

COMMUNITY & CULTURAL DEVELOPMENT COMMITTEE

April 10, 2014

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 April 10, 2014 at 8:48 a.m.

COMMITTEE PRESENT	COMMITTEE ABSENT	STAFF PRESENT
Dave Richins, Chairman Dennis Kavanaugh David Luna	None	Natalie Lewis Margaret Robertson

1. Items from citizens present.

There were no items from citizens present.

2-a. Hear a presentation, discuss and provide a recommendation on the use of digital off-premise signs.

Zoning/Civil Hearing Administrator Gordon Sheffield displayed a PowerPoint presentation (**See Attachment 1**) and reported that in 1986, the City Council voted to prohibit all off-premise signs in the City of Mesa. He explained that an off-premise sign advertises a message that does not relate specifically to the activity taking place on the same piece of property or the same group development as the location of the actual sign. He stated that to the best of his knowledge, an estimated 400 to 500 billboards were located within the City of Mesa's planning area during that period of time. He added that the number of static billboards has now been reduced to approximately 200.

Mr. Sheffield noted that as a result of the prohibition, the City of Mesa became a party to a lawsuit, with the case eventually being appealed to the U.S. Court of Appeals for the 9th Circuit. He said that Mesa's case was combined with a City of Tucson case and added that the 9th Circuit Court ultimately ruled that the City had the authority to prohibit off-premise signs in Mesa.

Mr. Sheffield also remarked that the City has not revisited this policy in many years and stated that technology has changed significantly since 1986. He pointed out that the earlier "static sheets," which contained a message that remained on a billboard for a length of time, have now been replaced by digital technology. He explained that relatively large (14 foot by 48 foot) pieces of flat screen can change messages as frequently as once every eight seconds.

Mr. Sheffield, in addition, reported that the billboard industry has approached the City with the idea of implementing an exchange program, wherein the companies would remove some of the older static billboards from the arterial streets and/or build new digital signs along the freeways. He advised that such an exchange, which has been successful in other communities, would result in a net reduction in the number of billboards in Mesa, but a general increase in the quality and technology used in the newer signs.

Mr. Sheffield stated that staff was seeking the Committee's direction relative to the following: 1.) Whether they would be interested in reconsidering the prohibition policy; and 2.) If that were the case, what type of exchange program should be implemented; and 3.) What kind of standards and options should be pursued in this regard.

Mr. Sheffield remarked that unlike off-premise signs, which advertise, for example, an event or a product that does not relate specifically to the activity taking place on the same property, on-premise billboards are generally larger, taller and regulated by the Sign Code. (See Page 3 of Attachment 1) He stated that digital technology produces static images that are interchanged, via a computer, at fixed intervals (i.e., every eight seconds). He added that the brightness of such signs is controlled through light sensors.

Mr. Sheffield displayed a map illustrating the current locations of the estimated 200 static billboards in Mesa. (See Page 5 of Attachment 1) He pointed out that the signs generally follow the old Federal Highway System along Main Street or the State Highway System along Country Club Drive, with the highest concentration situated in west Mesa. He added that the billboards are located to a lesser extent in east Mesa due to the fact that there was limited development in this area of the community prior to 1986.

Mr. Sheffield provided a short synopsis of exchange programs that have been developed by Phoenix and Tempe. (See Page 6 of Attachment 1) He noted that Tempe's goal was to remove static billboards from the interior of the community and replace them with digital billboards near the freeways.

Mr. Sheffield also discussed a series of state requirements that must be met when off-premise signs are situated adjacent to a state or federal highway. (See Page 7 of Attachment 1) He stated that if the Committee directed that this item move forward to the full Council, staff would recommend that similar requirements be implemented in Mesa. He added that it was staff's understanding that CBS and Clear Channel, two of the major billboard operators in Arizona, have already volunteered to adhere to such requirements.

Discussion ensued relative to the fact that staff would recommend that Mesa's exchange program be based on square footage; that in order for a billboard company to receive entitlement to one square foot of digital billboard, it would remove a certain amount of square footage of static billboard somewhere else in the City; square footage ratios that are utilized in other cities across the country (See Page 8 of Attachment 1); and that staff would designate certain sign corridors in Mesa so that the billboard companies would have a clear understanding of which areas within the community would be acceptable for the installation of new digital billboards.

Mr. Sheffield explained that per the Zoning Ordinance, an applicant would apply for an overlay within designated corridors. He stated that the case would be presented to the Planning &

Zoning Board (P&Z) and then forwarded on to the City Council for final approval. He also advised that the specific exchange would occur with a development agreement that would run in concurrence with the request for the overlay district. He added that this two-pronged approach would consist of a rezoning activity, as well as a contractual agreement that would take place through the development agreement.

