



CITY OF SURPRISE
Planning and Zoning Commission Agenda
16000 N. Civic Center Plaza
Surprise, AZ 85374

Thursday, April 20, 2017 @ 6:00 PM
 COUNCIL CHAMBERS

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CALL TO ORDER.

- A. Roll Call
- B. Pledge of Allegiance
- C. Current Events and Reports – Pursuant to A.R.S. §38-431.02(k) the chief administrator, presiding officer or a member of a public body may present a brief summary of current events without listing in the agenda the specific matters to be summarized, provided that 1) The summary is listed on the agenda; and 2) The public body does not propose, discuss, deliberate or take legal action at that meeting on any matter in the summary unless the specific matter is properly noticed for legal action.
- D. Staff Reports

Planning and Zoning Commission Agenda:

CALL TO THE PUBLIC:

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

Note: A.R.S. 38-431.01(H) - During this time members of the public may address the Board\Commission only on issues within the jurisdiction of the Board\Commission which are not an item on the agenda. At the conclusion of the open call, the Board\Commission 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.

- E. 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 Board\Commission. There will be no separate discussion on these items unless a board member or commissioner requests, in which event the item will be removed from the consent agenda and considered in its normal sequence on the agenda.

CONSENT AGENDA:

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

ITEM #	DISTRICT #	ITEM DESCRIPTION	STAFF RECOMMENDATION/ PRESENTED BY
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- | | | | |
|----|-------------------|---|--|
| #1 | District Internal | <u>Consideration and action approving the April 6, 2017 Planning and Zoning Commission minutes.</u> | Approve
Lorraine
Nevarez -
Community
Development |
| #2 | District 4 | <u>Consideration and action on the Site Plan for a Behavioral Health Hospital generally located north of Westgate Drive and west of Dysart Road.</u> | Approve
Sergio Angulo -
Community
Development |
| #3 | District 6 | <u>Consideration and action approving a Site Plan for Milam Glass at Skyway Business Park generally located 450 linear feet north of the northeast corner of Peoria and 132nd Avenues.</u> | Approve
Hobart Wingard -
Community
Development |
| #4 | District 1 | <u>Consideration and action approving a Site Plan for Hayashi Restaurant at Surprise Village Marketplace, generally located on the southeastern corner of Bell Road and State Route 303.</u> | Approve
Hobart Wingard -
Community
Development |
| #5 | District Citywide | <u>Presentation and discussion regarding a proposed Text Amendment to Chapter 113 of the Surprise Municipal Code regarding Signs.</u> | None
Robert Kuhfuss
- Community
Development |

REGULAR AGENDA ITEM - PUBLIC HEARING:

			STAFF RECOMMENDATION/
ITEM #	DISTRICT #	ITEM DESCRIPTION	PRESENTED BY
#6	District 5	<u>Presentation and action regarding a Rezone with PUD Overlay for Paradise Acres Commercial Center, generally located along the eastern edge of Reems Road between Paradise Lane to the north and Tierra Buena Lane to the south.</u>	Approve Hobart Wingard - Community Development
#7	District 5	<u>Consideration and action on the Conditional Use Permit to allow for a new Mini-Warehouse facility in Sierra Verde Parcel 11 generally located generally north of Waddell Road and west of Litchfield Road.</u>	Approve Sergio Angulo - Community Development

OTHER BUSINESS:

- | | | | |
|----|-------------------|--|--|
| #8 | District Internal | <u>Discussion and direction pertaining to future agenda items.</u> | No Action
Eric Fitzer -
Community
Development |
|----|-------------------|--|--|

ADJOURNMENT:

SHERRY ANN AGUILAR, CITY CLERK, CMC

POSTED:

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
Planning and Zoning Commission

April 20, 2017 @ 6:00:00 PM

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Board Meeting Date:	April 20, 2017	Contact Person:	Lorraine Nevarez - Community Development
Submitting Department:	CD Boards and Commissions	District:	Internal
Staff Recommendations:	Approve		

Consent	Regular	x	Public Hearing	Report/Discussion
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Agenda Wording:

Consideration and action approving the April 6, 2017 Planning and Zoning Commission minutes.

Motion:

I move to approve the April 6, 2017 Planning and Zoning Commission minutes.

Background:

Financial Impact Statement:

No Financial Impact

ATTACHMENTS:

Click to download

☐ [Minutes - April 6, 2017 Meeting](#)

External Attachment Links:

Meeting Requirements:

Powerpoint x Video x White Board x Other x

Presentation Speaker Names (spelling and titles for TV captions):

**CITY OF SURPRISE
PLANNING AND ZONING COMMISSION**

MEETING MINUTES

April 6, 2017 / 6:00 PM

**COUNCIL CHAMBERS
16000 North Civic Center Plaza
Surprise, AZ 85374**

CALL TO ORDER.

Chair Ken Chapman called the Planning and Zoning Commission Meeting to order at 6:00 p.m. at Surprise City Hall, 16000 North Civic Center Plaza, Surprise, Arizona 85374, on April 6, 2017.

A. ROLL CALL

In attendance were Chair Ken Chapman, Vice Chair Matthew Keating, Commissioners Dennis Bash, Dennis Smith, Mitchell Rosenbaum, Gisele Norberg and Eric Cultum.

STAFF PRESENT:

Community Development Director Eric Fitzer, Assistant Director Lloyd Abrams, Deputy City Attorney Donna Bronski, Planner Hobart Wingard, Planner Robert Kuhfuss, Planner Sergio Angulo and Planning and Zoning Commission Secretary Lorraine Nevarez.

COUNCIL MEMBERS PRESENT:

None.

B. PLEDGE OF ALLEGIANCE

C. CURRENT EVENTS REPORT

D. STAFF REPORT

None.

CALL TO THE PUBLIC:

Chair Chapman opened the call to the public to discuss any items not listed on the agenda.

Hearing no comments, Chair Chapman closed the call to the public.

CONSENT AGENDA:

No items.

REGULAR AGENDA ITEMS NOT REQUIRING A PUBLIC HEARING:

Item 1 – Internal – Consideration and action pertaining to approval of the March 16, 2017 Planning and Zoning Commission minutes.

Commissioner Norberg would like to amend the minutes regarding item six to include the name of the commissioner that was not in favor of item six and to include names of those commissioners opposed moving forward.

Commissioner Bash made a motion to approve the March 16, 2017 Planning and Zoning Commission minutes as amended to include names of the commissioners that are opposed to an item. Commissioner Smith seconded the motion. The motion passes with 6 votes in favor and 1 abstention (Norberg).

Item 2 – DISTRICT 1 – Consideration and action regarding a Preliminary Plat for Altamira, generally located north of Pinnacle Peak Road and west of the Reems Road/155th Avenue alignment.

Robert Kuhfuss, planner, presented item 2 to the Commission.

The Commission discussed item 2:

- Stipulation ‘b’ regarding Maricopa Water District (MWD)
- Landscape options
- Traffic issues on 163rd & Grand
- Agreements with School District/Neighborhood Schools
- Rural Residential Areas
- Grading and drainage

Vice Chair Keating explained to the Commission the reason behind adding a stipulation (f) to the motion to prevent wasp nest in drainage areas.

Vice Chair Keating recommend to the Commission to add the following stipulation (f) in the motion:

Any rip-rap installed in drainage areas, be installed in such a manner that eliminates the possibility of voids that allow wasps to build nest.

Chair Chapman called for a motion to include stipulation (f) suggested by Vice Chair Keating.

Vice Chair Keating then moved to add stipulation (f) as stated and was seconded by Commissioner Norberg and the votes passes 5 votes in favor, 1 against (Commissioner Smith) 1 abstained (Commissioner Rosenbaum).

Chair Chapman then called for a motion to consider the agenda item with stipulation (f).

Vice Chair Keating then moved to recommend approval to the Mayor and City Council the preliminary plat for Altamira, subject to stipulations “a” through “f” as listed in the staff report with stipulation “f” stating that any rip-rap installed in drainage areas, be installed in such a

manner that eliminates the possibility of voids that allow wasps to build nest. Commissioner Norberg seconded the motion. Motion passes 6 votes in favor, 1 against (Commissioner Smith).

Item 3 – DISTRICT 3 – Consideration and action on the Zanjero Trails – Phase 2 – Parcels 16 & 17 Preliminary Plat, dated February 23, 2017, a property generally located on the northwest corner of Peoria Avenue and Perryville Road.

Hobart Wingard, planner, presented item 3 to the Commission.

The Commission discussed item 3:

- Land for school sites
- Infrastructure to Perryville Road
- Rural Trail System
- Development of Desert Cove Road

Chair Chapman called for a motion to include stipulation (a) suggested by Vice Chair Keating.

Vice Chair Keating moved to recommend stipulations “a” stating that any rip-rap installed in drainage areas, be installed in such a manner that eliminates the possibility of voids that allow wasps to build nest. Commissioner Norberg seconded the motion. Motion passes 5 votes in favor, 1 against (Commissioner Smith) 1 abstained (Commissioner Rosenbaum).

Chair Chapman then called for a motion to consider the agenda item.

Commissioner Cultum moves to recommend approval to the Mayor and City Council Zanjero Trails – Phase 2 – Parcel 16 & 17 Preliminary Plat dated February 23, 2017, subject to stipulations “a” stating that any rip-rap installed in drainage areas, be installed in such a manner that eliminates the possibility of voids that allow wasps to build nest. Vice Chair Keating seconded the motion. Motion passes 7 votes in favor.

REGULAR AGENDA ITEMS REQUIRING A PUBLIC HEARING:

Item 4 – DISTRICT 4 – Consideration and action on the Site Plan for a Drive-Through Coffee Kiosk in Crossroads Towne Center located south of Bell Road and west of El Mirage Road.

Sergio Angulo, planner, presented item 4 to the Commission.

The Commission discussed item 4:

- How is the 150 ft. measured
- Existing to the west
- Shared access

Chair Chapman opened the call to the public for item 4.

Hearing no comments, Chair Chapman closed the call to the public.

Commissioner Smith made a motion to approve the Site Plan for f or a drive-through Coffee Kiosk in Crossroads Towne Center generally located south of Bell Road and west of El Mirage Road. Commissioner Rosenbaum seconded the motion. The motion passes with 7 votes in favor.

Item 5 – DISTRICT 3 – Consideration and action approving a Conditional Use Permit for Sonic at Sierra Montana Crossings, located generally on the southwest corner of Greenway Road and Cotton Lane.

Hobart Wingard, planner, presented item 5 to the Commission.

The Commission discussed item 5:

- Traffic on Greenway
- Requirement for streetlights
- Appreciate the development of the project

Chair Chapman opened the call to the public for item 5.

Andy Cepon, resident, likes the idea of the project. He is concerned about the traffic issue on Greenway and waiting for a bond. He would like to know the hours of operation of Sonic.

Mr. Wingard noted the hours of operation are Sun –Thurs 6 a.m. -11p.m. and Friday – Saturday 6 a.m.- Midnight.

Hearing no comments, Chair Chapman closed the call to the public.

Commissioner Norberg made a motion to approve a Conditional Use Permit for Sonic at Sierra Montana Crossings subject to stipulations 'A' through 'D' as listed in the staff report. Commissioner Bash seconded the motion. The motion passes with 7 votes in favor.

OTHER BUSINESS:

Item 6 – INTERNAL - Discussion pertaining to future agenda items.

None.

ADJOURNMENT:

Hearing no further business, Chair Chapman adjourned the Planning and Zoning Commission meeting at 7:40 p.m.

Eric Fitzer
Community Development Director

Ken Chapman
Planning and Zoning Commission Chair

The foregoing instrument is a full, true and correct copy of the original document on file in the office of the City Clerk, City of Surprise, Arizona.

