

# Staff Summary Report



Development Review Commission Date: 06/29/09

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

SUBJECT: Hold a public hearing for a Code Text Amendment for ZONING AND DEVELOPMENT CODE AMENDMENTS.

DOCUMENT NAME: DRCr\_ZDCamendments\_062909 ZONING AND DEVELOPMENT CODE (0414-04, 0414-06)

SUPPORTING DOCS: Yes

COMMENTS: Request for ZONING AND DEVELOPMENT CODE AMENDMENTS (PL080143) (City of Tempe Development Services, applicant) consisting of changes within the Code, providing temporary flexibility to Chapter 9-Signs, as it relates to lead-in signs, sale, lease or rent signs and significant event signs. The request includes the following:

ZOA09003 – (Ordinance No. 2009.27) – Code Text Amendment for the Zoning and Development Code Sections 4-903(M), 4-903(P), 4-903(R)2.

PREPARED BY: Jeff Tamulevich, Code Compliance Administrator (480-350-8441)

REVIEWED BY: Lisa Collins, Development Services Planning Director (480-350-8989)

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

LEGAL REVIEW BY: Teresa Voss, Assistant City Attorney (480-350-8814)

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval

ADDITIONAL INFO: A neighborhood meeting is not required with this proposed amendment. On June 11, 2009, the City Council Mill and Lake District Committee reviewed this request. This request is scheduled for one public hearing for consideration by the City Council on July 2, 2009.

PAGES:                   1.     List of Attachments  
                             2.     Comments / Reason for Approval  
                             3.     History & Facts / Reference

ATTACHMENTS:       1-2.    Ordinance No. 2009.27  
                             3-6.    Sign Examples

#### COMMENTS:

Provided is a list of temporary Zoning & Development Code signage amendments. The amendments pertain to providing Tempe businesses flexibility to display three (3) types of temporary signs for a nine (9) month restricted time period. These changes are consistent with the recommendations that were presented at the June 11, 2009 Mill and Lake District Committee. Below are the proposed amendments to the Code and their explanations:

##### Sec. 4-903 (M) Lead-in Sign

The Zoning & Development Code defines a Lead-in Sign as a Temporary portable sign that is used to direct a pedestrian or vehicle to a residential unit that is for sale or rent. Four (4) lead-in signs are allowed per development. The maximum size of the Lead-in Sign is currently three (3) square feet in area and three (3) feet in height.

Staff is recommending increasing the size of the Lead-in Signs from three (3) square feet to six (6) square feet. Sign height shall remain at three (3) feet to not impede the visibility of pedestrians or vehicles. By increasing the sign square footage, this will allow apartment and condo developments to utilize a standard sized sign and display more visible information.

##### Sec. 4-903 (P) Sale, Lease or Rent Sign

The Zoning & Development Code defines a Sale, Lease or Rent Sign as a temporary portable sign that is used to advertise the availability of real property. Sale, Lease or Rent Signs are regulated to six (6) square feet in area and eight (8) feet in height. One (1) sign is allowed per street frontage.

Staff is recommending increasing the size of the Sale, Lease or Rent Sign from six (6) square feet to sixteen (16) square feet. Sign height shall remain at eight (8). This sign area increase will allow the property owners/managers to display larger, more visible sale, lease or rent information adjacent to the street frontage.

##### Sec. 4-903 (R)(2) Significant Event Sign

The Zoning & Development Code defines Significant Event Signs as signs displayed for any type of event, including an anniversary, special sale, change in ownership or management, or similar event. A Significant Event Sign permit allows businesses to display banners, pennants, wind-driven spinners, streamers, balloons, flags and inflatable signs. Businesses are currently limited to display this signage for no more than fourteen (14) cumulative days in a calendar year.

Staff is recommending allowing businesses to obtain a Significant Event Permit once every six (6) months instead of once a year. In addition, staff is also recommending increasing the number of days that a business is allowed to display signage from fourteen (14) days to twenty-one (21) cumulative days.

##### Public Input

Staff has discussed this proposal and received support for this proposal from several business/property owners in the community.

#### REASONS FOR APPROVAL:

1. This interim set of sign regulations allows businesses flexibility from the Sign Code for a temporary period of time.
2. The interim nine (9) month approval ensures current residents and business owners an opportunity to voice their comments about the program. During this time period, staff will track community feedback, track business comments and if businesses are complying with the program.

