

CITY OF SURPRISE
Regular City Council Work Session
16000 N. Civic Center Plaza
Surprise, AZ 85374
Tuesday, April 6, 2021 @ 4:30 PM
COUNCIL CHAMBERS



NOTICE: In an effort to protect health and safety of city employees, residents, and visitors, the Council Chambers will be closed to the public during this meeting. The public may access the meeting by viewing a live stream or broadcast of the meeting. Watch live on Cox channel 11, www.surpriseaz.gov/surprisetv, or the Surprise City Gov Facebook page at www.facebook.com/cityofsurprise.

For instructions on how to comment on agenda items and public hearings, please go to <https://bit.ly/3kFsM6l>

- A. Call To Order
- B. Roll Call
- C. Pledge of Allegiance
- D. Proclamation and Community Acknowledgements
- E. City Manager Report
- F. City Clerk Report
- G. Call To The Public

Public comment will be taken through email or via phone. To submit email comments, including Call to the Public for non-agenda items, please email publiccomments@surpriseaz.gov. Comments for Call to the Public must be submitted prior to the start of the meeting. To comment on agenda items, emails must be submitted prior to the time(s) designated for public comment by the Mayor during the meeting or before the agenda item has otherwise concluded.

To comment live by phone for Call to the Public for non-agenda items or for agenda items, please call 623-222-1250 prior to, or during, the meeting to have your name placed on a callback list. If you reach voicemail, please leave your name and phone number. The City Clerk will call those wishing to comment from the dais during the meeting, and the call will be streamed through the Council Chamber audio system. Only calls received before Call to the Public for non-agenda items or before or during the time(s) designated for public comment by the Mayor during the meeting on the subject agenda item will be accepted and streamed. No calls will be accepted after the time(s) designated by the Mayor for public comment or after an agenda item has otherwise concluded.

- H. Regular City Council Work Session Agenda
 - CONSENT AGENDA:
 - REGULAR AGENDA ITEM - PUBLIC HEARING:
 - REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

- | | | | |
|----|----------|---|---|
| 1. | Citywide | Presentation and discussion pertaining to the feasibility of future city parks. | None

Donna Miller
Kendra Pettis
Parks and Recreation |
| 2. | Citywide | Presentation and discussion pertaining to A-Frame signs. | None

Robert Kuhfuss
Community Development |

I. Other Business and Future Agenda Items

J. City Council Reports

K. Executive Session

For information Purposes; Upon a public majority vote of a quorum of the City Council, the Council may hold an executive session, which will not be open to the public, but for only the following purposes:

- discussion or consideration of personnel matters (A.R.S. §38-431.03 (A)(1));
- discussion or consideration of records exempt by law from public inspection (A.R.S. §38-401.03 (A)(2));

L. Adjournment

SHERRY ANN AGUILAR, CITY CLERK, MMC

POSTED: April 1, 2021 at 12:15 PM

SPECIAL NOTE: PERSONS WITH SPECIAL ACCESSIBILITY NEEDS, INCLUDING LARGE PRINT MATERIALS OR INTERPRETER, SHOULD CONTACT THE CITY CLERK'S OFFICE @ 623.222.1200 OR TTY 623.222.1002, BY NO LATER THAN 24 HOURS IN ADVANCE OF THE REGULAR SCHEDULED MEETING TIME.



CITY OF SURPRISE
Regular City Council Work Session

Council Meeting Date: April 6, 2021

Contact Person: Donna Miller, DIRECTOR - CRS,
Kendra Pettis, DIR - SPORTS/TOURISM

Submitting Department: Parks and Recreation

District: Citywide

Staff Recommendations: None

Consent: No

Regular: Yes

Public Hearing: No

Report/Discussion: No

Agenda Wording:

Presentation and discussion pertaining to the feasibility of future city parks.

Motion:

Discussion only

Background:

On September 15th, 2020 Parks and Recreation staff presented an update on the Parks and Recreation Master plan. The discussion included the goals of the plan, the elements and desired acres of developed parks and open space as well as community facilities. Future capital projects were discussed such as need for developed parks in growth areas and a community pool. Also discussed current parks and facilities and possibility of making improvements to allow for some program capacity. Council asked staff to come back at a later date to discuss feasibility of a future city park that would:

Provide quality of life amenities for residents through:

- New parks and Recreation programming

- Community gathering spaces

- Health and wellness activities

- Sports and Tourism opportunities

- Allow for teen sports/club teams and other 3rd party usage

- Maximize revenue recovery

Objective Analysis:

The Parks and Recreation Master Plan calls for 3 acres of developed parks per 1,000 residents. Currently the city of Surprise has three Community parks and one City Park to service its growing population. Community parks are essential to communities as they serve as a destination for recreational, health and wellness, and social activities. Sports Tourism is important to our city as it provides positive economic impact and makes Surprise a destination. As the city population continues to grow; it will be critical to seek opportunities to bring healthy and active outdoor spaces to our community that will help meet the growing demands of our recreational and sports programs and meet the needs of residents.

Policy Compliant:

This discussion is compliant with city and council policy.

Financial Impact:

There is no financial impact at this time as it is discussion only. Funding strategies will be discussed.

Budget Impact:

There is no budget impact at this time as it is discussion only.

FTE Impact:

No FTE impact at this time as it is discussion only.