Mr. Sheffield highlighted a map titled "Sign Corridors," (See Page 10 of Attachment 1), which illustrates suggested sign locations. He pointed out that the final decisions would be made subsequent to a thorough vetting process, including a series of public hearings. He explained that the concept would be to locate the digital billboards near the freeways, including areas such as Riverview Park; Country Club Drive/202; the north side of the Superstition Freeway between Banner Desert Hospital and Fiesta Mall; the south side of the Superstition Freeway between Country Club Drive and Gilbert Road; the industrial areas along the Superstition Freeway between Greenfield and Higley Roads; both sides of the freeway adjacent to Superstition Springs; and possibly the Superstition Gateway area.

Chairman Richins commented that in reviewing the map, some of the proposed locations would not lend themselves to the installation of digital billboards due to the geography in the area and the layout of the freeway.

Responding to a question from Chairman Richins, Mr. Sheffield clarified that Maricopa County recently installed two static billboards on a small County island along the Loop 202 near Elliot Road. He said that to the best of his understanding, the County has created an administrative process with respect to the installation of billboards.

Mr. Sheffield, in addition, reviewed various provisions associated with the exchange program, such as spacing, setbacks from other land uses, and area beautification. (See Page 11 of Attachment 1) He stated that there were certain sites within the City that are more desirable for digital billboards than others and suggested that it might be appropriate to create a variable exchange rate for those sites. He further commented that design requirements should also be considered in order to prevent the "can on a stick" type of design. He added that landscaping and street improvements would also be desirable provisions.

Further discussion ensued relative to the importance of ensuring appropriate spacing between billboards; that 600 feet between billboards does not appear to be adequate spacing due to a cluttering effect (See Page 12 of Attachment 1); that the billboards would provide alternative uses, such as displaying emergency messages (i.e., Amber Alerts) and promoting special events within the community (See Page 13 of Attachment 1); and various principles and guidelines that the outdoor advertising industry adheres to (See Page 14 of Attachment 1), such as observing free speech standards, protecting children and supporting worthy public causes.

Committeemember Luna commented that A New Leaf, a Mesa non-profit organization, was provided free signage, via digital billboards, to promote its programs that are utilized by citizens throughout the Valley.

Mr. Sheffield referenced a document titled "Decision Points" and reviewed a series of topics from which staff was seeking the Committee's direction. (See Page 15 of Attachment 1)

Chairman Richins stated the opinion that billboards are part of the urban experience, such as at Times Square in New York City. He commented that whatever the Council ultimately decides with respect to this item, it would be important to create flexibility within the ordinance that would not only permit digital billboards adjacent to freeways, but also in the City Center. He suggested that perhaps there would be a way in which to use the billboards in City Center that would enhance “the urban feel” and also generate revenue opportunities for the City and its private sector partners.

Chairman Richins further remarked that he was supportive of the exchange program, especially along the freeways. He also noted that there were some deteriorated billboards within the City and suggested that the exchange program would “hasten” the process of removing those signs.

Committeemember Kavanaugh expressed support for the exchange program. He stated that he liked the concept of creating overlay districts, which would provide guidance to the companies and notice to residents and nearby businesses that certain locations have been designated for this kind of use. He added that the proposed setbacks and landscaping will also ensure that residents do not experience too many adverse effects as a result of the digital billboards.

Committeemember Kavanaugh also commented that he would hope that the digital billboards would provide illumination along certain portions of the Superstition Freeway, especially between Dobson Road and Gilbert Road. He further voiced support for the billboards being used for public safety purposes, as well as advertising City/special events. He added that he was in favor of this issue moving forward and staff working on the discussion points outlined during today’s presentation.

Committeemember Luna concurred with his fellow Committeemembers’ comments. He also remarked that he liked the fact that the messages on the digital billboards would change and not remain static; that the signs could be used to promote City and special events; and that the signs will offer Mesa’s non-profit organizations the opportunity to promote various programs. He expressed concern, however, with respect to the spacing of the digital billboards along the freeway and urged staff to prevent a cluttered appearance within the City limits.

Chairman Richins indicated that he liked the concept of the variable exchange rate and suggested that staff be given “a bit of latitude” to negotiate such rates. He also remarked that if staff came to an impasse in their negotiations with the billboard companies, they could always bring the matter to the Council.

