



CITY OF SURPRISE
Regular City Council Work Session
16000 N. Civic Center Plaza
Surprise, AZ 85374
Tuesday, August 17, 2021 @ 4:00 PM
COUNCIL CHAMBERS

- 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

INSTRUCTIONS: In order to address the City Council, you will need to fill out a Call to the Public Form available at the front counter, and then turn it in to the City Clerk before the meeting begins.

[Download the Call to the Public form](#) (PDF download requires Adobe Acrobat Reader)

[Fill out the Call to the Public form online](#) If submitting form electronically, please submit to City Clerk at least one hour before the meeting start time.

The Call to the Public form is also available at the front counter.

Note: A.R.S. 38-431.01(H)- During this time members of the public may address City Council only on issues within the jurisdiction of the City Council which are not an item on the agenda. At the conclusion of the open call, City Council may respond to criticism, may ask staff to review the matter or may ask that the matter be put on a future agenda. No discussion or action shall take place on any item raised.

Approval of items on the Consent Agenda – all items with an asterisk (*) are considered to be routine matters and will be enacted by one motion and one roll call vote to the City Council. There will be no separate discussion on these items unless a Councilmember requests, in which event the item will be removed from the consent agenda and considered in its normal sequence on the agenda.

Please be aware that Council Members may not discuss or respond to matters raised during call to the public that are not specifically identified on the agenda. Council Members may however, in their discretion, discuss or respond to relevant matters raised during a noticed public hearing or agenda item.

H. Regular City Council Work Session Agenda

CONSENT AGENDA:

REGULAR AGENDA ITEM - PUBLIC HEARING:

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

- | | | | |
|----|----------|---|------|
| 1. | Internal | Presentation and discussion pertaining to an update on Fighter Country Partnership. | None |
|----|----------|---|------|

Jodi Tas
City Clerk

- | | | | |
|----|----------|--|--|
| 2. | Citywide | Presentation and discussion pertaining to a proposed Text Amendment to Chapters 102 and 106 of the Surprise Land Development Ordinances (LDO) regarding Recreational Marijuana; Case FS20-619. | None

Robert Kuhfuss
Community
Development |
| 3. | Citywide | Presentation and discussion pertaining to a proposed Text Amendment to Chapter 109 of the Surprise Land Development Ordinance regarding Class II Temporary Signs; Case FS21-372. | 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: August 12, 2021 at 11:50 AM

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: August 17, 2021

Contact Person: Jodi Tas, MNGMNT ANALYST - SR

Submitting Department: City Clerk

District: Internal

Staff Recommendations: None

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

Agenda Wording:

Presentation and discussion pertaining to an update on Fighter Country Partnership.

Motion:

None; discussion only.

Background:

Fighter Country Partnership (FCP) was founded in 2006 and is the leading community support and advocacy group for the aid, operation and preservation of Luke Air Force Base. The City of Surprise is a partner. Partners include business professionals, civic leaders, elected officials and a diverse group of citizens who support Luke AFB and want to ensure its future in Arizona.

FCP's purpose is providing a high level of support for the men, women and families of Luke while furthering its ongoing mission - to train the world's greatest fighter pilots and combat-ready airmen.

Objective Analysis:

Annual presentation to City Council

Policy Compliant:

Yes

Financial Impact:

No

Budget Impact:

No

FTE Impact:

No

ATTACHMENTS:

1. 2021 City of Surprise - FCF Update
-



2021 City of Surprise Fighter Country Foundation Update



Unique Community Engagement

- Luke Air Force Base

RON SITES

President & CEO



Where FCF Support Is Directed

- **Morale and Well-being**

FCP Financial Saves Expo, Chaplain's Deployed Family Events, Luke Summer Camps for Autism, Back-to-School Bash, 1st Sergeant Appreciation Dinner, Summer Camps for Deployed children and much more

- **Culture and Tradition**

Luke Days Open House, Haboob Havoc Hangar Party, 425th Family Day at the Range, Luke AFB Ball, Annual Awards, Civilian Fly-In

- **Mission Sustainability**

Luke Forward (F-35 Campaign), Luke Honorary Commanders Program, Luke West Valley Council, Luke Planning & Zoning, Education & Awareness



Child Development Center - Staff Break Room





Child Development Center - Staff Break Room





"The Power of the Small"

Enhancing the Quality of Life

- Deployed Family Programs
- Back-to-School Bash
- FCP Financial Saves Expo
- Money Strong – Financial Incentive Program
- Dorm Dwellers Holiday Program
- FCF BlazerBox – Deployed Care Packages
- Operation Santa for Luke's Deployed Children
- Holiday Support Programs
- And so many more....



Fighter Country Foundation

2020 – The year to Flex

- **COVID19 Support Program**
 - Family Gift Card Program
- **Squadron Holiday Support**
 - Total support through the Luke Airmen's Fund
- **Resiliency Retreats**
 - Marriage Retreats, Date Nights, Single Parents
- **FCF Building 911**
 - Close to complete and can't wait to prove its purpose



THANK YOU

&

QUESTIONS



CITY OF SURPRISE Regular City Council Work Session

Council Meeting Date: August 17, 2021 Contact Person: Robert Kuhfuss
Submitting Department: Community Development District: Citywide
Staff Recommendations: None

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

Agenda Wording:

Presentation and discussion pertaining to a proposed Text Amendment to Chapters 102 and 106 of the Surprise Land Development Ordinances (LDO) regarding Recreational Marijuana; Case FS20-619.

Motion:

Presentation and discussion only.

Background:

The City of Surprise requests a Text Amendment to Chapter 102 and Chapter 106 of the Land Development Ordinance (LDO), allowing dual licensees to sell recreational marijuana within medical marijuana facilities.

Objective Analysis:

This proposed change is in response to the “Smart and Safe Arizona Act,” which was approved by Arizona’s voters in November 2020 and City Ordinance No. 2020-37, which regulates the use of recreational marijuana within Surprise. Currently, the Surprise Land Development Ordinances only regulate medical marijuana dispensaries under Section 106-10.27. At present, there are no approved medical marijuana dispensaries in Surprise.

Policy Compliant:

Updating the development code further the goals of the General Plan 2035. These regulations and standards implement tools to achieve the goals and policies for future development within 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 FS20-619 Recreational Marijuana ZTA Staff Report - 08-17-21 CCWS
 2. 01 FS20-619 Marijuana ZTA (DRAFT Per P&Z Recommendation)
 3. 02 FS20-619 Citizen Participation Report
 4. FS20-619 Rec Marijuana ZTA 08-17-21 CCWS
-

ZONING TEXT AMENDMENT

REPORT TO THE CITY COUNCIL WORK SESSION

1	Case:	FS20-619
2		
3	Project Name:	Recreational Marijuana Zoning Text Amendment (ZTA)
4		
5	Council District:	Citywide
6		
7	Meeting Date:	August 17, 2021
8		
9	Planner:	Robert H. Kuhfuss, AICP
10		
11		
12	Applicant:	City of Surprise
13		
14	Request:	Amend parts of Chapter 102 and 106 of the Land Development Ordinance as it relates to recreational marijuana facilities
15		
16		
17	Location:	Citywide
18		
19	Support/Opposition:	None received
20		
21	Commission	
22	Recommendation:	Approve the proposed amendment with changes relating to the allowing of drive-through facilities and hours of operation
23		
24		
25	Alternative Actions:	None , as this is a discussion item only; however, staff seeks Council direction on how to proceed.
26		
27		

28 **PROJECT DESCRIPTION:**

29
30 The City of Surprise requests a Text Amendment to parts of Chapter 102 and 106 of the Land
31 Development Ordinances (LDO), allowing dual licensees to sell recreational marijuana within medical
32 marijuana facilities.

33
34 **BACKGROUND:**

35
36 This proposed change is in response to the “Smart and Safe Arizona Act,” which was approved by
37 Arizona’s voters in November 2020 and City Ordinance No. 2020-37, which regulates the use of
38 recreational marijuana within Surprise. Currently, the Surprise Land Development Ordinances
39 only regulate medical marijuana dispensaries under Section 106-10.27. At present, there are no
40 approved medical marijuana dispensaries in Surprise.

41
42 **STAKEHOLDER AND CITIZEN OUTREACH:**

43
44 Staff hosted a hybrid outreach meeting on June 16, 2021 that had 1 in-person and 3 online attendees.
45 There was no stated opposition, and the in-person attendee suggested that hours of operation be
46 extended to the hours of 8am-9pm in an effort to accommodate more common retail hours of
47 operation.

48
49 **ANALYSIS AND DISCUSSION:**

50
51 The proposed text amendment revises parts of the LDO to incorporate new terms in Chapter 102
52 associated with Prop 207 “Smart and Safe Arizona” initiative and City Ordinance 2020-37. These
53 terms relate to the various products, business types, and licensee requirements associated with
54 both recreational and medical marijuana facilities. By including these words and phrases, the
55 LDO coordinates and consolidates these under one term for easier interpretation.

56
57 *MARIJUANA FACILITY:*

58 Includes a medical marijuana dispensary, medical marijuana offsite cultivation facility,
59 and/or medical marijuana infusion facility; or

60
61 A marijuana retail establishment operated by a dual licensee that is co-located on the
62 same property with a medical marijuana dispensary which has an active, valid medical
63 marijuana dispensary registration from DHS as well as a marijuana retail establishment
64 license issued by DHS.

65
66 Within Chapter 106, this Zoning Text Amendment (ZTA) proposes to amend the Land Use Matrix
67 and Use Specific Standard 106-10.27 to include recreational marijuana facilities to operate with
68 dual licenses issued by the Department of Health Service (DHS).

The Land Use Matrix (Table 106-1c) removes the specific uses “Medical Marijuana Dispensary” and “Medical Marijuana Offsite Cultivation Facility” and adds a new use “Marijuana Facility”, as a replacement. Marijuana Facilities are allowed in the same zoning districts and still requires a Conditional Use Permit (CUP).

Table 106-1c

Zoning District	C-2	C-3	I-1	I-2
Uses				
Medical Marijuana Dispensary	CUP	CUP	CUP	
Medical Marijuana Offsite Cultivation Facility	CUP	CUP	CUP	CUP
MARIJUANA FACILITY	CUP	CUP	CUP	CUP

The Use Specific Standard in Section 106-10.27 replaces the specific term “Medical Marijuana” with “Marijuana Facility” and focuses on only allowing recreational marijuana as a dual licensee. The text amendment includes additional regulations related to secure storage area, overall security measures, and disposal of marijuana products.

This section also revises the separation requirements from incompatible uses in Table 106-10c.

Table 106-10c - Separation Distances for any Medical MARIJUANA FACILITY MARIJUANA FACILITY

Land Use	MARIJUANA FACILITY Dispensaries Off-site Cultivation Facilities Infusion Facilities
From any PARCELS THAT ARE residentially zoned property OR DESIGNATED RESIDENTIAL LAND USE WITHIN AN APPROVED PAD	500 feet
From any place of worship	500 feet
From any dwelling unit	500 feet
From any public or private charter, primary, or secondary school	1,500 feet
From any public or private day care, preschool, or kindergarten facility	1,500 feet
From any public park or playground OR USABLE OPEN SPACE	1,500 feet
FROM ANY ENTERTAINMENT ESTABLISHMENT	1,500 FEET
From any other Medical Marijuana Facility MARIJUANA FACILITY of any type	3,000 feet
From any sexually oriented business	3,000 feet
From any residential substance abuse facility	3,000 feet

CONFORMANCE WITH ADOPTED PLANS:

Surprise General Plan 2035: Updating the development code further the goals of the General Plan 2035. These regulations and standards implement tools to achieve the goals and policies for future development within the City.

90 **REVIEWING AGENCIES:**

91
92 Staff has not received any feedback from any outside agencies regarding support or opposition
93 related to this text amendment.

94
95 **ALTERNATIVE LANGUAGE:**

96
97 During the Commission hearing of July 15, 2021, the Planning and Zoning Commission considered the
98 following alternative language.

99
100 *Alternative Language #1 – Drive-Thru*

101 This section of alternative language changes paragraph B.3 of section 106-10.27 to allow Marijuana
102 Facilities to have a drive-thru service as an accessory use with the approval of a Conditional Use
103 Permit. It should be noted that allowing or prohibiting drive-thru facilities must be applied to both
104 medical marijuana dispensaries and recreational marijuana establishments since they are required
105 to operate with dual licenses issued by DHS.

106
107 106-10.27 Marijuana Facility Uses.

108 B. Any *marijuana facility* shall meet the following requirements:

109 3. ~~Not~~ MAY have a drive-thru
110

111 **The Commission recommendation includes a provision that allows drive-through facilities subject**
112 **to compliance with the regulations regarding drive-through facilities per Section 106-10.19 of the**
113 **LDO.**

114
115 *Alternative Language #2 – Hours of Operation*

116 The current LDO does not regulate hours of operation for a medical marijuana dispensary. This
117 paragraph in the Zoning Text Amendment (ZTA) means to ensure marijuana facilities operate within
118 the typical commercial and retail practices.

119
120 This section of alternative language changes paragraph B.10 of section 106-10.27 to allow Marijuana
121 Facilities extended hours of operation.

122
123 106-10.27 Marijuana Facility Uses.

124 B. Any *marijuana facility* shall meet the following requirements:

125 10. The permitted hours of operation of a marijuana facility operated by a dual
126 licensee shall be limited to 8:00 A.M. to ~~7:00~~ 9:00 P.M.
127

128 **The Commission recommendation includes a provision that allows facilities to remain open for**
129 **business from 8:00 a.m. to 9:00 p.m.**

Alternative Language #3 – Separation from PADs with Residential

The current LDO carried over strict separation requirements that prohibited any Medical Marijuana Facility from being within 500 feet of a residentially zoned property. The previous interpretations of this language included separation from the whole PAD (Planned Area Development) if it included any residentially zoned areas. This ZTA proposes to specify that separation requirement for the properties zoned for residential uses within the PAD and not exclude PAD as a whole. A Marijuana Facility may be near or within a PAD if the subject parcel meets the zoning districts and separation requirements, and obtains a CUP.

This section of alternative language changes paragraph E of section 106-10.27 to exclude and separate from any PAD with residential zoning.

Table 106-10c - Separation Distances for any Marijuana Facility

Land Use	Marijuana Facility
From any parcels that are residentially zoned PROPERTY OR PAD WITH RESIDENTIAL USES or designated residential land use within an approved pad	500 feet

The Commission recommendation retains the language as originally proposed. No changes were made. The proposed language will set the separation at 500 feet from any residential use within a PAD, but does not remove the entire PAD from consideration.

FINDINGS:

- The proposed Zoning Text Amendment is consistent with Prop 207 “Smart and Safe Arizona” and City Ordinance No. 2020-37, which regulates the use of recreational marijuana within Surprise.
- The proposed changes are consistent with Commission direction.

COMMISSION RECOMMENDATION:

The Planning and Zoning Commission recommends the Council approve the proposed Text Amendment with changes allowing drive-through facilities and hours of operation of 8:00 AM to 9:00 PM; however, as this is a discussion item only, no action is required of the Council at this time.

ATTACHMENTS:

- 01 FS20-619 – Recreational Marijuana ZTA DRAFT – Per P&Z Recommendation
- 02 FS20-619 – Citizen Participation Report

Revise Land Use Matrix to include adding **MARIJUANA FACILITY**

Table 106-1c

Zoning District Uses	C-2	C-3	I-1	I-2
Medical Marijuana Dispensary	CUP	CUP	CUP	
Medical Marijuana Offsite Cultivation Facility	CUP	CUP	CUP	CUP
MARIJUANA FACILITY	CUP	CUP	CUP	CUP

LDO Section 101-2.2(C) (Glossary of Terms)

(From Ord 2020-37)

MARIJUANA TERMS: THE FOLLOWING TERMS ARE ASSOCIATED WITH THE CREATION, SALES, AND CONSUMPTION OF MARIJUANA.

- CHEMICAL EXTRACTION:** THE PROCESS OF REMOVING A PARTICULAR COMPONENT OF A MIXTURE FROM OTHERS PRESENT, INCLUDING REMOVING RESINOUS TETRAHYDROCANNABINOL FROM MARIJUANA.
- CHEMICAL SYNTHESIS:** PRODUCTION OF A NEW PARTICULAR MOLECULE BY ADDING TO, SUBTRACTING FROM, OR CHANGING THE STRUCTURE OF A PRECURSOR MOLECULE.
- CONSUME, CONSUMING, AND CONSUMPTION:** THE ACT OF SMOKING, INGESTING, INHALING, OR OTHERWISE INTRODUCING MARIJUANA INTO THE HUMAN BODY.
- CONSUMER:** AN INDIVIDUAL WHO IT AT LEAST TWENTY-ONE YEARS OF AGE AND WHO PURCHASES MARIJUANA OR MARIJUANA PRODUCTS.
- CULTIVATE AND CULTIVATION:** TO PROPAGATE, BREED, GROW, PREPARE, AND PACKAGE MARIJUANA.
- DHS:** THE STATE OF ARIZONA DEPARTMENT OF HEALTH SERVICES OR ITS SUCCESSOR AGENCY.
- DUAL LICENSEE:** AN ENTITY THAT HOLDS BOTH A NONPROFIT MEDICAL MARIJUANA DISPENSARY REGISTRATION AND A MARIJUANA RETAIL ESTABLISHMENT LICENSE.

8. **EXTRACTION:** THE PROCESS OF REMOVING OR SEPARATING RESIN FROM MARIJUANA TO PRODUCE OR PROCESS ANY FORM OF MARIJUANA CONCENTRATES USING WATER, LIPIDS, GASES, SOLVENTS, OR OTHER CHEMICALS OR CHEMICAL PROCESSES.
9. **MARIJUANA:** ALL PARTS OF THE PLANT OF THE GENUS CANNABIS, WHETHER GROWING OR NOT, AS WELL AS THE SEEDS FROM THE PLANT, THE RESIN EXTRACTED FROM ANY PART OF THE PLANT, AND EVERY COMPOUND, MANUFACTURE, SALT, DERIVATIVE, MIXTURE, OR PREPARATION OF THE PLANT OR ITS SEEDS OR RESIN.
- A. INCLUDES CANNABIS AS DEFINED IN A.R.S. § 13-3401.
- B. DOES NOT INCLUDE INDUSTRIAL HEMP, THE FIBER PRODUCED FROM THE STALKS OF THE PLANT OF THE GENUS CANNABIS, OIL, OR CAKE MADE FROM THE SEEDS OF THE PLANT, STERILIZED SEEDS OF THE PLANT THAT ARE INCAPABLE OF GERMINATION, OR THE WEIGHT OF ANY OTHER INGREDIENT COMBINED WITH MARIJUANA TO PREPARE TOPICAL OR ORAL ADMINISTRATIONS, FOOD, DRINK, OR OTHER PRODUCTS.
10. **MARIJUANA CONCENTRATE:**
- A. RESIN EXTRACTED FROM ANY PART OF A PLANT OF THE GENUS CANNABIS AND EVERY COMPOUND, MANUFACTURE, SALT, DERIVATIVE, MIXTURE, OR PREPARATION OF THAT RESIN OR TETRAHYDROCANNABINOL.
- B. DOES NOT INCLUDE INDUSTRIAL HEMP OR THE WEIGHT OF ANY OTHER INGREDIENT COMBINED WITH CANNABIS TO PREPARE TOPICAL OR ORAL ADMINISTRATIONS, FOOD, DRINK, OR OTHER PRODUCTS.
11. **MARIJUANA FACILITY:**
- A. INCLUDES A MEDICAL MARIJUANA DISPENSARY, MEDICAL MARIJUANA OFFSITE CULTIVATION FACILITY, AND/OR MEDICAL MARIJUANA INFUSION FACILITY; OR
- B. A MARIJUANA RETAIL ESTABLISHMENT OPERATED BY A DUAL LICENSEE THAT IS CO-LOCATED ON THE SAME PROPERTY WITH A MEDICAL MARIJUANA DISPENSARY WHICH HAS AN ACTIVE, VALID MEDICAL MARIJUANA DISPENSARY REGISTRATION FROM DHS AS WELL AS A MARIJUANA RETAIL ESTABLISHMENT LICENSE ISSUED BY DHS.
12. **MARIJUANA MANUFACTURE AND MANUFACTURING:** TO COMPOUND, BLEND, EXTRACT, INFUSE, OR OTHERWISE MAKE OR PREPARE A MARIJUANA PRODUCT.

13. **MARIJUANA PRODUCTS:** MARIJUANA CONCENTRATE AND PRODUCTS THAT ARE COMPOSED OF MARIJUANA AND OTHER INGREDIENTS AND THAT ARE INTENDED FOR USE OR CONSUMPTION, INCLUDING SMOKING, EDIBLE PRODUCTS, OINTMENTS, AND TINCTURES.
14. **MARIJUANA RETAIL ESTABLISHMENT:** AN ENTITY LICENSED BY DHS TO OPERATE ANY OR ALL THE FOLLOWING:
 - A. A SINGLE RETAIL LOCATION AT WHICH THE LICENSEE MAY SELL MARIJUANA AND MARIJUANA PRODUCTS TO CONSUMERS, CULTIVATE MARIJUANA, AND/OR MANUFACTURE MARIJUANA PRODUCTS.
 - B. A SINGLE OFF-SITE CULTIVATION LOCATION AT WHICH THE LICENSEE MAY CULTIVATE MARIJUANA, PROCESS MARIJUANA, AND MANUFACTURE MARIJUANA PRODUCTS, BUT FROM WHICH MARIJUANA AND MARIJUANA PRODUCTS MAY NOT BE TRANSFERRED OR SOLD TO CONSUMERS.
 - C. A SINGLE OFF-SITE LOCATION AT WHICH THE LICENSEE MAY MANUFACTURE MARIJUANA PRODUCTS AND PACKAGE AND STORE MARIJUANA AND MARIJUANA PRODUCTS, BUT FROM WHICH MARIJUANA AND MARIJUANA PRODUCTS MAY NOT BE TRANSFERRED OR SOLD TO CONSUMERS.
15. **MARIJUANA TESTING FACILITY:** DHS, OR ANOTHER ENTITY THAT IS LICENSED BY DHS, TO ANALYZE THE POTENCY OF MARIJUANA AND TEST MARIJUANA FOR HARMFUL CONTAMINANTS.
16. **Medical Marijuana Dispensary:** *Medical Marijuana Dispensary:* A not-for-profit entity defined in A.R.S. § 36-2801(11), that acquires, possesses, *cultivates*, *MANUFACTURES*, delivers, transfers, transports, supplies, sells, dispenses, or otherwise provides medical MARIJUANA or related supplies and educational materials to cardholders as defined in A.R.S. § 36-2801(2).
17. **Medical Marijuana Dispensary Off-Site Cultivation Facility:** An enclosed, locked facility where MARIJUANA is *cultivated* by a *Medical Marijuana Dispensary* as referenced in A.R.S. § 36-2804(B)(1)(b)(ii).
18. **Medical Marijuana Infusion Facility:** A facility that incorporates medical MARIJUANA into consumable/edible goods by the means of cooking or blending.
19. **Process and Processing:** To harvest, dry, cure, trim, or separate parts of the MARIJUANA plant.
20. **Smoke:** To inhale, exhale, burn, carry, or possess any lighted MARIJUANA or lighted MARIJUANA PRODUCTS, whether natural or synthetic.

Current LDO provisions for *MEDICAL MARIJUANA* approved by P&Z on 11/19 and City Council on 12/15.

Proposed changes in legislative format. New text is shown in **ALL CAPS AND HIGHLIGHTED** and text is removed is shown with a ~~strikethrough line~~. Changes as a result of the Planning and Zoning Commission recommendation shown in **blue highlight underline and strikethrough**.

106-10.27 Medical Marijuana **FACILITY Uses.**

- A.** All ~~medical marijuana~~ *FACILITY* uses shall comply with all ~~regulations and~~ laws pursuant to the Arizona Revised Statutes **AND ALL REGULATIONS ISSUED BY DHS**. The following provisions will not be construed as permitting any *use* or act which is otherwise prohibited or made punishable by law.
- B.** Any ~~Medical Marijuana Dispensary~~ facility, ~~Medical Marijuana Dispensary off-site cultivation~~ location, and/or a ~~medical MARIJUANA infusion~~ facility, **MARIJUANA FACILITY** shall meet the following requirements:
1. Be located in a permanent *building* and may not be located in a trailer, cargo container, storage unit, or motor vehicle.
 2. The *business* location shall not exceed a maximum size of 2,500 gross square feet, **EXCEPT THAT A CO-LOCATED MEDICAL MARIJUANA DISPENSARY AND MARIJUANA RETAIL ESTABLISHMENT OPERATED BY A DUAL LICENSEE MAY BE A MAXIMUM SIZE OF 5,000 GROSS SQUARE FEET.**
 3. ~~NotMay~~ have a drive-through service **per Section 106-10.19**.
 4. Not emit dust, fumes, vapors, or odors into the environment.
 5. Not provide *off-site* delivery of ~~medical MARIJUANA~~ **OR MARIJUANA PRODUCTS**.
 6. Prohibit *consumption* of *MARIJUANA* on the premises.
 7. Not have outdoor seating areas.
 8. Disposal of *MARIJUANA* remnants, by-products, and/or infused products shall not to be placed within the ~~facilities~~ exterior refuse containers.
 9. **THE SECURE STORAGE AREA FOR THE MARIJUANA STORED AT A MARIJUANA FACILITY OPERATED BY A DUAL LICENSEE SHALL NOT EXCEED TWENTY PERCENT (20%) OF THE MAXIMUM GROSS FLOOR AREA OF THE MARIJUANA FACILITY.**

10. THE PERMITTED HOUSE OF OPERATION OF A *MARIJUANA FACILITY* OPERATED BY A *DUAL LICENSEE* SHALL BE LIMITED TO 8:00 A.M. TO 7:00 9:00 P.M.
11. THE OPERATOR OF A *MARIJUANA FACILITY* SHALL PROVIDE UNRESTRICTED ACCESS TO CITY CODE ENFORCEMENT OFFICERS OR POLICE OFFICERS WHO REQUEST ADMISSION FOR THE PURPOSE OF DETERMINING COMPLIANCE WITH THESE STANDARDS.
12. WITHIN A *MARIJUANA FACILITY* THERE SHALL BE A SECURE STORAGE AREA SUFFICIENT TO DETER AND PREVENT THEFT.
13. ALL *MARIJUANA* AND *MARIJUANA PRODUCTS* SHALL BE SECURELY LOCKED WITHIN THE SECURE STORAGE AREA AT ANY TIME THE *MEDICAL MARIJUANA DISPENSARY* OR *MARIJUANA FACILITY* OPERATED BY A *DUAL LICENSEE* IS NOT OPEN FOR BUSINESS.
14. A *MEDICAL MARIJUANA DISPENSARY* OR *MARIJUANA FACILITY* OPERATED BY A *DUAL LICENSEE* SHALL HAVE ONLY ONE SECURE ENTRANCE TO THE BUILDING AND ANY OTHER DOORS REQUIRED FOR EXITING SHALL BE LOCKED TO THE OUTSIDE AND HAVE AN ALARM THAT SOUNDS WHEN OPENED FROM THE INSIDE.
15. A *MARIJUANA FACILITY* SHALL HAVE AN ALARM SYSTEM WITH A REDUNDANT POWER SUPPLY AND CIRCUITRY TO PREVENT DEACTIVATION.
16. A *MARIJUANA FACILITY* SHALL HAVE A VIDEO SURVEILLANCE SYSTEM THAT AT ALL TIMES RECORDS ALL INTERIOR AREAS AND THE EXTERIOR PERIMETER.
17. A *MARIJUANA FACILITY* SHALL HAVE ADEQUATE EXTERIOR SECURITY LIGHT, WHICH ALSO COMPLIES WITH CHAPTER 107-ARTICLE 3 OF THIS ORDINANCE.
18. THE OPERATOR OF A *MARIJUANA FACILITY* SHALL DEVELOP AND MAINTAIN A SECURITY PLAN WHICH DEMONSTRATES COMPLIANCE WITH ALL OF THE MINIMUM STANDARDS SPECIFIED HEREIN.

- C. Any ~~*Medical Marijuana Dispensary, Medical Marijuana Dispensary*~~ off-site cultivation, and/or a medical ~~*MARIJUANA*~~ infusion facility *MARIJUANA FACILITY* shall meet the following minimum separations, measured in a straight line from the boundary of the *parcel* containing the ~~*Medical Marijuana Dispensary, off-site cultivation, or infusion*~~ *MARIJUANA FACILITY* location to the boundary of the *parcel* containing any uses as listed below in (see **Table 106-10c**). IF EITHER THE *MARIJUANA FACILITY* OR BUFFERED USE IS IN A *COMMERCE CENTER* DEVELOPMENT, THE SEPARATION REQUIREMENTS SHALL BE MEASURED FROM THE BOUNDARY OF THE *COMMERCE CENTER*.

- D. A Medical Marijuana Dispensary off-site cultivation location or a medical marijuana infusion facility not associated with a Medical Marijuana Dispensary is prohibited.