ATTEST BY: _____
Lorraine Nevarez, Commission Secretary

DATE: _____



CITY OF SURPRISE
Planning and Zoning Commission

April 20, 2017 @ 6:00:00 PM

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Board Meeting Date:	April 20, 2017	Contact Person:	Sergio Angulo - Community Development
Submitting Department:	CD Boards and Commissions	District:	4
Staff Recommendations:	Approve		

Consent	Regular	x	Public Hearing	Report/Discussion
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Agenda Wording:

Consideration and action on the Site Plan for a Behavioral Health Hospital generally located north of Westgate Drive and west of Dysart Road.

Motion:

I move to approve/deny the Site Plan for a Behavioral Health Hospital generally located north of Westgate Drive and west of Dysart Road.

Background:

On January 27, 2017 Devenney Group LTD submitted a request for a Site Plan for a Behavioral Health Hospital generally located north of Westgate Drive and west of Dysart Road.

Financial Impact Statement:

All activity related to ongoing development of the City of Surprise has an economic and fiscal impact on the city and the region.

ATTACHMENTS:

Click to download

- ☐ [00 - FS17-060 Destiny Springs Behavioral Hospital- Staff Report](#)
- ☐ [01 - FS17-060 Destiny Springs Behavioral Hospital - Vicinity Maps](#)
- ☐ [02 - FS17-060 Destiny Springs Behavioral Hospital - Site Plan](#)
- ☐ [03 - FS17-060 Destiny Springs Behavioral Hospital - Landscape Plan](#)
- ☐ [04 - FS17-060 Destiny Springs Behavioral Hospital - Elevations](#)
- ☐ [05 - FS17-060 Destiny Springs Behavioral Hospital - Luke AFB Letter](#)
- ☐ [06 - FS17-060 Destiny Springs Behavioral Hospital - ADOT Comments](#)

- ☐ [07 - FS17-060 Destiny Springs Behavioral Hospital - MWD Comments](#)
- ☐ [08 - FS17-060 Destiny Springs Behavioral Hospital - Presentation](#)

External Attachment Links:

Meeting Requirements:

Powerpoint x Video x White Board x Other x

Presentation Speaker Names (spelling and titles for TV captions):

Sergio Angulo, Planner

Site Plan

REPORT TO THE PLANNING AND ZONING COMMISSION

Case: FS17-060

Project Name: Destiny Springs Behavioral Health Hospital

Council District: 4 – MULBERRY

Meeting Date: April 20, 2017

Planner: Sergio Angulo

Owner: Destiny Springs Healthcare LLC

Applicant: Devenney Group LTD

Request: Site Plan for a Behavioral Health Hospital.

Site Location: North of Westgate Drive and west of Dysart Road.

Site Size: 6.03 Acres (approx.)

General Plan Conformance: The proposal is consistent with the Surprise General Plan 2035 as proposed under case FS17-060.

Support/Opposition: None known.

Staff Recommendation: Staff recommends the Commission move to **approve** case FS17-060, subject to stipulations 'A' - 'D'.

29 **Existing Land Zoning:**



Regional Commercial (CR)	PAD (Employment)	Regional Commercial (CR)
Regional Commercial (CR)	Regional Commercial (CR)	Regional Commercial (CR)
Regional Commercial (CR)	Regional Commercial (CR)	Regional Commercial (CR)

30 **History:**

31

32 **May 23, 1996:** The subject parcel was annexed into the City.

33

34 **December 8, 2016:** Staff met with the applicant to discuss the project during a regularly scheduled
35 Concept Review meeting under CR16-530.

36

37 **January 27, 2017:** The applicant filed a request for a Site Plan approval for a new Behavioral Health
38 Hospital.

39

40 **Project Description:**

41

42 Steve Goodman with Devenney Group LTD on behalf of Destiny Springs Healthcare LLC, requests
43 approval of a Site Plan to allow for a new Behavioral Health Hospital in lot 4D of the Bell & Dysart
44 Commerce Center located north of Westgate Drive and west of Dysart Road. The proposed facility
45 consists of 90 beds and will employ approximately 126 staff members. The proposed facility will
46 provide mental health services, drug and alcohol addictions services, family services, behavioral
47 health services, eating disorder services, outpatient treatments, and other types of services and
48 programs to aid with other types of mental health disorders.

The subject property is zoned Regional Commercial (CR). The SUDC allows Medical Hospitals and Outpatient Facilities as a Principally Permitted Use in CR zoning districts. Additionally, the SUDC requires an analysis of the proposed use to be based on the use specific standards listed under section 122-87 of the SUDC. These standards include the following:

Sec. 122-87. – Hospital

When allowed, hospitals shall be subject to the following requirements:

- a) The minimum lot area shall be five acres.
- b) The minimum frontage for the lot shall be 300 feet or the minimum requirement of the district, whichever distance is greater.
- c) Bio-hazardous waste incinerators with an allowable operating capacity equal to or less than 1,000 pounds per hour may be allowed as an accessory to a hospital use with the following use standards:
 1. An incinerator use shall be set back a minimum of 500 feet from any property line abutting a residential district or use.
 2. A site plan shall be provided illustrating how the operation functions including circulation routes and the locations, square footage, height and location of buildings, incinerator and storage areas.

This Site Plan application has been reviewed against those standards. Staff finds that this Site Plan application conforms to the requirements set under this section of the SUDC.

The site proposes four (4) access points; on the east side from Dysart Road, on the south from Westgate Drive, on the west from 132nd Lane, and on the north from Foxfire Drive. The main entrance and patient drop-off zone are proposed to be located on the east side of the building, the proposed ambulance drop-off zone is proposed to be on the north side of the building, and the west access drive will serve the trash bins, the generator, propane tanks and for loading.

The applicant is proposing 169 parking spaces which meet the requirements of the SUDC. Six (6) of those spaces will be handicap-accessible. The trash enclosure is proposed to be located on the west of the property and the enclosure materials and colors will match the main building.

The site proposes the building location towards the west property with the parking located east and south of the building. The applicant proposes two (2) outdoor courtyards on the north side of the building and one (1) smaller courtyard on the west side. The proposed courtyards will be equipped with recreational amenities for the patients. The applicant also proposes a dining patio on the south side of the building. For the safety of the patients and the general public the courtyards are proposed to be enclosed with a 14' tall decorative screen wall. The SUDC limits the height of fences to 10', but as per the *Department of Veterans Affairs Mental Health Facilities Design Guide*, "An enclosure height of 14 feet [4.27 m] is recommended." For the safety of the patients and the general public, staff finds that a 14' tall fence is adequate for the proposed use and location. The materials and colors of the proposed fence will match the main building; this will give the impression that the fence is part of the building.

On-site the applicant is proposing 40% of landscape coverage, which meets the 15% minimum requirement. The SUDC requires a tree in every parking landscape island, one of the proposed landscape islands is missing a tree. Stipulation 'A' ensures that the applicant complies with the landscape requirements of the SUDC. Additionally, a screening wall and landscaping along Westgate Drive, 132nd Lane, Dysart Road, and Foxfire Drive will help screen the parking spaces. Once the applicant complies with stipulation 'A' the proposed landscaping will meet the requirements of the SUDC.

The proposed architecture, colors, and material palette is similar to the Cobalt development located at the northeast corner of Bell Road and Dysart Road. The proposed colors and materials for all screening walls and fences will match the main building. The proposed exterior design will complement the existing architecture on the adjacent properties and will serve as a model for future development.

The applicant also included a lighting photometric study with the application which meets the lighting requirements of the SUDC. Stipulation 'C' ensures that the photometric plan is consistent with the site plan.

Summary:

Staff believes by accepting and incorporating stipulations 'A' through 'D' the proposed Site Plan will meet the requirements of the SUDC and the General Plan.

Findings:

- The proposed Site Plan is consistent with the Surprise General Plan 2035.
- The proposed Site Plan will meet the provisions of the SUDC as applicable once all stipulations are met.

Recommendation:

Based on the findings noted above, staff recommends the Commission move to **approve** case FS17-060, subject to stipulations 'A' - 'D' as outlined below:

A. The Landscape Plan prepared by G.K. Flanagan Associates date received 3/17/2017 will be revised and submitted for review to include the following:

1. There will be a tree in the landscape island located southeast of the proposed building.

B. The Building Elevations prepared by Devenney Group, Ltd. date received 3/17/2017 will be revised and submitted for review to include the following:

1. The elevation plans will provide a note stating that all signage will be approved under a separate sign permit.

2. Sheet AE203: Partial Exterior Elevations East 1 and South 3 will include the buildings in the background.

C. The Photometric Plan prepared by Van Boerum & Frank Associates, Inc. date received 3/17/2017 will be revised and submitted for review to include the following:

1. The parking configuration south of the proposed building will match the Site Plan.

D. Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the provisions of Article XIV of the Surprise Unified Development Code.

However, should the Commission wish to recommend **denial** of the request, the Commission should make its own findings and base its decision on those alternative findings.

Attachments:

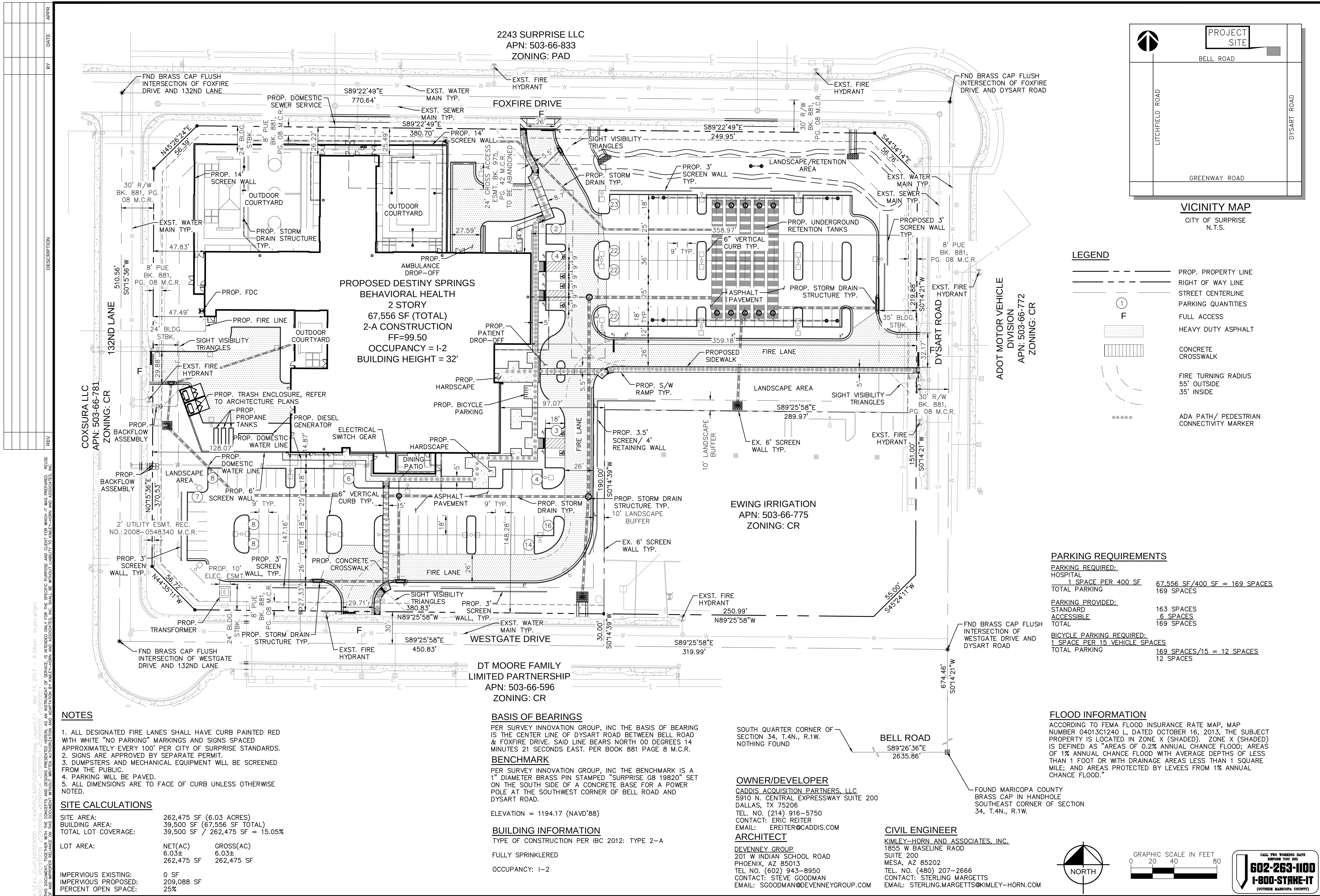
01 Vicinity Maps
02 Site Plan
03 Landscape Plan
04 Elevations
05 Luke AFB Comments
06 ADOT Comments
07 MWD Comments