Responding to a question from Deputy City Manager Kari Kent, Chairman Richins clarified that the Committee was comfortable with staff moving forward with the exchange to convert existing static signs to digital billboards **and** exchange to build new digital billboards along freeways in order to remove static signs from arterials. (See Page 15 of Attachment 1)

Chairman Richins also suggested that with respect to the Water Treatment Plant, which is situated near the 101 and 202, perhaps there was a way in which to obscure it or potentially enhance it through outdoor advertising. He stated that he would like an exchange program that not only would provide the billboard industry the flexibility to find locations that maximize their revenues, but also enables the City to generate revenues and enhance the community aesthetically.

Ms. Kent inquired if the Committee would like staff to work with the industry and bring back a final proposal to the Committee before it moves on to the full Council.

Chairman Richins suggested that staff present the proposal to the full Council.

Mr. Sheffield restated that the Committee's direction was that staff make a similar presentation to the full Council, solicit their input, after which time staff would go back and work with the billboard industry.

Chairman Richins suggested that staff add an element to their presentation regarding the City Center, as well as other unique areas within the City that could be enhanced aesthetically by the digital billboards.

Mr. Sheffield clarified that staff would include the downtown area as a potential location for digital billboards.

Chairman Richins commented that staff's proposal is "a good start" and stated that once the static signs are removed and the City has made progress with respect to the installation of digital billboards along the freeway, the Committee could revisit this issue at a future date. He also noted that the Committee was supportive of staff negotiating the exchange ratio.

John Clements, representing CBS Outdoor, thanked the Committee for considering this matter. He stated that in his opinion, "open minds can come to a solution that's a win-win."

Diane Varris, representing Clear Channel Outdoor, stated that she looked forward to engaging in some public-private partnerships that would benefit the City and the billboard industry.

In response to a question from Chairman Richins, Ms. Kent clarified that to the best of her knowledge, Lamar Advertising has perhaps three or four billboards in Mesa. She noted that although the company would have a limited number of billboards to exchange, staff will apprise them of this process and the Committee's direction.

Additional discussion ensued relative to Maricopa County's requirements to install billboards in County islands; and the fact that it does not allow digital billboards at this time.

Chairman Richins thanked staff for the presentation.

2-b. Hear a presentation, discuss and provide a recommendation on Portable Storage Containers.

Chairman Richins displayed a photograph of a park event he attended in Houston, Texas which highlighted park equipment, including a Portable Storage Container (PSC) that was converted into innovative playground equipment.

Zoning/Civil Hearing Administrator Gordon Sheffield displayed a PowerPoint presentation (**See Attachment 2**) and reported that currently, the authorization for the use of PSCs is limited to temporary occurrences, such as during construction. He explained that there is also a Use Permit option for individuals in commercial districts who require some type of temporary storage. (i.e., lay-away programs at big box stores)

Mr. Sheffield stated that staff was seeking the Committee's direction relative to whether the City should allow the use of PSCs on residential property. He pointed out that the containers would continue to be restricted in those areas of the community whose CC&Rs (Covenants, Conditions and Restrictions) prohibit their use. He added that staff would propose to treat a container in the same manner as a Detached Accessory Building in residential districts.

Mr. Sheffield remarked that if a person can qualify a PSC from an engineering standpoint, the structure could be used as building material in order to construct some other type of use. He highlighted a series of photographs illustrating potential uses of such a structure. (See Page 3 of Attachment 2)

Mr. Sheffield indicated that the current code allows the temporary placement of a PSC on a residential lot for seven calendar days per year. He also noted that the standard sizes of the containers are 8 feet by 40 feet, 8 feet by 20 feet and 8 feet by 10 feet.

Chairman Richins stated that it was necessary for Committeemember Luna to leave the meeting in a few minutes and asked Mr. Sheffield to move ahead in his presentation to staff's proposal so that the Committee could provide their direction.

Mr. Sheffield briefly discussed staff's proposal. (See Page 6 of Attachment 2)

In response to a question from Chairman Richins, Mr. Sheffield clarified that if a person owned, for example, a 2,000 square foot house and wanted to install a 320 square foot PSC, the individual could have up to 50% of the 2,000 square feet (i.e., 1,000 square feet) of Detached Accessory Building roof area. He stated that the 320 square feet would be counted toward the 1,000 square feet in order to determine how much authorization a person would have within a district. He added that the existing code does not permit a Detached Accessory Building from being placed in front of the front line of the primary dwelling.

Mr. Sheffield further highlighted the existing diagram in the Zoning Ordinance that illustrates the location on a residential lot and the height requirements for a Detached Accessory Building. (See Page 7 of Attachment 2)

Mr. Sheffield also discussed additional requirements (See Page 8 of Attachment 2) and noted that an aesthetic treatment, such as a veneer or landscaping, would be necessary in order to screen the PSC. He also stated that staff was further requesting that an elevated pad be placed underneath the structure in order to allow for water drainage. He highlighted photographs depicting examples of various aesthetic treatments. (See Page 9 of Attachment 2)

Mr. Sheffield concluded his presentation and reiterated that the PSCs would continue to be prohibited in areas with CC&Rs that do not permit such a use; and that the current proposal would allow the structures to be treated as Detached Accessory Buildings.

