

## Staff Summary Report



Development Review Commission Date: 06/14/11

Agenda Item Number: \_\_\_\_

**SUBJECT:** Hold a public hearing for a Code Text Amendment for the TEMPORARY SIGN PROGRAM.

**DOCUMENT NAME:** DRCr\_TemporarySignProgram\_061411 **PLANNED DEVELOPMENT (0406)**

**COMMENTS:** Request for **TEMPORARY SIGN PROGRAM (PL100056)** (Community Development Dept., applicant) consisting of Zoning and Development Code amendments for an extension of temporary sign allowances and temporary banners to advertise vacant commercial space. The request includes the following:

**ZOA11002 (ORDINANCE NO. 2011.21)** – Code Text Amendment for Sections 4-903(M), Lead-In Sign; 4-903(P), For Sale, Lease or Rent Sign; 4-903(R), Special Event Sign; and Section 4-906, Leasing Banner Sign.

**PREPARED BY:** Ryan Levesque, Senior Planner (480-858-2393)

**REVIEWED BY:** Lisa Collins, Community Development Deputy Director (480-350-8989)

A handwritten signature in black ink, appearing to be 'LC' or similar initials, located to the right of the 'REVIEWED BY' line.

**LEGAL REVIEW BY:** N/A

**DEPARTMENT REVIEW BY:** N/A

**FISCAL NOTE:** There is no fiscal impact on City funds.

**RECOMMENDATION:** **Staff – Approval**

**ADDITIONAL INFO:** This is a request for an additional one year extension to the previously adopted temporary sign changes within the Zoning and Development Code. These changes offer temporary assistance, allowing larger signs and leasing banners, to businesses and property owners during the difficult economic cycle.

**PAGES:**

1. List of Attachments
2. Comments
3. History & Facts / Zoning & Development Code Reference

**ATTACHMENTS:**

- 1-6. Ordinance No. 2011.21

## COMMENTS:

This is a request for an additional one year extension to the previously adopted temporary sign changes within the Zoning and Development Code. These changes offer temporary assistance, allowing larger signs and leasing banners, to businesses and property owners during the difficult economic cycle.

On July 2, 2009, sign regulations were modified by City Council for a limited time period, providing greater square footage for lead-in signs, sale/rent/lease signs and additional days per year to display significant event signs. These provisions were put in place to provide assistance to businesses during the difficult economic time. The provisions were originally effective August 1, 2009 until May 6, 2010. A twelve (12) month extension was approved last year until June 30, 2011. Staff recommends continuing the program to assist Tempe businesses and property owners. This proposal would be a temporary amendment extension until June 30, 2012.

The changes include the following items:

### Lead-in Signs

The sign program extension would grant additional size for lead-in signs from three (3) square feet to now six (6) square feet in sign area. Staff cannot determine the amount of larger signs utilized, no sign permit is required.

### Sale, Lease or Rent Signs

The sign program extension would grant additional size for sale/rent signs from six (6) square feet to now sixteen (16) square feet in sign area. Staff cannot determine the amount of larger signs utilized, no sign permit is required.

### Significant Event for Special Event Signs

The sign program extension would grant an additional time period to permit significant event signs from fourteen (14) days in a calendar year to now twenty-one (21) days within each six month period of a calendar year (42 potential days).

### *Activity of Special Event Sign permits:*

Fiscal year '08-'09:	163 permits issued (14-day sign program)	
Fiscal year '09-'10:	223 permits issued	91% of permits with more than 14 days
Fiscal year '10-current:	169 permits issued (as of May 25 <sup>th</sup> , projected 185)	85% of permits with more than 14 days

### Banners to Lease Vacant Space

The sign program extension would grant commercial property owners the use of leasing banners for the purpose of advertising vacant tenant spaces, whereas would otherwise be prohibited. Because of the high percentage of tenant vacancies, a time-limited program is proposed to provide temporary relief to Tempe commercial centers. The program standardizes location, size, content and color of the banners. This is proposed to be a temporary amendment until June 30, 2012.

At this time, the City has issued fifteen (15) permits for leasing banner signs since the program began in June of 2010.

As of the second quarter of 2011, Tempe's retail vacancy rates are at 9% compared to the Phoenix Metropolitan areas which are at a 12% retail vacancy rate. When the leasing banner program began vacancy rates were at approximately 11% as opposed to previous years in 2005 where retail vacancy rates were about 4%. (Information source: CoStar Group database)

**HISTORY & FACTS:**

July 2, 2009	City Council approved Ordinance 2009.27, allowing a temporary relief in sign regulations for lead-in signs, sale/rent/lease signs, and significant event signs, effective until May 6, 2010.
April 22, 2010	City Council approved Ordinance 2010.05, allowing an extension of temporary sign allowances for lead-in signs, sale/rent/lease signs, and significant event signs and allowed temporary banners to lease vacant space, effective until June 30, 2011.
June 14, 2011	Development Review Commission public hearing for this request. Request for a Code Text Amendment for the TEMPORARY SIGN PROGRAM (PL100056 / Ordinance No. 2011.21).
June 16, 2011	City Council introduction and first public hearing for this request.
July 7, 2011	City Council second public hearing for this request.