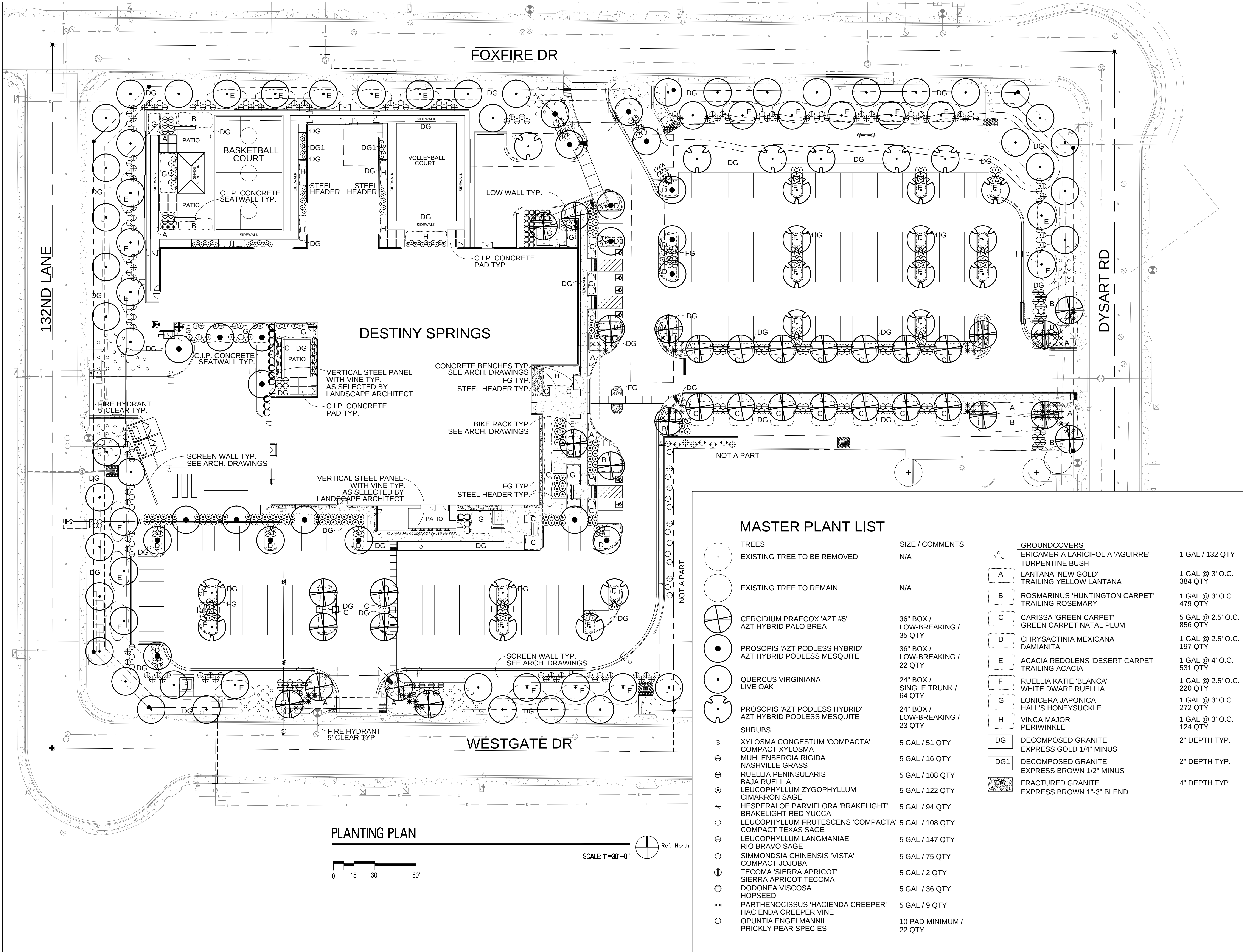
VICINITY MAP



VICINITY MAP







Devenney
GROUP

Devenney Group Ltd., Architects

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Phoenix, Arizona 85013

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Consultant:

G.K. FLANAGAN
ASSOCIATES
4626 N. 44th Street
PHOENIX, AZ 85018
602.942.9651
602.942.9653 fax



EXPIRES 12/31/2017

IF THESE PLANS DO NOT BEAR THE SEAL OF A REGISTRANT, THEY ARE TO BE CONSIDERED "PRELIMINARY" AND ARE NOT TO BE USED FOR CONSTRUCTION OR RECORDING. THESE PLANS ARE COPYRIGHTED AND ARE SUBJECT TO COPYRIGHT PROTECTION AS AN "ARCHITECTURAL WORK" UNDER SEC. 109 OF THE COPYRIGHT ACT, 17 U.S.C. AS AMENDED DECEMBER 1990 AND KNOWN AS ARCHITECTURAL WORKS COPYRIGHT PROTECTION ACT OF 1990. THE PROTECTION INCLUDES BUT IS NOT LIMITED TO THE OVERALL FORM AS WELL AS THE ARRANGEMENT AND COMPOSITION OF SPACES AND ELEMENTS OF THE DESIGN. UNDER SUCH PROTECTION, UNAUTHORIZED USE OF THESE PLANS CAN LEGALLY RESULT IN THE CESSION OF CONSTRUCTION OR BUILDINGS BEING SEIZED AND/OR MONETARY COMPENSATION TO DEVENNEY GROUP LTD.

DESTINY SPRINGS HEALTHCARE

CADDIS
17300 N. DYSART RD.
SURPRISE, AZ

AUTHORITY HAVING JURISDICTION:
CITY OF SURPRISE

AUTHORITY HAVING JURISDICTION'S PROJECT NO:

FACILITY NUMBER:

AGENCY APPROVALS:

REVISIONS		
REV #	DESCRIPTION	DATE

DATE: 01/20/17
SCALE:
DRAWN:
REVIEWED:
JOB NUMBER: 80603

PLANTING PLAN

L100



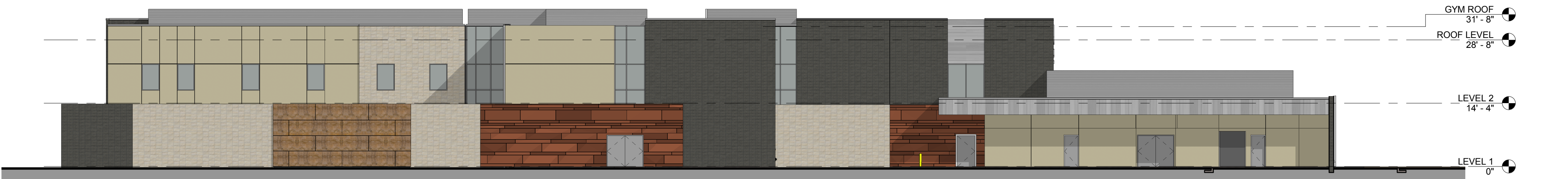
1 COLORED OVERALL EXTERIOR ELEVATION - EAST
1/16" = 1'-0"



2 COLORED OVERALL EXTERIOR ELEVATION - NORTH
1/16" = 1'-0"



3 COLORED OVERALL EXTERIOR ELEVATION - SOUTH
1/16" = 1'-0"



4 COLORED OVERALL EXTERIOR ELEVATION - WEST
1/16" = 1'-0"

COLORED ELEVATIONS

CADDIS
17300 N. DYSART RD
DOWNEY, AZ 85378

DESTINY SPRINGS HEALTHCARE

Scale: 1/16" = 12'
0' 8' 16' 32'





**DEPARTMENT OF THE AIR FORCE
AIR EDUCATION AND TRAINING COMMAND**

Mr. James R. Mitchell
Director, Community Initiatives Team
56th Fighter Wing
14185 W. Falcon St.
Luke AFB AZ 85309-1629

9 February 2017

Ms. Jamie Sullivan
Development Services Specialist
City of Surprise Planning Department
16000 N. Civic Center Plaza
Surprise AZ 85374

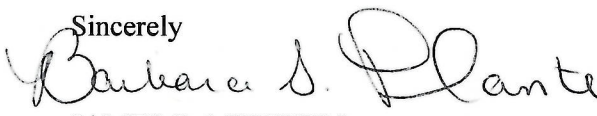
Re: FS17-060; Destiny Springs Behavioral Health

Dear Ms. Sullivan

Thank you for the opportunity to comment on the Site Plan Application for the Destiny Springs behavioral-health hospital. This project is located on 6.03 acres at the southeast corner of Dysart Road and Foxfire Drive in Surprise AZ. The request is to build a 70,000 square foot, 90 bed hospital. The site is approximately 1.8 miles outside the 1988 JLUS 65 Ldn, "high noise or accident potential zone" as identified by A.R.S. § 28-8461 and inside the "territory in the vicinity of a military airport" also defined by A.R.S. § 28-8461.

In an effort to promote a more compatible co-existence Luke AFB follows the guidelines in the Graduated Density Concept (GDC). The GDC proposes, in the absence of a more restrictive state, county or municipal general or comprehensive plan, graduating densities away from the 65 Ldn as follows: a maximum of 2 du/acre from the 65 Ldn to 1/2 mile, a maximum of 4 du/acre from 1/2 mile to 1 mile and a maximum of 6 du/acre from 1 to 3 miles. The density of this facility will not meet those standards.

Since Destiny Springs would be located within the "territory in the vicinity of a military airport," it will be subjected to approximately 165 over flights a day, with some as low as 1,500 feet above ground level. While we have determined that this request exceeds the densities that Luke AFB follows, we recognize that we are not the approval authority. As such, if this development is approved, we recommend you review the sound attenuation requirements found in A.R.S. § 28-8482. In addition, a strong notification program on the part of the applicant would be essential to inform potential residents about Luke AFB operations. If you have any questions, please contact my Community Planner, Ms. Barbara Plante at (623) 856-9981.

Sincerely
for 
JAMES R. MITCHELL

cc:

Colonel David G. Shoemaker, Vice Commander, 56th Fighter Wing
Ms. Cindy L. Calderon, GS-13, General and Environmental Law Attorney, 56th Fighter Wing

From: [Vanessa Nunez](#)
To: [Jamie Sullivan](#)
Cc: [Dennis Haley](#)
Subject: RE: FS17-060 Destiny Spring Behavioral Health Electronic Submittal
Date: Tuesday, February 21, 2017 2:01:10 PM
Attachments: [image003.jpg](#)

RE: FS17-060
Destiny Spring Behavioral Health
SWC Dysart Rd & Foxfire Dr

Thank you for your notice for the above-referenced development.
After review, the development location is more than 1/4 mile from any ADOT proposed or existing highway facility. As such, ADOT has no comment.

Please feel free to contact Dennis Haley at DHaley@azdot.gov should you have any further questions. We appreciate the opportunity to review and comment. Thank you.

Vanessa Nuñez
Administrative Assistant II

205 South 17th Avenue
MD 612E, Room 302
Phoenix, Arizona 85007-3212
602.712.7184
www.azdot.gov



From: Jamie Sullivan [mailto:Jamie.Sullivan@surpriseaz.gov]
Sent: Monday, January 30, 2017 11:58 AM
To: Redletter; 'Barbara Plante - Luke'; 'Brad Finke - EPCOR'; 'Chris Cain - MWD'; Christina Betz; 'Debbie Trasancos - MWD'; Denise Lacey; Donna Miller; 'Leslie - MWD'; Mark A. Coronado; Paul Jackson; 'Theresa Tysiak - USPS'; Timothy Klarkowski; 'Vern Wolfley - MAG'
Cc: Heather Donaldson
Subject: FS17-060 Destiny Spring Behavioral Health Electronic Submittal

Good Afternoon,

Attached please find the submittal documents for the above referenced project.
Please do not hesitate to contact me if you have any questions or need further clarification.