Chairman Richins remarked that he has seen many creative uses for the PSCs. He stated that it was odd to him that the City would allow the use of Tuff Sheds on residential property, but not the PSCs, which are an equivalent size.

Committeemember Luna expressed support for exploring the possibility of using PSCs as Detached Accessory Buildings.

Responding to a question from Committeemember Kavanaugh, Mr. Sheffield clarified that the proposed changes would come forward to the Council as a modification of the Zoning Ordinance. He said that the proposal would be presented to the Planning & Zoning Board (P&Z) and then forwarded on to the City Council as a possible ordinance.

Committeemember Kavanaugh voiced support for the proposal, as well as the additional requirements that staff have identified to address safety and aesthetic concerns. He noted that with the additional guidelines, people can be very creative and conceive some interesting uses for the PSCs.

(Committeemember Luna was excused from the meeting at 9:34 a.m.)

Mark Freeman, a Lehi resident, addressed the Committee and thanked staff for their efforts and hard work with respect to this matter. He indicated that one issue that was not addressed this morning was the permit cost associated with installing a PSC on a residential property.

Mr. Sheffield responded that he was not familiar with the fee schedule for inspections.

Mr. Freeman stated that he has seen PSCs not only in Lehi, but also in other areas of the community. He explained that this issue first came to the forefront about six years ago when Code Compliance Officers asked Lehi residents who had PSCs on their property to remove them. He stated that many of those issues have now been mitigated.

Development and Sustainability Department Director Christine Zielonka addressed the Committee and reported that most of the fees in her department are based on cost recovery. She stated that a specific fee for PSCs has yet to be determined, but noted that with the Committee's direction for staff to move forward with this issue, a fee will most likely not be included in the upcoming FY 14/15 Schedule of Fees and Charges. She assured the Committee, however, that when the modification to the Zoning Ordinance is brought forward for the Council's action, staff will present a recommendation for a reasonable fee that will cover the cost to assess the structure and also include staff's time to perform any type of review.

Discussion ensued relative to the fact that any structure over 200 square feet generally requires a permit; that a person would be required to obtain a building permit in order for City staff to inspect such structures; that Building Code/Fire Code issues can occur when a structure is located too close to the primary residence or the property line, which would typically require additional fireproofing efforts; and that the payment of the PSC fee and the issuance of the permit could possibly be accomplished through the Development and Sustainability Department's Over-the-Counter Program.

In response to a question from Chairman Richins, Mr. Sheffield clarified that the height requirements for a Detached Accessory Building would generally prohibit the stacking of two PSCs.

Ms. Zielonka suggested that it would be important to evaluate how the PSC is intended to be used. She cited, for instance, if the structure was going to be used for playground equipment, the evaluation would be significantly different than if it was going to be used for storage in a residential area.

Mr. Sheffield restated that the Committee's direction was for staff to prepare a text amendment to the Zoning Ordinance; present the document to P&Z for their recommendation; and subsequently present P&Z's recommendation to the Council for final action.

Ms. Zielonka noted that she would like to make this process as easy as possible and suggested that staff could prepare brochures to educate citizens who were interested in using PSCs.

Chairman Richins thanked Mr. Freeman for his efforts and hard work over the past few years in working on this issue.

Chairman Richins thanked staff for the presentation.

3. Adjournment.

Without objection, the Community and Cultural Development Committee meeting adjourned at 9:43 a.m.

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 10th day of April, 2014. I further certify that the meeting was duly called and held and that a quorum was present.

DEE ANN MICKELSEN, CITY CLERK

pag
(attachments – 2)

DIGITAL OFF PREMISE SIGNS



mesa•az

DIGITAL OFF PREMISE SIGNS

- Opportunity to reduce the number of off premise signs within Mesa through an exchange program
 - Approximately 200 static off premise signs in the City of Mesa owned by CBS and Clear Channel
- Billboard companies expressed interest in sites for digital off premise signs in Mesa and participation in an exchange program
 - Exchange to convert existing static signs to digital and/or
 - Exchange to build new digital signs along freeways in order to remove static signs from arterials