MARIJUANA RETAIL ESTABLISHMENTS AND MARIJUANA TESTING FACILITIES ARE PROHIBITED, EXCEPT THAT A MARIJUANA RETAIL ESTABLISHMENT IS PERMITTED WHEN IT IS OPERATED IN THE SAME BUILDING ON THE SAME PROPERTY WITH A MEDICAL MARIJUANA DISPENSARY BY A DUAL LICENSEE WHO HAS AN ACTIVE, VALID MEDICAL MARIJUANA DISPENSARY REGISTRATION FROM DHS AS WELL AS A MARIJUANA RETAIL ESTABLISHMENT LICENSE ISSUED BY DHS.

- E. A **MARIJUANA FACILITY** ~~Medical Marijuana Dispensary, off-site cultivation facility, or an infusion facility~~ lawfully operating is not rendered in violation of these provisions by the subsequent location of a ~~place of worship, public or private primary or secondary school, public or private day care, preschool, kindergarten facility, public park, or playground~~ **OF A NEW USE IS ESTABLISHED** closer than the outlined below in **Table 106-10c**.

Table 106-10c - Separation Distances for any Medical MARIJUANA FACILITY MARIJUANA FACILITY	
Land Use	MARIJUANA FACILITY Dispensaries Off-site Cultivation Facilities Infusion Facilities
From any PARCELS THAT ARE residentially zoned property OR DESIGNATED RESIDENTIAL LAND USE WITHIN AN APPROVED PAD	500 feet
From any place of worship	500 feet
From any dwelling unit	500 feet
From any public or private charter, primary, or secondary school	1,500 feet
From any public or private day care, preschool, or kindergarten facility	1,500 feet
From any public park or playground OR USABLE OPEN SPACE	1,500 feet
FROM ANY ENTERTAINMENT ESTABLISHMENT	1,500 FEET
From any other medical MARIJUANA FACILITY MARIJUANA FACILITY of any type	3,000 feet
From any sexually oriented business	3,000 feet
From any residential substance abuse facility	3,000 feet

- F. Medical **MARIJUANA** designated caregiver *cultivation* and qualifying patient *cultivation* locations shall further comply with the follow requirements:

1. *Cultivation* locations will be an enclosed, locked facility such as a closet, room, greenhouse or other *building* that does not exceed 50 square feet of *cultivation* space.
2. *Cultivation* locations will not be visible from beyond the boundaries of the property on which the *cultivation* location is situated.
3. Medical *MARIJUANA cultivation* as an *accessory use* to the qualifying patient primary residence will only be permitted if the residence is located at least 25 miles from a *Medical Marijuana Dispensary*.

Citizen Participation Report

Recreational Marijuana Zoning Text Amendment

Case FS20-619

Project Summary:

The City of Surprise requests a Text Amendment to the Surprise Municipal Code to amend parts of Chapter 102 and 106 of the Land Development Ordinance as it relates to recreational marijuana facilities.

Advertising:

Because of the COVID-19 health emergency, a hybrid Neighborhood Outreach Meeting was held with in-person and virtual attendees on June 16, 2021 at 6:00pm.

Attendance:

There was a single attendee in-person and three online attendees to discuss the merits of the proposal.

Feedback:

There was not opposition stated. Support was given towards:

1. allowing a Marijuana Facility on a C-2 commercial property within a PAD so long as the separation distances are met
2. extending the hours of operation to 9pm



Presentation: Recreational Marijuana Zoning Text Amendment (ZTA)

City Council Work Session
August 17, 2021

Today's Discussion

- Overview of the Recreational Marijuana ZTA
- Proposed Changes to the:
 - Glossary of Terms (Chapter 102)
 - Land Use Matrix (Chapter 106)
 - Use Specific Standards (Chapter 106)

Overview

- Response to the “Smart and Safe Arizona Act”
 - Approved by Arizona’s voters in November 2020
 - City Ordinance No. 2020-37 (amended Chapter 34 of the Surprise Municipal Code)
 - Regulates the use of recreational marijuana within Surprise
- Proposed Recreational Marijuana Zoning Text Amendment
 - Revises parts of the Land Development Ordinances (LDO)
 - Revises the permitted business establishments to include recreational marijuana
 - LDO currently allows Medical Marijuana dispensaries (none currently operate)
 - This ZTA proposes to allow facilities with dual state licensing
 - Both recreational and medical marijuana

Proposed Changes

- Glossary of Terms (Chapter 102)
 - All related terms under the heading “*MARIJUANA TERMS*”
 - Includes terms associated with City Ordinance No. 2020-37
 - Such as Marijuana Facility MARIJUANA FACILITY:
 - A. Includes a medical marijuana dispensary, medical marijuana offsite cultivation facility, and/or medical marijuana infusion facility; or
 - B. A marijuana retail establishment operated by a dual licensee that is co-located on the same property with a medical marijuana dispensary which has an active, valid medical marijuana dispensary registration from DHS as well as a marijuana retail establishment license issued by DHS.

Proposed Changes

- Table 106-1c Land Use Matrix (Chapter 106)
 - Removes the specific uses “Medical Marijuana Dispensary” and “Medical Marijuana Offsite Cultivation Facility”
 - Adds a new use Marijuana Facility as a replacement
 - Still requires Conditional Use Permit (CUP)

Table 106-1c

Zoning District	C-2	C-3	I-1	I-2
Uses				
Medical Marijuana Dispensary	CUP	CUP	CUP	
Medical Marijuana Offsite Cultivation Facility	CUP	CUP	CUP	CUP
MARIJUANA FACILITY	CUP	CUP	CUP	CUP

Proposed Changes

- Use Specific Standard (Section 106-10.27)
 - Replaces specific term “Medical Marijuana” with “Marijuana Facility”
 - Focuses on only allowing recreational marijuana as a dual licensee
 - Additional regulations related to secure storage area, overall security measures, and disposal of marijuana products
 - Revises the separation requirements from incompatible uses

Proposed Changes

- Separation requirements (Table 106-10c)

Table 106-10c - Separation Distances for any Medical MARIJUANA FACILITY MARIJUANA FACILITY	
Land Use	Dispensaries Off-site Cultivation Facilities Infusion Facilities MARIJUANA FACILITY
From any PARCELS THAT ARE residentially zoned property OR DESIGNATED RESIDENTIAL LAND USE WITHIN AN APPROVED PAD	500 feet
From any place of worship	500 feet
From any dwelling unit	500 feet
From any public or private charter, primary, or secondary school	1,500 feet
From any public or private day care, preschool, or kindergarten facility	1,500 feet
From any public park or playground OR USABLE OPEN SPACE	1,500 feet
FROM ANY ENTERTAINMENT ESTABLISHMENT OR AMUSEMENT FACILITY, SUCH AS A MOVIE THEATER, SPORTS VENUE, BOWLING ALLEY, ARCADE, OR GAMING HALL	1,500 FEET
From any other medical MARIJUANA FACILITY MARIJUANA FACILITY of any type	3,000 feet
From any sexually oriented business	3,000 feet
From any residential substance abuse facility	3,000 feet

Questions for P&Z and City Council:

Still prohibit drive-thru?

- Current code does not allow drive-thru
 - Commission recommendation to allow drive-thru
- Regulate the hours of operation
 - 8am-7pm, or
 - 8am-9pm
 - 8am – 9pm per Commission recommendation
- Separation distance requirements?
 - Whole PAD with any residential, or
 - Specific to the residential uses within a PAD
 - Specific to residential uses per Commission recommendation

Next Steps

City Council – Work Session

- August 17, 2021
- Presentation and discussion

City Council - Public Hearing

- September 21, 2021
- Consideration and action



QUESTIONS OR COMMENTS?

Thank You



CITY OF SURPRISE
Regular City Council Work Session

Council Meeting Date: August 17, 2021 Contact Person: Robert Kuhfuss
Submitting Department: Community Development District: Citywide
Staff Recommendations: None

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

Agenda Wording:

Presentation and discussion pertaining to a proposed Text Amendment to Chapter 109 of the Surprise Land Development Ordinance regarding Class II Temporary Signs; Case FS21-372.

Motion:

Presentation and discussion only.

Background:

At the direction of City Council, the Surprise Community Development Department seeks an amendment to Chapter 109 of the Surprise Municipal Code regarding Large A-Frame Signs otherwise referred to as “Class II Temporary Signs”. The proposed Text Amendment, if approved, would amend the manner in which such signs are regulated within the City of Surprise. During the Planning and Zoning Commission hearing of July 15, 2021, the Commission expressed concerns over the proposed language but did not offer a formal recommendation. Staff revised the language based on input from the Commission. The matter is being re-heard at the August 5, 2021 Planning and Zoning Commission hearing; however, the results of that hearing are unknown as of the writing of this report.

Objective Analysis:

Two versions are being presented for consideration. The original version, if adopted, will be difficult to enforce and may result in a proliferation of signs; however, the business community will have more opportunities to advertise their businesses. The revised version keeps the basic regulatory framework, while incorporating clarifying language and correcting scrivener's errors.

Policy Compliant:

The City's goal is to balance business needs with aesthetics, while meeting the requirements of law.

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 - FS121-372 A-Frame Signs 08-17-21 CC Staff Report
 2. 01 - FS21-372 Exhibit A SMC Section 109-1.6 Definitions Leg-Edit
 3. 02 - FS21-372 Exhibit B SMC Section 109-1.7 Permitted and Prohibited Signs Leg-Edit
 4. 03 - FS21-372 Exhibit C SMC Section 109-1.8 General Provisions Leg-Edit
 5. 04a - FS21-372 Exhibit D1 SMC Section 109-1.9 Sign Classifications and Types Leg-Edit
ORIGINAL
 6. 04b - FS21-372 Exhibit D2 SMC Section 109-1.9 Sign Classifications and Types Leg-Edit
REVISED
 7. 05 - FS21-372 A-Frame Sign Text Amendment Outreach Summary w Attachments
 8. 06 - FS21-372 A Frame Sign Amendment Citizen Comments_Redacted
 9. 07 - FS21-372 Additional Opposition and Support as of 070621_Redacted
 10. FS21-372 Temporary Signs 08-17-21 CCWS
-

TEXT AMENDMENT

REPORT TO THE CITY COUNCIL WORK SESSION

Case: **FS21-372**

Project Name: A-Frame Signs

Council District: All

Meeting Date: **August 17, 2021**

Planner: Robert H. Kuhfuss, AICP

Applicant: City of Surprise

Request: Text Amendment to Chapter 109 of the Surprise Land Development Ordinance regarding Class II Temporary Signs

Location: Citywide

Support/Opposition: Staff has received several items of input

Commission

Recommendation: **Unknown** as of the writing of this report

Alternative Actions: **None**, as this is a discussion item only; however, staff seeks Council direction on how to proceed.

43 **PROJECT DESCRIPTION:**

44
45 At the direction of City Council, the Surprise Community Development Department seeks an
46 amendment to Chapter 109 of the Surprise Municipal Code regarding Large A-Frame Signs
47 otherwise referred to as “Class II Temporary Signs”.
48

49 **BACKGROUND:**

50
51 **April 16, 2015:** Staff began the overhaul of the Sign Code as previously written in Chapter 113
52 of the Surprise Municipal Code (SMC).
53

54 **March 6, 2018:** The City Council approved the amended Chapter 113 Sign Code.
55

56 **April 5, 2018:** The new Sign Code per Chapter 113 went into effect.
57

58 **March 26, 2020:** The City Council adopted a temporary sign policy in response to the COVID-19
59 pandemic.
60

61 **December 15, 2020:** The City Council approved the Land Development Ordinance (LDO), at which
62 time Chapter 113 of the SMC became Chapter 109 of the LDO.
63

64 **January 14, 2021:** The LDO became effective.
65

66 **March 2, 2021:** The City Council requested staff re-evaluate the provisions of the current Sign Code
67 as they pertain to Large A-Frame Signs (Class II Temporary Signs).
68

69 **April 6, 2021:** Staff presented the matter to the City Council during a regular Work Session.
70

71 **May 11, 2021:** Staff initiated case FS21-372 as it relates to Large A-Frame Signs (Class II Temporary
72 Signs).
73

74 **June 9, 2021:** Staff held an outreach meeting to discuss the proposed changes to the Sign Code as
75 they pertain to Large A-Frame Signs (Class II Temporary Signs).
76

77 **July 15, 2021:** The Commission reviewed the originally proposed language at their regularly
78 scheduled public hearing.
79

80 **August 5, 2021:** The Commission will hear the matter at a regularly scheduled hearing. The results
81 of the hearing are unknown as of the writing of this report.
82
83
84
85

86 **OUTREACH:**

87
88 Staff held an outreach meeting on Wednesday, June 9, 2021 in both in-person and virtual format.
89 Six (6) members of the public were present in person while two (2) members of the public attended
90 virtually. Those in attendance in person were generally divided on the issue. Those in favor cited
91 better business exposure, while those opposed cited the potential for sign clutter coupled with the
92 potential for enforcement issues related to after-hours enforcement. Two members who attended
93 virtually, stated they had difficulty hearing the conversation that was taking place; however, in
94 subsequent communications, one individual indicated support, while the other individual
95 supported the idea as long as it does not lead to sign clutter. The outreach meeting, as well as the
96 Planning and Zoning Commission hearing, were advertised in accordance with state and local
97 regulations.

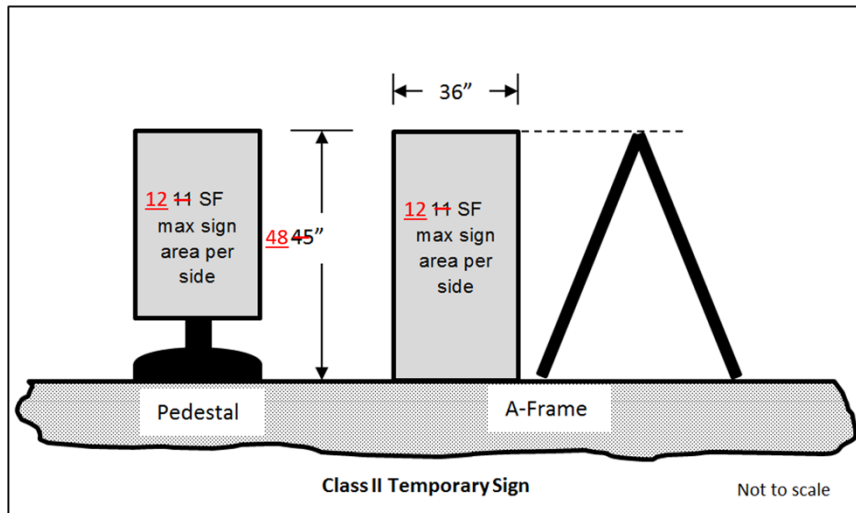
98
99 **DISCUSSION:**

100
101 During the Planning Commission hearing held on July 15, 2021, staff presented a version of the
102 proposed Text Amendment that, if adopted, would have significantly changed the manner in
103 which large A-Frame signs are regulated in the city. Upon consideration and much discussion,
104 the Commission expressed concerns over certain aspects of the originally proposed text, while
105 expressing support for other aspects. In essence, the Commission was comfortable with making
106 minor changes, but was not comfortable with changing the overall manner in which large A-
107 Frame signs are regulated.

108
109 The Commission did not offer a formal recommendation during the aforementioned hearing;
110 however, based on input from the Commission, staff revised the proposed language as
111 indicated below. This language will be presented to the Commission on August 5, 2021 for
112 formal recommendation; however, the outcome is unknown as of the writing of this report.
113 (Deleted text is ~~red strike-through~~. Added text is red underline):

- 114
115 ➤ **Amend the definition of Class II Temporary Sign in subsection 109-1.6(A) – [no changes**
116 **since July 15, 2021]**

117
118 *Sign, temporary, class II* (A-frame sign and pedestal sign). A temporary, portable sign in
119 which the overall height of the sign structure does not exceed 4548 inches, the overall
120 width of the sign structure does not exceed 36 inches and which does not exceed 2224
121 square feet of aggregate sign area.
122



➤ Amend subsection 109-1.8(B) to add clarity regarding materials and legibility – [no changes since July 15, 2021]

(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. Class II Temporary Signs shall be fabricated of wood, hard plastic, or metal that is at least one-half inch thick with no unfinished, sharp or rough edges.
7. All sign copy must be clearly legible.

Staff had previously proposed amending Table 109-1a such to allow Class II Temporary Signs in both public and private rights-of-way; however, based on input received from the Commission on July 15, 2021, staff has removed that language from the proposed text.

As noted above, the Commission expressed significant concerns with changing the manner in which such signs are regulated. Proposed Section 109-1.9.A.3 originally contained the bulk of the substantive changes; however, based on Commission input, the proposed changes are now limited to formatting and minor clarifications as expressed below:

➤ **Amend Section 109-1.9.A.3 regarding Class II Temporary Signs as follows:**

3. *Class II ~~temporary signs~~ Temporary Signs* (large A-frame signs and pedestal signs). ~~Class II temporary signs~~ *Class II Temporary Signs*, as defined herein, are allowed subject to the ~~general requirements~~ *General Requirements* as ~~stated outlined in subsection 109-1.9.A.1~~ above ~~plus and~~ the following:
 - a. ~~Class II temporary signs~~ *Class II Temporary Signs* are only allowed in conjunction with a lawful commercial use including ~~cottage industries~~ *cottage industries*, but not ~~home occupations~~ *home occupations*.
 - b. One (1) 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~~ *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~~ *Engineering Development Standards*.
 - d. There is no limit to the number of ~~sign panels~~ *sign panels* per ~~sign structure~~ *sign structure* provided the ~~defined specified~~ height, width and ~~sign area~~ *sign area* limitations are not exceeded.
 - e. The ~~sign sign~~ may be weighted or ballasted; however, no such ~~sign sign~~ may be affixed to the ground or to any permanent ~~structure~~ *structure*.
 - f. ~~Class II temporary signs~~ *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 signs~~ *Class II Temporary Signs*.

FINDINGS:

- The proposed changes are consistent with state statute.
- The proposed changes are compliant with applicable case law regarding signs and the 1st Amendment.
- The proposed changes are consistent with Commission direction.

COMMISSION RECOMMENDATION: Unknown as of the writing of this report

ATTACHMENTS:

- 01 – Exhibit A, SMC Section 109-1.6 Glossary of Terms, leg-edit format
- 02 – Exhibit B, SMC Section 109-1.7 Permitted and Prohibited Signs, leg-edit format
- 03 – Exhibit C, SMC Section 109-1.8 General Provisions, leg-edit format
- 04a – Exhibit D1, SMC Section 109-1.9 Sign Classifications and Types, leg-edit format, original
- 04b – Exhibit D2, SMC Section 109-1.9 Sign Classifications and Types, leg-edit format, revised
- 05 – Citizen Outreach Summary
- 06 – Opposition and Support
- 07 – Additional Opposition and Support as of 07/06/21

Exhibit A

Section 109-1.6 Definitions

As presented to the Planning and Zoning Commission

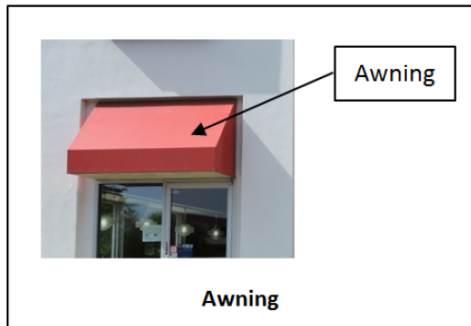
109-1.6 Glossary of Terms.

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

A

Active single-family residential subdivision. A subdivision consisting of single-family lots that are for sale to the public by a homebuilder.

Awning. An architectural projection, typically made of cloth or metal, which projects from and is supported by the walls of a building and is intended to provide shade or shelter above a window or door.



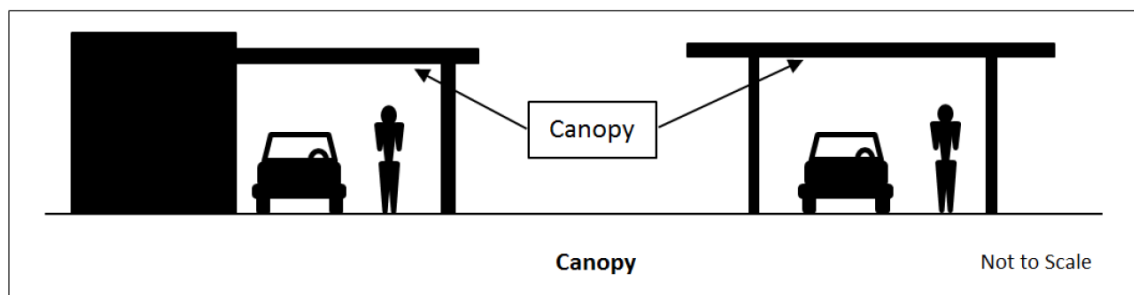
B

Blight. Unsightly conditions including but not limited to damage, tattered, faded, cracking, peeling, rusting or any other condition of disrepair, deterioration, or lack of maintenance.

Building. Any structure having a roof supported by walls or columns used for the shelter of persons, animals, or personal property.

C

Canopy. A building or portion thereof, which is open on not less than two sides and is entirely or partially supported by the ground.



Copy, changeable. Sign copy that is changed or capable of being changed at intervals of more than once per day.

Cottage industry. A cottage industry is a small business, owned and operated by the residential occupant, in a residential area, conducted within the dwelling or in an accessory building. The business may have employees and customers but must be clearly incidental and secondary to the use of the property for single-family residential purposes as well as adhere to the Use Specific Standards in **Section 106-10.14** of the Surprise Municipal Code.

D

Daylight hours. That portion of the day beginning when the sun breaks the morning horizon and ending when the sun falls below the evening horizon.

Drive-in business. A retail business establishment where on-site transactions may be conducted from the confines of a parked vehicle. See also "drive-through business".

Drive-through business. A retail business establishment where on-site transactions may be conducted from the confines of a vehicle which is staged in a drive-through lane. See also "drive-in business".

E

Electronic messaging center (EMC). A sign that utilizes computer-generated messages or some other electronic means of changeable copy. These signs include displays using incandescent lamps, LEDs, LCDs or a flipper matrix.

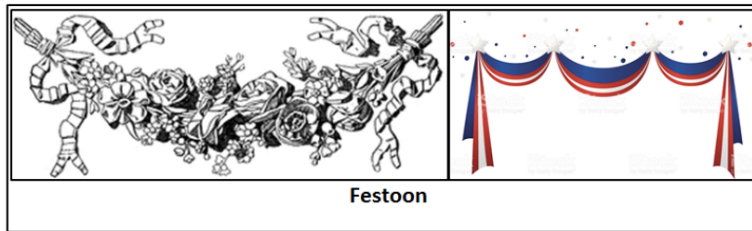
Electronic messaging centers, level 1. An EMC that contains monochromatic static messages which may only be changed manually and which do not employ "scroll", "fade" or "dissolve" transitions, animation or video, or similar subtle transitions or frame effects which create the appearance of moving text or images.

Electronic messaging centers, level 2. An EMC that contains monochromatic or full-color static messages which may be changed automatically at a rate not exceeding once every eight seconds, and which do not employ "scroll", "fade" or "dissolve" transitions, animation, or similar subtle transitions or frame effects which create the appearance of moving text or images.

F

Flag. Any fabric or flexible material attached to or designed to be flown from a flagpole or similar device, but not including banners.

Festoon. A swath of fabric, ribbon, garland, or flowers which is suspended, draped, and bound at intervals to form graceful loops or scalloped folds. Festoons do not include pennant strings or string lighting.



G; H

Home occupation. A use of land that is in accordance with **Section 106-10.23** of the Surprise Municipal Code.

I

Illuminance. The amount of light falling upon a real or imaginary surface, measured in either foot-candles or lux. See also "luminance".

Illumination, bare-bulb. A type of external illumination consisting of light bulbs or a string of light bulbs, or takes on the appearance of such including LEDs.

Illumination, bent-tube. A source of light for externally illuminated graphics supplied by a glass tube that is bent to form letters, symbols, or other shapes and filled with a gas that when electrically charged emits light, or any other method or technology, such as but not limited to LED rope lighting, utilized to achieve the same effect.

Illumination, external. A light source that is separate and apart from the sign.

Illumination, internal. A light source that is concealed or contained within the sign and becomes visible in darkness through a translucent surface.

J; K; L

Lawful temporary event. A use of land that is permitted by and in accordance with **Section 106-10.42** of the Surprise Municipal Code. For purposes of this chapter, the following uses are also considered lawful temporary events: real estate open houses occurring within lands zoned for residential uses; and, religious institutions where religious services or religious events are held on lands zoned for residential uses, but where the primary use established for said land is that of a public school, private school, or charter school, or other community facility, or public meeting hall.

Logo. A graphic symbol representing a business, activity or use.

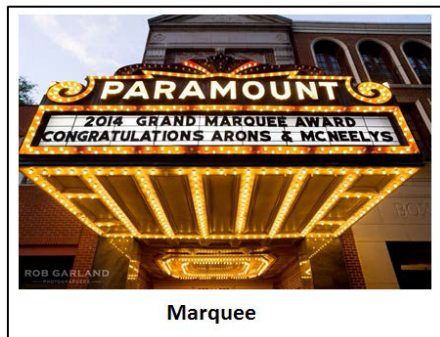
Logo, Primary City of Surprise. The official logo of the city.

Luminance. The light that is emitted by a light source or reflected from a surface, measured in foot-lamberts or nits. See also "illuminance".

M

Maintenance. The replacing or repairing of a part or portion of a sign necessitated by ordinary wear, tear or damage beyond the control of the owner, or the reprinting of existing sign copy without changing the wording, composition, design, original color or size of the sign copy.

Marquee. A type of building projection typically attached to and projecting from the front entrance of a hotel or theater, and intended to provide an opportunity for signage.



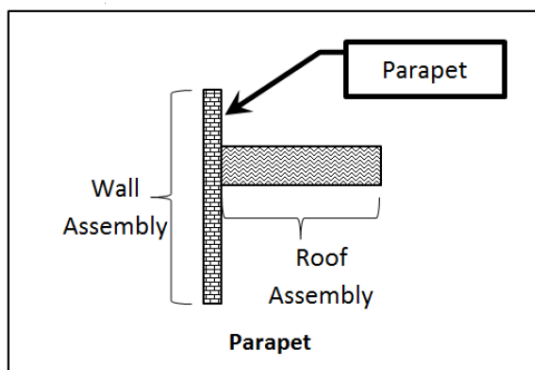
Message, commercial. Speech that identifies, advertises, or directs attention to a business or is intended to induce a purchase of a good, property, or service, including, without limitation, any speech naming a brand of good or service and any speech that is not a non-commercial message.

Message, non-commercial. Speech that in no way identifies, advertises, or directs attention to a business or is intended to induce a purchase of a good, property, or service, including, but not limited to, religious, political, and ideological speech.

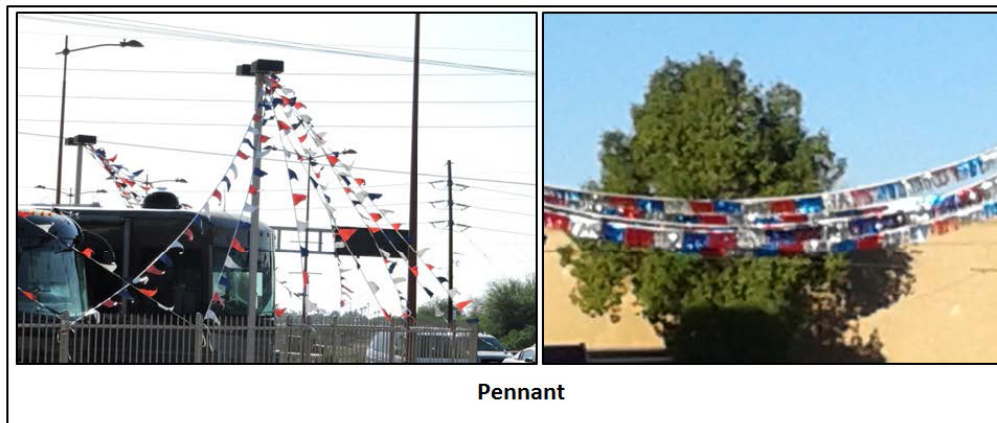
Model home complex. A use of land that is in accordance with **Section 106-10.29** of the Surprise Municipal Code.

N; O; P

Parapet. That portion of a building's exterior wall which projects above the roof of the building.

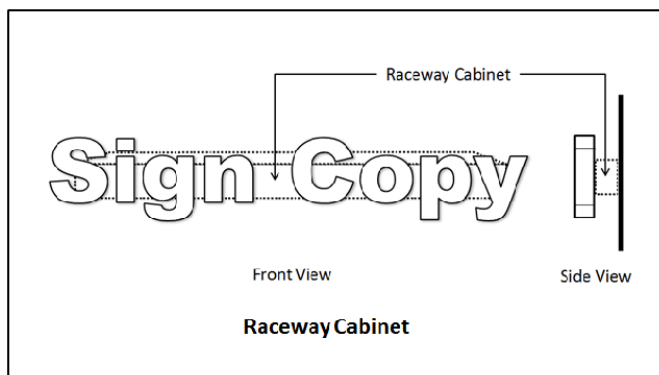


Pennant. A type of flag, generally in the shape of a triangle and typically flown from a string.



Q; R

Raceway cabinet. An aluminum channel box not more than eight inches in depth used to mount signage to a wall or other structure.