ATTACHMENTS:

1. Feasibility of City Park 2021
-



Feasibility of Future City Park

Parks and Recreation / Sports and Tourism Departments

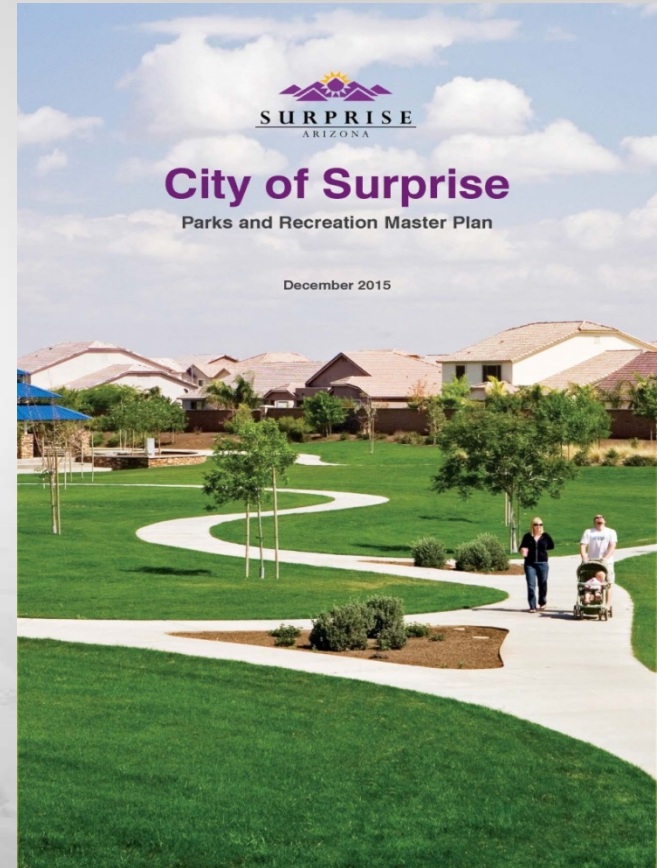
Overview

Feasibility of a large park that would:

- Provide Quality of Life amenities for residents through:
 - o New Parks and Recreation programming
 - o Community gathering spaces
 - o Health and wellness activities
- Sports and Tourism opportunities
- Teen / club sports rental use
- Maximize revenue recovery

Justification

- Meets goals of the Parks and Recreation Master Plan
 - Promote active recreation, sports and sports tourism
 - Pursue opportunities to create /acquire new parks & open space
- Support Quality of Life/Physical and Mental Wellness
- Provide a community & economic benefit that supports City Council's Strategic Plan



Growth

Population Growth

Shared usage/competing user groups

- Parks and Recreation Dept Programming
- General Public
- Sports and Tourism Dept
- Ottawa University
- Dysart School District
- 3rd parties (club sports teams, tournaments, events etc)
- MLB



Needed Park Size & Amenities

- City Park - 75+ acres to accommodate large service area
- Phase 1 park amenities to include:
 - Lit multiuse fields to accommodate tournament and rec play
 - 4-6 lighted baseball / softball fields
 - 6-8 lighted soccer / football fields
 - Inclusive playground / splash pad,
 - Lit sport courts (basketball, volleyball, tennis, pickleball)
 - Dog Park
 - Fishing Lake
 - Large Group Ramadas
 - Restrooms/Concessions
 - Maintenance Facility

Needed Park Size & Amenities

- Phase 2 park amenities may include:
 - swimming pool / library / multigenerational recreation center/ skate park / disc golf / archery facility.



City Park Cost Estimates

Estimated One Time Costs = \$48M - \$50M

- Land = \$8M (based on est. of 100K per acre)
- Construction = \$40M (current average \$500K/acre)
- Equipment/FFE = \$1M

Estimated Ongoing Operational Costs = \$1.9M (Maintenance \$1.2M / Programming \$700K)

Estimated Annual Revenue = \$455K Ramada, Field Rentals, Concessions \$150K / Programming \$305K)

City Park Example: Peoria's Paloma Park

85 acres that includes:

- 3 acre dog park with lights
- 4 pickleball courts with lights
- Several restrooms
- Splash pad
- Inclusive playground
- Concession area/ ramadas
- 4 softball complex
- Multipurpose fields with lights
- Urban fishing lake
- Maintenance facility



Paloma Park Continued

- **Planning to completion:** Planning began in 2005, project was adopted in the 2006 / 2014 parks master plans, needs assessment in 2013, location study in 2015 with initial park CIP multiyear funding started with \$500K commitment, Park opens October 2020
- **Capital cost total:** \$43M / Funding Source: \$10M impact fees / the rest from GO BOND
- **Land** secured through Joint Use Agreement between city and Maricopa County Flood Control District
- **Annual maintenance costs:** \$1.1 M
- **Annual budgeted revenue:** Total \$185K (Ramada, Field Permits, Concession)
- **Annual asset replacement plan:** Peoria's annual asset for all parks for FY 21 is \$1M

Sports & Tourism Park Needs/ Costs / Revenue

Regional Soccer Complex – 70 Acres

- (10) regulation sized soccer fields for tournament play
- Includes sidelines for spectators and shaded ramadas
- Concessions, locker rooms, maintenance storage

Estimated One Time Costs = \$48M - \$50M

- Land = \$17M
- Construction = \$30M
- Equipment/FFE = \$1M

Estimated Ongoing Operational Costs = \$2M - \$2.5M

Estimated Annual Revenue = \$400-500K / Annual Economic Impact = \$40M

Example: Reach 11

1,500 acres that includes:

- 18 Lighted Soccer Fields:
 - (17 grass and 1 artificial turf)
 - 2 traditional grass baseball fields
 - 2 Accessible Rubberized Baseball Fields
 - Restrooms
 - Concession facilities
 - Maintenance facility
 - Multiuse trails
-
- Cost to build Soccer Complex = \$18M (Majority paid by GO Bond)
 - Land = agreement between Phoenix and Bureau of Reclamation
 - Annual operating costs = \$4M (General Fund)
 - Annual revenue = \$700K / Annual Economic Impact = \$85M