OFF PREMISE VS. ON PREMISE



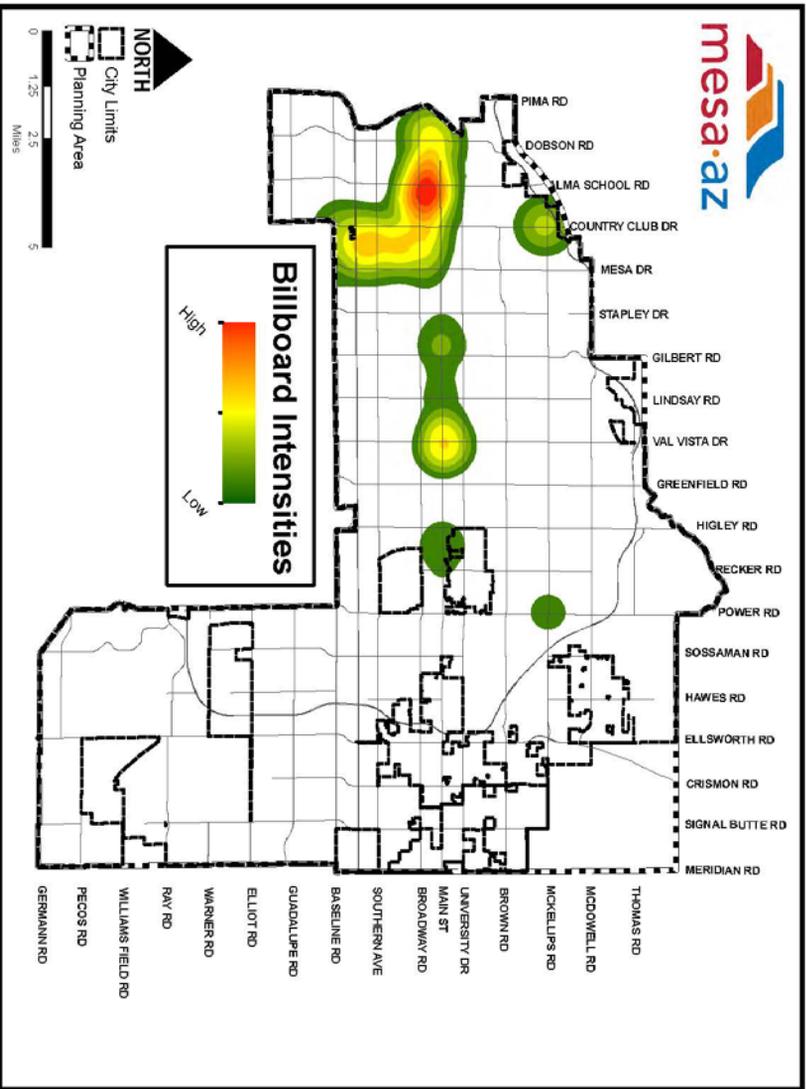
DIGITAL TECHNOLOGY

- Produces static images that are interchanged via computer at fixed intervals
- Brightness is controlled through light sensors
- Standard size 48' by 14'



CURRENT LOCATIONS

■ Intensity of approximately 200 static billboards



OTHER CITIES APPROACH

- **Phoenix: Meet two of three requirements to convert existing static sign to digital**
 - Removal of 1,200 square feet of existing nonconforming off-premise signs within the City limits for each digital face requested (Ratio: 1.8-sqft static for 1-sqft standard digital board);
 - Landscape enhancements or pole cover
 - Improve visual environment through reductions in size or height or changes in configuration, angle or construction of sign
- **Tempe**
 - Exchange program goal: Remove static billboards from arterials by replacing them with digital billboards near freeways.

STATE REQUIREMENTS

- Off premise requirements when adjacent to State or Federal highway
 - No display from 11:00 p.m. to sunrise
 - Minimum 8 second run time per message
 - Transition time between messages no more than 1 second
 - Brightness levels capped for night-time and day-time use
 - No movement, flashing, or blinking messages
- Recommend similar requirements for signs in Mesa
- Currently CBS and Clear Channel volunteer to adhere to state requirements for all digital signs

EXCHANGE PROGRAM

- Exchange static sign square footage for digital sign square footage through Relocation Agreement

- Other city ratios

- Orlando, FL sq. ft. ratio 4:1
- Sacramento, CA sign face ratio 3:1
- Tacoma, WA sign face ratio 15:1
- St. Paul, MN sign face ratio 6:1

SIGN CORRIDORS

- City designated corridors
- Applicants apply for overlay within designated corridors
- Exchange occurs through relocation agreement