#### CONDITIONS OF APPROVAL:

Not applicable.

#### HISTORY & FACTS:

June 9, 2009	Development Review Commission reviewed at a study session a memorandum of proposed Zoning and Development Code Text Amendments regarding Lead-in Signs, Sale, Lease or Rent Signs and Significant Event Signs.
June 11, 2009	Mill and Lake District Committee reviewed a memorandum of proposed Zoning and Development Code Text Amendments regarding Lead-in Signs, Sale, Lease or Rent Signs and Significant Event Signs.
June 29, 2009	Development Review Commission scheduled to hear this request for recommendation to City Council.
July 2, 2009	City Council scheduled to hear this request for a decision.

#### ZONING AND DEVELOPMENT CODE REFERENCE:

Section 6-304, Code Text Amendments

## ORDINANCE NO. 2009.27

### AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, TEMPORARILY AMENDING THE ZONING AND DEVELOPMENT CODE, CHAPTER 9 – SIGNS, SECTIONS 4-903(M), 4-903(P) AND 4-903(R)2.

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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 as follows:

**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)~~ 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.

**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:

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

1. ~~May~~ SHALL be A MAXIMUM ~~six (6)~~ 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.

**Section 3.** That Section 4-903(R)(2) of the Zoning and Development Code, pertaining to Significant Event Signs, is hereby amended as follows:

Allowing businesses to obtain a Significant Event Permit once every six (6) months instead of once a year and increasing the number of days that a business is allowed to display signage from fourteen (14) days to twenty-one (21) cumulative days

2. *Significant Event Sign.*
  - a. Limited to no more than ~~fourteen (14)~~ 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.

**Section 4.** This ordinance, providing relief for sign provisions relating to lead-in signs, sale signs and significant event signs, is only in effect until May 6, 2010, after its original effective date, and unless otherwise amended by City Council action at a single public hearing.

**Section 5.** 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 \_\_\_\_\_, 2009.

\_\_\_\_\_  
Mayor

ATTEST:

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

APPROVED AS TO FORM:

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

# Sign Survey

	Tempe Today	Tempe Proposed	Phoenix	Mesa	Gilbert	Scottsdale	Chandler
Temporary Sign Permits	14 cumulative days / year	21 cumulative days every 6 months	8 consecutive days – 4x / year	30 consecutive days	180 cumulative days / year	N/A	N/A
Lead-In Sign	3 sq ft 4 signs total	6 sq ft 4 signs total	4' in height 6 total	6 sq ft 3 signs total	N/A	4 sq ft 3' in height	4 sq ft 3' in height
Sale, Lease or Rent Sign	1 per street frontage 6 sq ft 8' height	1 per street frontage 16 sq ft 8' height	1 per 300' street frontage 16 sq ft max based on acreage	1 per street frontage 6-24 sq ft 6-10' in height depending on acreage	32 sq ft, 8' in height	Max 16 sq ft 10' in height based on acreage	1 per street frontage 10 sq ft 5' in height

## AMENDMENT TO SIGN ORDINANCE

### 1. Section 4-903 (M) Lead-in Sign



#### LEAD IN SIGN:

Temporary portable sign used to direct a pedestrian or vehicle to a residential unit that is for sale or rent.

#### Current:

- 3 square feet
- 3 feet in height
- 4 signs per property

#### Proposed:

- 6 square feet
- 3 feet in height
- 4 signs per property



## AMENDMENT TO SIGN ORDINANCE

### 2. Section 4-903 (P) Sale, Lease or Rent Sign



#### SALE, LEASE or RENT SIGN:

A temporary sign used to advertise the availability of real property.

<u>Current:</u>	<u>Proposed:</u>
<ul style="list-style-type: none"><li>▪ 6 square feet</li><li>▪ 8 feet in height</li><li>▪ 1 per street frontage</li></ul>	<ul style="list-style-type: none"><li>▪ <b>16 square feet</b></li><li>▪ 8 feet in height</li><li>▪ 1 per street frontage</li></ul>

## AMENDMENT TO SIGN ORDINANCE

### 3. Section 4-903 (R)2 Significant Event Sign



#### SIGNIFICANT EVENT SIGN:

Signs displayed for any type of event, including an anniversary, special sale, change in ownership or management, or similar event.

#### Current:

- 14 cumulative days / year

#### Proposed:

- 21 cumulative days every six [6] months