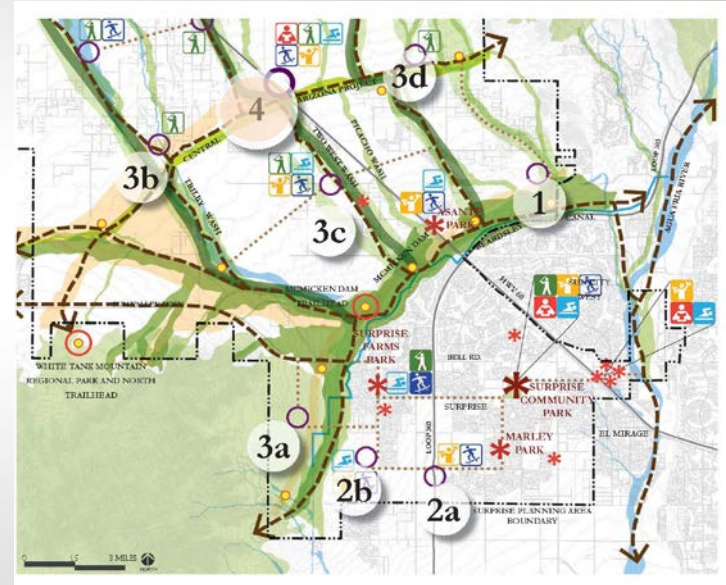
Potential Partnerships

- Developers
- Public / Private Partnerships
- County
- State
- Federal

Possible Locations & Est. Land Costs

Location	Cost/Sq foot	Cost/Acre
1	1.15	\$50,200
2a	2.07	\$90,000
	1.05	\$45,833
2b	2.86	\$124,500
3a	No comps	
3b	.26	\$11,383
3c	15.70	\$684,000
	.48	\$20,700
3d	2.40	\$104,424
	.69	\$30,090
4	.33	\$14,390

Identified growth areas in the Master Plan



Note: Difficult to take comps to determine land costs due to market changing quickly.

Funding Strategies

Construction:

- Impact Fees – something this large not eligible
- Bonds
- 3rd Party Partnership

Ongoing operational costs:

- User Fees, 3rd Party Lease or Rental Fees
- General Fund

Considerations

Separate sports complex from park or build with shared soccer fields in mind

- All users require peak days/times of usage:
 - (Monday – Friday 5-9pm, Saturdays and Sundays all day)
- Two different levels of maintenance
- Lower costs but also lower revenue opportunities

Park could be phased but sports complex needs to be complete

Revenue recovery expectation

- Recreation / Parks are typically viewed as quality of life, fees are based on benefit (community benefit – little or no revenue recovery. Individual benefit – 50-100% direct revenue recovery)
- Sports Tourism revenue is related to economic impact, not direct recovery

Future Considerations

- **Funding Strategy & Long Term Planning**
 - Budget currently does not have capacity to build or maintain a park of this size.
 - Research and determine funding strategies that are most feasible for the city to fund capital and ongoing costs.
- **Preferred Location for a Future Park**
 - Factors to evaluate:
 - Growth areas, infrastructure, tourism/sales tax generators



SURPRISE
ARIZONA

**QUESTIONS OR
COMMENTS?**

Thank You



CITY OF SURPRISE
Regular City Council Work Session

Council Meeting Date: April 6, 2021 Contact Person: Robert Kuhfuss
Submitting Department: Community Development District: Citywide
Staff Recommendations: None

Consent: No Regular: Yes Public Hearing: No Report/Discussion: No

Agenda Wording:

Presentation and discussion pertaining to A-Frame signs.

Motion:

Presentation and discussion item only.

Background:

During the City Council meeting of March 2, 2021, Councilmember Judd directed staff to bring forth a discussion item regarding A-Frame signs.

Objective Analysis:

Staff has evaluated the differences between the 2020 Temporary Sign Policy and the applicable provisions of the Land Development Ordinance as it pertains to A-Frame signs.

Policy Compliant:

The existing sign code was prepared in a manner that meets the following objectives:

- Clear and concise
 - Based on empirical research
 - Provides the appropriate level of business advertising
 - Maintains a high aesthetic standard
 - Is compliant with applicable law
 - Expresses the identity of the city
-

Financial Impact:

While this item does not have an immediate or direct financial impact, ongoing development activity in the City will inevitably have a future financial impact as additional resources are needed to provide city services.

Budget Impact:

There is no anticipated budget impact related to this item.

FTE Impact:

This item does not have an impact on current staffing levels.

ATTACHMENTS:

1. 00 04-06-21 CC Temp Sign Discussion Staff Report - CURRENT
 2. 01 Temporary Sign Policy 03 26 20 (1)
 3. 02 Excerpts from Chapter 109 Relating to Large A-Frame Signs
 4. Temporary Signs 040621 CC Discussion Item - CURRENT
-

A-Frame Signs

REPORT TO THE CITY COUNCIL

Case: TBD

Project Name: A-Frame Signs

Council District: All

Meeting Date: April 6, 2021 Work Session

Planner: Robert H. Kuhfuss, AICP

Applicant: City of Surprise

Request: Discussion regarding possible amendments to the City's Sign Code as it pertains to Temporary Signs (A-Frame Signs)

Location: Citywide

Support/Opposition: None related to this discussion

Recommendation: None as this is a discussion item only

Discussion:

During the City Council meeting of March 2, 2021, a request was made to staff to bring forth a discussion item to consider incorporating the provisions of the 2020 Temporary Sign Policy into the city's sign code.

March 6, 2018: The City Council approved the new Sign Code. The new Sign Code included provisions for Large A-Frame Signs, otherwise referred to as "Class I Temporary Signs". These provisions include the following:

- (1) Class I Temporary Sign per commercial use or "lawful temporary event"
- May not be located on vacant property
- Must be located within 15' of customer entrance
- May not be located within public right-of-way unless customer entrance opens directly into right-of-way
- No limit to number of sign panels, provided sign copy does not exceed 20 square feet
- May be weighed or ballasted but not affixed to ground or permanent structure
- May only be displayed during business hours

Following direction of the Planning and Zoning Commission and City Council, the aforementioned provisions were rather restrictive following what many saw as a proliferation of such signs throughout the city.

In contrast, the 2020 Temporary Sign Policy contains the following requirements:

- Cannot be placed in any public or private street or sidewalk
- Must be placed behind sidewalk. Cannot be placed between sidewalk and street curb
- Sign cannot be placed within any visibility triangle (30' from curb intersection)
- 12 square feet sign area (two sided)
- 4 feet maximum height
- Sign must be maintained in good order and repair
- Sign copy must be legible
- Sign must be properly anchored or weighted to prevent movement but shall not be chained or cabled
- A-frame sign shall have the internal spacing between faces of 45 degrees. Each face shall be fabricated of a wood, hard plastic or metal material that is at least one-half inch thick with no unfinished, sharp or rough edges.