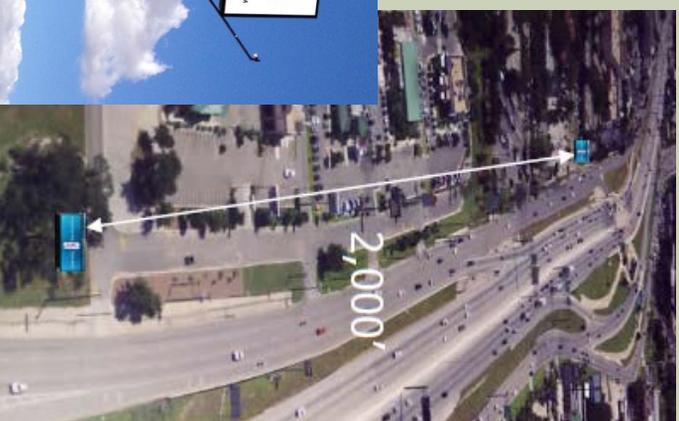
SIGN CORRIDORS

Possible Sign Locations Commercial and Industrial Zoning

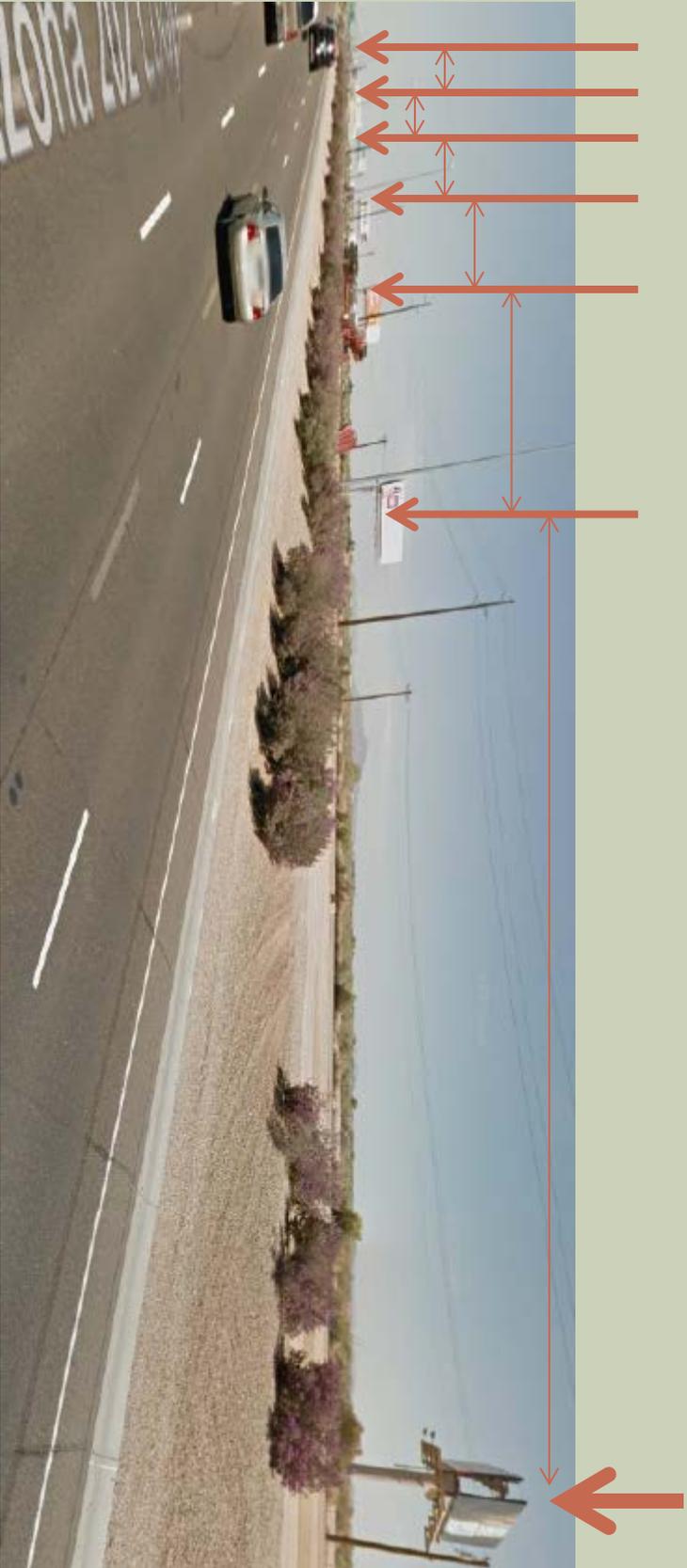


OTHER PROVISIONS

- Spacing
 - No sign in line of sight with another
- Setbacks from other land uses
 - Residential
 - Parks
 - Schools
- Variable Exchange Rate
- Design Requirements
- Area Beautification
 - Landscaping
 - Street improvements
 - Public art