Roof. That portion of a building's exterior intended to provide overhead protection from the elements.

Roof, exposed pitch. Any roof where the pitch of the roof is visible from the ground.

Roofline. The highest point of the main roof or the highest point on a parapet, but not including cupolas, pylons, projections or minor raised portions of the roof.

S

Sign. Any device depicting written letters, words, numerals, figures, emblems, logos, trademarks, pictures, or any part or combination thereof used for visual communication that attracts the attention of the public and is visible from public or private rights-of-way or other properties, but not including athletic scoreboards when associated with a sanctioned athletic field.

Sign, abandoned. Any sign located on a vacant property or premises, which is vacant for a period of 90 calendar days, or a sign which is damaged, in disrepair, or vandalized and not repaired within 90 calendar days of the date of the damaging event.

Sign, address. A sign intended for the display of a property's address.

Sign, A-frame. A portable sign designed in the shape of the letter "A" consisting of two rigid surfaces joined along an adjacent edge.

Sign, animated. A sign which incorporates movement or the optical illusion of movement of any part of the sign or sign structure, including the flashing or varying of light intensity; or the automatic changing of all or any part of the sign; or any movement or rotation of the sign or any part of the sign structure.

Sign, area. The smallest rectangular area or areas of a two-dimensional sign which can enclose all of the sign copy, or in the case of a three-dimensional sign, 50 percent of the volume of the smallest cuboid which can enclose the sign.

Sign, awning. Any information or graphics painted on or integrated into an awning.



Sign, backlit. A sign typically utilizing opaque graphics, in which the light source is concealed or contained within the graphic thereby causing the graphic to become visible against the illuminated surface onto which the graphic is mounted.

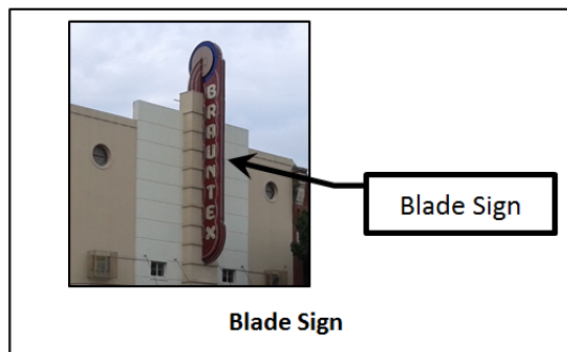
Sign, banner. A sign consisting of fabric, paper, or other lightweight pliable material, either enclosed or not enclosed in a rigid frame, and secured or mounted to minimize movement in the wind, but not including inflatable signs.



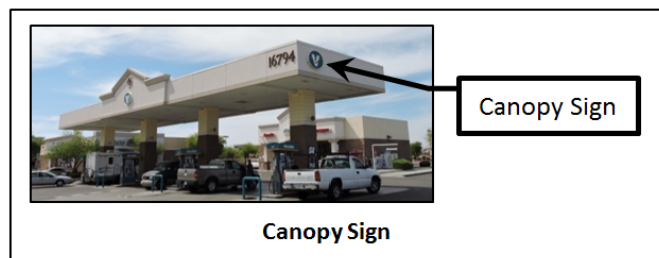
Sign, billboard. A sign that advertises a business, commodity, service, entertainment, product or attraction which is sold, offered or existing elsewhere than on the property where the sign is located or which takes on the physical characteristics historically associated with such signs.



Sign, blade. A sign which stands off from the facade of the building and is designed to be read in a vertical manner.



Sign, canopy. A type of building wall sign that is mounted to the face of a canopy.



Sign copy. The letters, words or graphics used to convey information on a sign.

Sign, freestanding ground. A sign that is erected on its own self-supporting structure, detached from any supporting elements of a building, but not a billboard sign or off-premises sign.

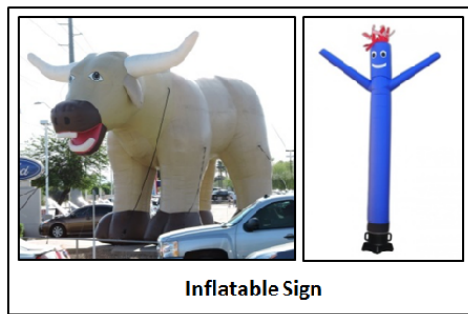
Sign, freeway monument. A pylon sign which is located along a freeway right-of-way and intended to display a commercial message relating to the commercial center on which the sign is located. Freeway monument signs are not considered billboard signs.

Sign, governmental. A sign erected by or on behalf of a governmental body, including but not limited to a sign to post legal notices, identify public property, convey public information, or direct or regulate pedestrian or vehicular traffic.

Sign, hanging. See "shingle sign".

Sign, illuminated. A sign of which the surface is artificially lighted either internally or externally. (See also "illumination" et seq.)

Sign, inflatable. Any on-premises flexible fabric device which is filled with a gas or pressurized air that is tethered or anchored to the ground or other stationary object, or any device taking on such an appearance.



Sign, legal non-conforming. A sign lawfully erected and maintained prior to the adoption of the ordinance from which this chapter or amendments thereto is derived that does not conform to the requirements of this chapter.

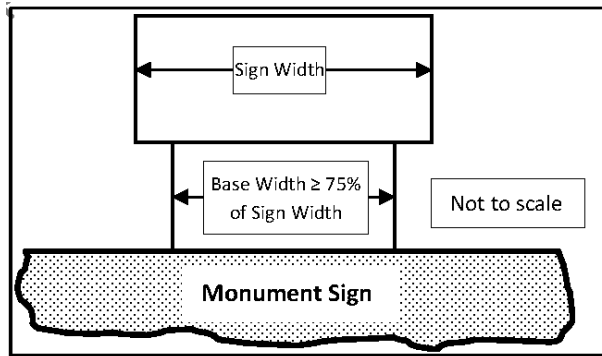
Sign, light pole banner. A fabric sign suspended between two horizontal supports, which are attached to a light pole for the purpose of supporting the sign.



Sign, median. Any sign other than a public sign that is located within the median of any street, regardless of whether the median is painted or raised.

Sign, model home complex. Any sign or flag that is approved for use in a model home complex.

Sign, monument. A freestanding ground sign with a base that is at least 75 percent of the width of the sign intended to display a message relating to the property on which the sign is located. Monument signs are not considered billboard signs.



Sign, monument, class I. Commonly referred to as a "menu sign", a class I monument sign is a monument sign associated with the drive-through lanes of a drive-through business, and which is equipped with a loudspeaker and microphone for the purpose of placing and confirming an order.



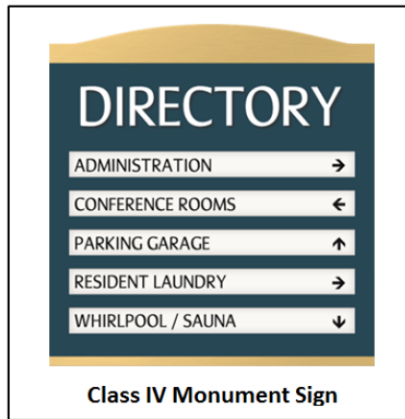
Sign, monument, class II. Commonly referred to as a "preview sign", a class II monument sign is a monument sign associated with the drive-through lanes of a drive-through business, and which is not equipped with a loudspeaker or microphone.



Sign, monument, class III. Commonly referred to as a "directional sign", a class III monument sign is a monument sign typically associated with a multi-family, commercial or industrial driveway or drive aisle.



Sign, monument, class IV. Commonly referred to as a "directory sign", a class IV monument sign is a monument sign typically associated with a pedestrian promenade or parking lot drive aisle.



Sign, monument, class V. A monument sign associated with a high volume collector street, residential collector street, or commercial collector street, as defined by the Surprise engineering design standards, and provides the primary source of signage for the property served by the sign.

Sign, monument, class VI. A monument sign associated with a parkway, major arterial, or minor arterial as defined by the Surprise engineering design standards, or Grand Avenue, and provides the primary source of signage for the property served by the sign.

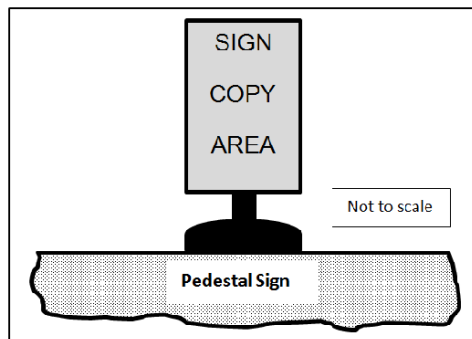
Sign, non-conforming. A sign that does not conform to the requirements of this chapter.

Sign, off-premises. A class I temporary sign or class II temporary sign that directs attention to an activity, business, commodity, service, entertainment, product, or attraction sold, offered, or existing elsewhere than upon the property where the sign is located.

Sign, on-premises. Any sign, other than a billboard sign, that directs attention to an activity, business, commodity, service, entertainment, product, or attraction sold, offered, or existing on the property where the sign is located.

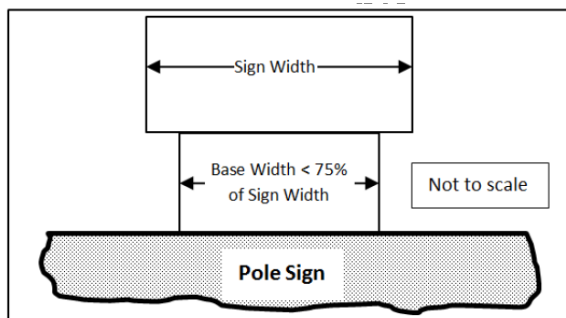
Sign panel. The surface on which sign copy is depicted.

Sign, pedestal. A portable sign in which the sign panel is affixed to and supported by a weighted base.



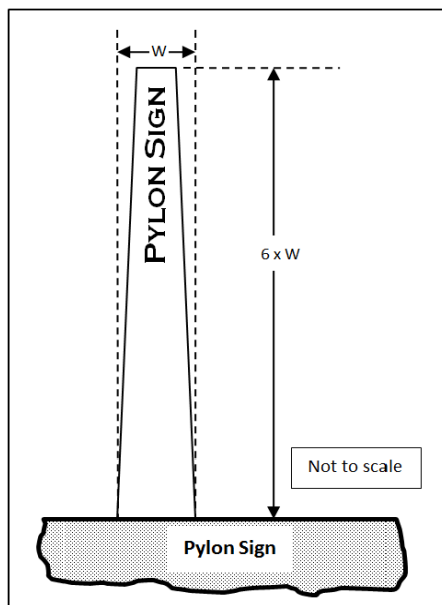
Sign, permanent. An on-premises sign that due to its physical characteristics and method of attachment is intended for permanent display.

Sign, pole. An on-premises freestanding ground sign where the width of the supporting poles, uprights or braces are collectively less than 75 percent of the width of the sign. For purposes of this chapter, a light pole banner is not considered a pole sign. (See also "sign, monument" and "sign, pylon".)

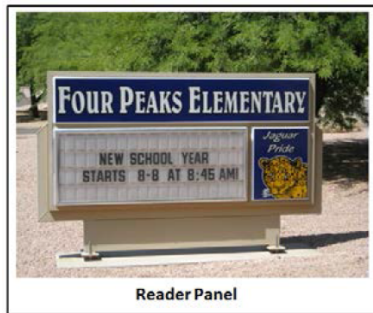


Sign, portable. A temporary sign that may be readily moved from location to location without the need of any specialized knowledge or equipment, and that is not affixed to the ground or any structure.

Sign, pylon. An on-premises monument sign in which the height of the sign structure is at least six times the width of the base of the sign structure.

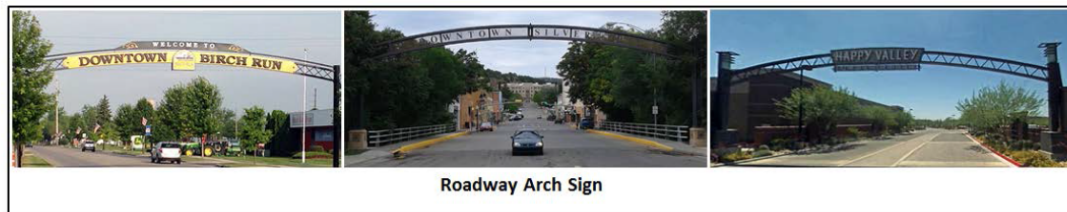


Sign, reader panel. An on-premises sign in which the individual characters of the sign copy may be changed manually and immediately, but not including electronic messaging.



Sign, residential subdivision. Any sign that is approved for use in association with an active single-family residential subdivision.

Sign, roadway arch. A sign mounted to a structure that spans a roadway or commercial driveway in which the structure is intended for that sole purpose. A roadway arch sign is not considered a billboard sign.



Sign, roof. An on-premises building-mounted sign that is attached to or extends above the roof of a building.



Sign, sandwich. A type of A-frame sign designed to be worn by a person.

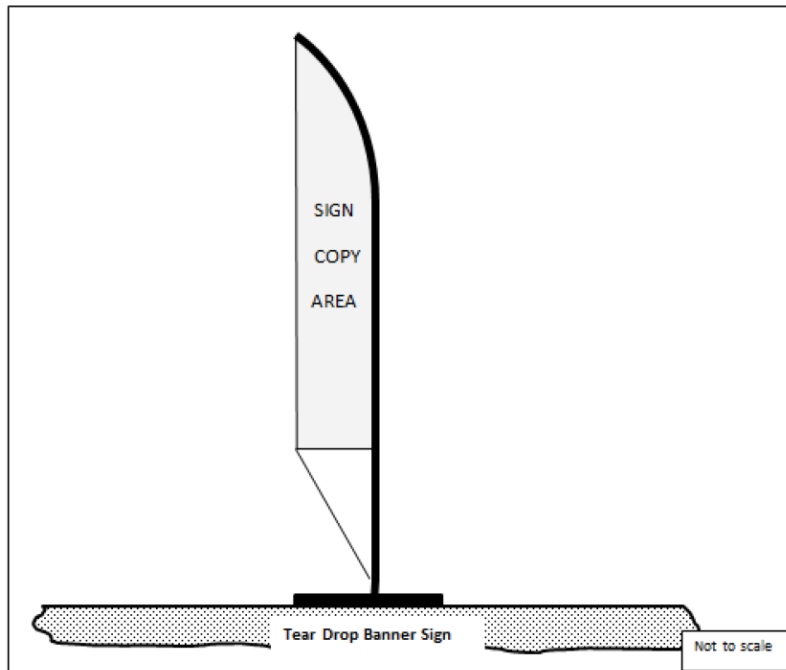
Sign, shingle. An on-premises sign suspended from, and located entirely under a covered porch, walkway, canopy or awning.



Sign, snipe. Any sign, other than a public sign, that is posted on a tree, landscaping, utility pole or structure, streetlight, fence, fire hydrant, bridge, curb, or park bench.

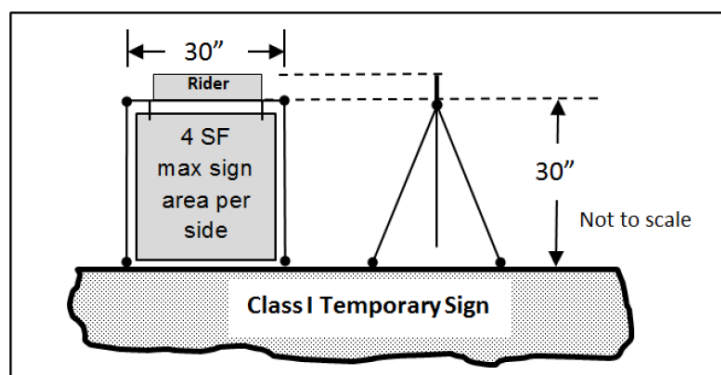
Sign structure. The supports and framework of a sign.

Sign, teardrop banner. An on-premises sign consisting of a narrow strip of fabric material which is attached to a flexible or partially flexible pole in a vertical manner.

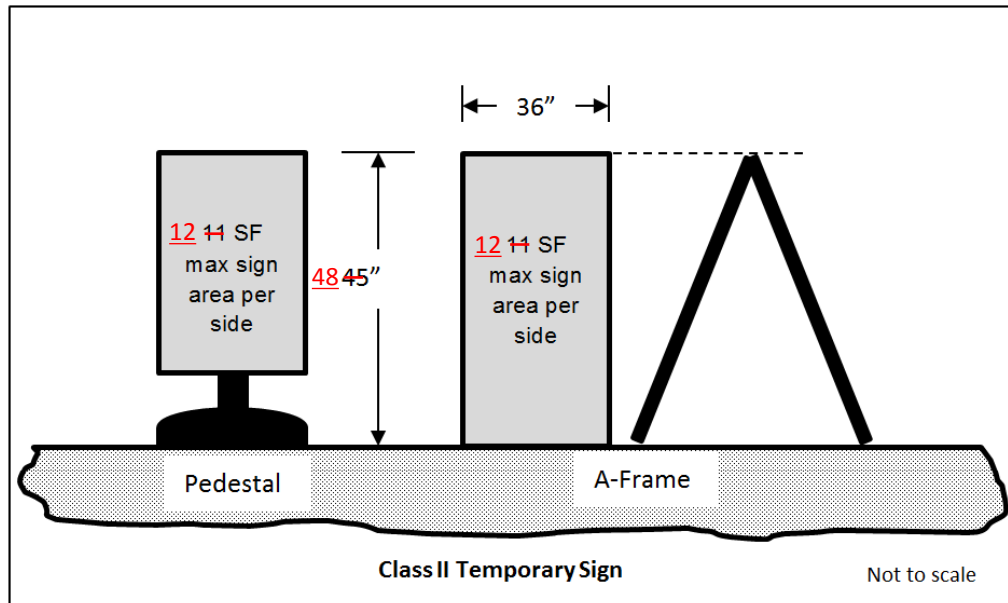


Sign, temporary. A sign that due to its physical characteristics and method of attachment is not intended for permanent display. See also "sign, permanent".

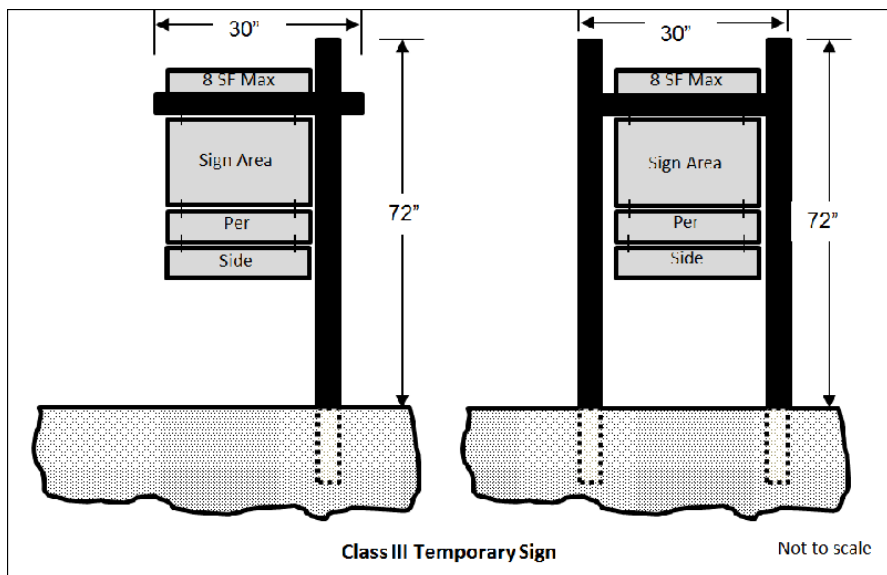
Sign, temporary, class I (small A-frame sign). A temporary, portable sign generally in the shape of the letter "A" in which the overall height of the sign structure does not exceed 30 inches, the overall width of the sign structure does not exceed 30 inches and which does not exceed eight square feet of aggregate sign area. Riders not exceeding six inches in height and 24 inches in length which are attached to the top of the A-frame shall not be included in the overall height measurement or sign area measurement.



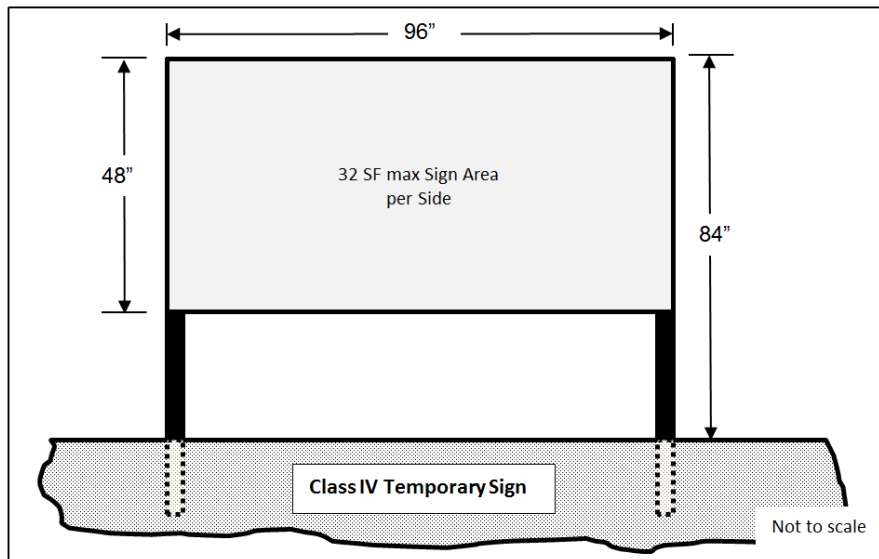
Sign, temporary, class II (A-frame sign and pedestal sign). A temporary, portable sign in which the overall height of the sign structure does not exceed ~~45~~⁴⁸ inches, the overall width of the sign structure does not exceed 36 inches and which does not exceed ~~22~~²⁴ square feet of aggregate sign 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.



Sign, three-dimensional. A sign in which is meant to be viewed from all angles.



Sign, vehicle. Any sign mounted, painted, or otherwise erected on a vehicle.

Sign walker. A person carrying a portable sign intended to convey a message to motorists and passersby.



Sign, wall, building. A sign mounted flat against a building wall with the exposed face of the sign in a plane generally parallel to the face of the wall, but not including window signs.



Sign, wall, subdivision perimeter. A sign mounted or painted onto a subdivision perimeter wall.



Sign, window. Any combination of decals, posters, murals or other media which are affixed to a window pane or otherwise intended to be viewed through the window pane from the exterior of the building, but not including merchandise normally displayed within a show window of a retail merchant shop.



Speech, commercial. (see "message, commercial").

Speech, non-commercial. (see "message, non-commercial").

Structure. Anything constructed or erected that requires attachment to the ground, or is structurally connected to something having attachment to the ground.

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

Section 109-1.7 Permitted and Prohibited Signs

As presented to and rejected by the Planning and Zoning Commission

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	PP
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)	<u>P</u>	<u>P</u>			P	P	P	P		
109-1.9(a)(4)	Class III Temporary Signs (Small Post Signs)			P	P	P	P	P	P		P
109-1.9(a)(5)	Class IV Temporary Signs (Large Post Signs)			P	P	P	P	P	P		P
109-1.9(a)(6)	Banner Signs and Festoons			P	P	P	P	P	P		P
109-1.9(a)(7)	Light Pole Banner Signs	P	P		P	P	P	P	P		P
109-1.9(a)(8)	Teardrop Banner Signs			P	P	P	P	P	P	P	P
109-1.9(a)(9)	Sign Walkers	P	P	P	P	P	P	P	P	P	P
109-	Model Home			P				P			

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
1.9(a)(10)	Complex Signs										
109-1.9(a)(11)	Residential Subdivision Signs			P				P			
BUILDING MOUNTED SIGNS											
109-1.9(b)(1)	Building Wall Signs			P	P	P	P		P		P
109-1.9(b)(2)	Blade Signs			P	P	P	P		P		P
109-1.9(b)(3)	Canopy Signs				P	P	P		P		P
109-1.9(b)(4)	Marquee Signs						P				P
109-1.9(b)(5)	Awning Signs						P		P		P
109-1.9(b)(6)	Hanging Signs					P	P	P	P		P
109-1.9(b)(7)	Window Signs and Sunscreens			P	P	P	P	P	P		P
FREESTANDING GROUND SIGNS											
109-1.9(c)(1)	Class I Monument Signs (Menu Signs)						P		P		
109-1.9(c)(1)	Class II Monument Signs (Preview Signs)						P		P		
109-1.9(c)(2)	Class III Monument Signs (Directional Signs)	P	P	P	P	P	P	P	P	P	P

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
109-1.9(c)(3)	Class IV Monument Signs (Directory Signs)				P	P	P		P		
109-1.9(c)(4)	Class V Monument Signs (Minor Monument Signs)			P	P	P	P		P		P
109-1.9(c)(5)	Class VI Monument Signs (Major Monument Signs)				P	P	P		P		P
109-1.9(c)(6)	Roadway Arch Signs	P	P				P		P		
109-1.9(c)(7)	Subdivision Perimeter Wall Signs			P	P	P	P				P
109-1.9(c)(8)	Freeway Monument Signs						C				
OTHER SIGNAGE											
109-1.11	Level 1 Electronic Messaging			P	P	P	P	P	P		P
109-1.11	Level 2 Electronic Messaging				P	P	P		P		P
109-1.12	Reader Panels			P	P	P	P	P	P		P
109-1.13	Address Identification			P	P	P	P	P	P	P	P

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
109-1.14	Flags and Flagpoles			P	P	P	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.

Section 109-6.8 General Provisions

As presented to and accepted by the Planning and Zoning Commission

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.

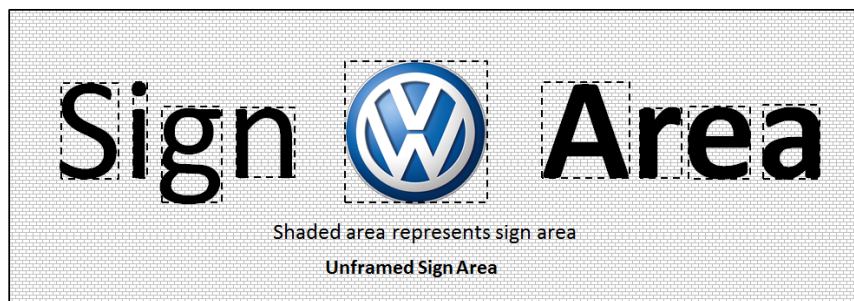
5. When electrical service is provided to any sign, all components of said service are to be entirely concealed or, when necessary, painted to match the surface of the structure upon which they are mounted.
6. All ~~permanent~~ signs permitted by this chapter shall be constructed of durable material capable of withstanding continuous exposure to the elements and conditions of the urban environment. Class II Temporary Signs shall be fabricated of wood, hard plastic, or metal that is at least one-half inch thick with nor unfinished, sharp or rough edges.
7. All sign copy must be clearly legible.

C Sign maintenance.

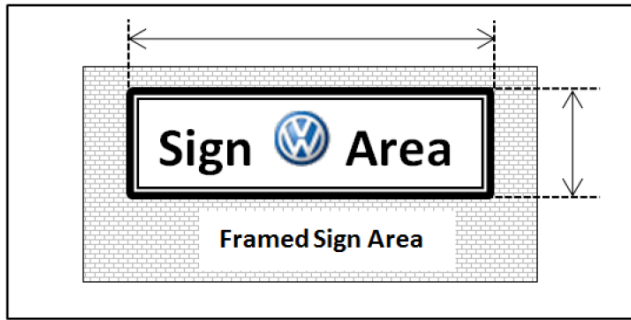
1. All signs shall be maintained in a state of good repair, operational, and free of blight and/or hazards. Weathered, sun damaged, tattered or faded signs or related components shall be repaired or replaced.
2. Whenever any sign, either legally conforming or legally nonconforming, is required to be 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;
 - c. The sign is an accessory to a legally conforming use, conditional use, or legally nonconforming use.

D Methods of measurements.

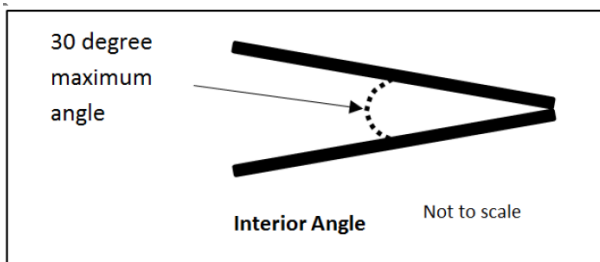
1. *Sign area.*
 - a. *Unframed signs.* Where the individual letters, logos and graphics of a sign are mounted directly to a wall or sign structure, the sign area is determined by calculating the smallest rectangle or combination of rectangles containing sign copy.



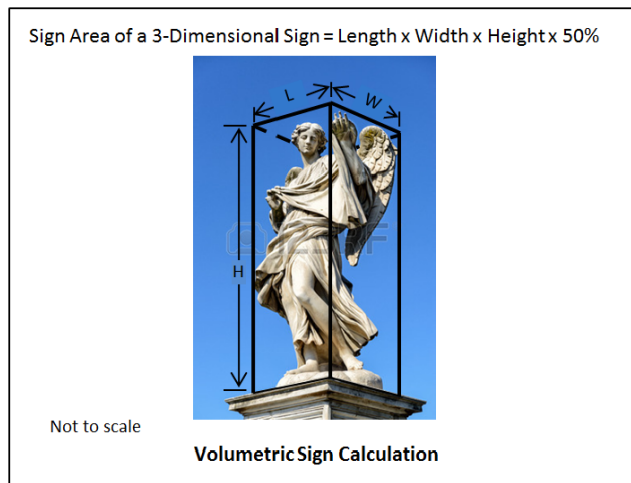
- b. *Framed signs.* Where the individual letters, logos and graphics are integral to a sign panel, or are framed in by an architectural element or contrasting color apart from the color of the wall or sign structure, the sign area shall be the area of the panel or frame.