Should the City Council direct staff to begin the effort of revising the sign code to expand the allowances for A-Frame signs within the city, the effort would necessitate citizen outreach, at least one public hearing at the Planning and Zoning Commission, followed by at least one public hearing at the City Council. If adopted by the City Council, the changes would take effect 30 days following adoption by the City Council.

ATTACHMENTS:

01 - 2020 Temporary Sign Policy

02 - Excerpts from Chapter 109 of the Surprise Land Development Ordinance

City Temporarily Amend Signage Policy to allow A-frame advertising during COVID-19 Pandemic

Beginning March 27, 2020, businesses in the city of Surprise will be allowed to display an A-frame sign, along the adjacent roadway or roadway closest to their business subject to certain requirements set forth below.

The temporary use of A-frame signage will end June 30, 2020 and is restricted to the following:

A – Frame Sign

- Cannot be placed in any public or private street or sidewalk.
- Must be placed behind sidewalk. Cannot be placed between sidewalk and street curb.
- Sign cannot be placed within any visibility triangle (30' from curb intersection).
- 12 square feet sign area. (two sided)
- 4 feet maximum height.
- Sign must be maintained in good order and repair.
- Sign copy must be legible.
- Sign must be properly anchored or weighted to prevent movement but shall not be chained or cabled.
- A-frame sign shall have the internal spacing between faces of 45 degrees. Each face shall be fabricated of a wood, hard plastic or metal material that is at least one-half inch thick with no unfinished, sharp or rough edges.

Business should also be aware that they are already entitled to utilize the following signage per the City of Surprise Sign Code:

Banner

- Must be secured on a building. Banner must be attached properly to the building at each corner of the banner.
- Banners cannot be attached to freestanding poles or vegetation.
- Maximum size is 1 square foot per linear foot of lease front; not to exceed 500 square feet. (e.g. a store with 20 feet of lease front will be allowed a 20 square-foot banner-a 5' x 4' sign).
- Sign must be maintained in good order and repair.
- Banner may not exceed 80% of lease frontage or building frontage of a single tenant building.

Sign Walker

- Sign walker is allowed in any zoning.

- Sign walkers may carry a maximum of two single-sided signs not exceeding three square feet of sign copy each or one double-sided sign not exceeding 12 square feet of aggregate sign copy.
- Sign walker is not allowed within 30 feet of any street or driveway intersection.
- Sign walker is not allowed on the street, nor may they prohibit the safe passage of anyone using a public or private sidewalk.

Any sign displayed in a manner other than described in the code or this temporary policy shall be subject to the City of Surprise Sign Code.

No fees will be required for temporary signs allowed by this policy.

CHAPTER 109 - SIGNS

ARTICLE 1 – IN GENERAL PROCESS AND OVERVIEW

109-1.1 Title; findings; purpose; intent; and limitations.

- A.** Title. Chapter 109 of the Surprise Municipal Code may hereafter be referred to as the "City of Surprise sign code" or "sign code".
- B.** Findings. The City of Surprise finds that while signs are essential to commerce and wayfinding, signs may also obstruct views, distract motorists, displace alternative uses for land, contribute to blight, and pose other problems that legitimately call for regulation. A sign placed on land or on a building for the purpose of identification, protection, or directing persons to a use conducted therein must be deemed to be an integral but accessory and subordinate part of the principal use of the land or building.
- C.** Purpose. The purpose of this chapter is to safeguard the public interest from the negative impacts of signs thus ensuring the protection of property values, the character of neighborhoods, and the creation of a convenient, attractive and harmonious community, while encouraging economic prosperity.
- D.** Intent. The city intends to allow adequate communication through signage while encouraging aesthetic quality in the design, location and size of all signs by:
 - 1. Allowing adequate signage for business identification while meeting public and private objectives by establishing limitations on signs in order to ensure they are appropriate to the land, building or use to which they are appurtenant and are adequate for their intended purpose while balancing individual and community interests identified subsection (c) herein;
 - 2. Promoting the free flow of traffic, while protecting pedestrians and motorists from injury and property damage that may be caused by cluttered, distracting and illegible signage. These regulations distinguish between portions of the city designed for primarily vehicular access and portions of the city designed for primarily pedestrian access;
 - 3. Promoting the use of signs that are well designed, of appropriate scale, structurally sound, and integrated with surrounding buildings and landscape in order to meet the community's desire for quality development;
 - 4. Protecting property values, the local economy, and the quality of life through regulations that are intended to preserve and enhance the appearance of the streetscape that affects the image of the city;
 - 5. Maintaining acceptable outdoor lighting levels through regulations that are intended to enhance the livability of the community while respecting

109-1.3 First Amendment interpretation and severability.

- A. This chapter must be interpreted in a manner consistent with the First Amendment guarantee of free speech. If any provision of this chapter is found by a court of competent jurisdiction to be invalid, such finding shall not affect the validity of other provisions of this chapter which can be given effect without the invalid provision.

109-1.4 Substitution.

- A. With the property owner's consent, a protected non-commercial message of any type may be substituted for any duly permitted or allowed commercial message or any duly permitted or allowed non-commercial message, provided that the sign structure or mounting device is permitted without consideration of message content. Such substitution of message may be made without any additional approval or permitting. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over protected non-commercial speech, or favoring of any particular non-commercial message over any other non-commercial message.