Thank you, and I hope you have a wonderful day!

Jamie Sullivan

Planning Project Coordinator
16000 N Civic Center Plaza
Surprise, AZ 85374
623.222.3099
jamie.sullivan@surpriseaz.gov

City Hall offices open at 8 a.m. and close at 5 p.m. Monday through Friday. More info at www.surpriseaz.gov.

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30 Jan 2017 18:58:30 -0000

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From: [Debbie Trasancos](#)
To: [Jamie Sullivan](#)
Cc: [Chris Cain](#); [Leslie Jarrell](#)
Subject: RE: FS17-060 Destiny Spring Behavioral Health Electronic Submittal
Date: Monday, January 30, 2017 12:53:45 PM

Jamie,

Thank you for providing the Electronic Submittal for Destiny Spring Behavioral Health (FS17-060).

Maricopa Water District (MWD) has reviewed this submittal and determined this lies outside the current boundaries of MWD.

Thanks again,

Debbie Trasancos
Property & Contracts Specialist
Maricopa Water District
14825 W. Grand Ave.
Surprise, AZ 85374
623/546-8266
fax 623/584-2536
debbiet@mwdaz.com

From: Jamie Sullivan [mailto:Jamie.Sullivan@surpriseaz.gov]
Sent: Monday, January 30, 2017 11:58 AM
To: ADOT (redletter@azdot.gov) <redletter@azdot.gov>; 'Barbara Plante - Luke' <barbara.plante@us.af.mil>; 'Brad Finke - EPCOR' <bfinke@epcor.com>; Chris Cain <ChrisC@mwdaz.com>; Christina Betz <Christina.Betz@surpriseaz.gov>; Debbie Trasancos <DebbieT@mwdaz.com>; Denise Lacey <deniselacey@mail.maricopa.gov>; Donna Miller <Donna.Miller@surpriseaz.gov>; Leslie Jarrell <LeslieJ@mwdaz.com>; Mark A. Coronado <Mark.Coronado@surpriseaz.gov>; Paul Jackson <paul.j.jackson@usps.gov>; 'Theresa Tysiak - USPS' <theresa.a.tysiak@usps.gov>; Timothy Klarkowski <Timothy.Klarkowski@surpriseaz.gov>; 'Vern Wolfley - MAG' <vwolfley@azmag.gov>
Cc: Heather Donaldson <Heather.Donaldson@surpriseaz.gov>
Subject: FS17-060 Destiny Spring Behavioral Health Electronic Submittal

Good Afternoon,

Attached please find the submittal documents for the above referenced project. Please do not hesitate to contact me if you have any questions or need further clarification.

Thank you, and I hope you have a wonderful day!

Jamie Sullivan
Planning Project Coordinator
16000 N Civic Center Plaza
Surprise, AZ 85374
623.222.3099
[*jamie.sullivan@surpriseaz.gov*](mailto:jamie.sullivan@surpriseaz.gov)

City Hall offices open at 8 a.m. and close at 5 p.m. Monday through Friday. More info at www.surpriseaz.gov.