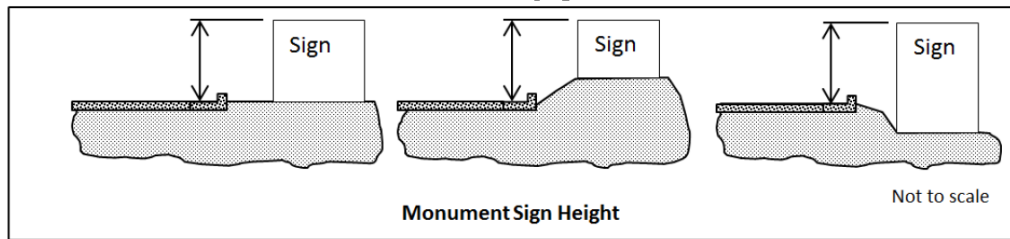
- c. *Double-sided signs.* Only one side of a double-sided freestanding ground sign shall be used to calculate the sign area, provided the interior angle between sign faces is not greater than 30 degrees. This provision does not apply to A-frame signs.



- 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.

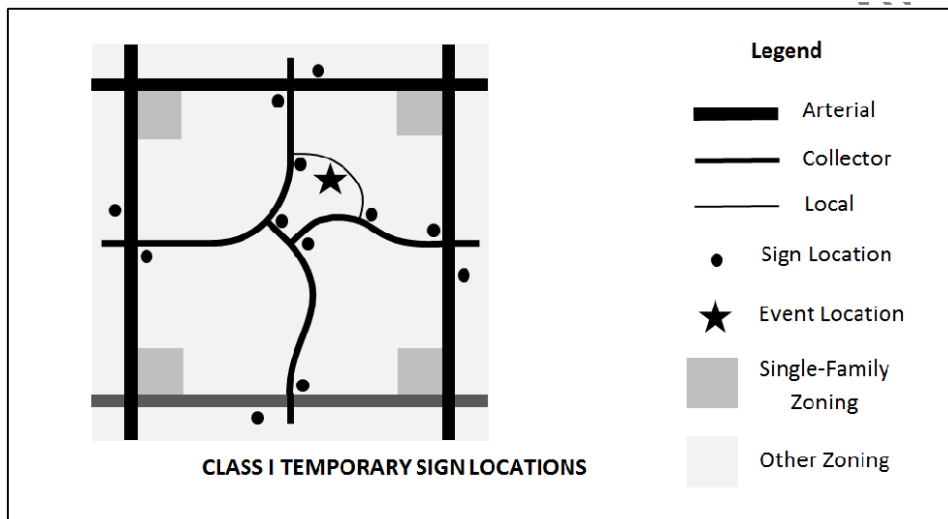
A. Temporary signs. When allowed, temporary signs shall conform to the following requirements:

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.



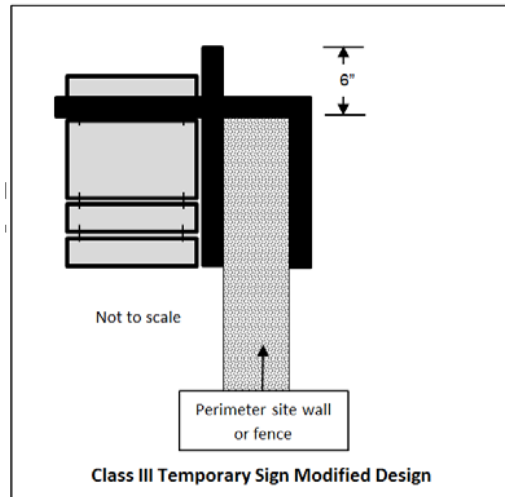
- c. When allowed, class I temporary signs may be located within the street right-of-way, but not within any median, vehicle or bicycle travel lane, or sidewalk, nor within any sight visibility triangle as outlined in standard details 4-01 and 4-02 of the Surprise engineering development standards.
 - 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~~ Temporary Signs* (large A-frame signs and pedestal signs). ~~Class II temporary signs~~ *Class II Temporary Signs*, as defined herein, are allowed subject to the ~~general requirements~~ *General Requirements* as ~~stated outlined in subsection 109-1.9.A.1~~ above ~~plus and~~ the following:
 - a. *A business entity in possession of a valid business license from the City of Surprise who is engaged in ~~Class II temporary signs are only allowed in conjunction with~~ a lawful commercial use including ~~cottage industries~~ cottage industries, but not ~~home occupations~~ home occupations, may display Class II Temporary Signs, as follows:-*

- ~~b.~~ ~~i.~~ ~~When a class II temporary sign is being utilized in conjunction with a lawful commercial use, o~~One (1) 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.
- ~~ii.~~ One (1) additional *Class II Temporary Sign* may be displayed not more than 1,000 feet from the lawful commercial use advertised by the *sign*.
- ~~e~~b. When allowed, ~~Class II temporary signs~~ *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~~ *Engineering Development Standards*. Further, ~~when a sidewalk is separated from the street or curb by a landscape strip of any size, the Class II Temporary Sign must be located behind the sidewalk and not within the landscape strip.~~
- ~~d~~c. There is no limit to the number of ~~sign panels~~ *sign panels* per ~~sign structure~~ *sign structure* provided the ~~defined~~ *specified* height, width and ~~sign area~~ *sign area* limitations are not exceeded.
- ~~e~~d. The ~~sign~~ *sign* may be weighted or ballasted; however, no such ~~sign~~ *sign* may be affixed to the ground or to any permanent ~~structure~~ *structure*.
- ~~f~~e. ~~Class II temporary signs~~ *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 signs~~ *Class II Temporary Signs*.

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.



5. *Class IV temporary signs (large post-signs).*

- a. Not more than one class IV 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 IV temporary sign meeting said requirements may be erected along each additional street frontage, except that class IV temporary signs associated with a public hearing shall not be counted towards this total.
- b. Class IV 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.
- c. The maximum number of sign panels per sign structure shall not exceed two.

6. *Banner signs and festoons.*

- a. *General.* The following provisions apply to all banner signs and festoons:
 - (1) Banner signs shall be equipped with ventilation flaps.
 - (2) Banner signs and festoons shall be securely attached to the building or fence, but in no case shall be attached to freestanding poles or vegetation.
- b. *Residential.* Any number of banner signs, festoons or combination thereof are permitted per dwelling unit, provided the aggregate length does not exceed 20 lineal feet and the aggregate area does not exceed 100 square feet.

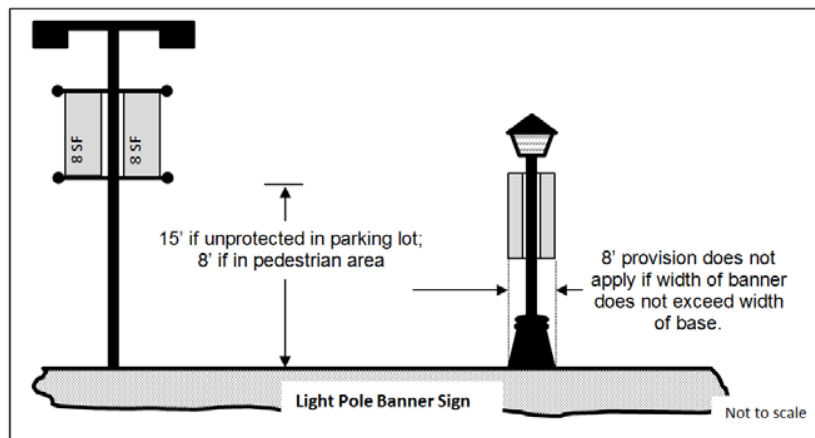
- c. *Non-residential.* Banner signs and festoons are permitted on properties zoned for non-residential use subject to the following:
 - (1) One banner sign may be placed on a building, provided the maximum area of the banner sign shall not exceed one square foot per linear foot of building elevation, not to exceed 500 square feet.
 - (2) For a single-tenant building, the width of the banner sign shall not exceed 80 percent of the width of the building elevation onto which the banner sign is attached. For multi-tenant building, the width of the banner sign shall not exceed 80 percent of the leased tenant frontage.
 - (3) Any number of festoons may be placed on a building provided the festoon contains no advertising copy, the aggregate length does not exceed 20 lineal feet, and the aggregate area does not exceed 100 square feet.
- d. *Construction sites and temporary construction yards.* Banner signs are allowed in conjunction with active construction sites and temporary construction yards regardless of zoning, subject to the following:
 - (1) One or more banner signs may be affixed to the perimeter fence surrounding a construction site or temporary construction yard, provided said banner signs do not extend above the height of the perimeter fence.
 - (2) Individual banner signs shall not exceed ten feet in length. Where multiple banner signs are utilized in lieu of screening material on a fence surrounding a construction site or temporary construction yard, said signs shall be spaced not less than one foot apart unless the banner sign is fabricated of material with not less than 50 percent visual transparency, in which case this provision shall not apply.

7. *Light pole banner signs.*

- a. Light pole banner signs may be attached to light poles when the pole is so equipped to receive such banner, except that in no case shall a light pole banner sign be affixed to a light pole in a public right-of-way without the expressed written permission from the city.
- b. The surface area of a single light pole banner sign shall not exceed eight square feet as measured on a single side.
- c. When two light pole banner signs are affixed to a single light pole, both light pole banner signs shall be consistent with each other with respect to size and shape so as to create uniformity.
- d. When the light pole onto which a light pole banner sign is placed is located within the paved portion of a parking lot, and the light pole base is unprotected from vehicular traffic, the bottom of the

light pole banner sign shall be a minimum of 15 feet above the parking surface over which the banner is placed. If the base of the light pole is protected from vehicular traffic, this provision shall not apply.

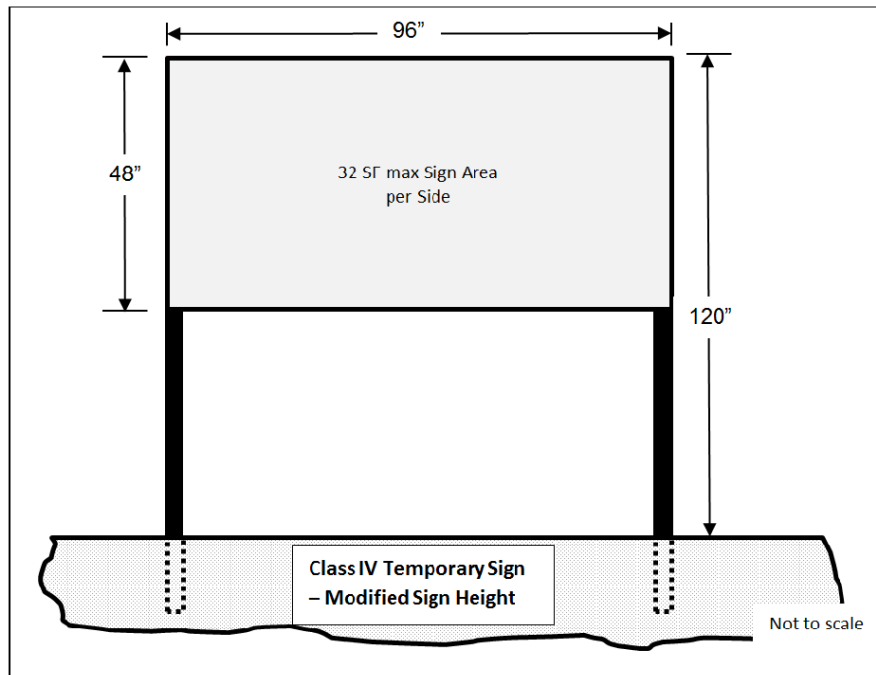
- e. When the light pole is located within a pedestrian area, the bottom of the light pole banner sign shall be a minimum of eight feet above the surface over which the light pole banner sign is placed, unless the light pole banner sign is sufficiently narrow so as to not extend beyond the base of the light pole.
- f. Any horizontal supporting members shall either be removed when not in use or shall be of a hinged design and folded into a vertical position when not in use.
- g. Light pole banner signs shall not be illuminated in any manner except as incidental to the lighting fixture supported by the light pole.
- h. Light pole banner signs shall be equipped with ventilation flaps.



8. *Teardrop banner signs.*

- a. Not more than two teardrop banner signs are permitted in conjunction with a lawful temporary event subject to the specific requirements as outlined herein except that in no case shall a teardrop banner sign be allowed on a vacant property.
- b. Teardrop banner signs may only be erected on the property on which the lawful temporary event is occurring. In no case shall a teardrop banner sign be located within a public or private right-of-way.
- c. No teardrop banner sign shall be located within 15 feet of a pedestrian path, sidewalk, or trail, whether public or private.
- d. No teardrop banner sign shall be located within 15 feet of any vehicular parking surface or driveway.
- e. No teardrop banner sign shall be located within 50 feet of any public or private right-of-way.
- f. The maximum height of the sign structure as measured from the nearest adjacent grade shall not exceed 12 feet with the flag portion of the sign not exceeding 16 square feet.

- a. The teardrop banner sign shall be supported by a pedestal, which may be weighted or ballasted to prevent being overturned, but in no case shall the supporting sign structure be inserted into the ground.
9. *Sign walkers*. Sign walkers are permitted to operate within the city subject to the following restrictions:
 - a. Sign walkers may only operate during daylight hours.
 - b. Sign walkers may only operate on a sidewalk intended for pedestrian travel, but shall at no time block the free and unobstructed movement of pedestrians or vehicles.
 - c. 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; however, in no case shall a sign walker carry any form of electronic messaging.
 - d. Sign walkers shall not display a sign in any manner other than by personally holding or wearing said sign.
10. *Model home complex signs*. In addition to other signs that are permitted in association with a single-family residence, a model home complex may employ the following:
 - a. One class III temporary sign meeting the requirements of subsection 9(a)(4) herein for each lot located within the boundaries of an approved model home complex. Such signs shall not be illuminated except by ambient lighting.
 - b. One class IV temporary sign meeting the requirements of subsection 9(a)(5) herein may be located within the boundaries of the approved model home complex; however, if the model home complex is located adjacent to a collector or arterial street, the overall height of the class IV temporary sign allowed under this paragraph may be increased to 120 inches, provided the sign is designed to withstand windloads as required by the building codes in effect at the time the sign is erected. A class IV temporary sign permitted under this paragraph may be externally illuminated as outlined in section 10.



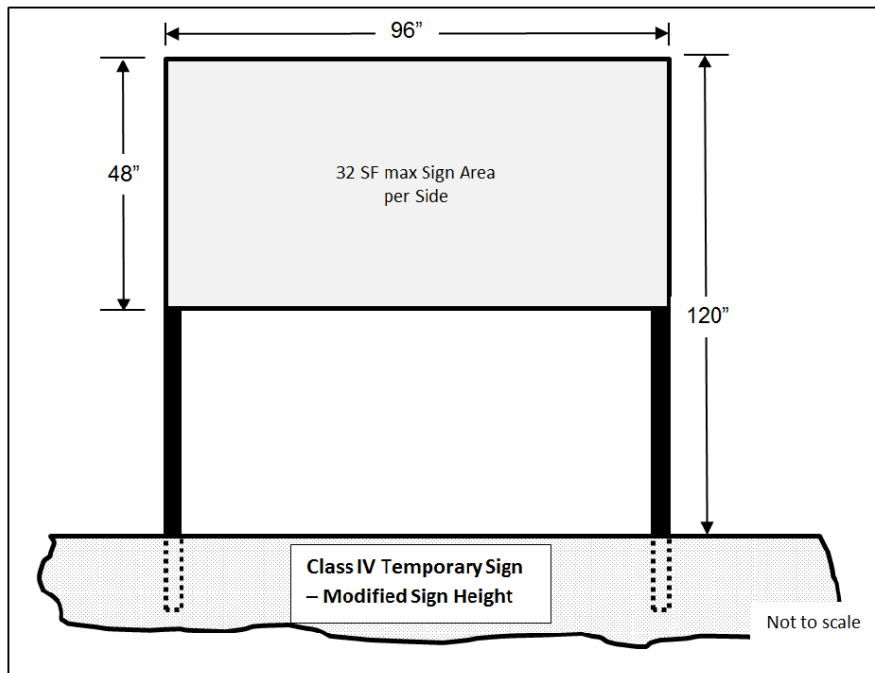
- c. One flagpole not exceeding a height of 45 feet may be erected within the boundaries of the model home complex provided said flagpole is located within the building envelope or within the required front yard of the lot in which it is placed, but not located within any required side or required rear yard. A maximum of two flags may be displayed from said flagpole. The flag and flagpole permitted under this paragraph may be externally illuminated in accordance with **Chapter 107-Article 3** of the Surprise Municipal Code.
- d. Two flagpoles not exceeding a height of 20 feet may be erected for each lot located within the boundaries of the approved model home complex. A maximum of one flag may be displayed from each flagpole. Flagpoles permitted under this section may be erected along the perimeter of the model home complex. Flagpoles permitted under this paragraph shall not be illuminated except by ambient lighting.
- e. Four additional teardrop banner signs meeting the requirements of subsection 9(a)(8) herein for each lot located within the boundaries of an approved model home complex. Except that subsections 9(a)(8)c., 9(a)(8)d. and 9(a)(8)e. shall not apply. Teardrop banner signs permitted under this section shall not be illuminated except by ambient lighting.
- f. One banner sign not exceeding three feet in height and five feet in length may be attached to the trap fence. Said banner sign shall be equipped with ventilation flaps. Banner signs permitted under this paragraph shall not be illuminated except by ambient lighting.
- g. One awning sign or canopy sign provided the awning or canopy is limited to the customer entrance to the sales office associated with the approved model home complex. Awning signs or canopy

signs permitted under this paragraph shall not be illuminated except by ambient lighting.

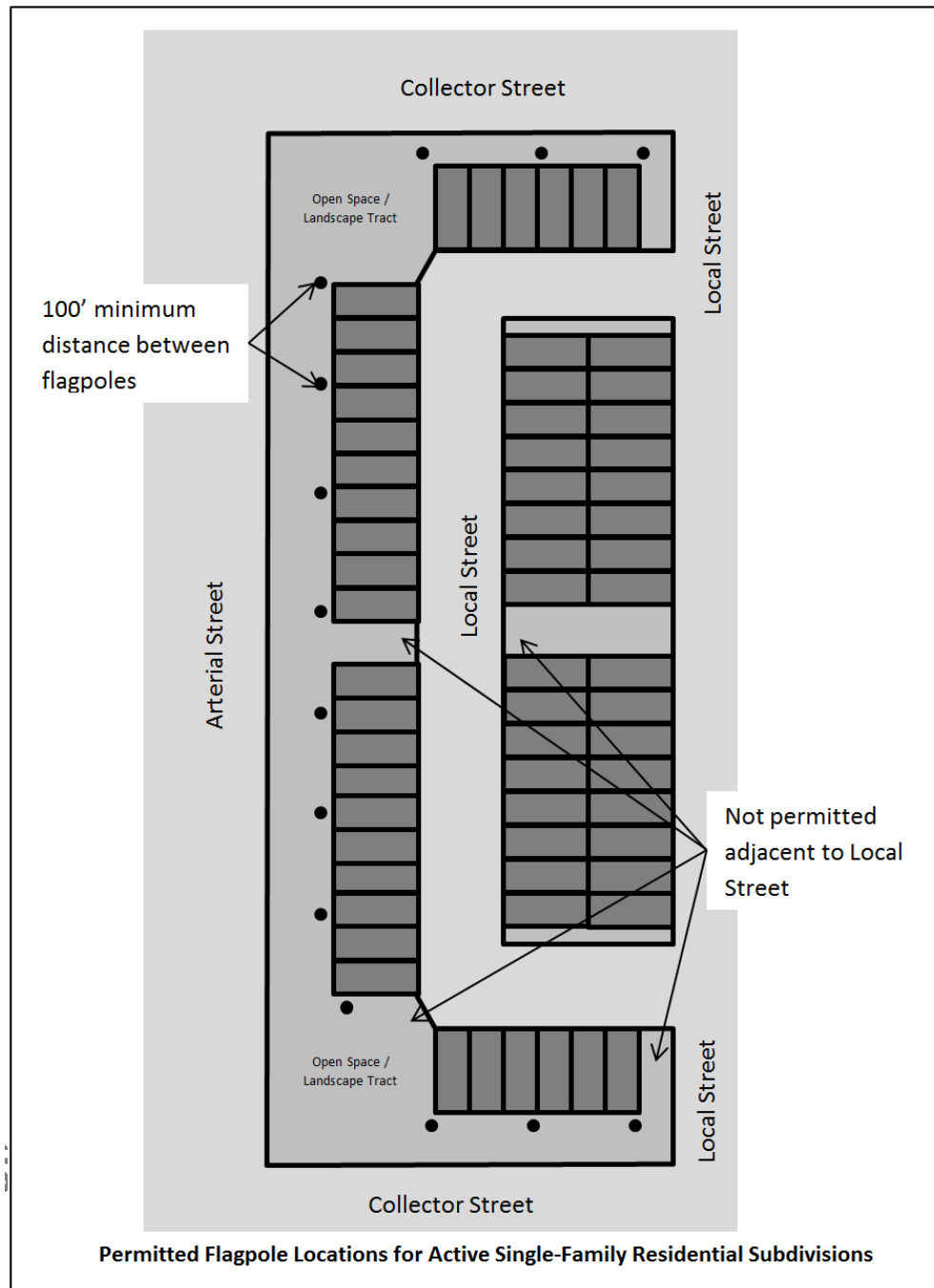
- h. One building wall sign not exceeding four square feet may be affixed to the front elevation of the model home sales office facing the street from which the model home complex takes access. Said sign may be externally illuminated or back-lit in accordance with section 10.
- i. Information regarding model home signs shall be included with the model home complex application packet to be reviewed and approved with the model home complex. In circumstances where model home complexes in existence as of the effective date of this chapter are to be retrofitted for purposes of implementing signage permitted under this section, an amendment to the approved model home complex is required.
- j. All model home signs permitted under this section shall be removed upon the conversion of the model homes to a residential use in accordance with subsection 106-10.29 of the Surprise Municipal Code.

11. *Active single-family residential subdivision signs.* In addition to other signs that may be permitted in association with a model home complex, the following signs are permitted within the boundaries of an active single-family residential subdivision:

- a. One class IV temporary sign meeting the requirements of subsection 9(a)(5) herein may be located within the boundaries of an active single-family residential subdivision, provided such sign is located adjacent to a collector street or arterial street. The overall height of the class IV temporary sign allowed under this paragraph may be increased to 120 inches, provided the sign is designed to withstand windloads as required by the building codes in effect at the time the sign is erected. A class IV temporary sign permitted under this paragraph may be externally illuminated as outlined in section 10.

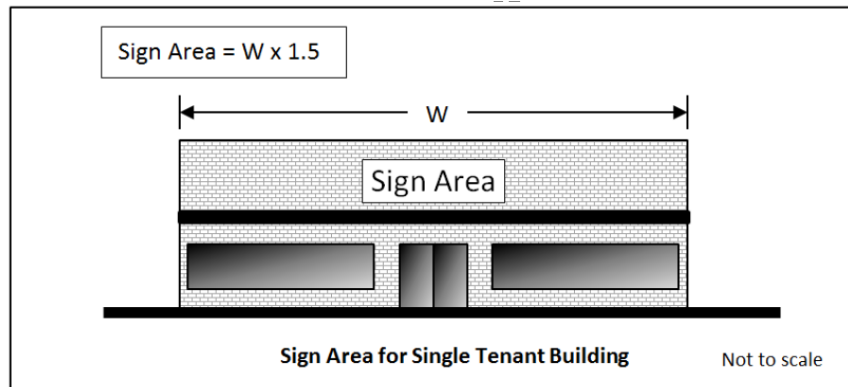


- b. Where an active single-family residential subdivision includes an open space tract or landscape tract located adjacent to a collector street or arterial street, a series of flagpoles not exceeding 20 feet in height may be erected within said tract provided said flagpoles are spaced no closer than 100 feet apart; however, flagpoles permitted under this paragraph may not be located adjacent to any local street regardless of the location of the tract relative to the local street. Further, flagpoles permitted under this paragraph may not be illuminated except by ambient lighting.

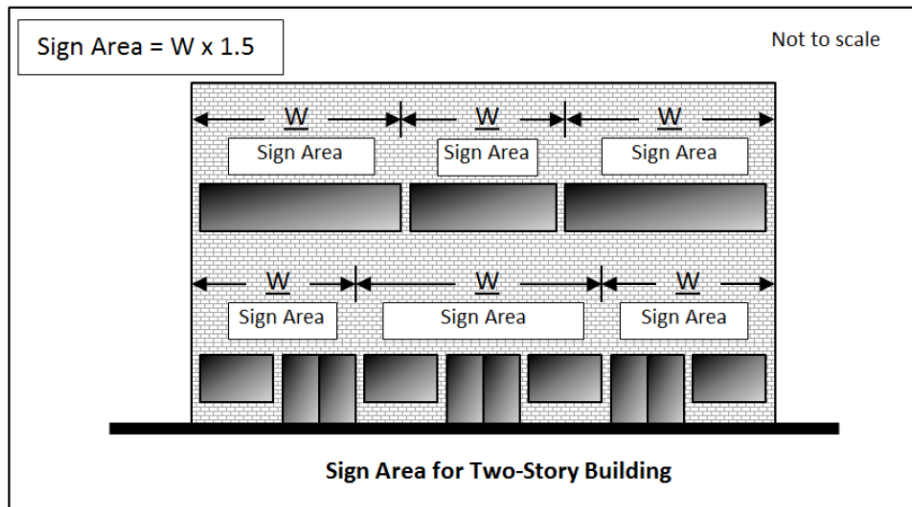


- c. All active single-family residential subdivision signs shall be removed upon the close of escrow of the last lot in the subdivision or upon cessation of use, whichever comes first.
- B. Building-mounted signs.** Building-mounted signs may only be placed on building elevations which face a street or primary parking lot. For purposes of this section, parking areas adjacent to service bays, access drives located behind a building, or alley ways are not considered primary parking areas.
1. **Building wall signs.** In other than residential zoning, building wall signs are permitted on any building elevation of any primary use building, subject to the following:

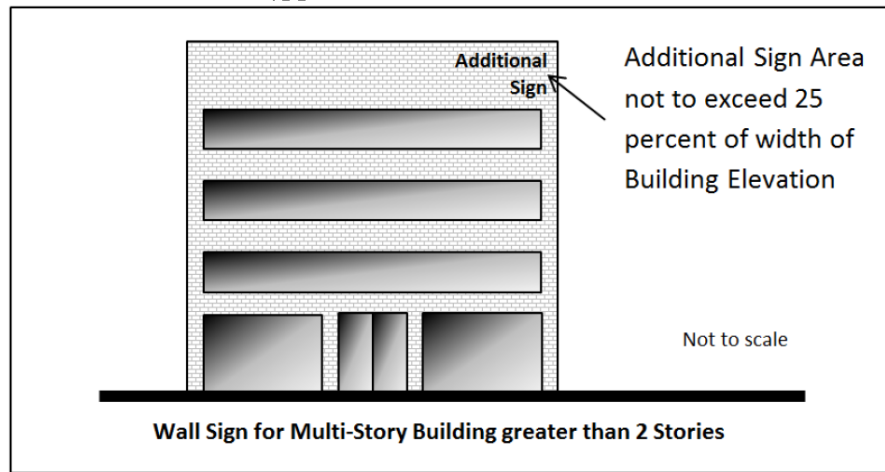
- a. For single story, single-tenant buildings, any number of building wall signs may be affixed to any building elevation, provided the aggregate sign area does not exceed one and one-half square foot per one linear foot of building elevation on which the sign is mounted.



- b. For two-story office buildings or two-story mixed-use buildings, each tenant who possesses leased tenant frontage on the exterior wall of the building may affix any combination of building wall signs provided the aggregate sign area does not exceed one and one-half square foot per one linear foot of that tenant's leased frontage. In the event a tenant does not possess leased tenant frontage located along the exterior of the building, this provision does not apply.



- c. For multi-story buildings greater than two stories one building wall sign, the area of which not exceeding 25 percent of the width of the elevation may be affixed to each building elevation at a location that is nearest the top of the building provided said sign does not extend above the parapet, or in the case of an exposed pitch roof, the drip line of the roof. In no case shall such signs be affixed to an elevator shaft or equipment screening.