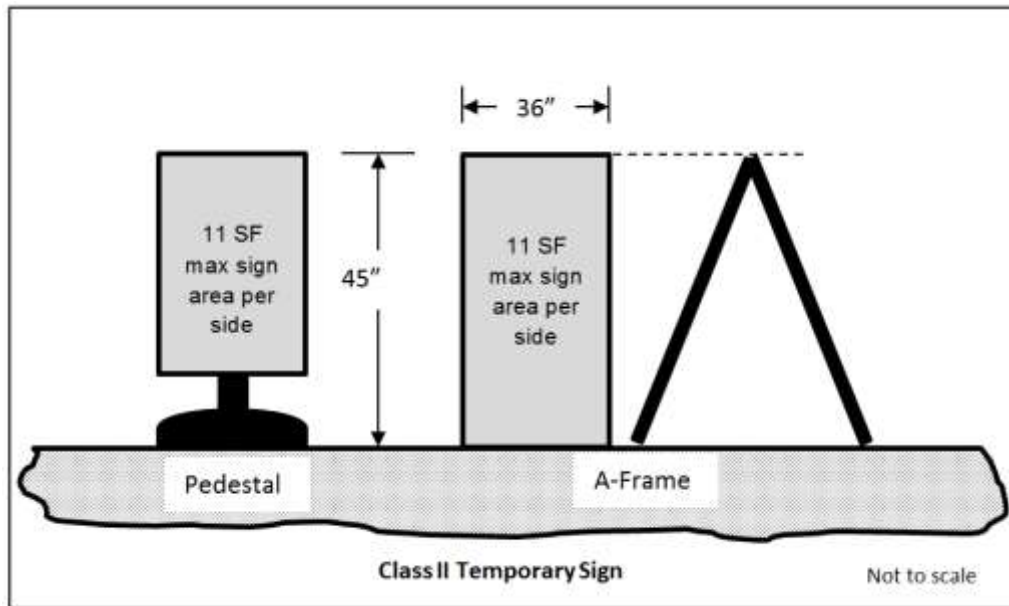
109-1.5 Rules of interpretation.

- A. Words or phrases within this chapter which are expressed using italics shall assume the meaning as ascribed in section 109-1.6 of this chapter. Words or phrases not expressed in italics shall assume the common meaning of the word or phrase unless such word or phrase is otherwise included in **Section 101-2** of the Surprise Municipal Code. Whenever the definition of a word or phrase used in this chapter is in conflict with any word or phrase used elsewhere in the Surprise Municipal Code, the definitions of this section shall apply for purposes of interpreting this chapter.
- B. Graphical representations are often used throughout this chapter to further clarify the intent of the text; however, whenever there is a conflict between the text and the illustration, the language of the text shall prevail.
- C. Words in singular form shall include the plural form and words in plural form shall include the singular form.
- D. The word "shall" is mandatory and the word "may" is permissive.
- E. The city shall not evaluate any sign based on the message content of the sign provided the sign copy contains no vulgar or profane language, hate speech, or language intended to incite violence, in which case the sign copy shall not be permitted.

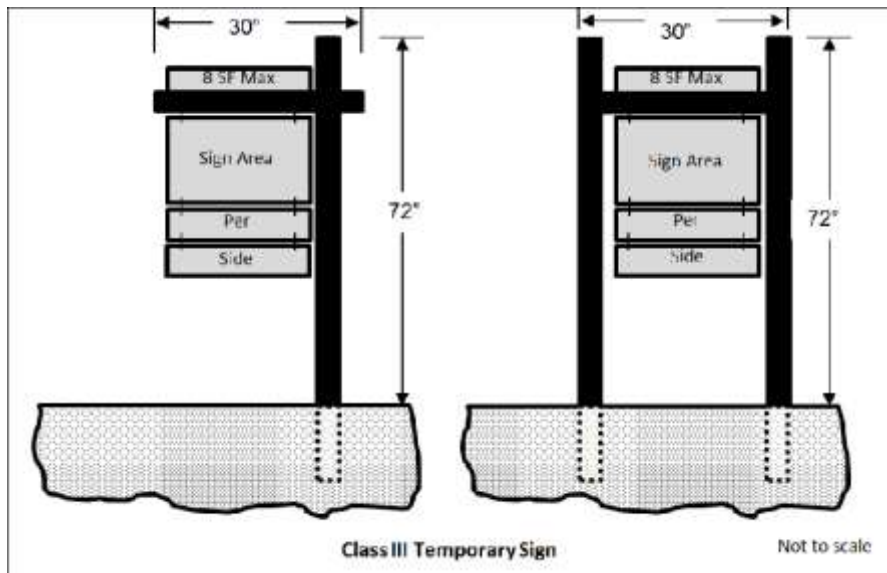
109-1.6 Glossary of Terms.

- A. For purposes of administering Chapter 109, the following definitions apply:

Sign, temporary, class II (A-frame sign and pedestal sign). A temporary, portable sign in which the overall height of the sign structure does not exceed 45 inches, the overall width of the sign structure does not exceed 36 inches and which does not exceed 22 square feet of aggregate sign area.



Sign, temporary, class III (small post sign). An on-premises temporary sign supported by one or more rigid posts in which the overall height of the sign structure does not exceed 72 inches, the overall width of the sign structure does not exceed 30 inches, and the aggregate sign area does not exceed 16 square feet.



Sign, temporary, class IV. An on-premises temporary sign supported by two rigid posts in which the overall height of the sign structure does not exceed 84 inches, the overall width of the sign structure does not exceed 96 inches, and the aggregate sign area does not exceed 64 square feet.

T; U; V

Vehicle. Any car, truck, motorcycle, all-terrain vehicle, recreational vehicle, boat, trailer, tractor, crane, mobile machinery, or similar.

W

Wall, building. A wall that is integral to a building.

Wall, subdivision perimeter. A freestanding wall that is located around a subdivision.

X; Y; Z

109-1.7 Permitted and prohibited signs.

- A** Permitted signs by zoning district. Only those sign types and classes that are specifically listed in table 109-1a for each zoning district may be allowed, subject to the provisions outlined elsewhere in this chapter.