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30 Jan 2017 18:58:30 -0000



FS17-060

**Destiny Springs Behavioral Health Hospital
Site Plan**

Planning and Zoning Commission

April 20, 2017

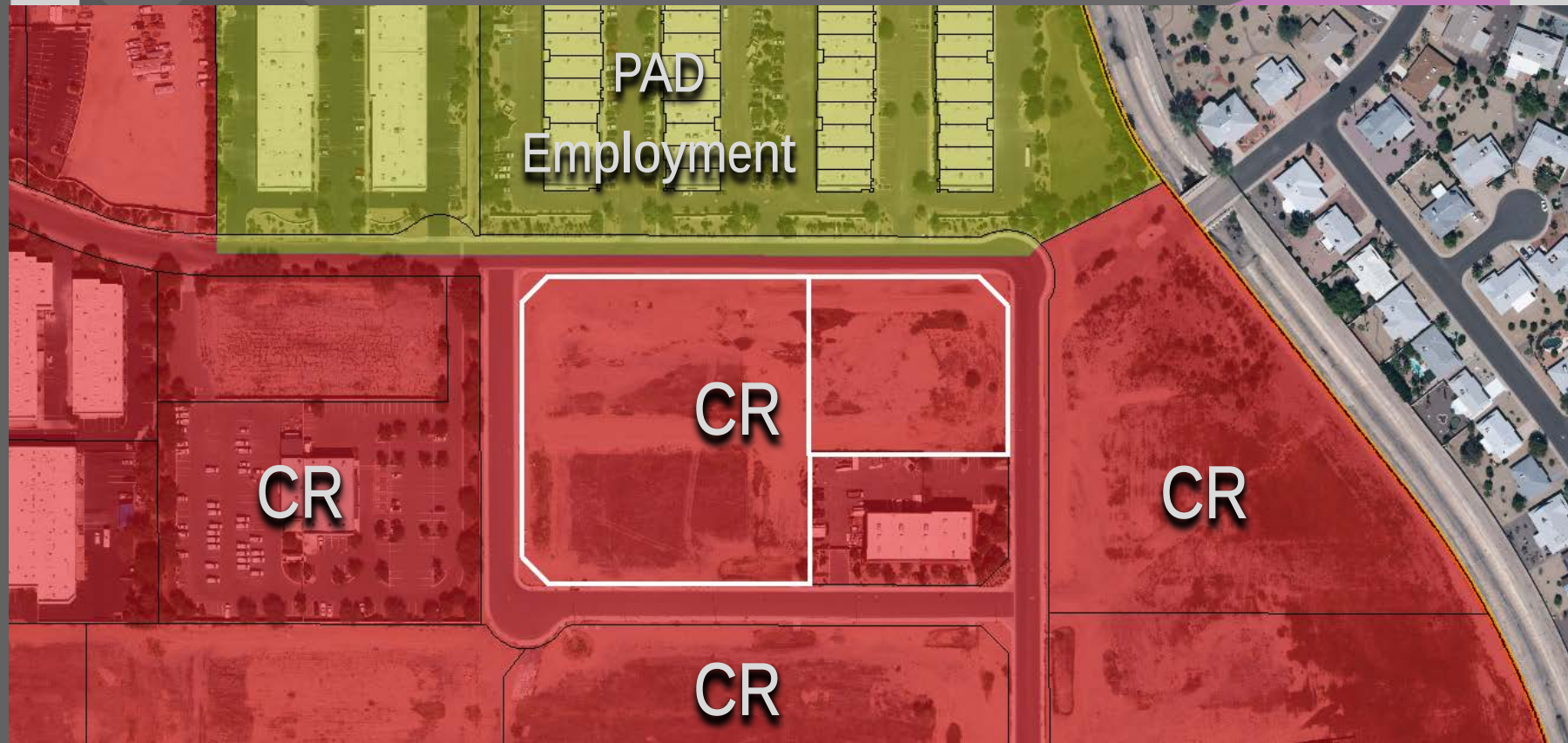
VICINITY MAP



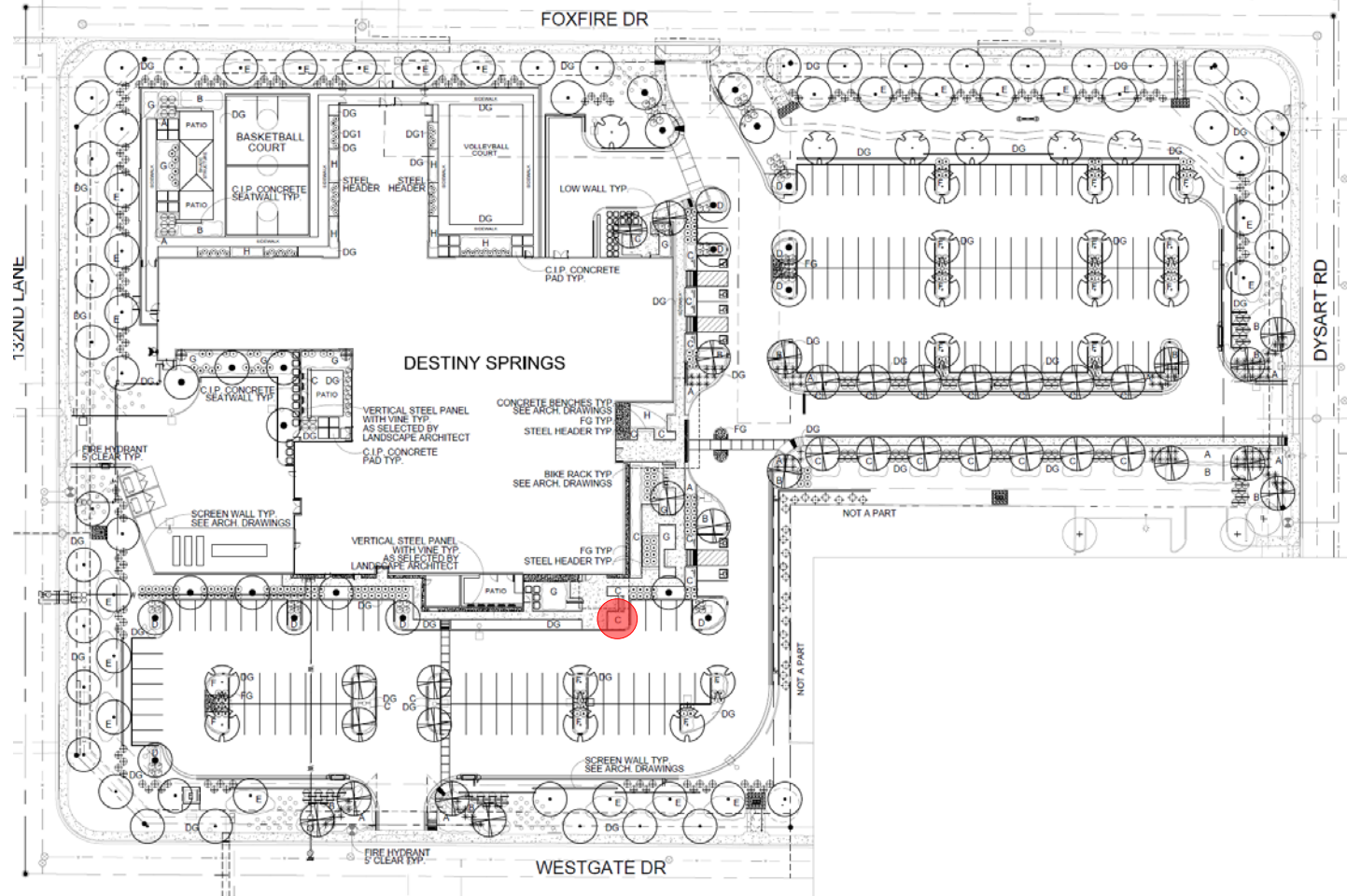
VICINITY MAP

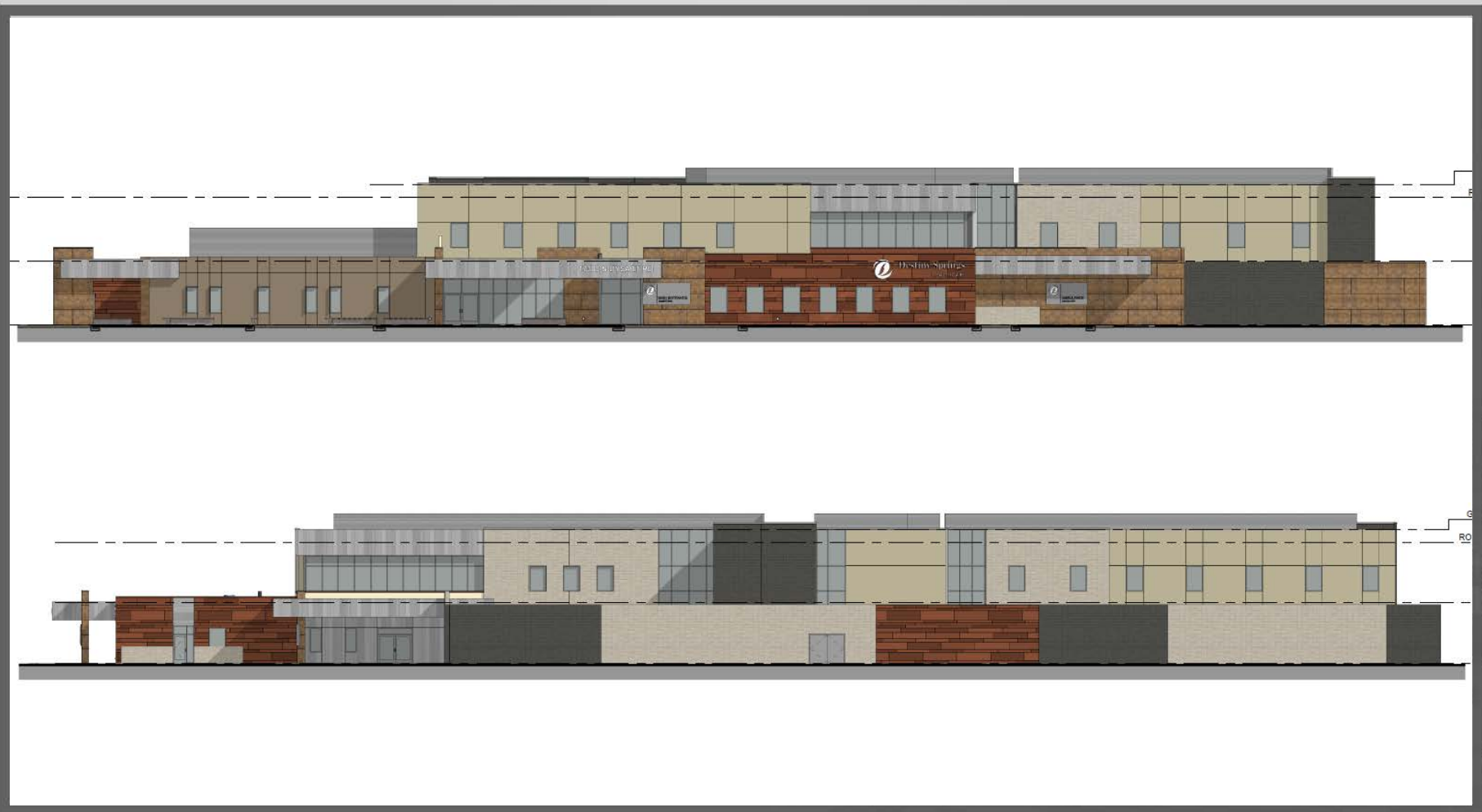


SURROUNDING ZONING



[illegible]







STAFF RECOMMENDATION

Staff Recommendation:

- Approval subject to Stipulations A – D





SURPRISE

ARIZONA

**QUESTIONS OR
COMMENTS?**

Thank You



CITY OF SURPRISE
Planning and Zoning Commission

April 20, 2017 @ 6:00:00 PM

Back Print

Board Meeting Date:	April 20, 2017	Contact Person:	Hobart Wingard - Community Development
Submitting Department:	CD Boards and Commissions	District:	6
Staff Recommendations:	Approve		

Consent	Regular	x	Public Hearing	Report/Discussion
---------	---------	---	----------------	-------------------

Agenda Wording:

Consideration and action approving a Site Plan for Milam Glass at Skyway Business Park generally located 450 linear feet north of the northeast corner of Peoria and 132nd Avenues.

Motion:

Move to recommend approval of a Site Plan for Milam Glass at Skyway Business Park.

Background:

LGE Design Group, on behalf of Nevarez Real Estate Holdings, LLC, seeks approval of a Site Plan to allow a commercial glazing and office facility within the Skyway Business Park PAD. Site improvements will include a new 21,866 square foot building, landscaping, paving, signage, etc.

Financial Impact Statement:

All activity related to ongoing development of the City of Surprise has an economic and fiscal impact on the city and the region.

ATTACHMENTS:

Click to download

- ☐ [00 - FS16-560 – Milam Glass at Skyway Business Park - Staff Report](#)
- ☐ [01 - FS16-560 – Milam Glass at Skyway Business Park - Vicinity Maps](#)
- ☐ [02 - FS16-560 – Milam Glass at Skyway Business Park - Site Plan](#)
- ☐ [03 - FS16-560 – Milam Glass at Skyway Business Park - Elevations](#)
- ☐ [04 - FS16-560 – Milam Glass at Skyway Business Park - Landscape Plans](#)
- ☐ [05 - FS16-560 – Milam Glass at Skyway Business Park - Presentation](#)

External Attachment Links:

Meeting Requirements:

Powerpoint x Video x White Board x Other x

Presentation Speaker Names (spelling and titles for TV captions):

Hobart Wingard, Planner II

SITE PLAN

REPORT TO THE PLANNING AND ZONING COMMISSION

Case: FS16-560

Project Name: Milam Glass at Skyway Business Park

Council District: 6 – Palo Verde

Meeting Date: April 20, 2017

Planner: Hobart Wingard, 623-222-3156, hwingard@surpriseaz.gov

Owner: Nevarez Real Estate Holdings, LLC

Applicant: LGE Design Group

Request: Site Plan approval for a 21,866 square foot Milam Glass commercial glazing and office facility.

Site Location: Approximately 450 linear feet north of the northeast corner of Peoria Avenue and 132nd Avenue in the Skyway Business Park Planned Area Development (PAD).

Site Size: Approximately 2.77 acres

Density: N/A

General Plan Conformance: The proposal is consistent with the Surprise General Plan 2035.

Support/Opposition: None received by staff.

Staff Recommendation: Staff recommends the Commission **approve** the proposed Site Plan.

PROJECT DESCRIPTION:

LGE Design Group, on behalf of Nevarez Real Estate Holdings, LLC, seeks approval of a Site Plan to allow a commercial glazing and office facility within the Skyway Business Park PAD. Site improvements will include a new 21,866 square foot building, landscaping, paving, signage, etc.

EXISTING ZONING:

The following chart depicts the existing zoning of the subject site and its surroundings.

Skyway Business Park PAD Vacant Industrial Use	Skyway Business Park PAD Phoenix Distribution	Skyway Business Park PAD Vacant Business Park Use
Skyway Business Park PAD Vacant Industrial Use	Skyway Business Park PAD Business Park Use	Skyway Business Park PAD Vacant Business Park Use
Skyway Business Park PAD Vacant Industrial Use	Skyway Business Park PAD Vacant Business Park Use	Skyway Business Park PAD Vacant Business Park Use

BACKGROUND:

June 26, 1997: The subject parcel was annexed into the City of Surprise.

July 28, 2005: The Mayor and City Council approved a PAD for Skyway Business Park under case PAD05-130.

December 22, 2005: The Mayor and City Council approved a Final Plat for Skyway Business Park under case FP05-331.

September 14, 2006: The Mayor and City Council approved a Final Plat Amendment for Skyway Business Park under case FPA06-164.

August 25, 2016: Staff met with the applicant to discuss the subject project during a regularly scheduled Concept Review meeting under CR16-342.

December 20, 2016: The applicant filed a request for a Site Plan under case FS16-560, the subject case.

ANALYSIS AND DISCUSSION:

The subject request involves a proposed commercial glazing and office facility to be constructed on a currently vacant pad within the Skyway Business Park PAD. This commercial/industrial PAD principally permits glazing and office uses in this area of the PAD.

The approximately 21,866 square foot facility will reside on a 2.77 acre parcel within the Skyway Business Park. Landscape and pedestrian facilities are designed to complement the existing and proposed development in the area. The architecture of the building is evidence of the quality of glazing work Milam Glass is known for. A color palate that blends tenant identification with a classic but modern corporate elegance is utilized. Materials that include metal panels, low-E tinted glazing, masonry, EIFS (Exterior Insulation and Finish System), and exposed steel. Four-sided architecture is prevalent throughout the elevations with varying height parapets, wall offsets with textures, and colors to reduce continuous wall lengths.

Ample parking is provided for the public as well as for employees parking in the yard area. Dual entrances line 132nd Drive; the southern drive providing shared access to future development to the south.

UTILITY AND SERVICES TABLE:

Electric:	APS
Water:	City of Surprise
Wastewater:	City of Surprise
Refuse:	Private
Natural Gas:	SWG

CONFORMANCE WITH ADOPTED PLANS:

Surprise General Plan 2035: The Surprise General Plan 2035 shows the subject property as lying within the Employment Character Area, which supports uses such as that proposed.

REVIEWING AGENCIES:

Luke Air Force Base (LAFB): In a letter dated December 21, 2016 LAFB indicates no objections to the request, but advises the applicant review sound attenuation requirements and engage in a strong notification program with respect to the air base and its operations.

Maricopa Water District (MWD): In an email dated December 21, 2016, MWD indicated the proposal will not impact MWD.

SUMMARY:

Staff believes the proposed Site Plan is consistent with the manner and intent of the Skyway Business Park PAD. Staff recommends stipulations that, once fulfilled, will allow the site to be developed in accordance with the requirements of the City of Surprise.

FINDINGS:

- The proposed Site Plan demonstrates compliance with the criteria set forth in Skyway Business Park PAD.
- The reviewing agencies have indicated no objections to the request.

RECOMMENDATION:

Based on the findings noted above, staff recommends the Commission **approve** the subject Site Plan.

However, should the Commission wish to deny the request, the Commission should make its own findings and base its decision on those alternative findings.

Attachments:

- 01 - Vicinity Maps
- 02 - Site Plan
- 03 - Color Elevations
- 04 - Landscape Plan

VICINITY MAP

FS16-560
Milam Glass



VICINITY MAP

FS16-560
Milam Glass



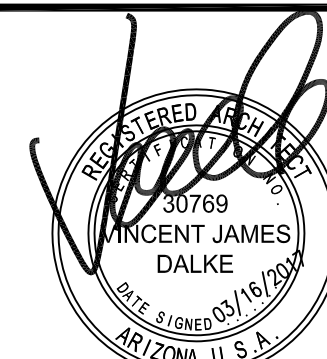
OWNER:	MILAM GLASS		
PROJECT ADDRESS:	N.E.C. 132ND AVE. & PEORIA AVE. SURPRISE, AZ.		
DEVELOPER:	LGE DESIGN BUILD 740 NORTH 52ND STREET PHOENIX, AZ. 85008		
PROJECT SCOPE:	A NEW COMMERCIAL WAREHOUSE/OFFICE BUILDINGS		
ASSESSOR PARCEL NO.:	509-15-981		
CURRENT ZONING:	PAD		
SITE AREA:	120,766 S.F. (2.77 AC)		
STORIES:	ONE STORY		
GROSS BUILDING S.F.:	21,866 S.F.		
LOT COVERAGE:	18.1 %		
OCCUPANCY:	B / S-1		
CONSTRUCTION TYPE:	V-B W/ A.F.E.S.		
BUILDING HEIGHT:	28'-0"		
REQUIRED PARKING CALCS:			
OCCUPANCY	SQUARE FT.	FACTOR	TOTAL
OFFICE	4,498 S.F.	1 / 250 S.F.	18 OCC.
WAREHOUSE	17,368 S.F.	1 / 600 S.F.	29 OCC.
TOTAL			47 OCC.
PARKING PROVIDED			
TOTAL REGULAR SPACES			48
TOTAL ACCESSIBLE SPACES			3
TOTAL SPACES			51
PARKING RATIO		2.33 CARS FOR 1,000 S.F.	