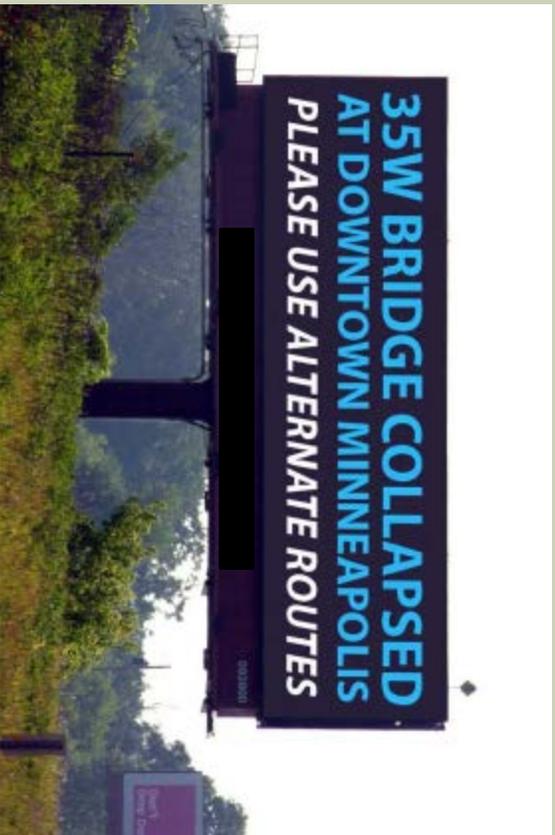
IMPORTANCE OF SPACING



Each billboard along the Loop 202 San Tan is spaced 600-feet apart

ALTERNATIVE USES

Emergency Interruption



City Events



AMBER ALERT
ABDUCTED CHILD
Janie Doe - 8 years old
84 Maroon Chevy Camaro
MN LP0 CSL-234

OUTDOOR ADVERTISING INDUSTRY PRINCIPLES

- Guidelines observed by CBS and Clear Channel
- Observe highest free speech standards
- Protect children
 - Placement of advertisements is appropriate for surroundings ex. near schools and parks
- Support worthy public causes
- Respect the environment
- Provide effective and safe digital billboards

DECISION POINTS

- **Work with industry to develop a digital billboard exchange program with goal to reduce number of billboards in Mesa**
 - Exchange to convert existing static signs to digital and/or
 - Exchange to build new digital along freeways in order to remove static from arterials
- **Develop Appropriate Standards of Design & Location**
- **Development of Appropriate Exchange Ratios**
 - Variable exchange rates
- **Overlay and Relocation Agreement approach**

PORTABLE STORAGE CONTAINERS

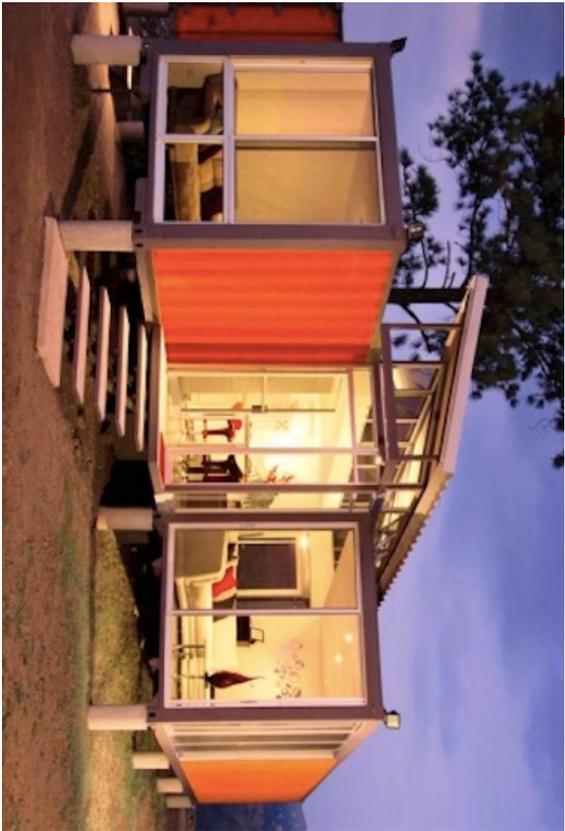
Community and Cultural Development
Committee

April 10, 2014

Portable Storage Containers

- Seeking direction to allow the use of portable storage containers on residential property
- Continue to be prohibited in areas with CC&Rs that prohibit the use
- Under the current proposal containers will be treated as detached accessory buildings

Potential uses currently allowed



Temporary Use on Residential property

- Current code allows temporary placement on residential lots only 7 calendar days per year
- Standard sizes with typical height of 8 to 9 feet:
 - 8 ft. by 40 ft.
 - 8 ft. by 20 ft.
 - 8 ft. by 10 ft.