TABLE 109-1a PERMITTED SIGNS (P = permitted, shaded cell = not permitted, C = conditional use permit)											
Code Reference	Sign Type	Location									
		Public Rights-of-Way	Private Rights-of-Way	Single-Family	Multi-Family	Mixed-Use	Commercial and Industrial	SHD-RO	SHD-CO	Open Space	PF
TEMPORARY SIGNS											
109-1.9(a)(2)	Class I Temporary Signs (Small A-Frame Signs)	P	P	P				P			
109-1.9(a)(3)	Class II Temporary Signs (Large A-Frame Signs)					P	P	P	P		

- B** Signs in the public street right-of-way. Signs are not permitted within the public street right-of-way, except for those signs erected by, or on behalf of the city, or as otherwise expressly permitted in this chapter.
- C** Signs in the private street right-of-way. Signs are not permitted within private street rights-of-way, except when associated with an approved planned area development (PAD) or comprehensive sign program (CSP), as required by the city, or as otherwise permitted in this chapter.
- D** Encroachments. No portion of any sign erected on any property may encroach into the public right-of-way, except as otherwise permitted in this chapter or where expressed written permission is granted by the city to allow said encroachment.
- E** Signs as an accessory use. All signs must be an accessory use to a primary use. In no case shall a sign be established as a primary use of the property; except that temporary signs as otherwise allowed within a given zoning district are exempt from this provision.
- F** Prohibited signs. The following sign types are specifically prohibited:
1. *Abandoned signs*, pole signs of a permanent nature, snipe signs, and median signs;
 2. Animated signs, flashing, blinking, or rotating signs, festoons, inflatable signs including latex or mylar balloons, permanent banner signs, pennants, searchlights, streamers, signs other than class 1 monument signs that emit audible sound, and any clearly similar features;
 3. Vehicle signs when the vehicle is placed in a location not approved for vehicular parking or storage;
 4. Signs containing any words or symbols that would cause confusion because of their resemblance to highway traffic control or direction signals;
 5. Merchandise, equipment, products or other items which are not available for purchase, but are intended to attract attention, or for identification or advertising purposes;
 6. Signs located on trees, utility poles, public benches, or any other form of public property, or within any public right-of-way, unless explicitly permitted by these regulations;
 7. Signs containing vulgar or profane messages, hate speech, or language intended to incite violence;
 8. Signs greater than 30 inches in height and which are located within any sight visibility triangle of any street or driveway intersection as required by the Surprise engineering design standards;

9. Signs not expressly permitted as being allowed by right under this chapter, or by specific requirements in another portion of this chapter, or otherwise expressly allowed by the city board of adjustment;

10. Signs placed in locations that are deemed by the city to present a hazard to public safety, obstruct clear vision in the area, or interferes with the requirements of the Americans with Disabilities Act (42 United States Code sections 12101 through 12213 and 47 United States Code sections 225 and 611);

11. Billboard signs.

G Signs exempt from these regulations. The following signs are exempt from regulation under this chapter:

1. Governmental signs.
2. Any sign that is not visible from another property to the naked eye, provided said sign otherwise meets applicable Building Code requirements and the requirements of sections 109-1.10, 109-1.11 and 109-1.12 herein.

H Violation. Any sign that is not in compliance with this section is in violation of this chapter.

109-1.8 General provisions.

A Permitting requirements.

1. *Permits required.* With the exception of those sign types listed in subsection 8(a)(3) below, a construction permit is required for all signs regulated by this chapter and erected within the city.
2. *Property owner authorization required.* No sign regulated by this chapter shall be erected on a property not owned by the person or entity erecting the sign without the expressed written permission from the property owner of the property onto which the sign is erected. Said written permission shall be made available to the city upon request.
3. *Exceptions from the permitting requirement.* The following sign types are exempt from the permitting requirement:
 - a. Temporary signs;
 - b. Sign walkers;
 - c. Window signs, provided the sign is not electrically connected to the building;
 - d. Sun screens;

- e. Shingle signs, provided the sign is not electrically connected to the building;
- f. Address signs, provided the sign is not electrically connected to the building;
- g. Flags except that in the event the flagpole is greater than six feet in length, then a permit is required for the flagpole.

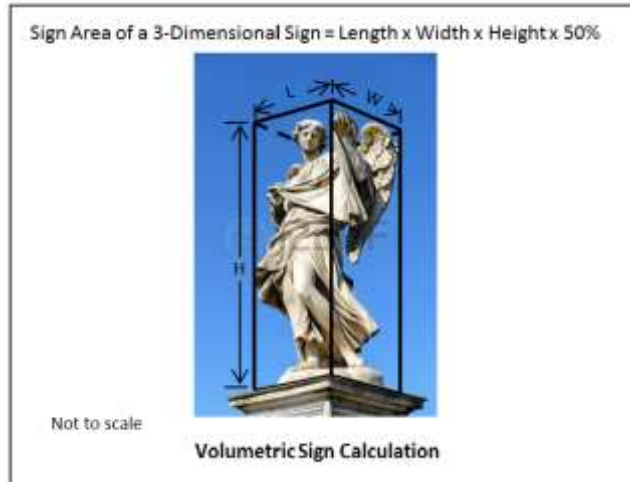
B Sign quality, construction, and aesthetics.

- 1. Signs shall be designed in compliance with the applicable construction codes adopted by the city and in effect at the time of construction.
- 2. Where raceway cabinets are utilized, said raceway cabinets shall be painted to match the color of the surface onto which it is mounted.
- 3. Whenever a permanent sign is removed, the surface onto which the sign was mounted shall be repaired as closely as practicable to a new-like condition.
- 4. Unless specifically approved by the City Council through a comprehensive sign program or conditional use permit for other than freeway monument sign, as applicable, supporting elements for all signs shall appear to be free of any angle iron, bracing, guy wires or similar features.
- 5. When electrical service is provided to any sign, all components of said service are to be entirely concealed or, when necessary, painted to match the surface of the structure upon which they are mounted.
- 6. All permanent signs permitted by this chapter shall be constructed of durable material capable of withstanding continuous exposure to the elements and conditions of the urban environment.

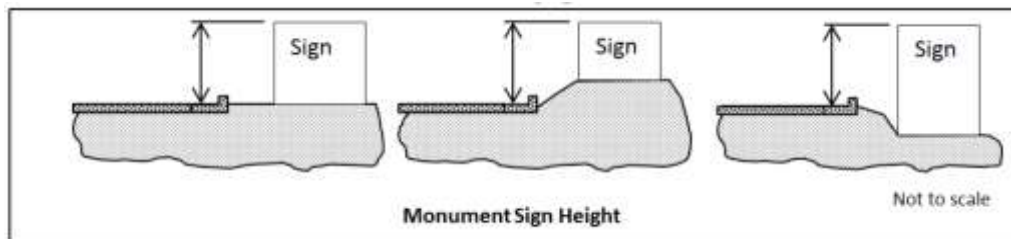
C Sign maintenance.