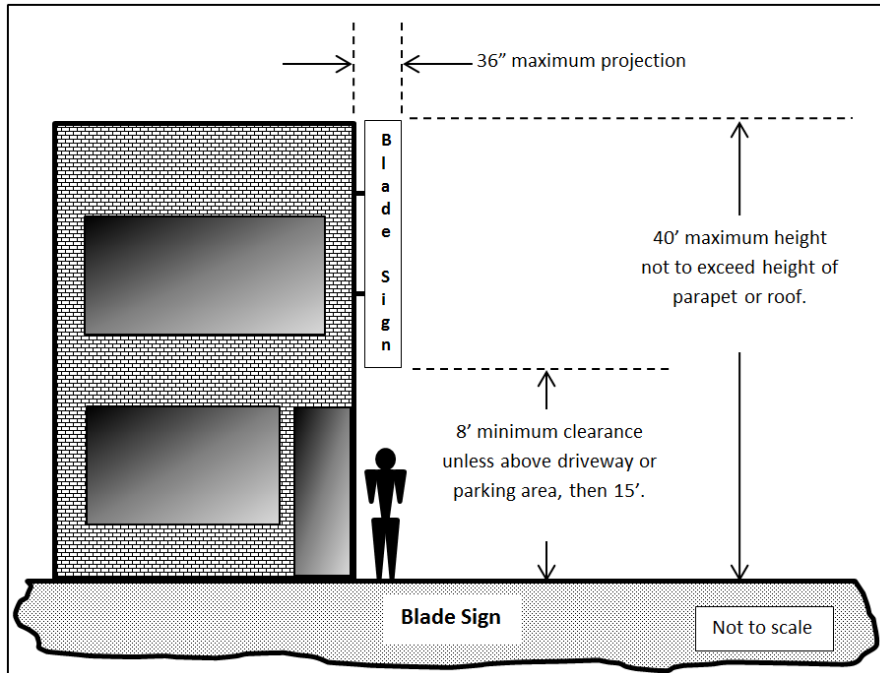
- d. The sign area of any building wall sign serving an arterial street may be increased by 25 percent when the building is setback at least 600 feet from the public right-of-way and may be further increased an additional 25 percent for each additional 200 feet of setback, up to a maximum of 100 percent, provided the increase in sign area does not cause the sign to be in violation with the other provisions of this section.
- e. The maximum width of a building wall sign shall not exceed 80 percent of the leased tenant frontage for a multi-tenant building, or building elevation for a single-tenant building.
- f. Building wall signs shall be installed in a manner that does not obscure architectural features such as, but not limited to, pilasters, arches, windows, cornices, pop-outs, decorative trims, moldings, and frieze.
- g. Building wall signs may be internally illuminated, externally illuminated, or back-lit, but may not include electronic messaging (EMCs). Further, illumination shall be in accordance with the requirements set forth in section 10.

2. *Blade signs.*

- a. One blade sign is permitted per primary use multi-story building located in multi-family, commercial, mixed-use or industrial zoning subject to the specific requirements outlined below.
- b. When a blade sign extends over a pedestrian area a distance of six inches or more, the bottom of the sign shall not be any closer than eight feet above the walking surface over which the sign is placed. When a blade sign extends any distance over a parking lot or vehicular area, the bottom of the sign shall not be any closer than 15 feet above the paving surface over which the sign is placed.
- c. The blade sign shall be mounted such that the top of the sign is not higher than 40 feet above the ground, sidewalk, or pavement surface above which the sign is mounted, except that in no case shall the blade sign extend above the roof of the building onto

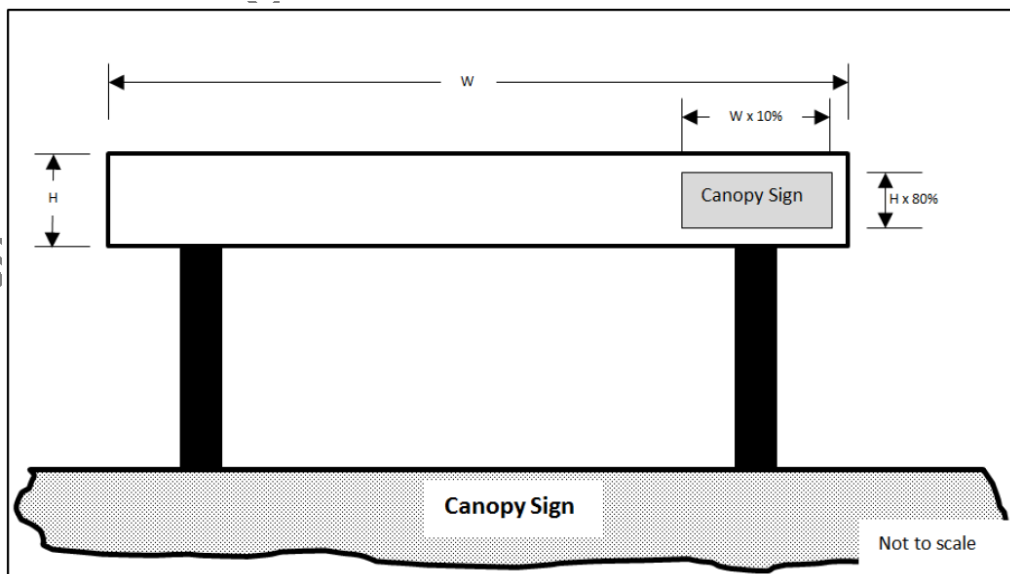
which the sign is mounted, or if mounted adjacent to a parapet, the sign shall not extend above the parapet.

- d. The blade sign shall not project more than 36 inches from the wall onto which the blade sign is mounted.
- e. The blade sign shall not be externally illuminated in any manner except by ambient lighting as may be present on the property; however, blade signs may be internally illuminated in accordance with the requirements set forth in section 10.

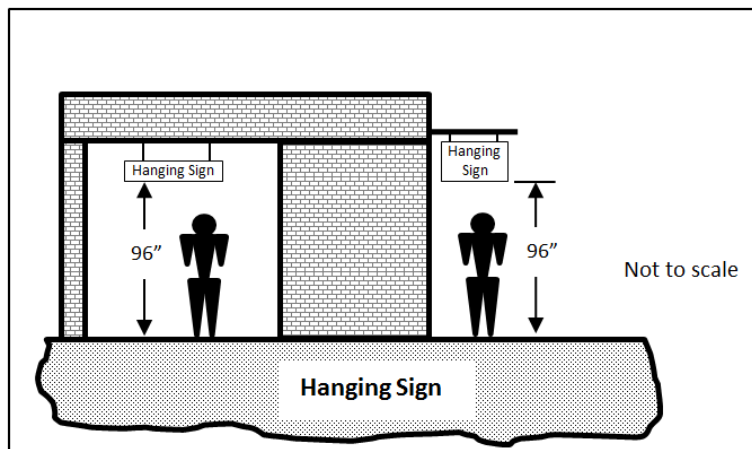


3. Canopy signs.

- a. Canopy signs shall not exceed 80 percent of the height of the face of the canopy onto which the canopy sign is mounted.
- b. Canopy signs shall not exceed ten percent of the width of the face of the canopy onto which the canopy sign is mounted.



- c. Canopy signs may be internally illuminated or back-lit in accordance with the requirements set forth in section 9. Level 1 electronic messaging is permitted on a canopy sign, subject to the provisions outlined in section 11.
- 4. *Marquee signs.*
 - a. The marquee sign shall be affixed to the face plane of the marquee and shall not extend above the uppermost or lowermost limits of the marquee.
 - b. The marquee sign shall not exceed 80 percent of the width of the face of the marquee onto which the sign is mounted.
 - c. Marquee signs may be internally illuminated or back-lit in accordance with the requirements set forth in section 9. Level 1 electronic messaging is permitted subject to the provisions outlined in section 11.
- 5. *Awning signs.* In mixed-use, commercial and industrial zoning districts, awnings may be integrated with sign copy, but shall not contribute towards the overall building wall sign area of a particular building.
- 6. *Hanging signs.* In mixed-use, commercial and industrial zoning districts, hanging signs are permitted subject to the following time, place, and manner restrictions:
 - a. Not more than one hanging sign is permitted per customer entrance and shall be mounted above the customer entrance or as close as reasonably practicable.
 - b. The maximum sign area of the hanging sign shall not exceed six square feet.
 - c. Where a hanging sign is erected above a pedestrian pathway, the bottom of the sign shall be not less than 96 inches from the walkable surface above which the hanging sign is placed.
 - d. The hanging sign shall not be externally illuminated in any manner except by ambient lighting present on the property; however, such signs may be internally illuminated in accordance with the requirements set forth in section 10.



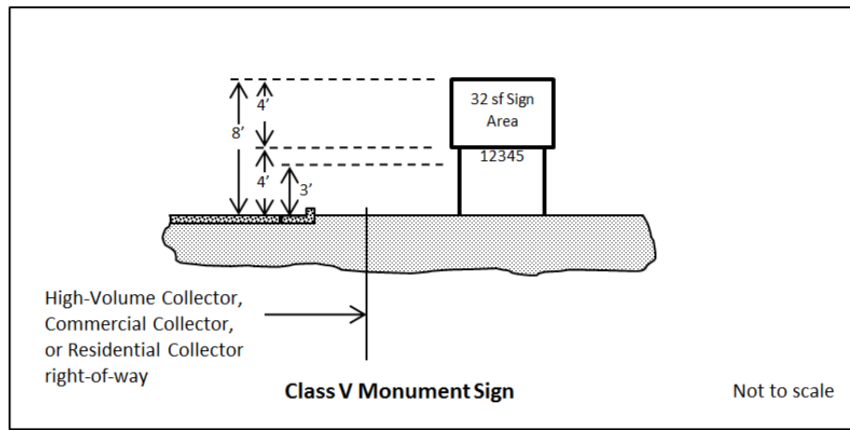
7. *Window signs and sunscreens.*

- a. Window signs are allowed provided the combined sign area for all window signs affixed to a particular window does not exceed 40 percent of the individual window pane. Etched or stained glass, when integral to the window, shall not be included in the sign area calculation.
- b. Sunscreen material may cover 100 percent of the window pane, provided not more than 40 percent of the window pane is covered by any mural or other graphics.
- c. Window signs shall not contribute towards the aggregate building wall sign area of a building.

C *Freestanding ground signs.*

- 1. *Class I monument signs (menu signs) and class II monument signs (preview signs) for drive-through businesses.* Drive-through businesses may utilize one class I monument sign and one class II monument sign per drive-through lane subject to the following:
 - a. The bottom of the sign copy of a class I monument sign or class II monument sign shall not be less than two feet above the adjacent drive-through lane's paved surface.
 - b. The overall height of the sign structure of a class I monument sign or class II monument sign shall not be more than eight feet above the adjacent drive-through lane's paved surface.
 - c. The sign area for an individual class I monument sign or class II monument sign shall not exceed 50 square feet.
 - d. A class I monument sign shall not be audible from any residential zoning district or residential use, hotel or motel room, or patient room of an overnight medical facility.
 - e. No class I monument sign or class II monument sign may be located within 100 feet of a residential zoning district or use.
 - f. Class I monument signs and class II monument signs may be internally illuminated in accordance with the requirements set forth in section 10.
 - g. Level 2 electronic messaging is permitted, subject to the provisions outlined in section 11.
- 2. *Class III monument signs (directional signs).* Class III monument signs are permitted along the street frontage in conjunction with a driveway serving any multi-family residential, commercial or industrial development, subject to the following:
 - a. The class III monument sign shall not exceed 30 inches in height as measured from the adjacent pavement surface of the roadway served by the sign;
 - b. The sign area of a class III monument sign shall not exceed six square feet;

- c. The class III monument sign may be internally illuminated, back-lit, or externally illuminated as outlined in section 10 provided the source of external illumination is not visible.
- 3. *Class IV monument signs (directory signs).* Class IV monument signs are permitted within the interior of any multi-family residential, commercial or industrial development, subject to the following:
 - a. The class IV monument sign shall not exceed six feet in height as measured from the adjacent pavement surface of the roadway or sidewalk served by the sign;
 - b. The sign area of a class IV monument sign shall not exceed 12 square feet;
 - c. The class IV monument sign may be internally illuminated, back-lit, or externally illuminated in accordance with the requirements set forth in section 10 provided the source of external illumination is not visible.
- 4. *Class V monument signs (minor monument signs).*
 - a. Class V monument signs are permitted in conjunction with non-residential uses in a residential zone, not including cottage industries or home occupations; or in multi-family uses in multi-family zoning; or in non-residential uses in a non-residential zone.
 - b. One class V monument sign meeting the requirements outlined below is permitted for every 150 feet of collector or arterial street frontage or portion thereof, regardless of the presence or location of driveway, provided sight distance requirements are met. The minimum spacing between individual class V monument signs, or between a class V monument sign and a class VI monument signs, located on the same property shall be not less than 150 feet measured radially.
 - c. When allowed, the height of the class V monument sign shall not exceed eight feet as measured from the edge of pavement of the street being served by the sign, nor shall the maximum sign area exceed 32 square feet. The bottom edge of the sign copy shall be no lower than four feet above the adjacent edge of pavement of the street being served by the sign. The height of the sign structure may extend an additional two feet above the face if the sign provided said extension is limited to non-illuminated architectural embellishments and contains no sign copy.

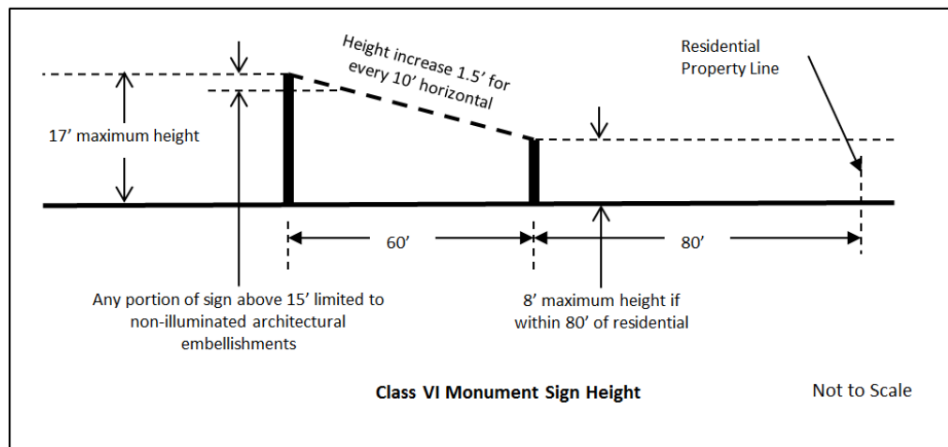


- d. The base of a class V monument sign shall be fitted with the address of the property or properties in a manner that is consistent with section 13.
- e. A class V monument sign shall be located within a landscape area not less than 80 square feet.
- f. Class V monument signs shall be setback not less than two feet from the right-of-way line except that in the event a public utility easement is present, in which case the sign shall be setback not less than two feet from the easement.
- g. Class V monument signs may be internally illuminated, back-lit or externally illuminated in accordance with the requirements set forth in section 10.
- h. Level 1 electronic messaging and level 2 electronic messaging are permitted on a monument sign, subject to the provisions outlined in section 11.

5. *Class VI monument signs (major monument signs).*

- a. Class VI monument signs are permitted in conjunction with non-residential uses in a non-residential zone or that portion of a planned area development where the land use plan of the PAD specifically calls out non-residential uses.
- b. Class VI monument signs shall only be located adjacent to a parkway, major arterial street, minor arterial street, or along grand avenue. When allowed, one class VI monument sign meeting the requirements outlined below is permitted for every 150 feet of said roadway or portion thereof, regardless of the presence or location of driveway, provided sight distance requirements are met. The minimum spacing between individual class VI monument signs located on the same property shall be not less than 150 feet measured radially. The minimum spacing between class V monument signs and class VI monument signs located on the same property shall not be less than 150 feet measured radially. Properties with less than 150 feet of parkway, major arterial street, minor arterial street, or grand avenue frontage shall not be permitted any class VI monument sign.

- c. No class VI monument sign may be located within 80 feet of a property having single-family residential zoning. The height of a class VI monument sign located 80 feet or more from a property having single-family zoning shall not exceed eight feet at 80 feet distant; however, the height of a class VI monument sign may increase one and one-half foot for every additional ten feet of horizontal distance the sign is located away from a property having single-family residential zoning up to a maximum height of 17 feet, provided however that any height in excess of 15 feet shall be limited to architectural embellishments.

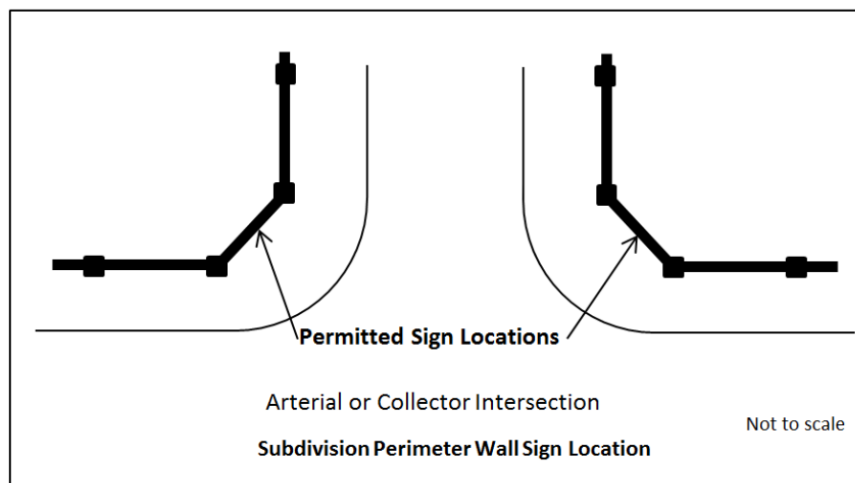


- d. The sign area of a class VI monument sign shall be limited to 36 square feet, but may increase 12 square feet for every one foot increase in the overall height of the sign up to a maximum sign area of 120 square feet.
- e. The base of a class VI monument sign shall be fitted with the address of the property or properties in a manner that is consistent with section 13.
- f. A class VI monument sign shall be located within a landscape area not less than the maximum sign area allowed for that sign.
- g. Class VI monument signs shall be setback not less than two feet from the right-of-way line. Further, in the event a public utility easement is present, the sign shall be setback not less than two feet from the easement, unless the property owner signs a waiver acknowledging the prior rights of the utility companies to occupy said easement.
- h. Class VI monument signs may be internally illuminated, back-lit or externally illuminated in accordance with the requirements set forth in section 10.
- i. Level 1 electronic messaging and level 2 electronic messaging are permitted on a class VI monument sign, subject to the provisions outlined in section 11.
6. *Roadway arch signs.* Roadway arch signs may be erected within any commercial or industrial development subject to the following:

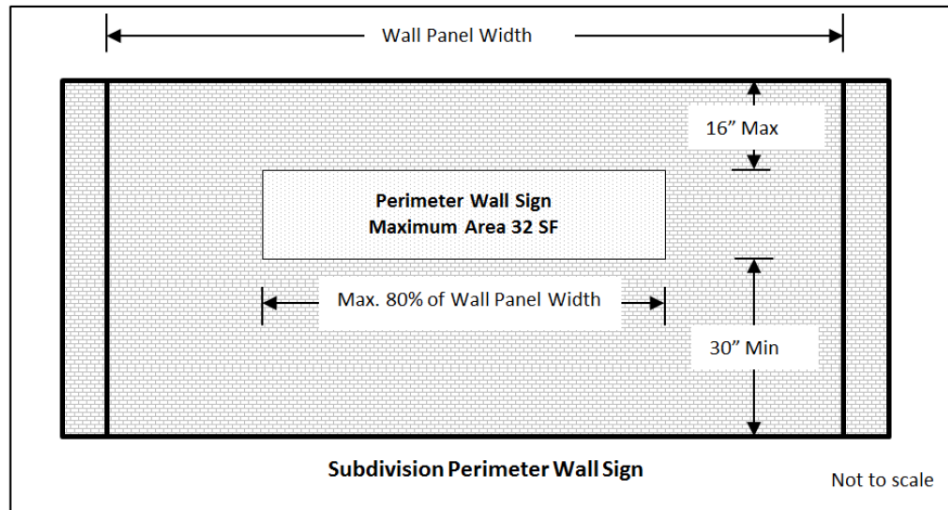
- a. Roadway arch signs shall maintain a vehicular clearance of not less than 18 feet;
- b. Roadway arch signs shall not interfere with pedestrian or vehicular movement;
- c. Roadway arch signs may be internally illuminated, or back-lit in accordance with the requirements set forth in section 10 except that if the roadway arch sign is located within 100 feet of any residential zoning district or use, the roadway arch sign shall not be illuminated.

7. *Subdivision perimeter wall signs.*

- a. Where a subdivision perimeter wall is located adjacent to a street corner that intersects a collector or arterial street, one subdivision perimeter wall sign may be affixed to the wall panel of the subdivision perimeter wall most closely oriented to the intersection, subject to the specific requirements outlined below.



- b. The maximum sign area shall not exceed 32 square feet.
- c. The width of the sign shall not exceed 80 percent of the width of the perimeter wall panel into which the sign is mounted.
- d. The bottom of the sign shall be no lower than 30 inches from the adjacent grade.
- e. The top of the sign shall be no higher than 16 inches from the top of the wall panel onto which the sign is mounted.
- f. The sign may be back-lit or externally illuminated provided the source of illumination is not visible from the street or from the adjacent residential property and is otherwise in accordance with the requirements set forth in section 10.



8. *Freeway monument signs.* Freeway monument signs may be permitted as outlined in this section:

a. *State Route 303 Corridor.* Freeway monument signs may be located within the following portions of the State Route 303 Corridor, subject to prior approval of a conditional use permit to be processed as a Type 3 application in accordance with Chapter 102 of this Ordinance:

(1) *State Route 303 and U.S. 60.* An area of land generally located at the intersection of State Route 303 and U.S. 60, being situated in the south half of Section 18 and the north half of Section 19, Township 4 North, Range 2 West and the south half of Section 36, Township 4 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

BEGINNING at a point located at longitude 112°24'13" west by latitude 33°40'49" north, thence southwesterly along a line bearing N43°00'58"E a distance of 1,320 feet to the beginning of a non-tangent curve the center of which is said longitude and latitude; thence clockwise along the arc of said curve a distance of approximately 2,070 feet, thence departing said arc southeasterly along a line bearing N46°13'20"W a distance of 1,320 feet to the POINT OF BEGINNING

(2) *State Route 303 and Bell Road.* An area of land generally located at the intersection of State Route 303 and Bell Road, being situated in the north half of Section 1, Township 3 North, Range 2 West and the south half of Section 36, Township 4 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

BEGINNING at the north quarter corner of said Section 1, thence easterly along the north line of the northeast quarter of said Section 01 a distance of 850 feet to the beginning of a non-tangent curve the center of which is said north quarter corner; thence clockwise along the arc of said curve a distance of approximately 4,000 feet to a point on the east line of the southwest quarter of said Section 36, thence departing said curve, southerly along said east line a distance of 850 feet to the POINT OF BEGINNING

- (3) *State Route 303 and Greenway Road.* An area of land generally located at the intersection of State Route 303 and Greenway Road, being situated in the southeast quarter of Section 1, Township 3 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

BEGINNING at the south quarter corner of said Section 01, thence northerly along the west line of said southeast quarter a distance of 450 feet to the beginning of a non-tangent curve the center of which is said south quarter corner; thence clockwise along the arc of said curve a distance of approximately 700 feet to a point on the south line of said southeast quarter; thence departing said curve, westerly along said south line a distance of 450 feet to the POINT OF BEGINNING

- (4) *State Route 303 and Cactus Road.* An area of land generally located at the intersection of State Route 303 and Cactus Road, being situated in the northeast quarter of Section 24, Township 3 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona described as follows:

BEGINNING at the north quarter corner of said Section 24; thence easterly along the north line of said northeast quarter a distance of 850 feet to the beginning of a non-tangent curve the center of which is said north quarter corner; thence clockwise along the arc of said curve approximately 1,340 feet to a point on the west line of said northeast quarter; thence departing said curve, northerly along said west line a distance of 850 feet to the POINT OF BEGINNING

- (5) All freeway monument signs located within the aforementioned locations are subject to the provisions in subsections 9(c)(9)b.—e.

- b. *Additional locational requirements.* The following additional locational requirements apply for all freeway monument signs regardless of where in the corridor it is located:

- (1) Freeway monument signs may only be approved on lands zoned for commercial or industrial uses.
- (2) No freeway monument sign shall be located within 300 feet of a property zoned for residential uses, or any open space tract that is associated with a residential development.
- (3) Freeway monument signs shall not be located closer than 20 feet from the adjacent right-of-way.
- (4) Spacing between freeway monument signs shall be not less than 750 feet, unless separated by a freeway or arterial right-of-way.
- (5) Freeway monument signs shall not be allowed within a natural or manmade watercourse.

c. *Dimensional requirements.* The following dimensional requirements apply for all freeway monument signs regardless of the corridor in which it is located:

- (1) The overall height of a freeway monument sign shall not exceed 65 feet as measured from the finished grade of the site where the freeway monument sign is located to the highest point of the sign structure.
- (2) Freeway monument signs shall be allowed an extra three feet in height for architectural embellishments.
- (3) The sign area of a freeway monument sign shall not exceed 650 square feet.

d. *Design requirements.* The following design requirements apply for all freeway monument signs regardless of the corridor in which it is located:

- (1) Freeway monument signs may incorporate level 2 electronic messaging centers as outlined section 11 herein, except that electronic messaging centers used in freeway monument sign applications may occupy up to 50 percent of the allowable sign area of the sign, exclusive of architectural embellishments as required herein, and provided such electronic messaging centers are turned off between 11:00 p.m. and dawn.
- (2) Freeway monument signs shall incorporate architectural features of the commercial development on which the sign is located; however, such embellishments shall not include any sign copy.
- (3) Freeway monument signs shall require a landscaped area equal to four square feet of landscaping for each square foot of sign area and shall be located around the base of the sign; freeway monument signs may be illuminated by externally-illuminated indirect or internal lighting.

- e. Any conditional use permit approval is hereby conditioned upon the applicant obtaining a valid construction permit for the freeway monument sign approved under said conditional use permit. The applicant shall obtain certificate of completion from the city within six months of approval of the conditional use permit by the City Council. Failure to obtain a certificate of completion within the designated time allotment shall render the conditional use permit null and void; however, the city manager or designee may grant a one-time extension for a period not to exceed six months when in the opinion of the city manager or designee the circumstances warrant such.

Section 109-6.9 Sign Classifications and Types

As revised per the Planning and Zoning Commission Discussion

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.

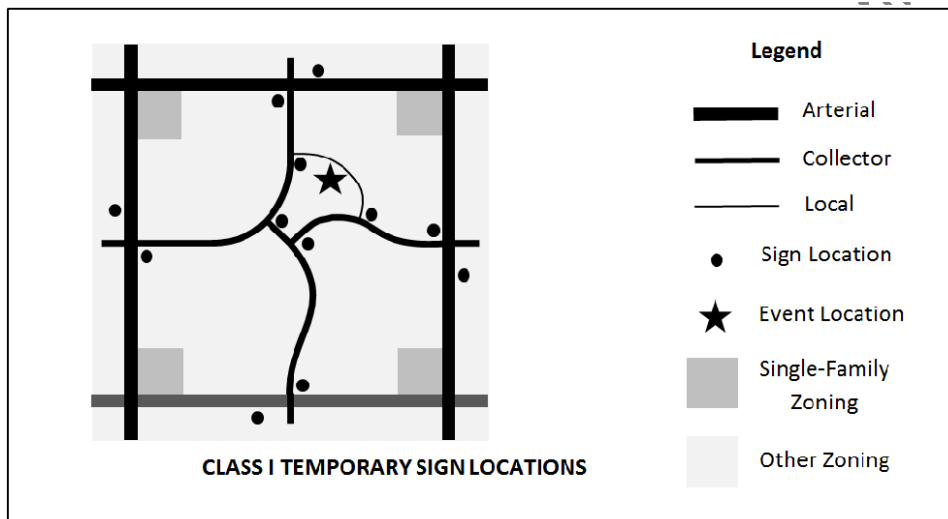
A. Temporary signs. When allowed, temporary signs shall conform to the following requirements:

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.



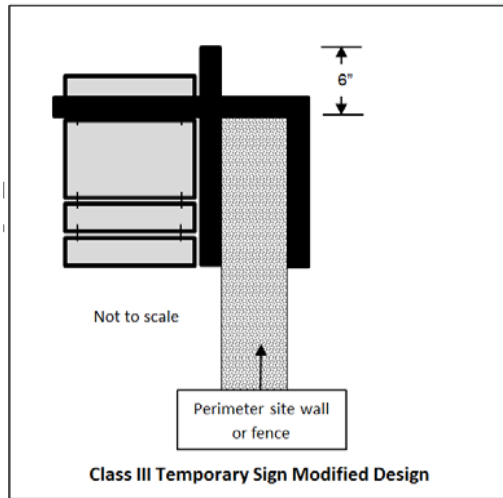
- c. When allowed, class I temporary signs may be located within the street right-of-way, but not within any median, vehicle or bicycle travel lane, or sidewalk, nor within any sight visibility triangle as outlined in standard details 4-01 and 4-02 of the Surprise engineering development standards.
 - 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~~ Temporary Signs* (large A-frame signs and pedestal signs). ~~Class II temporary signs~~ *Class II Temporary Signs*, as defined herein, are allowed subject to the ~~general requirements~~ *General Requirements* as ~~stated outlined in subsection 109-1.9.A.1~~ above ~~plus and~~ the following:
 - a. ~~Class II temporary signs~~ *Class II Temporary Signs* are only allowed in conjunction with a lawful commercial use including ~~cottage industries~~ *cottage industries*, but not ~~home occupations~~ *home occupations*.
 - b. One (1) 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~~ *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~~ Engineering Development Standards.