Community Feedback

- Surveyed Mesa residents through Neighborhood Outreach newsletter
- 67 Respondents
- 87% in favor of use on residential property
- 57% concerned with aesthetic issues
 - 81% favor container should have similar character to the main residence
 - 33% favor landscaping to block view of container beyond property line
 - 37% favor using veneer or siding materials

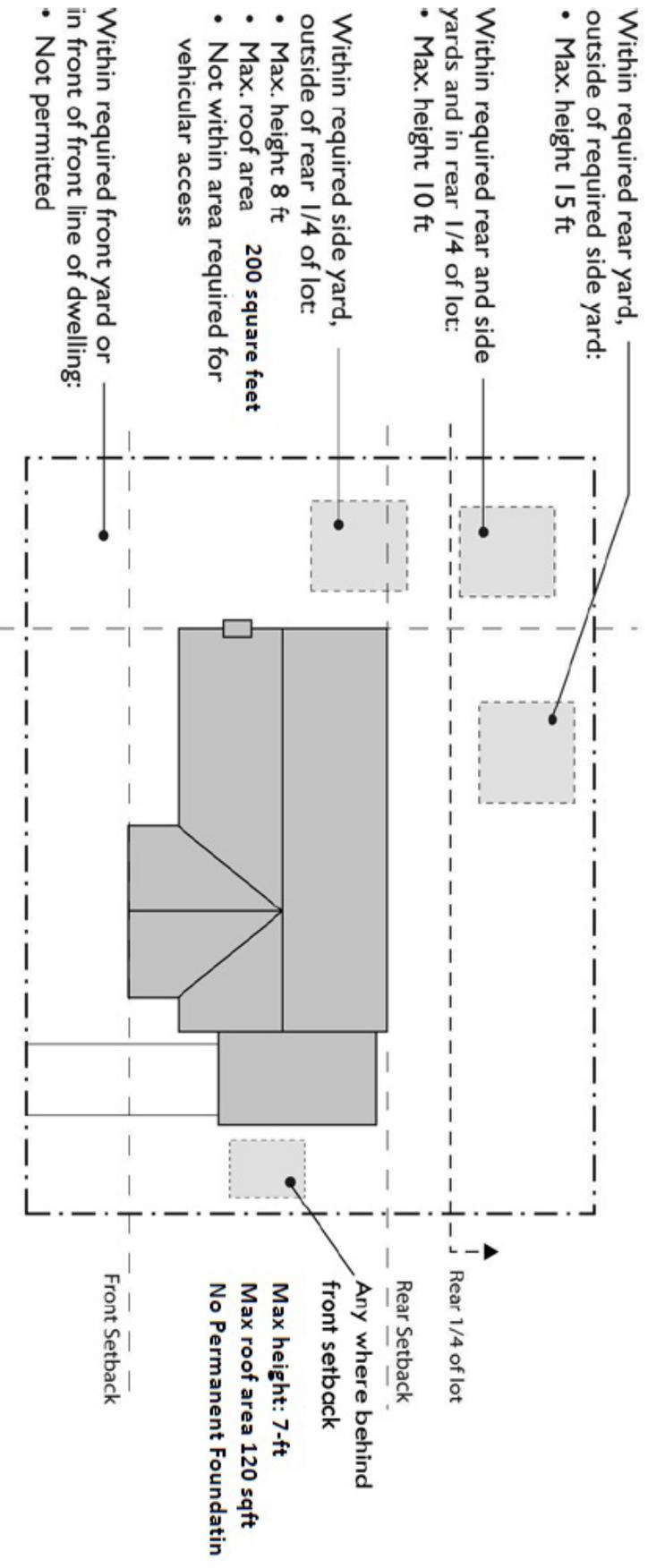
Portable Storage Containers

Proposed:

- Continue to be prohibited in areas with CC&Rs that prohibit the use
- Include the floor area of the PSC with existing maximums for Detached Accessory Buildings in Single Residence zoning districts.
- Detached Accessory Building standards allow up to 50% to 100% of the roof area of the main residence (varies by zoning district)
- Total roof coverage requirements (aggregate of all buildings on lot, including primary residence) also apply (varies by zoning district)
- May not be placed in front of the front line of the residence.

Detached Accessory Building

- Location on residential lot and height requirements



Additional Requirements

- Permit and inspection
- Aesthetic treatment required
 - Veneer
 - Character similar to main residence
 - Landscaping
- Placed on elevated pad to allow for water drainage
- Must meet International Building Code engineering standards
 - Allow for window cutouts and additional doorways

Examples of Aesthetic Treatments



Veneers



Landscaping

Portable Storage Containers

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