- 1. All signs shall be maintained in a state of good repair, operational, and free of blight and/or hazards. Weathered, sun damaged, tattered or faded signs or related components shall be repaired or replaced.
- 2. Whenever any sign, either legally conforming or legally nonconforming, is required to be removed for the purpose of repair, lettering or repainting, the same may be done provided:
 - a. There is no alteration or remodeling to the structure or to the mounting of the sign itself;
 - b. There is no enlargement or increase in any of the dimensions of the sign, sign copy, or sign structure;

- d. *Three-dimensional signs.* Where a sign consists of a three-dimensional, free-form, sculptural or other non-planar design, the sign area shall be calculated as 50 percent of the total volume of space contained within the smallest cuboid, which will enclose the sign structure.



2. *Monument sign height.* Unless otherwise noted, notwithstanding adjacent topography, the height of any class of monument sign shall be measured from the closest adjacent curb, or if no curb is present, the closest adjacent pavement.



3. *Fractional calculations.* All linear measurements and calculations shall be accurate to the closest inch. All area measurements and calculations shall be accurate to the closest square inch. All volumetric measurements and calculations shall be accurate to the closest cubic inch.

109-1.9 Sign classifications and types. The following sign classifications and types as defined in section 109-1.6 are permitted in the city as outlined in table 109-1a subject to the following "time, place and manner" restrictions.

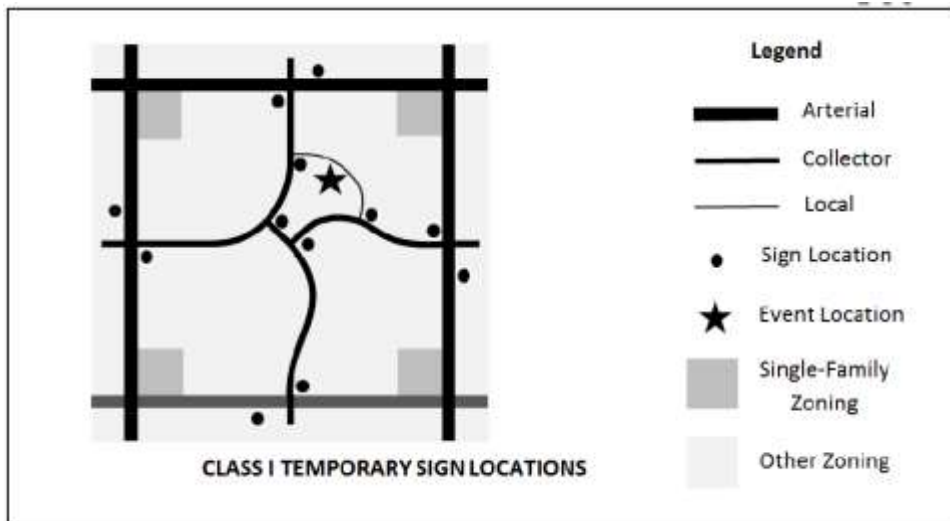
A. Temporary signs. When allowed, temporary signs shall conform to the following requirements:

1. General requirements.

- a. Temporary signs shall not be illuminated in any manner except by ambient lighting present on the property.
- b. Temporary signs shall include the name and phone number of the contact person responsible for placing the sign.
- c. No temporary sign may interfere with the free movement of pedestrian or vehicular traffic.
- d. The supporting elements for class III temporary signs and class IV temporary signs may be directly buried or inserted into the soil; however, in no case shall concrete, or other permanent attachments to the ground, or attachment to other permanent structure(s) be utilized.

2. *Class I temporary signs (small A-frame signs).* Class I temporary signs, as defined herein, are allowed subject to the general requirements as stated above plus the following:

- a. Class I temporary signs are only allowed in conjunction with a lawful temporary event being held on land zoned for single-family residential uses.
- b. Class I temporary signs may be placed in the following locations when in association with a lawful temporary event occurring on land zoned for single-family residential uses:
 - (1) One class I temporary sign at the site of the lawful temporary event,
 - (2) One class I temporary sign at each local or collector street intersection leading from the site of the lawful temporary event to the adjacent arterial street grid,
 - (3) Two class I temporary signs at the point where the local or collector street intersects with the arterial street. One sign may be located at the corner of the intersection on the side of the arterial street closest to the lawful temporary event. A second sign may be located on the opposite side of the arterial street, provided said sign is no further than 500 feet from the intersection.



- c. When allowed, class I temporary signs may be located within the street right-of-way, but not within any median, vehicle or bicycle travel lane, or sidewalk, nor within any sight visibility triangle as outlined in standard details 4-01 and 4-02 of the Surprise engineering development standards.
- d. There is no limit to the number of sign panels per sign structure provided the defined height, width and sign area limitations are not exceeded.
- e. The sign may be weighted or ballasted; however, no such sign may be affixed to the ground or to any permanent structure.
- f. Class I temporary signs may be placed one hour before the start of a lawful temporary event and shall be removed not more than one hour after the end of a lawful temporary event that occurs between the hours of 9:00 a.m. and 6:00 p.m. on Mondays, Tuesdays, Wednesdays, and Thursdays. In addition, class I temporary signs may be placed for any length of time between the hours of 4:00 p.m. Friday and 11:00 p.m. Sunday.
- g. If the lawful temporary event being served by the class I temporary sign requires a temporary use permit, the locations of the class I temporary signs shall be included with the application materials.

3. Class II temporary signs (large A-frame signs and pedestal signs). Class II temporary signs, as defined herein, are allowed subject to the general requirements as stated above plus the following:

- a. Class II temporary signs are only allowed in conjunction with a lawful commercial use including cottage industries, but not home occupations.
- b. When a class II temporary sign is being utilized in conjunction with a lawful commercial use, one such sign may be located within 15

- feet of the doorway of the customer entrance to the building in which the lawful commercial use is located.
- c. When allowed, class II temporary signs may be located within the street right-of-way, but not within any median, vehicle or bicycle travel lane, or sidewalk, nor within any sight visibility triangle as outlined in standard details 4-01 and 4-02 of the Surprise engineering development standards.
- d. There is no limit to the number of sign panels per sign structure provided the defined height, width and sign area limitations are not exceeded.
- e. The sign may be weighted or ballasted; however, no such sign may be affixed to the ground or to any permanent structure.
- f. Class II temporary signs utilized in conjunction with a lawful commercial use may be displayed during the business hours of the business served by the class II temporary sign.