**ZONING AND DEVELOPMENT CODE REFERENCE:**

Section 6-304, Zoning Map Amendments and Code Text Amendments

## ORDINANCE NO. 2011.21

### AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, AMENDING THE ZONING AND DEVELOPMENT CODE, CHAPTER 9 — SIGNS, SECTIONS 4-903(M), 4-903(P), 4-903(R), AND 4-906.

\*\*\*\*\*

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, as follows:

**Section 1.** That Section 4-903(M) of the Zoning and Development Code, pertaining to Lead-in Signs, is hereby amended to read as follows:

*[TEXT OF SUBSECTION (M) EFFECTIVE UNTIL JUNE 30, ~~2011~~ 2012]*

**M. Lead-In Sign.** *Lead-in sign* requirements are as follows:

1. Maximum height shall be three (3) feet and maximum area shall be six (6) square feet; no illumination is allowed;
2. A maximum of four (4) *signs* shall be displayed for each home for sale or rent;
3. Apartment communities, complexes, *developments* or *subdivisions* shall not display more than four (4) such *signs*;
4. Shall only be displayed when a sales/lease person is on duty at the property. *signs* shall not be left out overnight;
5. *Signs* shall not be placed so as to create a traffic hazard as determined by the Development Services Manager, or designee. Such *signs* shall not be placed in a traffic median, public sidewalk, bicycle path, on city property, or in city right-of-way between the sidewalk and the curb; and
6. No *sign* permit is required.

*[TEXT OF SUBSECTION (M) EFFECTIVE JULY 1, ~~2011~~ 2012]*

**M. Lead-In Sign.** *Lead-in sign* requirements are as follows:

1. Maximum height shall be three (3) feet and maximum area shall be three (3) square feet; no illumination is allowed;

2. A maximum of four (4) *signs* shall be displayed for each home for sale or rent;
3. Apartment communities, complexes, *developments* or *subdivisions* shall not display more than four (4) such *signs*;
4. Shall only be displayed when a sales/lease person is on duty at the property. *signs* shall not be left out overnight;
5. *Signs* shall not be placed so as to create a traffic hazard as determined by the Development Services Manager, or designee. Such *signs* shall not be placed in a traffic median, public sidewalk, bicycle path, on city property, or in city right-of-way between the sidewalk and the curb; and
6. No *sign* permit is required.

**Section 2.** That Section 4-903(P) of the Zoning and Development Code, pertaining to Sale, Lease or Rent Signs, is hereby amended to read as follows:

*[TEXT OF SUBSECTION (P) EFFECTIVE UNTIL JUNE 30, 2011 2012]*

**P. Sale, Lease or Rent Sign.** *Sale, lease or rent sign* requirements are as follows:

1. Shall be a maximum sixteen (16) square feet in area and eight (8) feet in height;
2. Shall only be displayed on the property for which they pertain. Only one (1) *sign* shall be displayed per *street* frontage. *Sign* shall not be counted in the total aggregate *sign* area for the business in determining the allowable *sign* area for the business;
3. Shall not be illuminated; and
4. No *sign* permit is required.

*[TEXT OF SUBSECTION (P) EFFECTIVE JULY 1, 2011 2012]*

**P. Sale, Lease or Rent Sign.** *Sale, lease or rent sign* requirements are as follows:

1. Shall be a maximum six (6) square feet in area and eight (8) feet in height;
2. Shall only be displayed on the property for which they pertain. Only one (1) *sign* shall be displayed per *street* frontage. *Sign* shall not be counted in the total aggregate *sign* area for the business in determining the allowable *sign* area for the business;
3. Shall not be illuminated; and
4. No *sign* permit is required.

**Section 3.** That Section 4-903(R) of the Zoning and Development Code, pertaining to Significant Event Signs, is hereby amended to read as follows:

**R. Special Event Sign.** *Special event sign* requirements are as follows:

1. *Grand Opening Sign.*
  - a. All businesses shall be permitted to display *grand opening signs*, on a one-time basis, for a maximum of thirty (30) consecutive days. Grand openings may be extended by written approval of the Development Services Manager, or designee, in the event that a business is currently processing for a permanent *sign* approval, but in no event shall the permit exceed sixty (60) days in duration;
  - b. Grand opening permits may include banners, pennants, wind-driven spinners, streamers, balloons, flags and inflatable *signs*; and
  - c. A *sign* permit is required and must be displayed visible to the public during the allowed time of the permit.
2. *Significant Event Sign.*
  - a. Limited to no more than twenty-one (21) cumulative days within each six (6) month period in a calendar year;
  - b. May include banners, pennants, wind-driven spinners, streamers, balloons, flags and inflatable *signs*; and
  - c. A *sign* permit is required and must be displayed visible to the public during the allowed time of the permit.
3. *Going Out of Business Sign.*
  - a. All businesses shall be permitted to display *going out of business signs* on a one (1) time basis for a maximum of thirty (30) consecutive days;
  - b. The business shall cease and be discontinued at that specific location upon the disposal of the stock of goods on hand or after thirty (30) days, whichever comes first after the *going out of business signage* is first displayed;
  - c. May include banners, pennants, wind-driven spinners, streamers, balloons, flags, and inflatable *signs*; and
  - d. A *sign* permit is required and must be displayed visible to the public during the allowed time of the permit.
4. *Permitted Special Event Sign.*
  - a. Limited to *banner signs*;
  - b. Business(es) that displays such banners must receive a Special Events Permit or be associated with the special event producer or permittee;
  - c. Banners may not be displayed until the day(s) of the special event;

- d. Banners must be removed the evening that the special event concludes;
- e. Banners must include copy or graphics specific to the special event; and
- f. No sign permit is required.

*[TEXT OF SUBSECTION (R) EFFECTIVE JULY 1, ~~2011~~ 2012]*

**R. Special Event Sign.** *Special event sign* requirements are as follows:

1. *Grand Opening Sign.*

- a. All businesses shall be permitted to display *grand opening signs*, on a one-time basis, for a maximum of thirty (30) consecutive days. Grand openings may be extended by written approval of the Development Services Manager, or designee, in the event that a business is currently processing for a permanent *sign* approval, but in no event shall the permit exceed sixty (60) days in duration;
- b. Grand opening permits may include banners, pennants, wind-driven spinners, streamers, balloons, flags and inflatable *signs*; and
- c. A *sign* permit is required and must be displayed visible to the public during the allowed time of the permit.

2. *Significant Event Sign.*

- a. Limited to no more than fourteen (14) cumulative days in a calendar year;
- b. May include banners, pennants, wind-driven spinners, streamers, balloons, flags and inflatable *signs*; and
- c. A *sign* permit is required and must be displayed visible to the public during the allowed time of the permit.

3. *Going Out of Business Sign.*

- a. All businesses shall be permitted to display *going out of business signs* on a one (1) time basis for a maximum of thirty (30) consecutive days;
- b. The business shall cease and be discontinued at that specific location upon the disposal of the stock of goods on hand or after thirty (30) days, whichever comes first after the *going out of business signage* is first displayed;
- c. May include banners, pennants, wind-driven spinners, streamers, balloons, flags, and inflatable *signs*; and
- d. A *sign* permit is required and must be displayed visible to the public during the allowed time of the permit.

4. *Permitted Special Event Sign.*



- a. Limited to *banner signs*;
- b. Business(es) that displays such banners must receive a Special Events Permit or be associated with the special event producer or permittee;
- c. Banners may not be displayed until the day(s) of the special event;
- d. Banners must be removed the evening that the special event concludes;
- e. Banners must include copy or graphics specific to the special event; and
- f. No sign permit is required.

**Section 4.** That Section 4-906 of the Zoning and Development Code, pertaining to leasing banners, is hereby amended to read as follows:

**Section 4-906      Leasing Banner Sign.**

- A. Purpose.** The purpose of a leasing *banner sign* is to allow a property owner or manager a temporary sign display identifying the availability of leasable tenant space at a vacant location.
- B. Applicability.** Leasing *banner signs* are permitted for all Commercial and Industrial uses. Such sign shall only be located on the building face of the space for lease.
- C. Size & Design.** Up to one (1) *banner sign* is permitted per tenant space. Tenant spaces less than or equal to 3,000 square feet in area are allowed a leasing banner sign a maximum of thirty-two (32) square feet. Tenant space greater than 3,000 square feet in area are permitted to have a leasing banner sign a maximum of sixty-four (64) square feet in size. Information is limited to advertising the availability of the space and a contact number. A maximum of two (2) colors, including sign text and background is allowed.
- D. Permit.** A leasing banner sign permit is required.

**Section 5. *Leasing Banner Sign; Termination Date, June 30, 2011*** ~~2012~~: That Ordinance No. ~~2010-05~~ 2011.21, pertaining to Section 4-906, Leasing Banner Sign, is only in effect until June 30, ~~2011~~ 2012, unless otherwise amended by City Council action.

**Section 6.** Pursuant to City Charter, Section 2.12, ordinances are effective thirty (30) days after adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE,  
ARIZONA, this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney