot: Meets zoning district building setbacks
- Lot size: Minimum Lot Area is 1.25-acres (54,450-sqft)
- Landscaping and visibility: Landscaped so as to be screened by mature landscaping in 5-years.
- Color: Painted "Earthtone" Colors
- Relatively inexpensive use permit, often completed "over-the-counter"

Community & Cultural Development September 9, 2013 Attachment 3 Page 5 of 6







Considerations

Option 1: Develop a draft ordinance using the approach developed by Apache Junction and described above

Option 2: Make no change to the existing requirements. PSCs would remain uses related to commercial and industrial uses storage of materials during construction or remodeling, or seasonal used exclusively to assist in temporary storage situations, such as

Option 3: Possible modifications to the approach used by Apache Junction would include:

- . ≥ Reducing the minimum lot area requirement to a smaller standard lot size, like 1-full acre zoning districts, but not in RS-35, RS-15 or smaller lot area single residence zoning districts. (43,560-sqt), which would allow the use if these types of structures in the RS-43 and RS-90
- W and/or compatible with the color/material of the primary dwelling. Amending the color requirement to some color and/or material (like brick) that was consistent,
- \bigcirc construction, and possibly allowing options such as the use of a veneer, like brick or stucco. Amending the screening requirements to installation of a screening landscaping at initial
- \Box amendment to the Zoning Ordinance had been approved. territory only after a separate zoning case was initiated and approved AFTER the text option would require the development of a separate overlay district for example, like the AF-Consider limiting the use of PSC's to specific areas of Mesa, such as the Lehi Sub-Area. This Airfield Overlay district for Mesa-Phoenix Gateway Airport) that would apply to a specific



Review of Zoning Ordinance Requirements Medical Marijuana Dispensaries Regarding

Cultural and Community Development Committee of the Mesa City Council September 9, 2013

Existing Location Standards

- **Minimum Zoning Districts:**
- LI Light Industrial
- GI General Industrial
- Minimum Distance from Protected Uses

2400-ft: Substance Abuse Treatment and

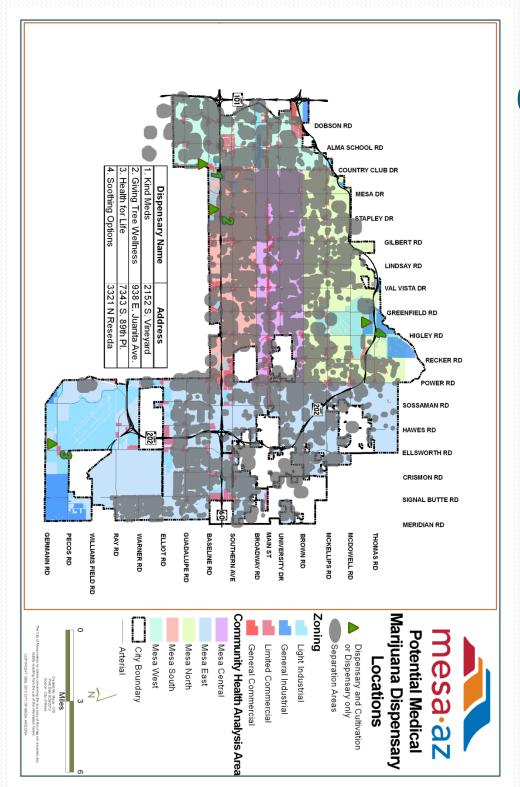
1-mile: Other Medical Marijuana Dispensaries

Rehabilitation Facilities,

Correctional Transitional Housing

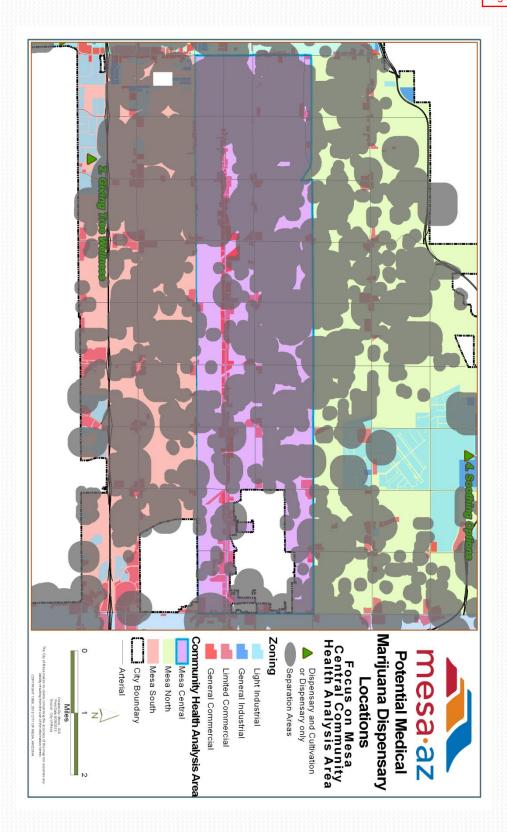
1200-ft: Churches, Parks, Libraries, K-12 Schools

500-ft: Day Care/Pre-schools, HOA Open Spaces



Eligible Sites

Eligible Sites



Possible Options

- Make No Changes Continue to Permit MM Dispensaries Only on LI and GI (Industrial) Zoned Locations.
- 2. Special Use Permit (SUP) in LC-Limited Commercial, or GC General Commercial w/out limiting any abilities to dispense, cultivate or infuse
- 3. Permit 'Dispensary-Only' Facilities in LC or GC with Approved SUP No Cultivation and No Infusion
- 4. Maintain ALL Current Buffer Separations at Present Distances
- 5. If an SUP is selected, then include the following as criteria:
- A. "Last Resort" Criterion: No Available Industrial Sites
- B. Restrict Use of Graphic Depictions of Marijuana Leaf or the Use of the Word "Marijuana" or 'Cannabis" on External Facing Signs
- C. Locations "At or Adjacent to" Medical Offices
- 6. Allow MM Facilities in ID-Infill Districts: an Option for Rezoning