4. *Class III temporary signs (small post-signs).*

- a. Not more than one class III temporary sign meeting the specific requirements outlined in this section is permitted per lot of record except that if said lot abuts more than one street, one additional class III temporary sign meeting said requirements may be erected along each additional street frontage.
- b. In the event a property is vacant, additional class III temporary signs may be erected on said property provided the spacing between such signs is not less than 600 feet.
- c. Class II temporary signs shall not be located within the street right-of-way, median, vehicle or bicycle travel lane, or sidewalk, nor within any sight visibility triangle as outlined in standard details 4-01 and 4-02 of the Surprise engineering development standards.
- d. There is no limit to the number of sign panels per sign structure provided the defined height, width and sign area limitations are not exceeded.
- e. In the event that a lot's perimeter site wall or fence is adjacent to or within 20 feet of a street, the class III temporary sign may be modified to allow the sign to be hung from but not attached to the perimeter site wall or fence provided the sign does not exceed the height of the wall or fence by more than six inches and does not interfere with pedestrian movement.

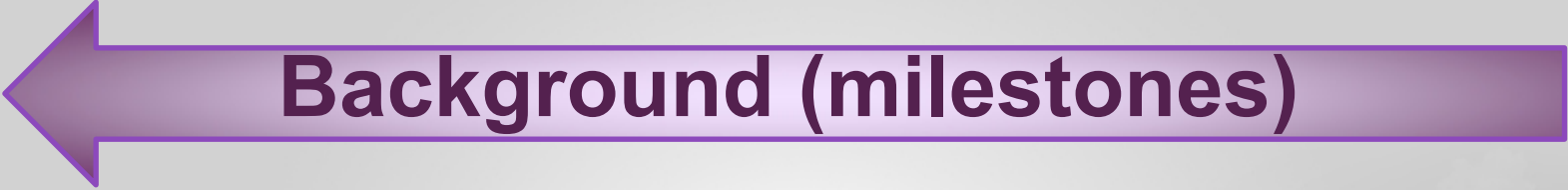


Temporary Signs (Large A-Frame)

City Council Work Session
April 6, 2021

Topics of Discussion

- **Sign Code Background**
- **Current Sign Code (Large A-Frames)**
- **Current Sign Policy**
- **Questions or Comments**



Background (milestones)

- April 2015 – March 2018: Overhaul of the city's Sign Code
- March 6, 2018: City Council approval of the new Sign Code
- April 5, 2018: New Sign Code goes into effect
- March 26, 2020: Adoption of Temp Sign Policy relative to COVID-19
- June 30, 2020: COVID-19 Temp Sign policy expires
- December 2020: Recent approval of the LDO
- March 2, 2021: Request to re-evaluate Large A-Frame Signs

Current Sign Code

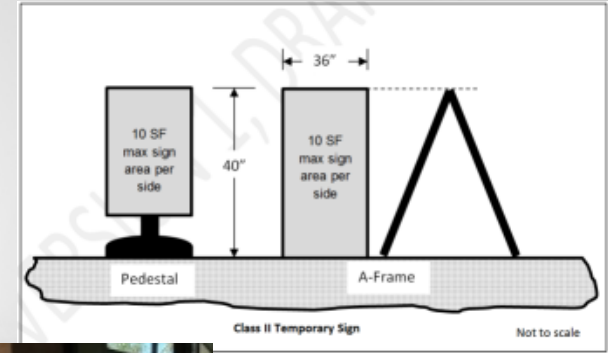
Section 109-1.9 – Sign Classifications and Types

- Establishes 4 “Classes” of Temporary Sign:
 - Class I – Small A-Frame (open house)
 - Class II – Large A-Frame
 - Class III – Small Post Sign (real estate)
 - Class IV – Large Post Sign

Current Sign Code

Class II Temporary Sign

- 1 Class II Temporary Sign per commercial use or “lawful temporary event”
- May not be located on vacant property
- Must be located within 15’ of customer entrance
- May not be located within public right-of-way unless customer entrance opens directly into right-of-way
- No limit to number of sign panels provided sign copy does not exceed 20 square feet
- May be weighted or ballasted but not affixed to ground or permanent structure
- May only be displayed during business hours



Sign Clutter



P&Z Alternatives

**1 sign per 200' of commercial street frontage
Not located within the right-of-way**



2020 Sign Policy

- **Response to COVID-19**
- **Effective March 27, 2020**
- **Grants certain relief from Sign Code**
- **Primarily with regard to A-Frame signs**

2020 Sign Policy

- **May not be located in a public or private street or sidewalk**
- **Must be placed behind the sidewalk, not between the sidewalk and curb**
- **Cannot be located within site visibility triangle (SVT)**
- **Must be legible**
- **Must be weighted but not anchored**
- **Certain size requirements**

Moving Forward

- **How many A-Frame Signs is tolerable?**
- **Any other changes?**
- **Prepare draft language**
- **Outreach**
- **Planning and Zoning Commission**
- **City Council**
- **Billboard Text Amendment application**

Timeline

- **Target**
 - **Outreach meetings on 4/29 & 5/5**
 - **P&Z on 5/20**
 - **City Council on 6/15**
 - **Effective date of 7/15**



QUESTIONS OR COMMENTS?

Thank You



Reed v. Town of Gilbert



- Case brought by a church over weekend placement of directional signs.
- U.S. Supreme Court clarified that if the enforcement officer needs to read the words on the sign to enforce the ordinance, the ordinance is presumptively unconstitutional. (Content-Neutrality)
- Focus on *Content Neutral* topics such as size of signs, sign materials, lighting, moving parts, portability of the sign or the location (public or private property) of the sign.
- Establish regulations for important signs such as government directional signs and traffic control signs along roads.

http://www.supremecourt.gov/opinions/14pdf/13-502_9olb.pdf