Map of the Phoenix area showing the location of the proposed AZ Bounce Pro site. The site is a hatched rectangle located at the intersection of N 12th Ave and Solid Canyon Way. Surrounding streets include W Peoria Ave, W Ponderosa Ave, W Woylsey Dr, W Desert Cove Rd, W Sahara Dr, and W Vanway Rd. Landmarks include Rigless Solar, Gostamp Solar Steel, Janus International Corporation, and Dyan Elementary School. An arrow points from the site to the text "NICHOLAS CONSOLIDATED".

OWNER: MILAM GLASS COMPANY 5743 W. WASHINGTON STREET PHOENIX, AZ 85043 ALEX NEVAREZ PH: (602) 275-7151 E: alex@milamglass.com	ARCHITECT: LGE DESIGN GROUP 740 N. 52nd ST. PHOENIX, AZ. 85018 PH: (480) 966-4001 VINCE DALKE, ARCHITECT BRYAN RYAN, DIRECTOR, ECT. 220 E: bryan@lgedesigngroup.com PAUL WOJTCAK, PROJECT MGR paulw@lgedesigngroup.com
<u>GENERAL CONTRACTOR:</u> LGE DESIGN BUILD 740 N. 52nd STREET PHOENIX, AZ. 85008 PH: (480) 966-4001	
<u>CIVIL ENGINEER:</u> HUNTER ENGINEERING, INC. 10450 N. 74TH ST., STE. 200 SCOTTSDALE, ARIZONA 85258 JOE BURKE, PROJECT MGR. PHONE: (480) 991-3865 E: jburke@hunterengineering.com	
<u>LANDSCAPE ARCHITECT:</u> TJ McQUEEN & ASSOCIATES, INC. 8433 E. CHOLLA STREET, STE. 101 SCOTTSDALE, AZ 85260 602-255-0320 CONTACT: TIM McQUEEN E: timmcqueen@tjmla.net	

740 N. 52nd Street ■ Phoenix, AZ ■ 85008
P: 480.966.4001

10801 N 132ND AVE
SURPRISE, ARIZONA

[illegible]

EXPIRES: 12/31/2017

SHEET TITLE:	
SITE PLAN	
ISSUE DATE:	03/16/2017
DRAWN BY:	BCR / JPM
CHECKED BY:	VJD
PROJECT No.:	302016
SHEET:	

A0.1

BLACK LINE CONSTRUCTION ISSUE 03-16-2017

PHOENIX LAND LLC
509-15-982

SKYWAY LLC
509-15-989

274'-0"

305'-0"

03
A0.6

RETENTION BASIN

D.G. AREA

114'-0"

165'-0"

01
A0.5

EDGE OF PAVING

TRASH ENCLOSURES AND DUMPSTER PAD LOCATION

PAVED PARKING LOT AND DRIVES W/ CONCRETE CURBS

01
A0.3

ROLL OFF DUMPER ENCLOSURE W/ CONC. PAD

6'-0" INTERLOCKING FENCE BLOCK WALL

SKYWAY LLC
509-18-959

393'-5"

122'-2"

54'-5"

165'-0"

03
A0.6

CHAIN LINK YARD FENCE WITH GATE; SEE 07 & 08 ON A0.6

01
A0.5

TRASH ENCLOSURE LOCATION

01
A0.6

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A0.5

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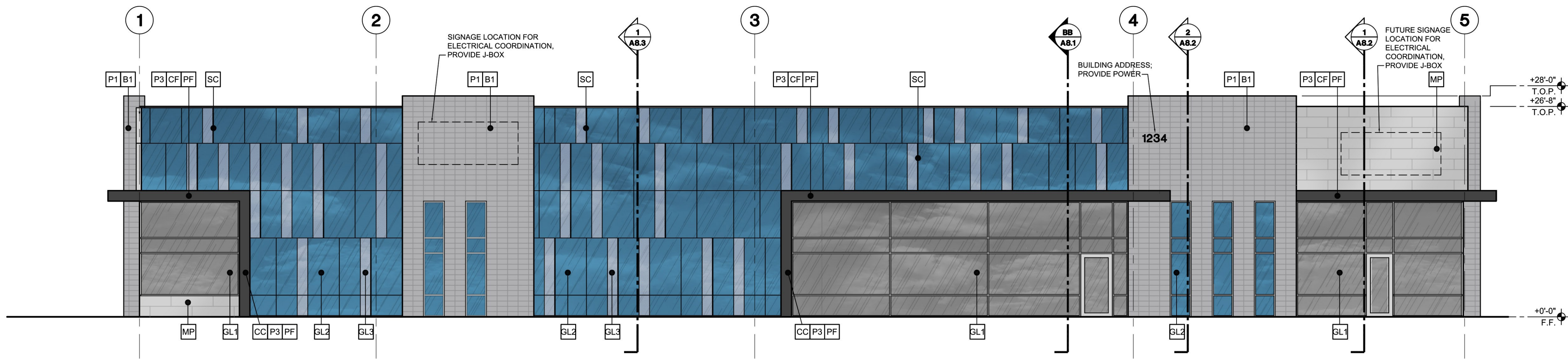
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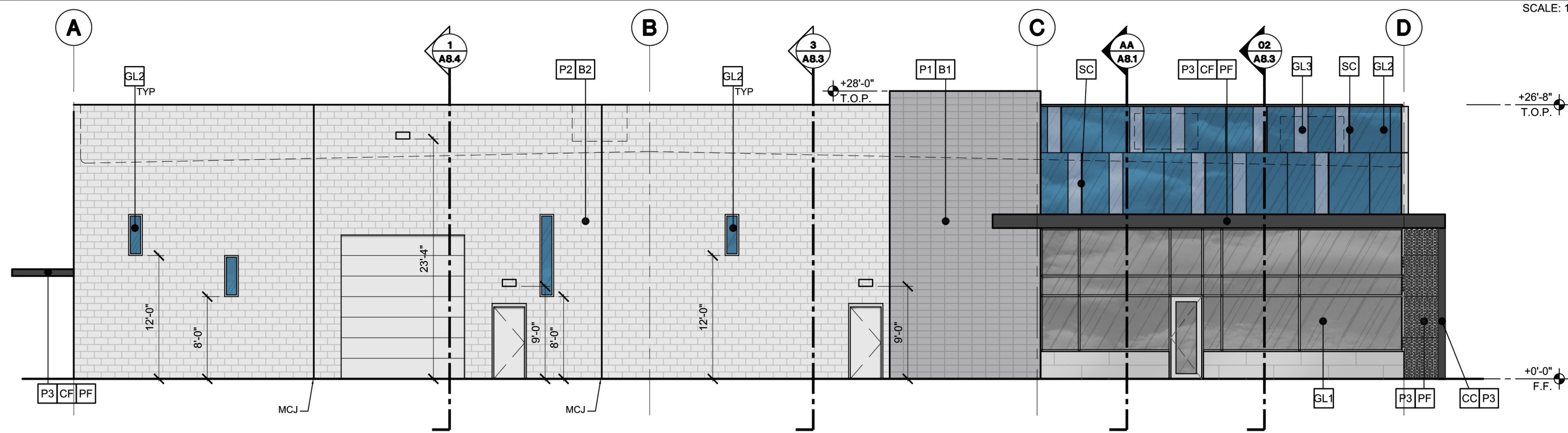
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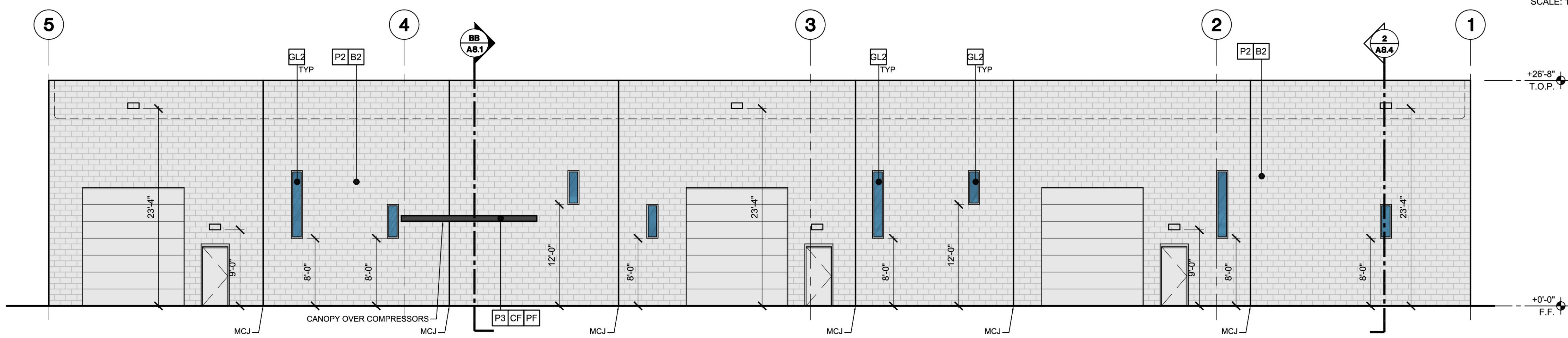
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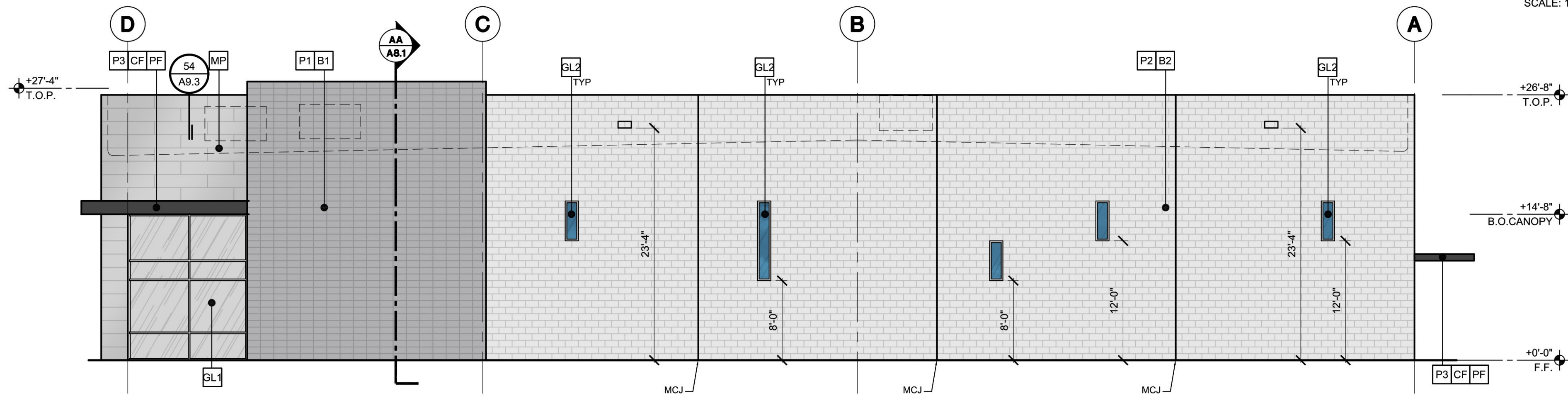
A WEST ELEVATION



B NORTH ELEVATION



C EAST ELEVATION



D SOUTH ELEVATION

GENERAL NOTES:

- SEE STRUCTURAL DRAWINGS FOR LINTEL INFORMATION.
- SEE DOOR SCHEDULE FOR ROLL-UP DOOR HEIGHTS.
- SEE STRUCTURAL DRAWINGS FOR CONTROL JOINT LOCATIONS.