- d. There is no limit to the number of ~~sign panels~~ sign panels per ~~sign structure~~ sign structure provided the ~~defined~~ specified height, width and ~~sign area~~ sign area limitations are not exceeded.
- e. The ~~sign~~ sign may be weighted or ballasted; however, no such ~~sign~~ sign may be affixed to the ground or to any permanent ~~structure~~ structure.
- f. ~~Class II temporary signs~~ 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 signs~~ Class II Temporary Signs.

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.



5. *Class IV temporary signs (large post-signs).*

- a. Not more than one class IV 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 IV temporary sign meeting said requirements may be erected along each additional street frontage, except that class IV temporary signs associated with a public hearing shall not be counted towards this total.
- b. Class IV 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.
- c. The maximum number of sign panels per sign structure shall not exceed two.

6. *Banner signs and festoons.*

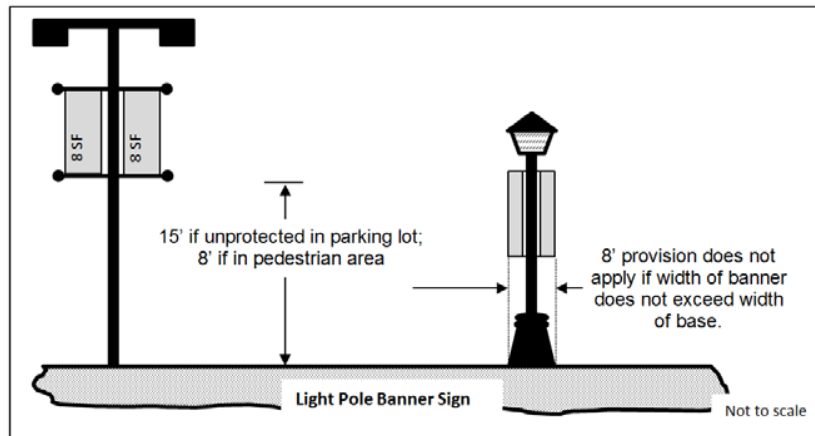
- a. *General.* The following provisions apply to all banner signs and festoons:
 - (1) Banner signs shall be equipped with ventilation flaps.
 - (2) Banner signs and festoons shall be securely attached to the building or fence, but in no case shall be attached to freestanding poles or vegetation.
- b. *Residential.* Any number of banner signs, festoons or combination thereof are permitted per dwelling unit, provided the aggregate length does not exceed 20 lineal feet and the aggregate area does not exceed 100 square feet.
- c. *Non-residential.* Banner signs and festoons are permitted on properties zoned for non-residential use subject to the following:
 - (1) One banner sign may be placed on a building, provided the maximum area of the banner sign shall not exceed one square foot per linear foot of building elevation, not to exceed 500 square feet.

- (2) For a single-tenant building, the width of the banner sign shall not exceed 80 percent of the width of the building elevation onto which the banner sign is attached. For multi-tenant building, the width of the banner sign shall not exceed 80 percent of the leased tenant frontage.
 - (3) Any number of festoons may be placed on a building provided the festoon contains no advertising copy, the aggregate length does not exceed 20 lineal feet, and the aggregate area does not exceed 100 square feet.
- d. *Construction sites and temporary construction yards.* Banner signs are allowed in conjunction with active construction sites and temporary construction yards regardless of zoning, subject to the following:
 - (1) One or more banner signs may be affixed to the perimeter fence surrounding a construction site or temporary construction yard, provided said banner signs do not extend above the height of the perimeter fence.
 - (2) Individual banner signs shall not exceed ten feet in length. Where multiple banner signs are utilized in lieu of screening material on a fence surrounding a construction site or temporary construction yard, said signs shall be spaced not less than one foot apart unless the banner sign is fabricated of material with not less than 50 percent visual transparency, in which case this provision shall not apply.

7. *Light pole banner signs.*

- a. Light pole banner signs may be attached to light poles when the pole is so equipped to receive such banner, except that in no case shall a light pole banner sign be affixed to a light pole in a public right-of-way without the expressed written permission from the city.
- b. The surface area of a single light pole banner sign shall not exceed eight square feet as measured on a single side.
- c. When two light pole banner signs are affixed to a single light pole, both light pole banner signs shall be consistent with each other with respect to size and shape so as to create uniformity.
- d. When the light pole onto which a light pole banner sign is placed is located within the paved portion of a parking lot, and the light pole base is unprotected from vehicular traffic, the bottom of the light pole banner sign shall be a minimum of 15 feet above the parking surface over which the banner is placed. If the base of the light pole is protected from vehicular traffic, this provision shall not apply.
- e. When the light pole is located within a pedestrian area, the bottom of the light pole banner sign shall be a minimum of eight feet above the surface over which the light pole banner sign is placed, unless the light pole banner sign is sufficiently narrow so as to not extend beyond the base of the light pole.

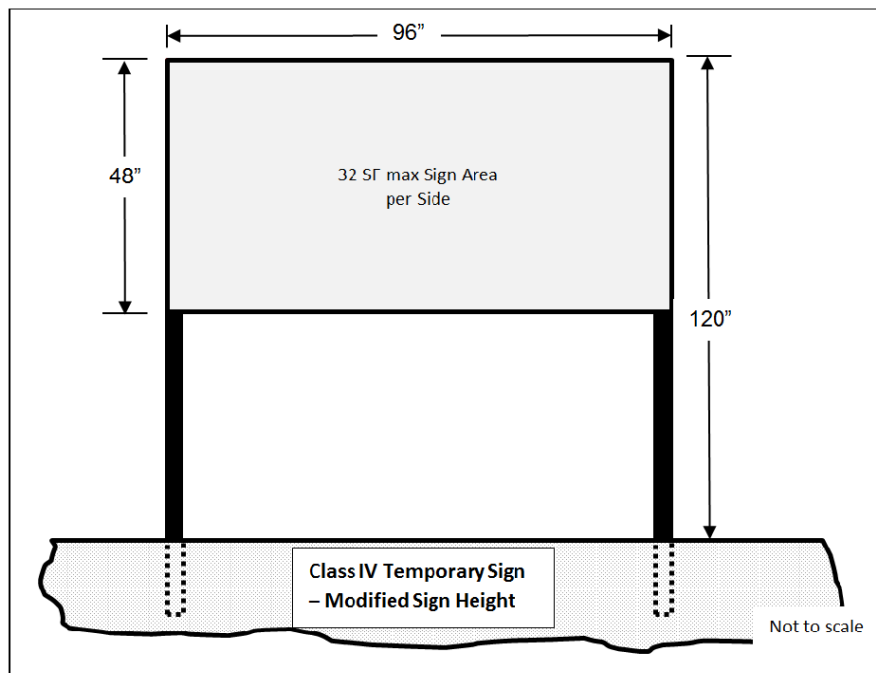
- f. Any horizontal supporting members shall either be removed when not in use or shall be of a hinged design and folded into a vertical position when not in use.
- g. Light pole banner signs shall not be illuminated in any manner except as incidental to the lighting fixture supported by the light pole.
- h. Light pole banner signs shall be equipped with ventilation flaps.



8. *Teardrop banner signs.*

- a. Not more than two teardrop banner signs are permitted in conjunction with a lawful temporary event subject to the specific requirements as outlined herein except that in no case shall a teardrop banner sign be allowed on a vacant property.
 - b. Teardrop banner signs may only be erected on the property on which the lawful temporary event is occurring. In no case shall a teardrop banner sign be located within a public or private right-of-way.
 - c. No teardrop banner sign shall be located within 15 feet of a pedestrian path, sidewalk, or trail, whether public or private.
 - d. No teardrop banner sign shall be located within 15 feet of any vehicular parking surface or driveway.
 - e. No teardrop banner sign shall be located within 50 feet of any public or private right-of-way.
 - f. The maximum height of the sign structure as measured from the nearest adjacent grade shall not exceed 12 feet with the flag portion of the sign not exceeding 16 square feet.
 - g. The teardrop banner sign shall be supported by a pedestal, which may be weighted or ballasted to prevent being overturned, but in no case shall the supporting sign structure be inserted into the ground.
9. *Sign walkers.* Sign walkers are permitted to operate within the city subject to the following restrictions:
- a. Sign walkers may only operate during daylight hours.

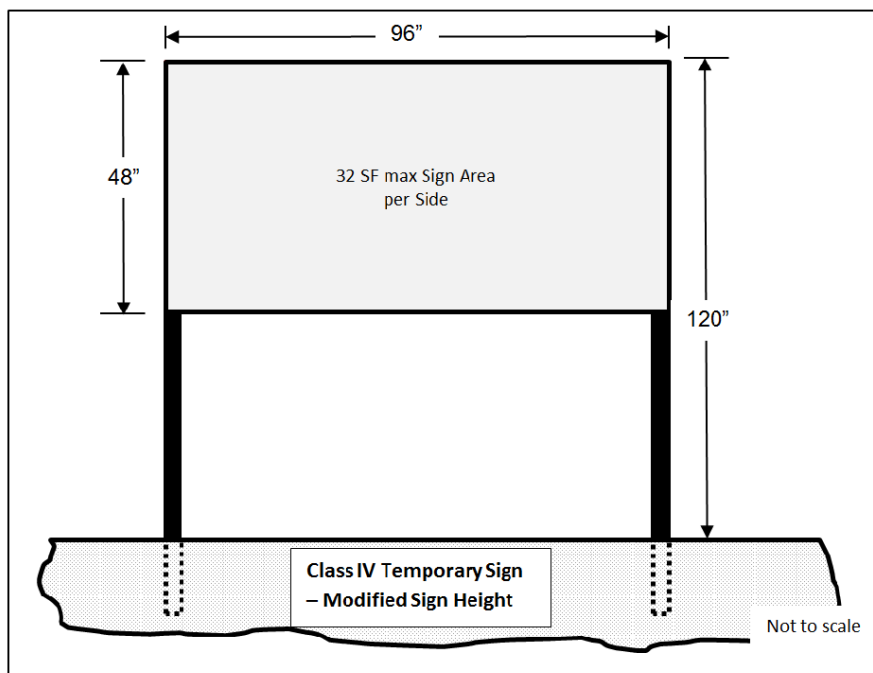
- b. Sign walkers may only operate on a sidewalk intended for pedestrian travel, but shall at no time block the free and unobstructed movement of pedestrians or vehicles.
 - c. Sign walkers may carry a maximum of two single-sided signs not exceeding three square feet of sign copy each or one double-sided sign not exceeding 12 square feet of aggregate sign copy; however, in no case shall a sign walker carry any form of electronic messaging.
 - d. Sign walkers shall not display a sign in any manner other than by personally holding or wearing said sign.
10. *Model home complex signs.* In addition to other signs that are permitted in association with a single-family residence, a model home complex may employ the following:
- a. One class III temporary sign meeting the requirements of subsection 9(a)(4) herein for each lot located within the boundaries of an approved model home complex. Such signs shall not be illuminated except by ambient lighting.
 - b. One class IV temporary sign meeting the requirements of subsection 9(a)(5) herein may be located within the boundaries of the approved model home complex; however, if the model home complex is located adjacent to a collector or arterial street, the overall height of the class IV temporary sign allowed under this paragraph may be increased to 120 inches, provided the sign is designed to withstand windloads as required by the building codes in effect at the time the sign is erected. A class IV temporary sign permitted under this paragraph may be externally illuminated as outlined in section 10.



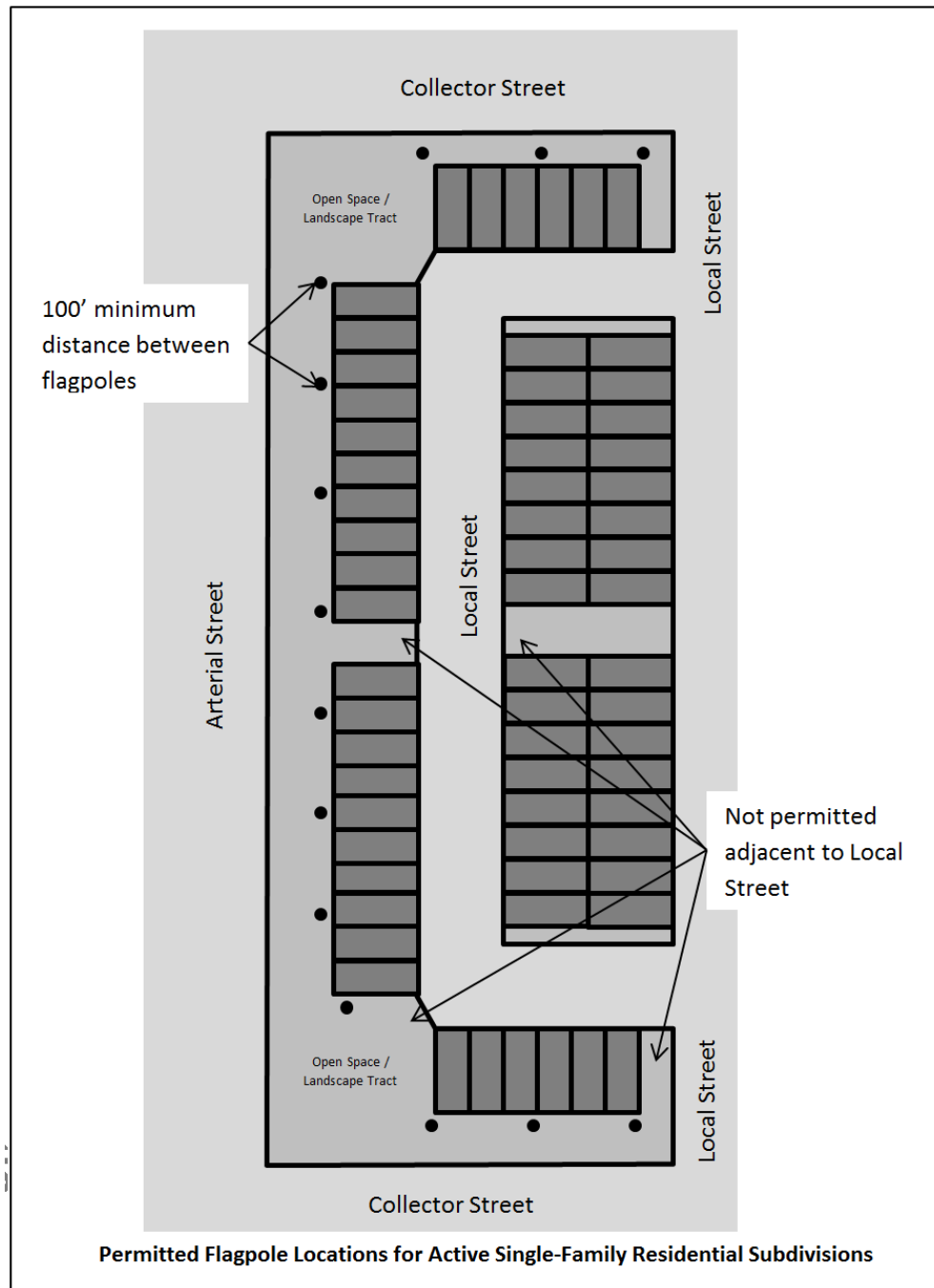
- c. One flagpole not exceeding a height of 45 feet may be erected within the boundaries of the model home complex provided said flagpole is located within the building envelope or within the required front yard of the lot in which it is placed, but not located within any required side or required rear yard. A maximum of two flags may be displayed from said flagpole. The flag and flagpole permitted under this paragraph may be externally illuminated in accordance with **Chapter 107-Article 3** of the Surprise Municipal Code.
- d. Two flagpoles not exceeding a height of 20 feet may be erected for each lot located within the boundaries of the approved model home complex. A maximum of one flag may be displayed from each flagpole. Flagpoles permitted under this section may be erected along the perimeter of the model home complex. Flagpoles permitted under this paragraph shall not be illuminated except by ambient lighting.
- e. Four additional teardrop banner signs meeting the requirements of subsection 9(a)(8) herein for each lot located within the boundaries of an approved model home complex. Except that subsections 9(a)(8)c., 9(a)(8)d. and 9(a)(8)e. shall not apply. Teardrop banner signs permitted under this section shall not be illuminated except by ambient lighting.
- f. One banner sign not exceeding three feet in height and five feet in length may be attached to the trap fence. Said banner sign shall be equipped with ventilation flaps. Banner signs permitted under this paragraph shall not be illuminated except by ambient lighting.
- g. One awning sign or canopy sign provided the awning or canopy is limited to the customer entrance to the sales office associated with the approved model home complex. Awning signs or canopy signs permitted under this paragraph shall not be illuminated except by ambient lighting.
- h. One building wall sign not exceeding four square feet may be affixed to the front elevation of the model home sales office facing the street from which the model home complex takes access. Said sign may be externally illuminated or back-lit in accordance with section 10.
- i. Information regarding model home signs shall be included with the model home complex application packet to be reviewed and approved with the model home complex. In circumstances where model home complexes in existence as of the effective date of this chapter are to be retrofitted for purposes of implementing signage permitted under this section, an amendment to the approved model home complex is required.
- j. All model home signs permitted under this section shall be removed upon the conversion of the model homes to a residential use in accordance with subsection 106-10.29 of the Surprise Municipal Code.

11. *Active single-family residential subdivision signs.* In addition to other signs that may be permitted in association with a model home complex, the following signs are permitted within the boundaries of an active single-family residential subdivision:

- a. One class IV temporary sign meeting the requirements of subsection 9(a)(5) herein may be located within the boundaries of an active single-family residential subdivision, provided such sign is located adjacent to a collector street or arterial street. The overall height of the class IV temporary sign allowed under this paragraph may be increased to 120 inches, provided the sign is designed to withstand windloads as required by the building codes in effect at the time the sign is erected. A class IV temporary sign permitted under this paragraph may be externally illuminated as outlined in section 10.

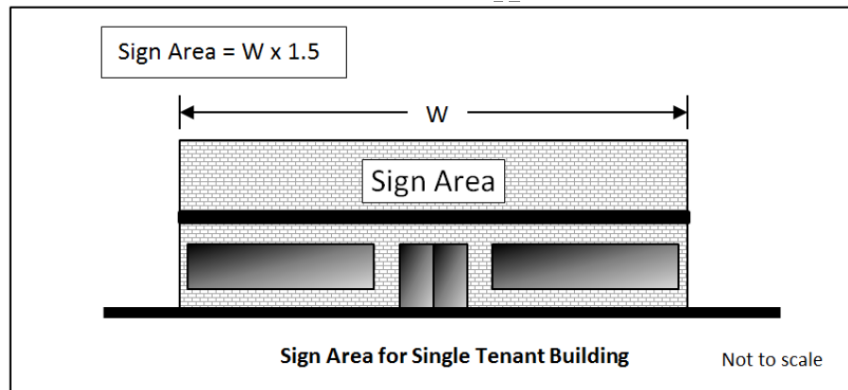


- b. Where an active single-family residential subdivision includes an open space tract or landscape tract located adjacent to a collector street or arterial street, a series of flagpoles not exceeding 20 feet in height may be erected within said tract provided said flagpoles are spaced no closer than 100 feet apart; however, flagpoles permitted under this paragraph may not be located adjacent to any local street regardless of the location of the tract relative to the local street. Further, flagpoles permitted under this paragraph may not be illuminated except by ambient lighting.

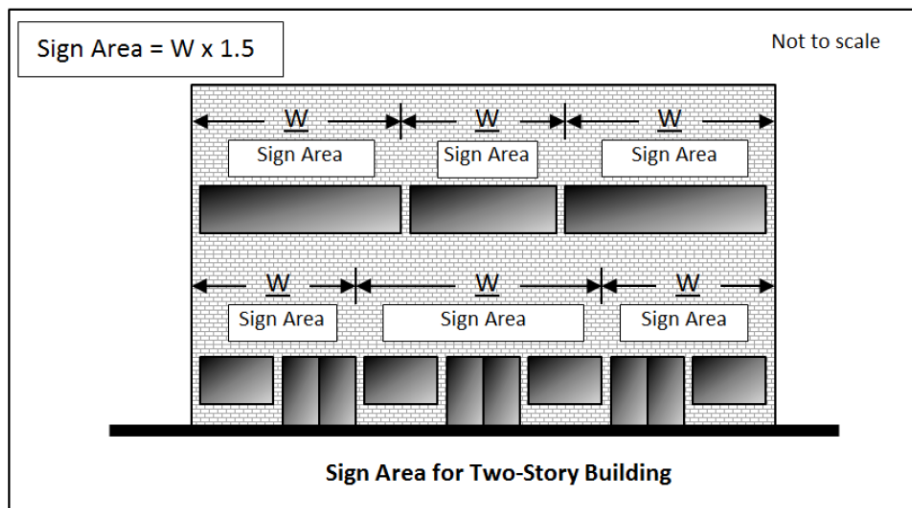


- c. All active single-family residential subdivision signs shall be removed upon the close of escrow of the last lot in the subdivision or upon cessation of use, whichever comes first.
- B. Building-mounted signs.** Building-mounted signs may only be placed on building elevations which face a street or primary parking lot. For purposes of this section, parking areas adjacent to service bays, access drives located behind a building, or alley ways are not considered primary parking areas.
1. **Building wall signs.** In other than residential zoning, building wall signs are permitted on any building elevation of any primary use building, subject to the following:

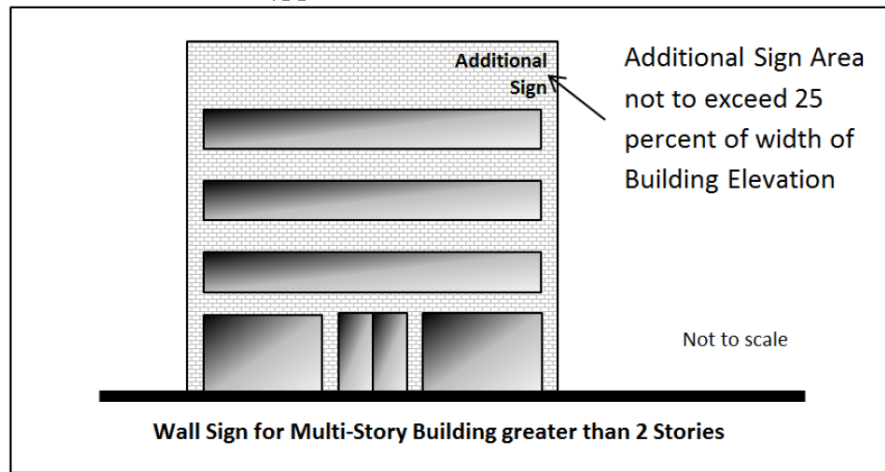
- a. For single story, single-tenant buildings, any number of building wall signs may be affixed to any building elevation, provided the aggregate sign area does not exceed one and one-half square foot per one linear foot of building elevation on which the sign is mounted.



- b. For two-story office buildings or two-story mixed-use buildings, each tenant who possesses leased tenant frontage on the exterior wall of the building may affix any combination of building wall signs provided the aggregate sign area does not exceed one and one-half square foot per one linear foot of that tenant's leased frontage. In the event a tenant does not possess leased tenant frontage located along the exterior of the building, this provision does not apply.



- c. For multi-story buildings greater than two stories one building wall sign, the area of which not exceeding 25 percent of the width of the elevation may be affixed to each building elevation at a location that is nearest the top of the building provided said sign does not extend above the parapet, or in the case of an exposed pitch roof, the drip line of the roof. In no case shall such signs be affixed to an elevator shaft or equipment screening.

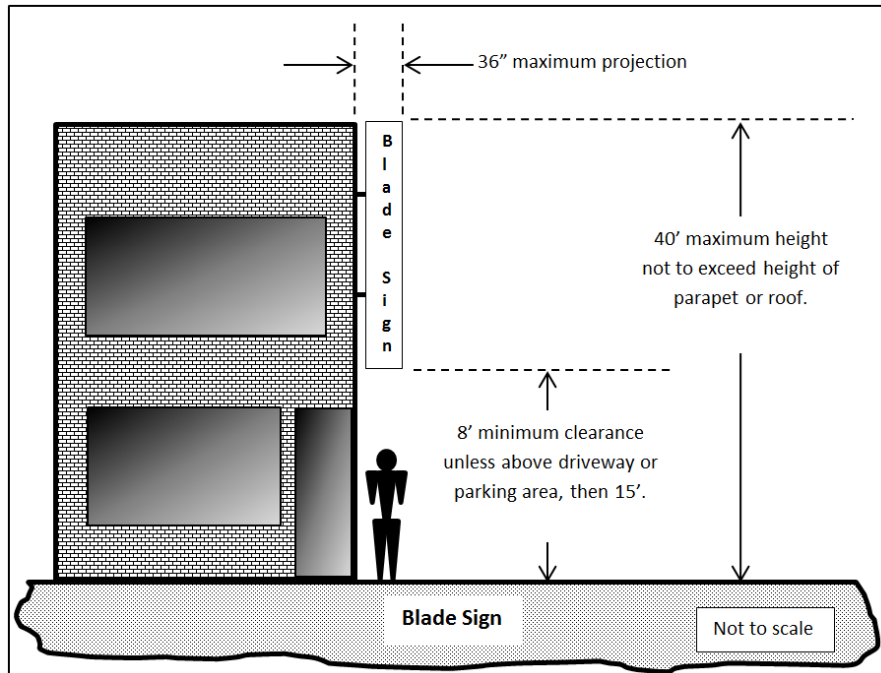


- d. The sign area of any building wall sign serving an arterial street may be increased by 25 percent when the building is setback at least 600 feet from the public right-of-way and may be further increased an additional 25 percent for each additional 200 feet of setback, up to a maximum of 100 percent, provided the increase in sign area does not cause the sign to be in violation with the other provisions of this section.
- e. The maximum width of a building wall sign shall not exceed 80 percent of the leased tenant frontage for a multi-tenant building, or building elevation for a single-tenant building.
- f. Building wall signs shall be installed in a manner that does not obscure architectural features such as, but not limited to, pilasters, arches, windows, cornices, pop-outs, decorative trims, moldings, and frieze.
- g. Building wall signs may be internally illuminated, externally illuminated, or back-lit, but may not include electronic messaging (EMCs). Further, illumination shall be in accordance with the requirements set forth in section 10.

2. *Blade signs.*

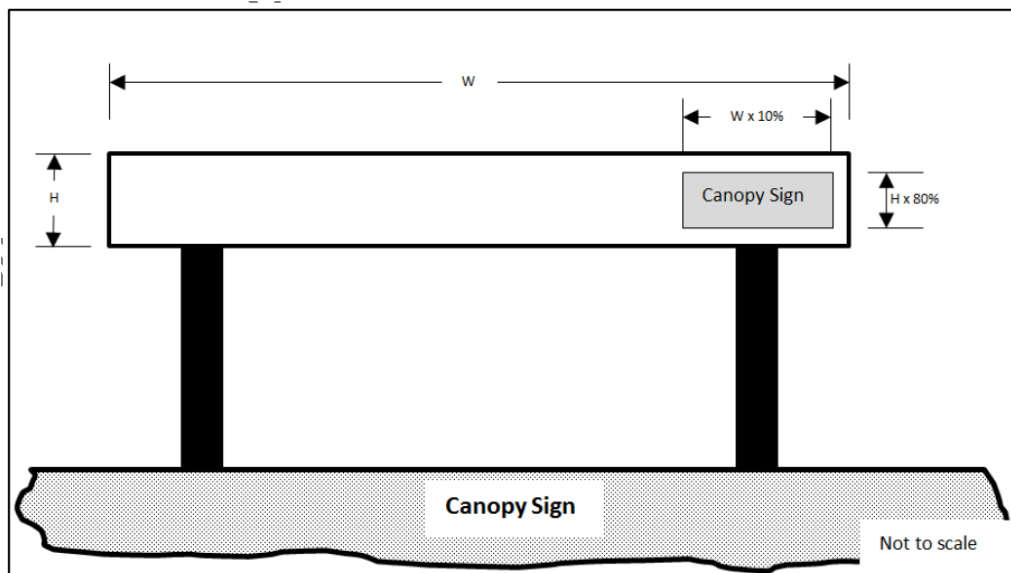
- a. One blade sign is permitted per primary use multi-story building located in multi-family, commercial, mixed-use or industrial zoning subject to the specific requirements outlined below.
- b. When a blade sign extends over a pedestrian area a distance of six inches or more, the bottom of the sign shall not be any closer than eight feet above the walking surface over which the sign is placed. When a blade sign extends any distance over a parking lot or vehicular area, the bottom of the sign shall not be any closer than 15 feet above the paving surface over which the sign is placed.
- c. The blade sign shall be mounted such that the top of the sign is not higher than 40 feet above the ground, sidewalk, or pavement surface above which the sign is mounted, except that in no case shall the blade sign extend above the roof of the building onto which the sign is mounted, or if mounted adjacent to a parapet, the sign shall not extend above the parapet.