MATERIAL/FINISH SCHEDULE:

KEY:	DESCRIPTION:
B1	8" X 8" X 16" SMOOTH FACE MASONRY STACK BOND - PAINTED
B2	8" X 8" X 16" MASONRY RUNNING BOND - PAINTED
PF	STEEL PERF. METAL PANEL - PAINTED

CANOPY KEY:

KEY:	DESCRIPTION:
CF	16" STEEL CANOPY FRAME - PAINTED
SC	VERT. METAL SUN SCREENS INTEGRAL WITH GLAZING SYSTEM - CLEAR ANNOZIDED
CC	16" STEEL CHANNEL COLUMN - PAINTED

GLAZING KEY:

MATERIAL:	DESCRIPTION:
STANDARD FRAMES	ARCADIA CLEAR ANNOZIDED ALUMINUM COLOR CURTAIN WALL STOREFRONT SYSTEM
EXTERIOR GLAZING	GL1 1" GRAY REFLECTIVE INSULATED GLAZING BELOW CANOPIES GL2 1" BLUE REFLECTIVE INSULATED GLAZING EVERYWHERE ELSE GL3 SHADED GLAZING AREAS REPRESENT ADDITIONAL COLOR IN GLAZING.

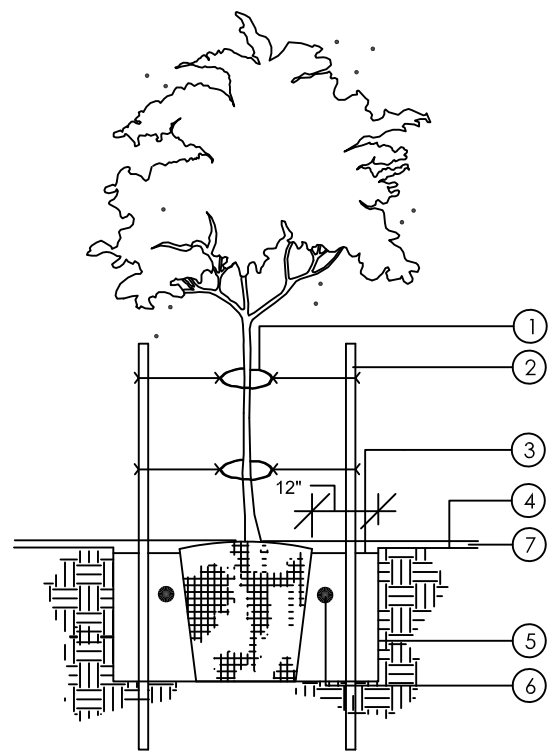
PAINT KEY:

KEY:	DESCRIPTION:
P1	DUNN EDWARDS # DE6367 COVERED IN PLATINUM
P2	DUNN EDWARDS #DE6366 SILVER SPOON
P3	DUNN EDWARDS #DE6357 BLACK TIE

PAINTING NOTES:

- PAINTER TO PROVIDE COLOR SCHEME WITH ALL DECORATIVE BANDS MASKED AND PAINTED IN COLORS TO BE SELECTED.
- SEALANTS FOR THE PROJECT TO MATCH ADJACENT MATERIAL COLORS - NO WHITE OR OFF WHITE COLORS.
- PAINTER TO PREPARE SAMPLES WITH APPROPRIATE COLOR TO BE APPROVED BY OWNER PRIOR TO APPLICATION ON BUILDING FACADES.
- PAINTER TO PROVIDE TWO COATS OF SEALER TO ALL EXPOSED NATURAL BLOCK, PRECAST CONCRETE, UNPAINTED CONCRETE AND OTHER MATERIALS AS REQUIRED TO PROVIDE A WEATHER SEALED PROJECT.

NOTE:
ALL GLASS ABOVE 9'-0" A.F.F. TO BE SPANDREL GLASS



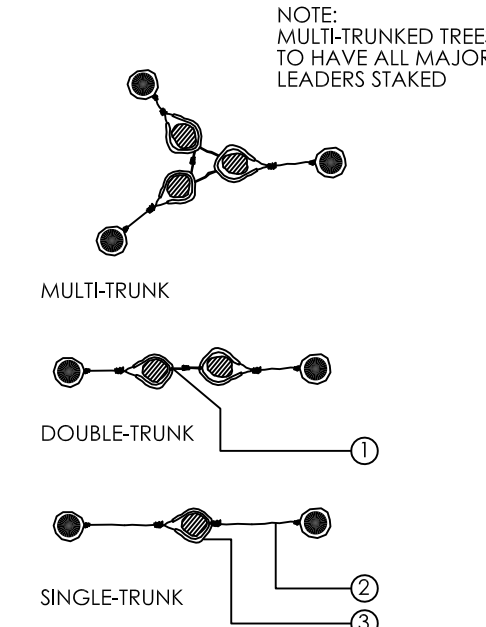
1. 1/2" RUBBER HOSE WITH #10 WIRE
2. TWO 2" ROUND BY 8' LONG GREEN TREE STAKES BURY 3" BELOW GRADE
3. 4" BASIN
4. GRADE (PRIOR TO GRANITE)
5. ROUGHEN SIDES OF PLANT PIT TO PREVENT GLAZING
6. AGRIFORM TABLETS
7. 2" DEPTH OF DECOMPOSED GRANITE. (SEE LEGEND FOR TYPE)

BACKFILL PLANT PIT WITH SOIL MIX NOTED IN SPECS.



DOUBLE STAKING DETAIL

NOT TO SCALE



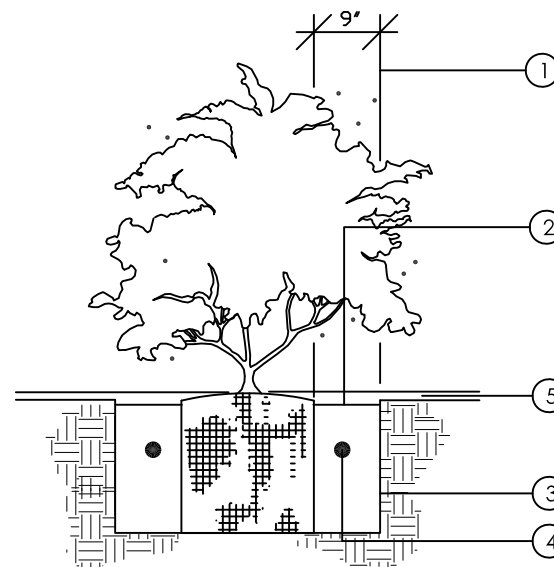
NOTE:
MULTI-TRUNKED TREES
TO HAVE ALL MAJOR
LEADERS STAKED

1. NOTCH TUBING LOOP WIRE THROUGH EXPOSED WIRE
2. #10 WIRE RUBBER COATED
3. 1/2" RUBBER HOSE



TREE GUYING DETAIL

NOT TO SCALE



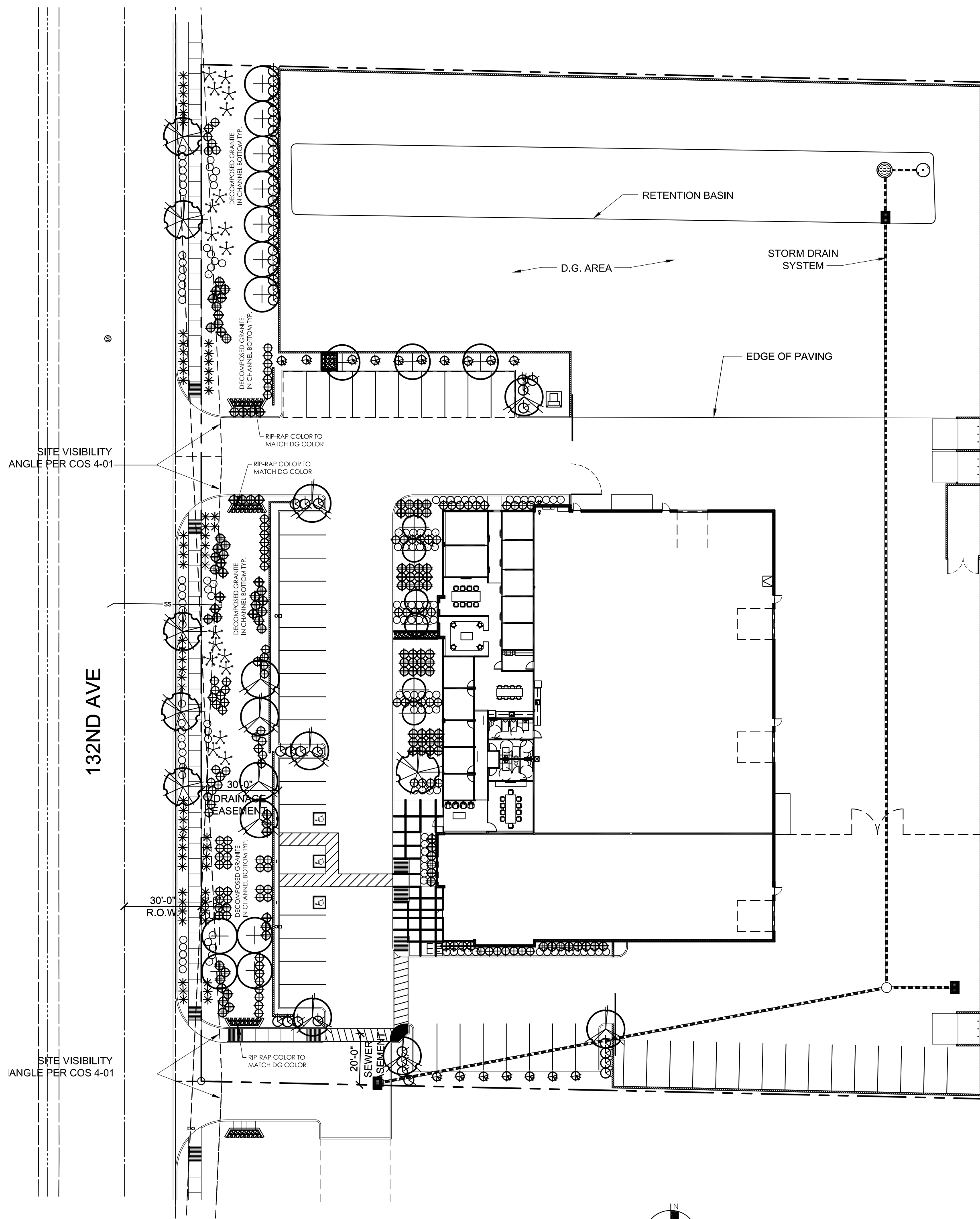
1. MINIMUM DIMENSION FOR 5 GAL. PLANTS
2. 1" BASIN
3. ROUGHEN SIDES OF PLANT PIT TO PREVENT GLAZING
4. AGRIFORM TABLETS SEE SPECS. FOR RATIO
5. 2" DEPTH OF DECOMPOSED GRANITE. (SEE LEGEND FOR TYPE)

BACKFILL PLANT PIT WITH SOIL MIX NOTED IN SPECS.



SHRUB PLANTING DETAIL

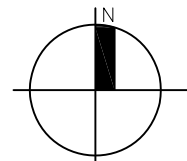
NOT TO SCALE



LANDSCAPE PLAN

SCALE: 1" = 30'-0"

0 15 30 60



LANDSCAPE LEGEND

- CERCIDIMUM HYBRID DESERT MUSEUM 24" BOX -
- CERCIDIMUM HYBRID DESERT MUSEUM 48" BOX -
- ACACIA SALICINA WILLOW ACACIA 36" BOX -
- SOPHORA SECUNDIFLORA TEXAS MOUNTAIN LAUREL 24" BOX -
- RUPELLIA PENINSULARIS BAJA RUELLIA 5 GALLON -
- HESPERALOE PARVIFLORA RED YUCCA 5 GALLON -
- LEUCOPHYLLUM LANGMANIAE 'RIO BRAVO' TEXAS RANGER 5 GALLON -
- DASYLIRION WHEELERI DESERT SPOON 5 GALLON -
- CAESALPINIA PULCHERRIMA RED BIRD OF PARADISE 5 GALLON -
- ACACIA REDOLENS DESERT CARPET 5 GALLON -
- LANTANA 'NEW GOLD' 'NEW GOLD' LANTANA 5 GALLON -
- ALOE 'BLUE ELF' BLUE ELF ALOE 5 GALLON -
- 1/2" MINUS EXPRESS BROWN DECOMPOSED GRANITE 2" DEPTH IN ALL LANDSCAPE AREAS

SURPRISE NOTES:

ALL CHANGES ARE TO BE APPROVED BY THE CITY OF SURPRISE COMMUNITY DEVELOPMENT DEPARTMENT

SIGNS REQUIRE A SEPERATE PERMIT

ALL UTILITY BOXES AND STRUCTURES ARE TO BE SCREENED FROM VIEW.