- d. The blade sign shall not project more than 36 inches from the wall onto which the blade sign is mounted.
- e. The blade sign shall not be externally illuminated in any manner except by ambient lighting as may be present on the property; however, blade signs may be internally illuminated in accordance with the requirements set forth in section 10.



3. *Canopy signs.*

- a. Canopy signs shall not exceed 80 percent of the height of the face of the canopy onto which the canopy sign is mounted.
- b. Canopy signs shall not exceed ten percent of the width of the face of the canopy onto which the canopy sign is mounted.



- c. Canopy signs may be internally illuminated or back-lit in accordance with the requirements set forth in section 9. Level 1

electronic messaging is permitted on a canopy sign, subject to the provisions outlined in section 11.

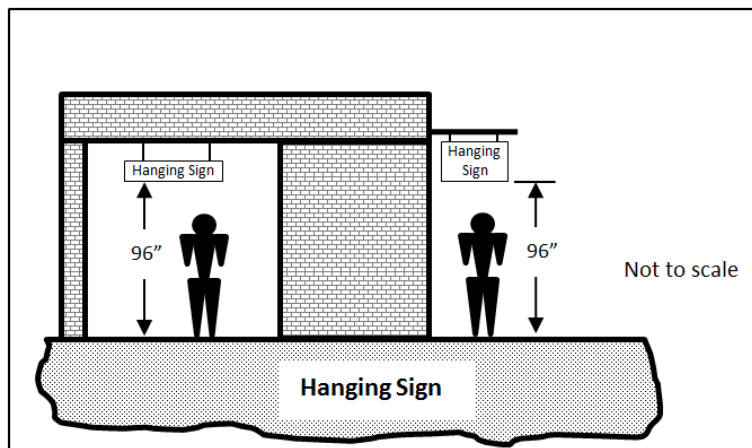
4. *Marquee signs.*

- a. The marquee sign shall be affixed to the face plane of the marquee and shall not extend above the uppermost or lowermost limits of the marquee.
- b. The marquee sign shall not exceed 80 percent of the width of the face of the marquee onto which the sign is mounted.
- c. Marquee signs may be internally illuminated or back-lit in accordance with the requirements set forth in section 9. Level 1 electronic messaging is permitted subject to the provisions outlined in section 11.

5. *Awning signs.* In mixed-use, commercial and industrial zoning districts, awnings may be integrated with sign copy, but shall not contribute towards the overall building wall sign area of a particular building.

6. *Hanging signs.* In mixed-use, commercial and industrial zoning districts, hanging signs are permitted subject to the following time, place, and manner restrictions:

- a. Not more than one hanging sign is permitted per customer entrance and shall be mounted above the customer entrance or as close as reasonably practicable.
- b. The maximum sign area of the hanging sign shall not exceed six square feet.
- c. Where a hanging sign is erected above a pedestrian pathway, the bottom of the sign shall be not less than 96 inches from the walkable surface above which the hanging sign is placed.
- d. The hanging sign shall not be externally illuminated in any manner except by ambient lighting present on the property; however, such signs may be internally illuminated in accordance with the requirements set forth in section 10.



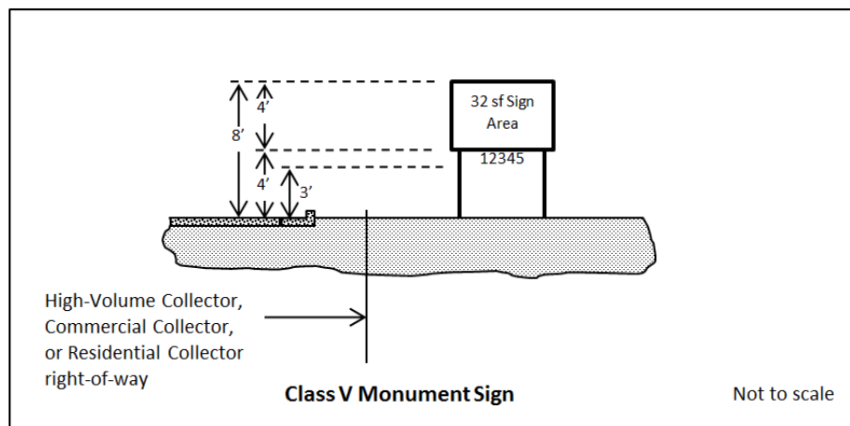
7. *Window signs and sunscreens.*

- a. Window signs are allowed provided the combined sign area for all window signs affixed to a particular window does not exceed 40 percent of the individual window pane. Etched or stained glass, when integral to the window, shall not be included in the sign area calculation.
- b. Sunscreen material may cover 100 percent of the window pane, provided not more than 40 percent of the window pane is covered by any mural or other graphics.
- c. Window signs shall not contribute towards the aggregate building wall sign area of a building.

C *Freestanding ground signs.*

- 1. *Class I monument signs (menu signs) and class II monument signs (preview signs) for drive-through businesses.* Drive-through businesses may utilize one class I monument sign and one class II monument sign per drive-through lane subject to the following:
 - a. The bottom of the sign copy of a class I monument sign or class II monument sign shall not be less than two feet above the adjacent drive-through lane's paved surface.
 - b. The overall height of the sign structure of a class I monument sign or class II monument sign shall not be more than eight feet above the adjacent drive-through lane's paved surface.
 - c. The sign area for an individual class I monument sign or class II monument sign shall not exceed 50 square feet.
 - d. A class I monument sign shall not be audible from any residential zoning district or residential use, hotel or motel room, or patient room of an overnight medical facility.
 - e. No class I monument sign or class II monument sign may be located within 100 feet of a residential zoning district or use.
 - f. Class I monument signs and class II monument signs may be internally illuminated in accordance with the requirements set forth in section 10.
 - g. Level 2 electronic messaging is permitted, subject to the provisions outlined in section 11.
- 2. *Class III monument signs (directional signs).* Class III monument signs are permitted along the street frontage in conjunction with a driveway serving any multi-family residential, commercial or industrial development, subject to the following:
 - a. The class III monument sign shall not exceed 30 inches in height as measured from the adjacent pavement surface of the roadway served by the sign;
 - b. The sign area of a class III monument sign shall not exceed six square feet;
 - c. The class III monument sign may be internally illuminated, back-lit, or externally illuminated as outlined in section 10 provided the source of external illumination is not visible.

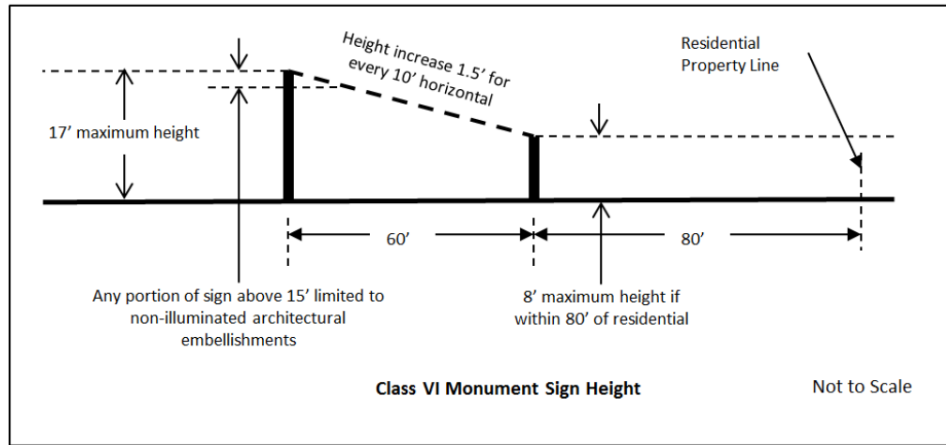
3. *Class IV monument signs (directory signs).* Class IV monument signs are permitted within the interior of any multi-family residential, commercial or industrial development, subject to the following:
 - a. The class IV monument sign shall not exceed six feet in height as measured from the adjacent pavement surface of the roadway or sidewalk served by the sign;
 - b. The sign area of a class IV monument sign shall not exceed 12 square feet;
 - c. The class IV monument sign may be internally illuminated, back-lit, or externally illuminated in accordance with the requirements set forth in section 10 provided the source of external illumination is not visible.
4. *Class V monument signs (minor monument signs).*
 - a. Class V monument signs are permitted in conjunction with non-residential uses in a residential zone, not including cottage industries or home occupations; or in multi-family uses in multi-family zoning; or in non-residential uses in a non-residential zone.
 - b. One class V monument sign meeting the requirements outlined below is permitted for every 150 feet of collector or arterial street frontage or portion thereof, regardless of the presence or location of driveway, provided sight distance requirements are met. The minimum spacing between individual class V monument signs, or between a class V monument sign and a class VI monument signs, located on the same property shall be not less than 150 feet measured radially.
 - c. When allowed, the height of the class V monument sign shall not exceed eight feet as measured from the edge of pavement of the street being served by the sign, nor shall the maximum sign area exceed 32 square feet. The bottom edge of the sign copy shall be no lower than four feet above the adjacent edge of pavement of the street being served by the sign. The height of the sign structure may extend an additional two feet above the face if the sign provided said extension is limited to non-illuminated architectural embellishments and contains no sign copy.



- d. The base of a class V monument sign shall be fitted with the address of the property or properties in a manner that is consistent with section 13.
- e. A class V monument sign shall be located within a landscape area not less than 80 square feet.
- f. Class V monument signs shall be setback not less than two feet from the right-of-way line except that in the event a public utility easement is present, in which case the sign shall be setback not less than two feet from the easement.
- g. Class V monument signs may be internally illuminated, back-lit or externally illuminated in accordance with the requirements set forth in section 10.
- h. Level 1 electronic messaging and level 2 electronic messaging are permitted on a monument sign, subject to the provisions outlined in section 11.

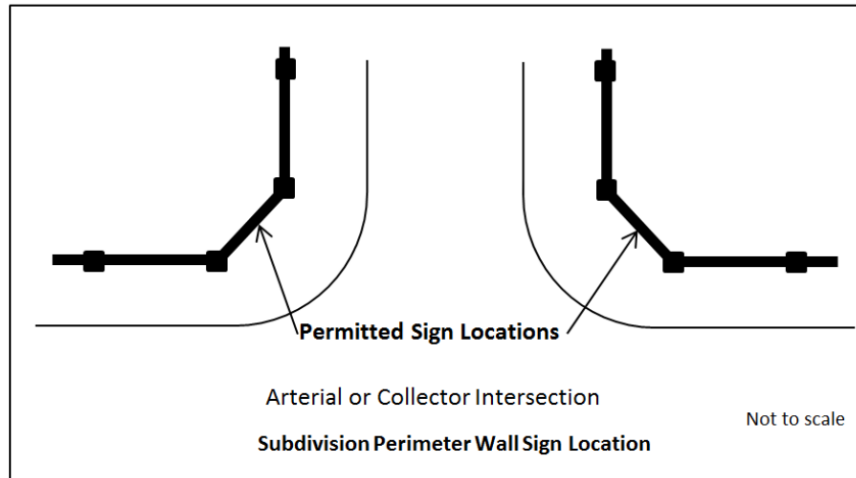
5. *Class VI monument signs (major monument signs).*

- a. Class VI monument signs are permitted in conjunction with non-residential uses in a non-residential zone or that portion of a planned area development where the land use plan of the PAD specifically calls out non-residential uses.
- b. Class VI monument signs shall only be located adjacent to a parkway, major arterial street, minor arterial street, or along grand avenue. When allowed, one class VI monument sign meeting the requirements outlined below is permitted for every 150 feet of said roadway or portion thereof, regardless of the presence or location of driveway, provided sight distance requirements are met. The minimum spacing between individual class VI monument signs located on the same property shall be not less than 150 feet measured radially. The minimum spacing between class V monument signs and class VI monument signs located on the same property shall not be less than 150 feet measured radially. Properties with less than 150 feet of parkway, major arterial street, minor arterial street, or grand avenue frontage shall not be permitted any class VI monument sign.
- c. No class VI monument sign may be located within 80 feet of a property having single-family residential zoning. The height of a class VI monument sign located 80 feet or more from a property having single-family zoning shall not exceed eight feet at 80 feet distant; however, the height of a class VI monument sign may increase one and one-half foot for every additional ten feet of horizontal distance the sign is located away from a property having single-family residential zoning up to a maximum height of 17 feet, provided however that any height in excess of 15 feet shall be limited to architectural embellishments.

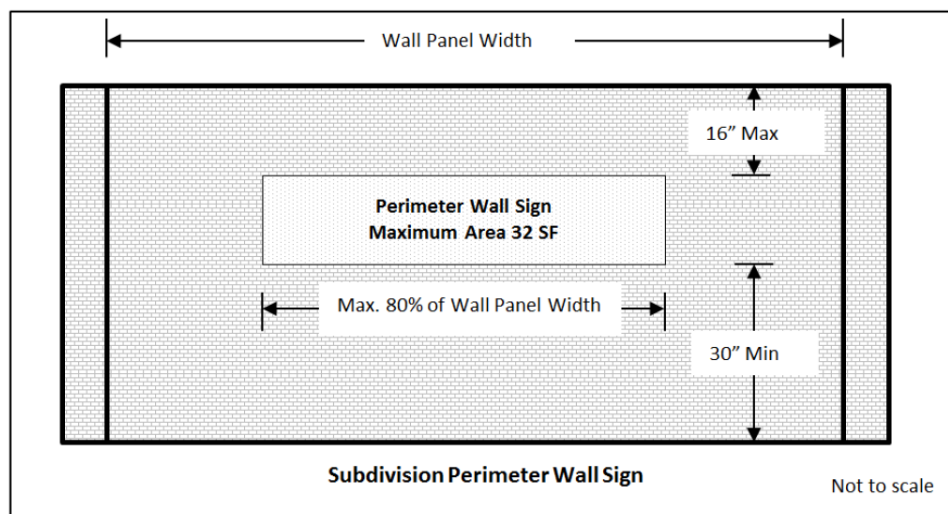


- d. The sign area of a class VI monument sign shall be limited to 36 square feet, but may increase 12 square feet for every one foot increase in the overall height of the sign up to a maximum sign area of 120 square feet.
 - e. The base of a class VI monument sign shall be fitted with the address of the property or properties in a manner that is consistent with section 13.
 - f. A class VI monument sign shall be located within a landscape area not less than the maximum sign area allowed for that sign.
 - g. Class VI monument signs shall be setback not less than two feet from the right-of-way line. Further, in the event a public utility easement is present, the sign shall be setback not less than two feet from the easement, unless the property owner signs a waiver acknowledging the prior rights of the utility companies to occupy said easement.
 - h. Class VI monument signs may be internally illuminated, back-lit or externally illuminated in accordance with the requirements set forth in section 10.
 - i. Level 1 electronic messaging and level 2 electronic messaging are permitted on a class VI monument sign, subject to the provisions outlined in section 11.
6. *Roadway arch signs.* Roadway arch signs may be erected within any commercial or industrial development subject to the following:
- a. Roadway arch signs shall maintain a vehicular clearance of not less than 18 feet;
 - b. Roadway arch signs shall not interfere with pedestrian or vehicular movement;
 - c. Roadway arch signs may be internally illuminated, or back-lit in accordance with the requirements set forth in section 10 except that if the roadway arch sign is located within 100 feet of any residential zoning district or use, the roadway arch sign shall not be illuminated.
7. *Subdivision perimeter wall signs.*

- a. Where a subdivision perimeter wall is located adjacent to a street corner that intersects a collector or arterial street, one subdivision perimeter wall sign may be affixed to the wall panel of the subdivision perimeter wall most closely oriented to the intersection, subject to the specific requirements outlined below.



- b. The maximum sign area shall not exceed 32 square feet.
- c. The width of the sign shall not exceed 80 percent of the width of the perimeter wall panel into which the sign is mounted.
- d. The bottom of the sign shall be no lower than 30 inches from the adjacent grade.
- e. The top of the sign shall be no higher than 16 inches from the top of the wall panel onto which the sign is mounted.
- f. The sign may be back-lit or externally illuminated provided the source of illumination is not visible from the street or from the adjacent residential property and is otherwise in accordance with the requirements set forth in section 10.



8. *Freeway monument signs.* Freeway monument signs may be permitted as outlined in this section:
- a. *State Route 303 Corridor.* Freeway monument signs may be located within the following portions of the State Route 303 Corridor,

subject to prior approval of a conditional use permit to be processed as a Type 3 application in accordance with Chapter 102 of this Ordinance:

- (1) *State Route 303 and U.S. 60.* An area of land generally located at the intersection of State Route 303 and U.S. 60, being situated in the south half of Section 18 and the north half of Section 19, Township 4 North, Range 2 West and the south half of Section 36, Township 4 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

BEGINNING at a point located at longitude 112°24'13" west by latitude 33°40'49" north, thence southwesterly along a line bearing N43°00'58"E a distance of 1,320 feet to the beginning of a non-tangent curve the center of which is said longitude and latitude; thence clockwise along the arc of said curve a distance of approximately 2,070 feet, thence departing said arc southeasterly along a line bearing N46°13'20"W a distance of 1,320 feet to the POINT OF BEGINNING

- (2) *State Route 303 and Bell Road.* An area of land generally located at the intersection of State Route 303 and Bell Road, being situated in the north half of Section 1, Township 3 North, Range 2 West and the south half of Section 36, Township 4 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

BEGINNING at the north quarter corner of said Section 1, thence easterly along the north line of the northeast quarter of said Section 01 a distance of 850 feet to the beginning of a non-tangent curve the center of which is said north quarter corner; thence clockwise along the arc of said curve a distance of approximately 4,000 feet to a point on the east line of the southwest quarter of said Section 36, thence departing said curve, southerly along said east line a distance of 850 feet to the POINT OF BEGINNING

- (3) *State Route 303 and Greenway Road.* An area of land generally located at the intersection of State Route 303 and Greenway Road, being situated in the southeast quarter of Section 1, Township 3 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

BEGINNING at the south quarter corner of said Section 01, thence northerly along the west line of said southeast quarter a distance of 450 feet to the beginning of a non-tangent curve the center of which is said south quarter

corner; thence clockwise along the arc of said curve a distance of approximately 700 feet to a point on the south line of said southeast quarter; thence departing said curve, westerly along said south line a distance of 450 feet to the POINT OF BEGINNING

- (4) *State Route 303 and Cactus Road.* An area of land generally located at the intersection of State Route 303 and Cactus Road, being situated in the northeast quarter of Section 24, Township 3 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona described as follows:

BEGINNING at the north quarter corner of said Section 24; thence easterly along the north line of said northeast quarter a distance of 850 feet to the beginning of a non-tangent curve the center of which is said north quarter corner; thence clockwise along the arc of said curve approximately 1,340 feet to a point on the west line of said northeast quarter; thence departing said curve, northerly along said west line a distance of 850 feet to the POINT OF BEGINNING

- (5) All freeway monument signs located within the aforementioned locations are subject to the provisions in subsections 9(c)(9)b.—e.

- b. *Additional locational requirements.* The following additional locational requirements apply for all freeway monument signs regardless of where in the corridor it is located:

- (1) Freeway monument signs may only be approved on lands zoned for commercial or industrial uses.
- (2) No freeway monument sign shall be located within 300 feet of a property zoned for residential uses, or any open space tract that is associated with a residential development.
- (3) Freeway monument signs shall not be located closer than 20 feet from the adjacent right-of-way.
- (4) Spacing between freeway monument signs shall be not less than 750 feet, unless separated by a freeway or arterial right-of-way.
- (5) Freeway monument signs shall not be allowed within a natural or manmade watercourse.

- c. *Dimensional requirements.* The following dimensional requirements apply for all freeway monument signs regardless of the corridor in which it is located:

- (1) The overall height of a freeway monument sign shall not exceed 65 feet as measured from the finished grade of the

- site where the freeway monument sign is located to the highest point of the sign structure.
- (2) Freeway monument signs shall be allowed an extra three feet in height for architectural embellishments.
 - (3) The sign area of a freeway monument sign shall not exceed 650 square feet.
- d. *Design requirements.* The following design requirements apply for all freeway monument signs regardless of the corridor in which it is located:
- (1) Freeway monument signs may incorporate level 2 electronic messaging centers as outlined section 11 herein, except that electronic messaging centers used in freeway monument sign applications may occupy up to 50 percent of the allowable sign area of the sign, exclusive of architectural embellishments as required herein, and provided such electronic messaging centers are turned off between 11:00 p.m. and dawn.
 - (2) Freeway monument signs shall incorporate architectural features of the commercial development on which the sign is located; however, such embellishments shall not include any sign copy.
 - (3) Freeway monument signs shall require a landscaped area equal to four square feet of landscaping for each square foot of sign area and shall be located around the base of the sign; freeway monument signs may be illuminated by externally-illuminated indirect or internal lighting.
- e. Any conditional use permit approval is hereby conditioned upon the applicant obtaining a valid construction permit for the freeway monument sign approved under said conditional use permit. The applicant shall obtain certificate of completion from the city within six months of approval of the conditional use permit by the City Council. Failure to obtain a certificate of completion within the designated time allotment shall render the conditional use permit null and void; however, the city manager or designee may grant a one-time extension for a period not to exceed six months when in the opinion of the city manager or designee the circumstances warrant such.

CITIZEN OUTREACH SUMMARY

Regarding

**Text Amendment to Section 109 of the Land
Development Ordinance pertaining to Class II
Temporary Signs (Large A-Frames)**

**Prepared by
Robert H. Kuhfuss, AICP
Current Planning Supervisor
City of Surprise**

Date: June 21, 2021

PURPOSE:

The purpose of this document is to outline the steps taken towards citizen outreach as it pertains to the aforementioned Text Amendment.

Summary of Outreach Efforts:

Staff held an outreach meeting on Wednesday, June 9, 2021 in both in-person and virtual format. Six (6) members of the public were present in person while two (2) members of the public attended virtually. Those in attendance in person were generally divided on the issue. Those in favor cited better business exposure, while those opposed cited the potential for sign clutter coupled with the potential for enforcement issues related to after-hours enforcement. Two members who attended virtually, stated they had difficulty hearing the conversation that was taking place; however, in subsequent communications, one individual indicated support, while the other individual supported the idea as long as it does not lead to sign clutter.

In preparation for the Outreach Meeting, staff ran a legal ad in two (2) separate publications in accordance with city standards. Staff also sent notification of the Outreach Meeting to a list of potentially interested parties and advertise the meeting on the City's website. The outreach meeting, as well as the Planning and Zoning Commission hearing, were advertised in accordance with state and local regulations.

Attachments:

Legal Ad
Mailing List
Sign In Sheet
Opposition and Support Emails (via separate instrument)

SIGN CODE TEXT AMENDMENT **NEIGHBORHOOD MEETING**

Please be advised that the City of Surprise will host a Neighborhood Meeting to discuss the Sign Code Text Amendment referenced below. This meeting will be conducted virtually and in-person. Any member of the public may participate in the conversation as it pertains to this project, via phone or computer, by utilizing the access information provided under meeting details or attending in person. According to Surprise Municipal Code, we are required to host a Neighborhood Meeting to present the proposal to the public while soliciting feedback and providing answers to questions.

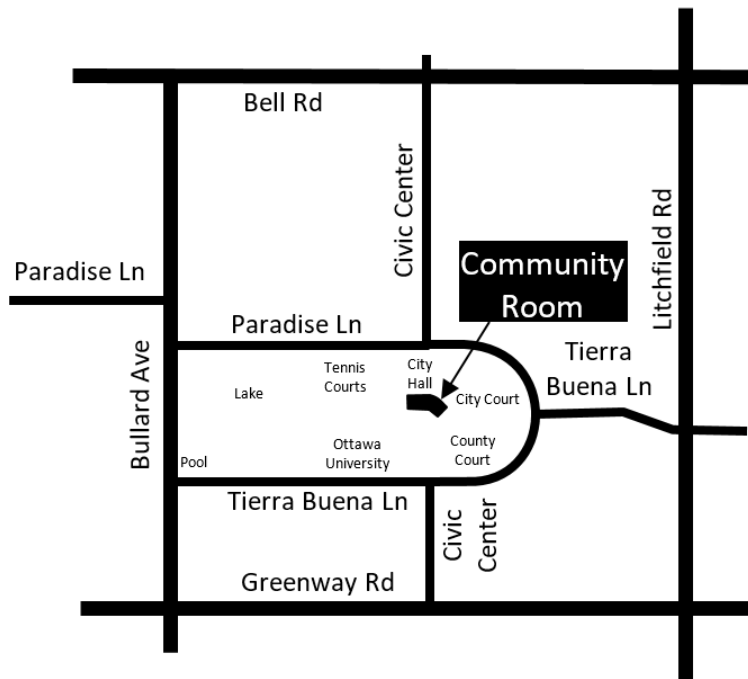
Applicant: City of Surprise

City of Surprise Planner: Robert H. Kuhfuss, AICP 623-222-3137, robert.kuhfuss@surpriseaz.gov

NEIGHBORHOOD MEETING DETAILS

DATE: Wednesday, June 9, 2021
TIME: 6:00 PM
PHYSICAL LOCATION: City of Surprise
Community Room
16000 N. Civic Center Plaza
Surprise, AZ 85374

MEETING LOCATION



Join from the meeting link

<https://surpriseaz.webex.com/surpriseaz/j.php?MTID=mb4d1c0221e27b5dce666339d40b50f54>

Join by meeting number

Meeting number (access code): 187 820 2427
Meeting password: DFkw8gaas36

Join by phone

1-408-418-9388 United States Toll
1-602-666-0783 United States Toll (Phoenix)

PROJECT DESCRIPTION:

A Text Amendment to Chapter 109 of the Surprise Land Development Ordinance as it pertains to A-Frame Signs, Case # FS21-372.

Organization	Address	City	State	Zip
3 Minute Express Car Wash		Goodyear	AZ	85338
3-Minute Carwash		Goodyear	AZ	85338
ALB Industries		Tempe	AZ	85281
Allen Industries		Phoenix	AZ	85022
Ann's Asian Bistro & Bar		Surprise	AZ	85340
Arizona Commercial Signs		Phoenix	AZ	85040
Arizona Commercial Signs		Phoenix	AZ	85040
Arizona Sign Company		Phoenix	AZ	85050
Arrow Graphics		Scottsdale	AZ	85260
Bergin, Frakes, Smalley & Oberholtzer		Phoenix	AZ	85018
Beus Gilbert		Phoenix	AZ	85008
Bootz & Duke Signs		Phoenix	AZ	85019
Capitol Consulting, LLC		Phoenix	AZ	85002
Carefree Partners		Phoenix	AZ	85028
CBRE		Phoenix	AZ	85016
CIRE Equity		San Diego	CA	92101
City of Buckeye		Buckeye	AZ	85326
City of Chandler		Chandler	AZ	85225
City of El Mirage		El Mirage	AZ	85335
City of Glendale		Glendale	AZ	85301
City of Peoria		Peoria	AZ	85345
City of Phoenix		Phoenix	AZ	85003
Coldwell Banker Residential Brokerage		Sun City West	AZ	85375
Comfort Inn		Surprise	AZ	85374
Courtland Homes		Chandler	AZ	85226
Cross Church		Surprise	AZ	85374
Design With Cents		Surprise	AZ	85374
Earl, Curley And Lagarde		Phoenix	AZ	85012
Farmers Insurance		Surprise	AZ	85374
Fast Signs		Glendale	AZ	85374
Goldwater Institute		Phoenix	AZ	85004
Homebuilders Association of Central Arizona		Phoenix	AZ	85020
Homes by Towne		Phoenix	AZ	85022
Identity Sign Group / K Squared Consulting		Phoenix	AZ	85020
Impact Sign & Graphics		Phoenix	AZ	85040
James M. Day & Associates Architecture		Peoria	AZ	85382
KS Signs		Surprise	AZ	85378
Logo Design Group		Phoenix	AZ	85037
Long Realty Surprise		Surprise	AZ	85374
Long Realty West Valley		Sun City West	AZ	85375
Long Realty West Valley		Surprise	AZ	85374
Long Realty West Valley		Surprise	AZ	85374
Long Realty West Valley		Sun City West	AZ	85375
Long Realty West Valley		Glendale	AZ	85308
Long Realty West Valley		Sun City West	AZ	85375
Maricopa County Planning and Development Department		PHOENIX	AZ	85003
Meritage Homes		Scottsdale	AZ	85262
N. Glantz & Sons Sign Supplies		Phoenix	AZ	85017
ORAZ Quality Resale		Surprise	AZ	85374
O'Reilly Auto Parts		Peoria	AZ	85382

Pottery Place	Surprise	AZ	85387
Realty City	Glendale	AZ	85305
ReMax	Glendale	AZ	85308
Resident	Surprise	AZ	85260
Resident	Surprise	AZ	85379
Resident	Surprise	AZ	85374
Resident	Surprise	AZ	85378
Resident	Surprise	AZ	85379
Resident	Surprise	AZ	85378
Resident	Surprise	AZ	85378
Resident	Phoenix	AZ	85013
Richmond American Homes	Scottsdale	AZ	85254
Signline USA	Mesa	AZ	85210
Southwest Center for Policy & Law	Phoenix	AZ	85032
SpeedPro Imaging	Scottsdale	AZ	85260
Summit West Signs	Gilbert	AZ	85233
Surprise Honda	Surprise	AZ	85388
Surprise Regional Chamber of Commerce	Surprise	AZ	85374
The Laughton Team	Peoria	AZ	85382
The Mad Platter	Surprise	AZ	85379
The SK8Haus	Surprise	AZ	85374
Tiffany & Bosco	Phoenix	AZ	85016
Tintas Granite	Surprise	AZ	85378
Town of Wickenburg	Wickenburg	AZ	85390
Trademark Visual	Phoenix	AZ	85034
U-Haul	Phoenix	AZ	85004
Van's RV	Surprise	AZ	85378
WeMAR	Peoria	AZ	85382
West USA Realty	Surprise	AZ	85374
Word of Life Lutheran Church	Surprise	AZ	85374
Young Electric Sign Company	Chandler	AZ	85226

From: [Bastien Andruet](#)
To: [Robert Kuhfuss](#)
Subject: A Frame Sign Amendment
Date: Wednesday, June 9, 2021 7:03:17 PM

*****The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.*****

Good evening Rob,

Thank you for offering to send over the text amendment language for review, as well as offering to include me on any future distribution lists for updates and hearing notifications on this sign text amendment.

As I stated, the Arizona Multihousing Association would support added flexibility and increased allowances for A-Frame signs, and as such would see no reason to oppose such a text amendment.

Best regards,

Bastien Y. Andruet
Capitol Consulting, LLC



www.azcapitolconsulting.com

From: [Robert Kuhfuss](#)
To: [Leo Mankiewicz](#)
Cc: [Michael Frazier](#); [Lloyd Abrams](#); [Ken Chapman](#)
Subject: RE: Text Amendment to Chapter 109 re A-Frame signs - Case # FS21-372
Date: Wednesday, June 9, 2021 1:33:00 PM

Leo – thank you again for your input. We will include this in our packet.

Will you be attending tonight's outreach?

Robert H. Kuhfuss, AICP, MPA
Current Planning Supervisor
City of Surprise Community Development Department
16000 North Civic Center Plaza
Surprise, AZ 85374-7470

[REDACTED]
[REDACTED]

From: Leo Mankiewicz [REDACTED] >
Sent: Tuesday, June 8, 2021 1:11 PM
To: Robert Kuhfuss [REDACTED] >
Cc: Michael Frazier [REDACTED] >; Lloyd Abrams
[REDACTED] >; Ken Chapman [REDACTED]
Subject: Re: Text Amendment to Chapter 109 re A-Frame signs - Case # FS21-372

*****The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.*****

Thank you, Robert, for the clarification. We are still not in favor of these signs. With today's technology, Google maps and other navigational systems, this is unnecessary and may become a blight in certain areas.

Who will police the sign ordinance when they leave it out after normal business hours? That may be problematic for Code Enforcement. They may have to hire an after-hours person, more cost to City government. They have trouble enforcing the no soliciting ordinance and we still pick up advertisements in front of our house from time to time. I'd be interested in knowing if the businesses really benefit from these signs, and how they can tell. They have direct mailing. The established businesses already have their customers who know where they are. The people pushing this would be the sign companies, convincing a business that this will help.

For me, it comes down to the design of our commercial areas. The need for these signs shows that the commercial centers are using obsolete planning designs which discourage foot traffic but only encourage car traffic. Let's hope we do better with the City Center. That's our last opportunity to get it right.

All the best,
Leo

On Tue, Jun 8, 2021 at 12:49 PM Robert Kuhfuss [REDACTED] wrote:

Leo,

Thank you for the email. Please see attached.

The proposed language does not limit the number of signs at any specific location but does limit the number of signs per business and limits the location of said signs to 1,000 feet of the business. The signs may only be displayed during business hours. This Text Amendment deals strictly with Class II Temporary Signs (large a-frame signs). Realtors typically use Class I Temporary Signs (small a-frame signs), which are not affected by this amendment.

Please let me know if you have any questions, concerns, or comments. We welcome the input.

Robert H. Kuhfuss, AICP, MPA
Current Planning Supervisor
City of Surprise Community Development Department
16000 North Civic Center Plaza
Surprise, AZ 85374-7470
[REDACTED]
[REDACTED]

From: Leo Mankiewicz [REDACTED] >
Sent: Monday, June 7, 2021 11:40 AM
To: Robert Kuhfuss [REDACTED] >
Subject: Text Amendment to Chapter 109 re A-Frame signs - Case # FS21-372

*****The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.*****

Dear Mr. Kuhfuss,

I wanted to see the actual text of the amendment online, and when you click on the link, it only goes to the notice for the meeting.

Our concerns are:

(1) how many can be on one corner at one time,

(2) that they are collected and not left out overnight,

(3) and that this amendment specifically deals with realtors' signs.

Not having the proposed language in front of me, we are not sure what we are dealing with. Stationary businesses should be able to use other forms of advertising than A-frame signs, in order to preserve the City's landscape.

Thank you for your attention and reaching out to us.

Leo and JoAnna Mankiewicz
Surprise, AZ



This e-mail and any accompanying files transmitted are intended solely for the use of the individual or entity to whom they are addressed; if you have received this e-mail in error please delete it and notify the sender. In addition, under Arizona law, e-mail communications and e-mail addresses may be public records.
0.1

08 Jun 2021 19:49:11 -0000

From: [Leo Mankiewicz](#)
To: [Robert Kuhfuss](#)
Cc: [Michael Frazier](#); [Lloyd Abrams](#); [Ken Chapman](#)
Subject: Re: Text Amendment to Chapter 109 re A-Frame signs - Case # FS21-372
Date: Tuesday, June 8, 2021 1:11:36 PM

*****The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.*****

Thank you, Robert, for the clarification. We are still not in favor of these signs. With today's technology, Google maps and other navigational systems, this is unnecessary and may become a blight in certain areas.

Who will police the sign ordinance when they leave it out after normal business hours? That may be problematic for Code Enforcement. They may have to hire an after-hours person, more cost to City government. They have trouble enforcing the no soliciting ordinance and we still pick up advertisements in front of our house from time to time. I'd be interested in knowing if the businesses really benefit from these signs, and how they can tell. They have direct mailing. The established businesses already have their customers who know where they are. The people pushing this would be the sign companies, convincing a business that this will help.

For me, it comes down to the design of our commercial areas. The need for these signs shows that the commercial centers are using obsolete planning designs which discourage foot traffic but only encourage car traffic. Let's hope we do better with the City Center. That's our last opportunity to get it right.

All the best,
Leo

On Tue, Jun 8, 2021 at 12:49 PM Robert Kuhfuss [REDACTED] wrote:

Leo,

Thank you for the email. Please see attached.

The proposed language does not limit the number of signs at any specific location but does limit the number of signs per business and limits the location of said signs to 1,000 feet of the business. The signs may only be displayed during business hours. This Text Amendment deals strictly with Class II Temporary Signs (large a-frame signs). Realtors typically use Class I Temporary Signs (small a-frame signs), which are not affected by this amendment.

Please let me know if you have any questions, concerns, or comments. We welcome the input.

Robert H. Kuhfuss, AICP, MPA

Current Planning Supervisor

City of Surprise Community Development Department

16000 North Civic Center Plaza

Surprise, AZ 85374-7470

[REDACTED]

[REDACTED]

From: Leo Mankiewicz [REDACTED]

Sent: Monday, June 7, 2021 11:40 AM

To: Robert Kuhfuss [REDACTED]

Subject: Text Amendment to Chapter 109 re A-Frame signs - Case # FS21-372

*****The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.*****

Dear Mr. Kuhfuss,

I wanted to see the actual text of the amendment online, and when you click on the link, it only goes to the notice for the meeting.

Our concerns are:

(1) how many can be on one corner at one time,

(2) that they are collected and not left out overnight,

(3) and that this amendment specifically deals with realtors' signs.

Not having the proposed language in front of me, we are not sure what we are dealing with. Stationary businesses should be able to use other forms of advertising than A-frame signs, in order to preserve the City's landscape.

Thank you for your attention and reaching out to us.

Leo and JoAnna Mankiewicz

Surprise, AZ

[REDACTED]

This e-mail and any accompanying files transmitted are intended solely for the use of the individual or entity to whom they are addressed; if you have received this e-mail in error please delete it and notify the sender. In addition, under Arizona law, e-mail communications and e-mail addresses may be public records.

0.1

08 Jun 2021 19:49:11 -0000

From: [Robert Kuhfuss](#)
To: [Leo Mankiewicz](#)
Subject: RE: Text Amendment to Chapter 109 re A-Frame signs - Case # FS21-372
Date: Tuesday, June 8, 2021 12:48:00 PM
Attachments: [Class II Temporary Signs Text Amendment Narrative Version 1.pdf](#)

Leo,

Thank you for the email. Please see attached.

The proposed language does not limit the number of signs at any specific location but does limit the number of signs per business and limits the location of said signs to 1,000 feet of the business. The signs may only be displayed during business hours. This Text Amendment deals strictly with Class II Temporary Signs (large a-frame signs). Realtors typically use Class I Temporary Signs (small a-frame signs), which are not affected by this amendment.

Please let me know if you have any questions, concerns, or comments. We welcome the input.

Robert H. Kuhfuss, AICP, MPA
Current Planning Supervisor
City of Surprise Community Development Department
16000 North Civic Center Plaza
Surprise, AZ 85374-7470

[REDACTED]
[REDACTED]

From: Leo Mankiewicz [REDACTED] >
Sent: Monday, June 7, 2021 11:40 AM
To: Robert Kuhfuss [REDACTED]
Subject: Text Amendment to Chapter 109 re A-Frame signs - Case # FS21-372

*****The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.*****

Dear Mr. Kuhfuss,

I wanted to see the actual text of the amendment online, and when you click on the link, it only goes to the notice for the meeting.

Our concerns are:

(1) how many can be on one corner at one time,

(2) that they are collected and not left out overnight,

(3) and that this amendment specifically deals with realtors' signs.

Not having the proposed language in front of me, we are not sure what we are dealing with. Stationary businesses should be able to use other forms of advertising than A-frame signs, in order to preserve the City's landscape.

Thank you for your attention and reaching out to us.

Leo and JoAnna Mankiewicz
Surprise, AZ



From: [Robert Kuhfuss](#)
To: [Leo Mankiewicz](#)
Cc: [Michael Frazier](#); [Lloyd Abrams](#); [Ken Chapman](#)
Subject: RE: Text Amendment to Chapter 109 re A-Frame signs - Case # FS21-372
Date: Friday, June 11, 2021 3:59:00 PM

Leo, thanks again for your email. There were a hand full of attendees and as I expected the issue was divided between those in support and those not.

We are targeting the 7/15 Planning Commission and 8/15 City Council. I will send you notice when the time comes.

Robert H. Kuhfuss, AICP, MPA
Current Planning Supervisor
City of Surprise Community Development Department
16000 North Civic Center Plaza
Surprise, AZ 85374-7470

[REDACTED]
[REDACTED]

From: Leo Mankiewicz [REDACTED]
Sent: Thursday, June 10, 2021 3:22 PM
To: Robert Kuhfuss [REDACTED] >
Cc: Michael Frazier [REDACTED]; Lloyd Abrams
<[REDACTED]>; Ken Chapman [REDACTED]
Subject: Re: Text Amendment to Chapter 109 re A-Frame signs - Case # FS21-372

*****The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.*****

Dear Robert,

I'm sorry I could not make the meeting yesterday. My brother-in-law is in town, visiting his Dad, who is 93 and not doing so well. I'd be interested in knowing the results of your meeting.

Thank you,
Leo

On Wed, Jun 9, 2021 at 1:33 PM Robert Kuhfuss <[REDACTED]> wrote:

Leo – thank you again for your input. We will include this in our packet.

Will you be attending tonight's outreach?

Robert H. Kuhfuss, AICP, MPA
Current Planning Supervisor
City of Surprise Community Development Department
16000 North Civic Center Plaza
Surprise, AZ 85374-7470

[REDACTED]
[REDACTED]

From: Leo Mankiewicz [REDACTED]
Sent: Tuesday, June 8, 2021 1:11 PM
To: Robert Kuhfuss [REDACTED] >
Cc: Michael Frazier [REDACTED] >; Lloyd Abrams
<[REDACTED]>; Ken Chapman [REDACTED] >
Subject: Re: Text Amendment to Chapter 109 re A-Frame signs - Case # FS21-372

*****The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.*****

Thank you, Robert, for the clarification. We are still not in favor of these signs. With today's technology, Google maps and other navigational systems, this is unnecessary and may become a blight in certain areas.

Who will police the sign ordinance when they leave it out after normal business hours? That may be problematic for Code Enforcement. They may have to hire an after-hours person, more cost to City government. They have trouble enforcing the no soliciting ordinance and we still pick up advertisements in front of our house from time to time. I'd be interested in knowing if the businesses really benefit from these signs, and how they can tell. They have direct mailing. The established businesses already have their customers who know where they are. The people pushing this would be the sign companies, convincing a business that this will help.

For me, it comes down to the design of our commercial areas. The need for these signs shows that the commercial centers are using obsolete planning designs which discourage foot traffic but only encourage car traffic. Let's hope we do better with the City Center. That's our last opportunity to get it right.

All the best,
Leo

On Tue, Jun 8, 2021 at 12:49 PM Robert Kuhfuss <[REDACTED]>
wrote:

Leo,

Thank you for the email. Please see attached.

The proposed language does not limit the number of signs at any specific location but does limit the number of signs per business and limits the location of said signs to 1,000 feet of the business. The signs may only be displayed during business hours. This Text Amendment deals strictly with Class II Temporary Signs (large a-frame signs). Realtors typically use Class I Temporary Signs (small a-frame signs), which are not affected by this amendment.

Please let me know if you have any questions, concerns, or comments. We welcome the input.

Robert H. Kuhfuss, AICP, MPA
Current Planning Supervisor
City of Surprise Community Development Department
16000 North Civic Center Plaza
Surprise, AZ 85374-7470

robert.kuhfuss@surpriseaz.gov

From: Leo Mankiewicz [REDACTED]
Sent: Monday, June 7, 2021 11:40 AM
To: Robert Kuhfuss [REDACTED] >
Subject: Text Amendment to Chapter 109 re A-Frame signs - Case # FS21-372

*****The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.*****

Dear Mr. Kuhfuss,

I wanted to see the actual text of the amendment online, and when you click on the link, it only goes to the notice for the meeting.

Our concerns are:

- (1) how many can be on one corner at one time,
- (2) that they are collected and not left out overnight,
- (3) and that this amendment specifically deals with realtors' signs.

Not having the proposed language in front of me, we are not sure what we are dealing with. Stationary businesses should be able to use other forms of advertising than A-frame signs, in order to preserve the City's landscape.

Thank you for your attention and reaching out to us.

Leo and JoAnna Mankiewicz
Surprise, AZ



This e-mail and any accompanying files transmitted are intended solely for the use of the individual or entity to whom they are addressed; if you have received this e-mail in error please delete it and notify the sender. In addition, under Arizona law, e-mail communications and e-mail addresses may be public records.
0.1

08 Jun 2021 19:49:11 -0000

From: [Liz Recchia](#)
To: [Robert Kuhfuss](#)
Subject: Sign Ordinance
Date: Thursday, June 10, 2021 8:57:03 AM

*****The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.*****

Good Morning Robert,

It was good to see you last night. Thank you for the meeting.

We will be submitting comments to you later this month. Can you please send me the pdf of the redline proposed changes? I could not find that on the website.

Thank you again for the opportunity to participate,

Liz Recchia

Government Affairs Director

WeSERV Association of REALTORS®

Serving: West Valley, Southeast Valley, Pinal, Cochise, and Santa Cruz Chapters


Peoria, Arizona 85382
2015 WeMAR REALTOR of the Year


www.weservgad.org

[WeSERV GAD Podcast](#)

Twitter: [@wemargad](#)

Facebook: [@WeSERV GAD](#)

LinkedIn: [Liz Recchia](#)

www.weserv.realtor

Follow WeSERV on [Facebook](#) and [Twitter](#)!

Also, check out our REALTOR Store and our [School of Real Estate](#)!

From: [Leo Mankiewicz](#)
To: [Robert Kuhfuss](#)
Subject: Text Amendment to Chapter 109 re A-Frame signs - Case # FS21-372
Date: Monday, June 7, 2021 11:40:41 AM

*****The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.*****

Dear Mr. Kuhfuss,

I wanted to see the actual text of the amendment online, and when you click on the link, it only goes to the notice for the meeting.

Our concerns are:

- (1) how many can be on one corner at one time,
- (2) that they are collected and not left out overnight,
- (3) and that this amendment specifically deals with realtors' signs.

Not having the proposed language in front of me, we are not sure what we are dealing with. Stationary businesses should be able to use other forms of advertising than A-frame signs, in order to preserve the City's landscape.

Thank you for your attention and reaching out to us.

Leo and JoAnna Mankiewicz
Surprise, AZ



From: [Susan](#)
To: [Robert Kuhfuss](#)
Cc: [Patrick Duffy](#)
Subject: Thanks for the sign meeting
Date: Wednesday, June 9, 2021 10:04:36 PM

*****The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.*****

I appreciate the city updating us on the potential plans for changes to the sign program. I think we should support our small businesses where we can so I would support allowing another sign, but I would not support the proposed 1000 ft distance from the building. 1000 ft is 3 1/3 football fields. That seems too far from the business to be effective.

The other concern I have (like others at the meeting) is how these new rules will be enforced. No one wants "sign pollution" so enforcement would be the key to success here. Does the city plan to have sufficient enforcement personnel policing these new sign rules? I'm guessing that would take more people than currently do this job. Is this the best way for the city to spend its money?

For businesses that cannot afford to have signage on the monument signs (or areas where they are no monument signs), perhaps utilizing a sign like the ones that advertise builders projects would be helpful to inform consumers where our small businesses are located. Other avenues would be highlighting small and new businesses on social media on an ongoing basis not just when there is a ribbon cutting event.

Just my 2 cents. Thanks for your patience and listening to all our concerns even when we strayed off topic.

Susan Draper

From: [Nancy Collins](#)
To: [Robert Kuhfuss](#)
Subject: Tonight's WebEx Meeting
Date: Wednesday, June 9, 2021 7:08:43 PM

*****The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.*****

Attachments available until Jul 9, 2021

Hi, Robert,

I hope it was OK that I spoke about how bad the sound was from your meeting, but I have complained to the City before to no avail. This has gone on for so long, I stopped watching meetings, and, as you may know, I have long attended City Council Meetings, before and after Covid!

I first met you when I was on the Chamber of Commerce Committee that met with the Police Department when they were talking about charging Citizens for false house alarms.

Having served as a City Council Person myself, I am always interested in City Government. These microphone-poor meetings will prevent many constituents from even tuning in to the City's Webex meetings. My recordings are typical of the meetings I log into.

As I mentioned, I teach, host, and take part in many, many Zoom or WebEx meetings. I have served on the Sun City Grand Computer Club as an Officer and as a tech support specialist on all kinds and ages of computers, with local residents and those and living far away (Canada) attending, face to face or on Zoom-type meetings, and I rarely have someone who sounds like the microphones your attendees were speaking through.

Here are two attachments - quick recordings of the meeting so you could hear how bad it is. I believe only you are speaking in the first one, and the people at the table to your right have equally poor quality when speaking. As you know, I was on the meeting for a while, and only when you came close to the front microphone did I discern you were asking those (two of us) in the audience if we 'gained something from the meeting' (?) So I spoke.

[Click to Download](#)

Screen Recording 2021-06-09 at 6.28.02 PM A.mov

15 MB

[Click to Download](#)

Screen Recording 2021-06-09 at 6.15.12 PM.mov
23 MB

Thank you so much for allowing me to speak to you about this. I hope it can all be corrected, since I feel these types of meetings are here to stay and make it so easy for many of us to attend who otherwise would not be able to!

Sincerely,
Nancy

Nancy Collins



From: [Donna LaPorte](#)
To: [Robert Kuhfuss](#)
Subject: Oppose Sign Amendment
Date: Monday, June 21, 2021 12:56:51 PM

*****The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.*****

Mr. Kuhfuss,

After attending the June 9th Outreach presentation & meeting regarding the Sign Amendment, I stand by and further solidifies that I am against such amendment.

As I stated in the meeting, besides the sign clutter that can result, it poses safety concerns of improper placement, resulting in signs in walkways and streets, as well as, illegal time frame of posting such signs. All of this additional sign placement will be further problematic during Monsoon time, with the potential of accidents from signs in the streets, damage to vehicles etc. AND added clean up and emergency services from various City Departments. I am aware that small businesses may attract additional customers with additional signage YYY the downside of such signage for the entire City of Surprise outweighs any potential plus. Rather I would like the City to consider alternative means to assist small businesses: such as (1) complimentary website development; (2) "bingo" game for residents to visit/purchase from a small business and receive stamp to qualify for prizes; (3) one-time grants to offset the expense of signage on the main property board (which I was informed is expensive & often prohibits small business from such advertising).

In closing, please consider the above facts & options in the Sign Amendment.

Appreciate this email be forwarded to all Departments and individuals who will be voting on the matter.

Thank you,

Donna LaPorte

[REDACTED]

Surprise AZ

[REDACTED]

From: [Leo Mankiewicz](#)
To: [Robert Kuhfuss](#)
Subject: Re: FS21-372 A-Frame Signs ZTA Public Hearing Notice 07152021 PZ.docx
Date: Tuesday, June 29, 2021 12:07:17 PM

*****The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.*****

Thank you, Robert, for the notice. I will be in a hearing that evening by Zoom and won't be able to attend personally. I am a court reporter by profession and I take hearings for the California Attorney General. Please ensure that our previous remarks are noted for the record. I can only say that with the present technology, signs should be kept at a minimum in a city that wants to have a quality look about it.

Very truly yours,
Leo Mankiewicz

On Tue, Jun 29, 2021 at 9:51 AM Robert Kuhfuss < > wrote:

All,

Please see attached legal ad pertaining to the proposed Text Amendment regarding Large A-Frame Signs. I am sending you this email as you have indicated an interest in this matter. Please don't hesitate to contact me with any questions you might have.

Thank you

Robert H. Kuhfuss, AICP, MPA
Current Planning Supervisor
City of Surprise Community Development Department
16000 North Civic Center Plaza
Surprise, AZ 85374-7470





This e-mail and any accompanying files transmitted are intended solely for the use of the individual or entity to whom they are addressed; if you have received this e-mail in error please delete it and notify the sender. In addition, under Arizona law, e-mail communications and e-mail addresses may be public records.
0.1

29 Jun 2021 16:51:55 -0000

From: [Liz Recchia](#)
To: [Robert Kuhfuss](#)
Subject: WeSERV REALTORS - Comments on Class II Temporary Signs
Date: Thursday, July 1, 2021 11:54:22 AM
Attachments: [WeSERV letter to City of Surprise re Sign Ord June 30 2021.pdf](#)

*****The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.*****

Good Afternoon Robert,

Attached are the comments form WeSERV regarding the proposed changes to the Class II Temporary Sign ordinance.

If you have questions or would like more information, please let me know.

Thank you for the opportunity to participate in this discussion,

Liz Recchia

Government Affairs Director

WeSERV Association of REALTORS®

Serving: West Valley, Southeast Valley, Pinal, Cochise, and Santa Cruz Chapters


Peoria, Arizona 85382
2015 WeMAR REALTOR of the Year


www.weservgad.org

[WeSERV GAD Podcast](#)

Twitter: [@wemargad](#)

Facebook: [@WeSERV GAD](#)

LinkedIn: [Liz Recchia](#)

www.weserv.realtor

Follow WeSERV on [Facebook](#) and [Twitter](#)!

Also, check out our REALTOR Store and our [School of Real Estate](#)!



June 30, 2021

Dear Robert,

Thank you for the public meeting on June 9, 2021. WeSERV would like to address the proposed changes to the Class II Temporary Sign code.

WeSERV appreciates the proposed change in dimensions. We believe this change will increase the effectiveness of signage for business and customers.

Page 2, Section 109-1.9.A3 – 3a regarding Class II Temporary Signs:

WeSERV would like to point out that by state law, some businesses may not be required to have a city business license. An example is ARS 9-491.01 which forbids cities and towns from requiring a real estate broker or salesperson to acquire a business license if they are already licensed in the city or town in which their primary place of business is located.

WeSERV is concerned real estate brokerages may not have Class II Temporary signage available to them under this change.

Page 3, Section 109-1.9.A3 – 3a,ii

WeSERV appreciates the city realizing businesses may not have access to adequate signage within a retail, medical, office or other commercial location.

WeSERV suggests business be allowed to place (1) additional Class II Temporary sign near the street entrance to the location.

For businesses in locations such as the Brookside Bel Professional Plaza, 1,000 feet from the business entrance may not be adequate for signage to be seen from the street. The center is an example of commercial centers with their back to the road (Bell Rd), so there is little chance of adequate or visible signage.

Another example are businesses located off Grand Ave, behind other businesses. Most likely a sign placed 1,000 feet from the entrance will not provide visibility.



WeSERV appreciates the City of Surprise being attuned to the challenges some businesses have in gaining visibility.

We look forward to further discussion and seeing the updated proposed draft of the Class II Temporary Sign Code.

Thank you for the opportunity to provide input,

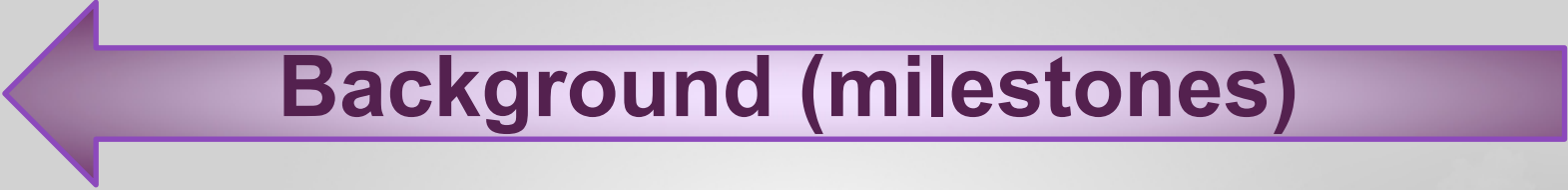
A handwritten signature in blue ink, appearing to read "Liz Recchia", is positioned above the printed name.

Liz Recchia
Government Affairs Director



Temporary Signs (Large A-Frame)

City Council Work Session
August 17, 2021



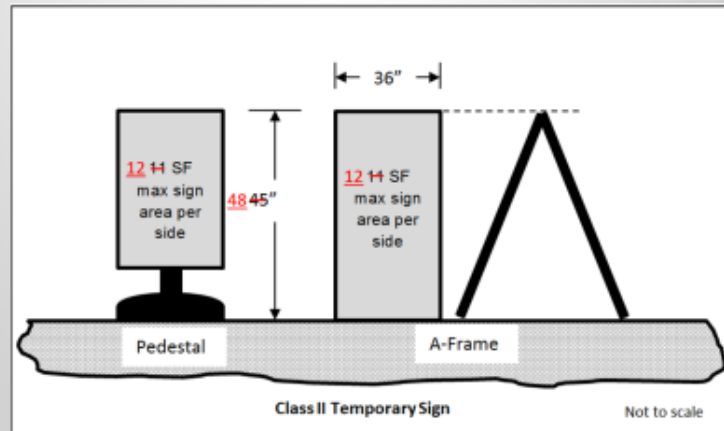
Background (milestones)

- March 2, 2021: Request to re-evaluate Large A-Frame Signs
- May 11, 2021 – Staff initiated case FS21-372 as it relates to Chapter 109 of the LDO
- April 6, 2021 – City Council Discussion
- June 9, 2021 – Outreach meeting
- July 15, 2021 – Planning and Zoning Commission hearing
- August 5, 2021 – Planning and Zoning Commission hearing

Proposed Text

- Amend Subsection 109-1.6 regarding definition:
 - Increased sign area from 11 SF to 12 SF per side
 - Increased the height from 45" to 48 "

No change since
July 15th P&Z



Proposed Text

- Amend Table 109-1a to allow Class II Temporary Signs in public and private rights-of-way

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)	<u>P</u>	<u>P</u>			P	P	P	P		

DELETING THIS CHANGE – CURRENTLY APPROVED TEXT REMAINS

Proposed Text

➤ Amend Subsection 109-1.8(B) regarding materials and legibility:

- Deleted the word “permanent”
- Clarified that Class II Temporary Signs must be fabricated of durable certain materials e.g. wood, hard plastic, or metal with no sharp edges
- Sign copy must be legible

No change since
July 15th P&Z

Proposed Text

➤ Amend Subsection 109-1.9.A.3:

- Correcting scrivener errors
- ~~▪ Tied Class II Temporary Signs to Business License~~
- ~~▪ Added provision that would allow one additional sign within 1,000 feet of business~~
- ~~▪ Added provision that prohibits locating in landscaping strip between sidewalk and curb~~
- Other clarifying language

Outreach

➤ **June 9, 2021**

➤ **Mixed opinions** (Based on original proposal)

➤ **Support**

➤ **Increased visibility**

➤ **Concerns over Business License requirement**

➤ **Concerns over 1,000' limitation**

➤ **Opposition**

➤ **Sign clutter**

➤ **Enforceability**

Commission Recommendation

➤ **Unknown**

Timeline

- **Target**
 - **City Council on September 21, 2021**
 - **Effective date of October 21, 2021**



**QUESTIONS OR
COMMENTS?**

Thank You