PLANT MATERIAL IS NOT TO BE LOCATED WITH-IN 5' RADIUS OF FIRE HYDRANTS AND FIRE DEPARTMENT CONNECTIONS

TREES WITHIN 10' OF PAVED AREAS AND WALLS REQUIRE A DEEP ROOT BARRIER SYSTEM.

ALL PLANT MATERIAL SIZES ARE BE CONSISTENT WITH ANA STANDARDS.

ALL PLANT MATERIALS LOCATED WITHIN VISIBILITY TRIANGLES ARE TO BE MAINTAINED NO HIGHER THAN 2 FEET HIGH, AND HANG NO LOWER THAN 7 FEET FROM GROUND ELEVATION.

NO PLANT MATERIAL WILL OBSTRUCT ANY TRAFFIC CONTROL SIGNS OR ENCROACH INTO ANY SIGHT VISIBILITY TRIANGLES AS DEFINED IN THE CITY OF SURPRISE ENGINEERING STANDARDS DETAIL 4-02.

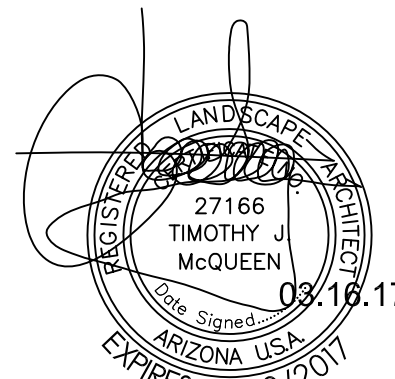
TREES WITH THORNS WILL NOT BE LOCATED WITHIN TEN FEET OF ANY PARKING SPACE OR PEDESTRIAN ROUTE.

TREES WITHIN PARKING AREA WILL BE CONSISTENT WITH THE TREE LIST PROVIDED IN SECTION 122-136 (2) K. OF THE CITY OF SURPRISE MUNICIPAL STANDARDS.

*TREES SPECIES WITHIN CITY RIGHTS-OF-WAY BE CONSISTENT WITH SECTION 8.1.2 OF THE CITY OF SURPRISE ENGINEERING STANDARDS.

LOW WATER USAGE PLANT MATERIAL:

100% OFF ALL PLANTS UTILIZED ON LEGEND ARE FROM THE ARIZONA DEPARTMENT OF WATER RESOURCES LOW WATER USE LIST.



T.J. McQUEEN & ASSOCIATES, INC.

LANDSCAPE ARCHITECTURE
URBAN DESIGN
SITE PLANNING

8433 East Cholla St., Suite 101
Scottsdale, Arizona 85260
P. (602) 265-0320 F. (602) 266-6619

EMAIL: timmccqueen@tjmla.net



LGE | DESIGNGROUP

740 N. 52nd Street • Phoenix, AZ • 85008
P: 480.966.4001

MILAM GLASS

N.E.C. 132ND AVE. & PEORIA AVE.
SURPRISE, ARIZONA



NUMBER REVISION DATE

SHEET TITLE:
LANDSCAPE PLAN

ISSUE DATE: 03.16.17

DRAWN BY: BCR / JPM

CHECKED BY: VJD

PROJECT No.: -

SHEET:

La.01



FS16-560

Milam Glass at Skyway

Planning and Zoning Commission

April 20, 2017

VICINITY MAP

FS16-560
Milam Glass



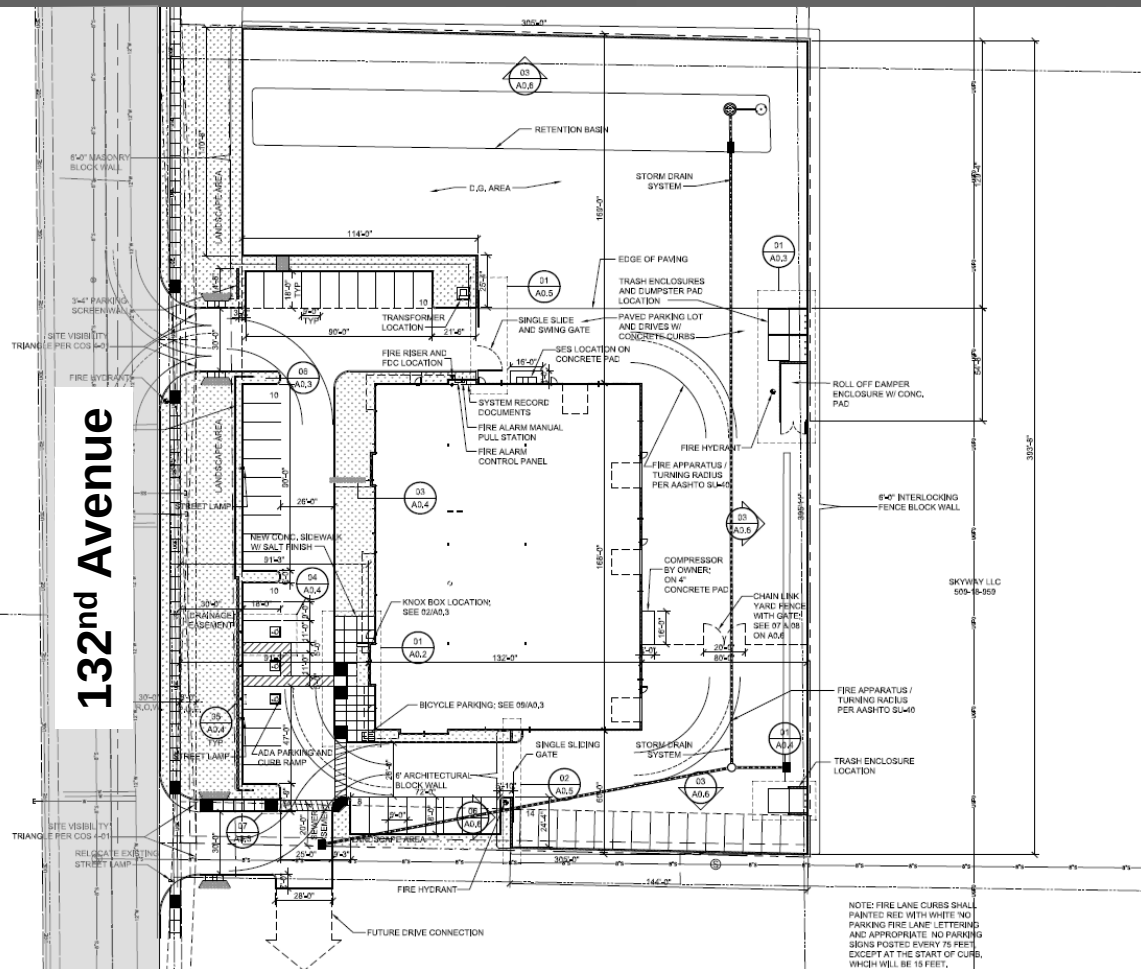
VICINITY MAP

FS16-560
Milam Glass



FS16-560 Milam Glass

Site Plan



An aerial photograph of a large industrial or commercial complex. The complex features several large, multi-story buildings with flat roofs and numerous windows. There are extensive parking lots with many vehicles. The surrounding area appears to be a mix of industrial and commercial land. The image is used as a background for a site plan document.

FS16-560
Milam Glass

Site Plan

Parcel

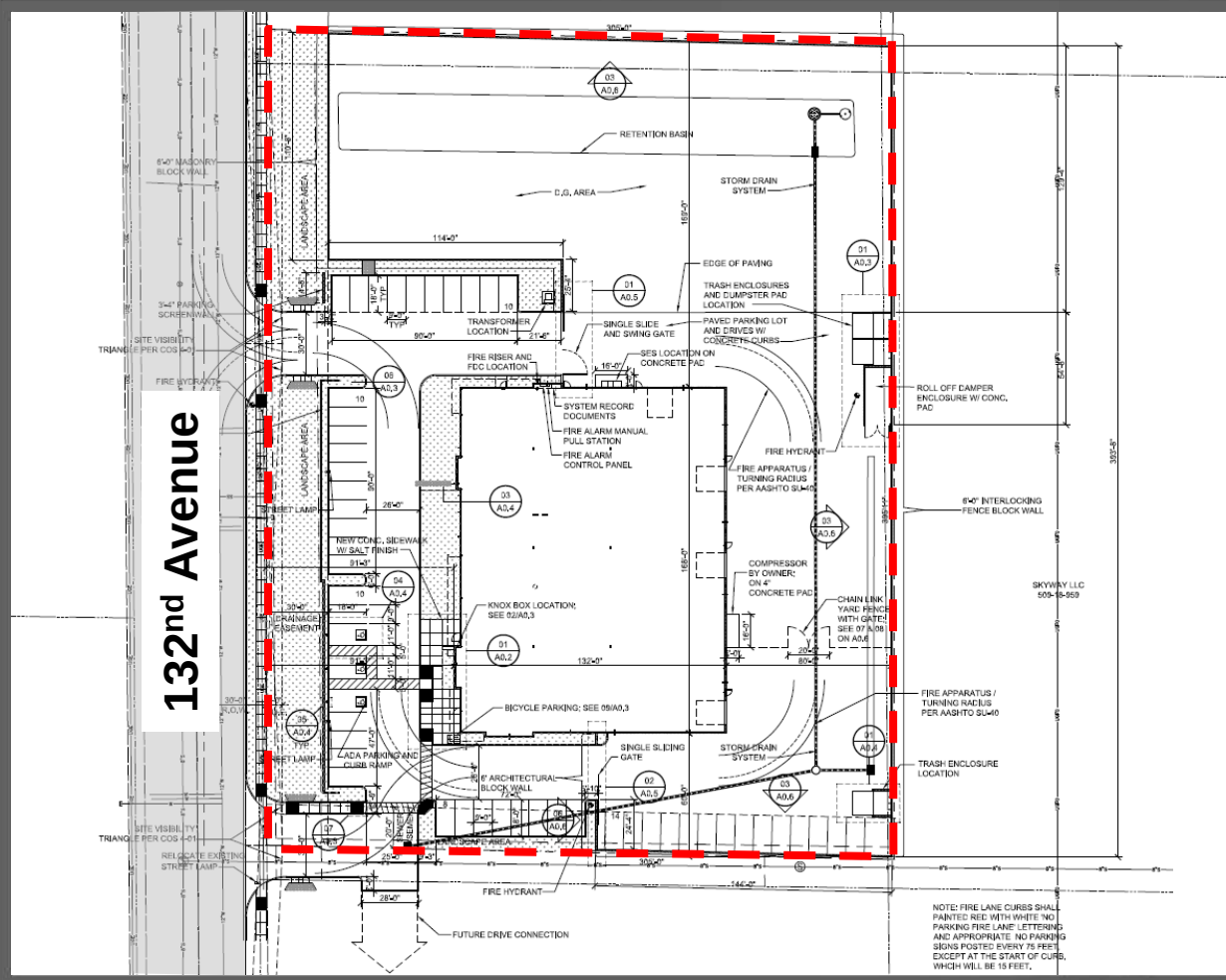
An aerial photograph of a large industrial or commercial complex. The complex features several large, multi-story buildings with flat roofs and numerous windows. There are extensive parking lots with many vehicles. The surrounding area appears to be a mix of industrial and commercial land. The image is used as a background for a site plan document.

FS16-560
Milam Glass

Site Plan

Parcel

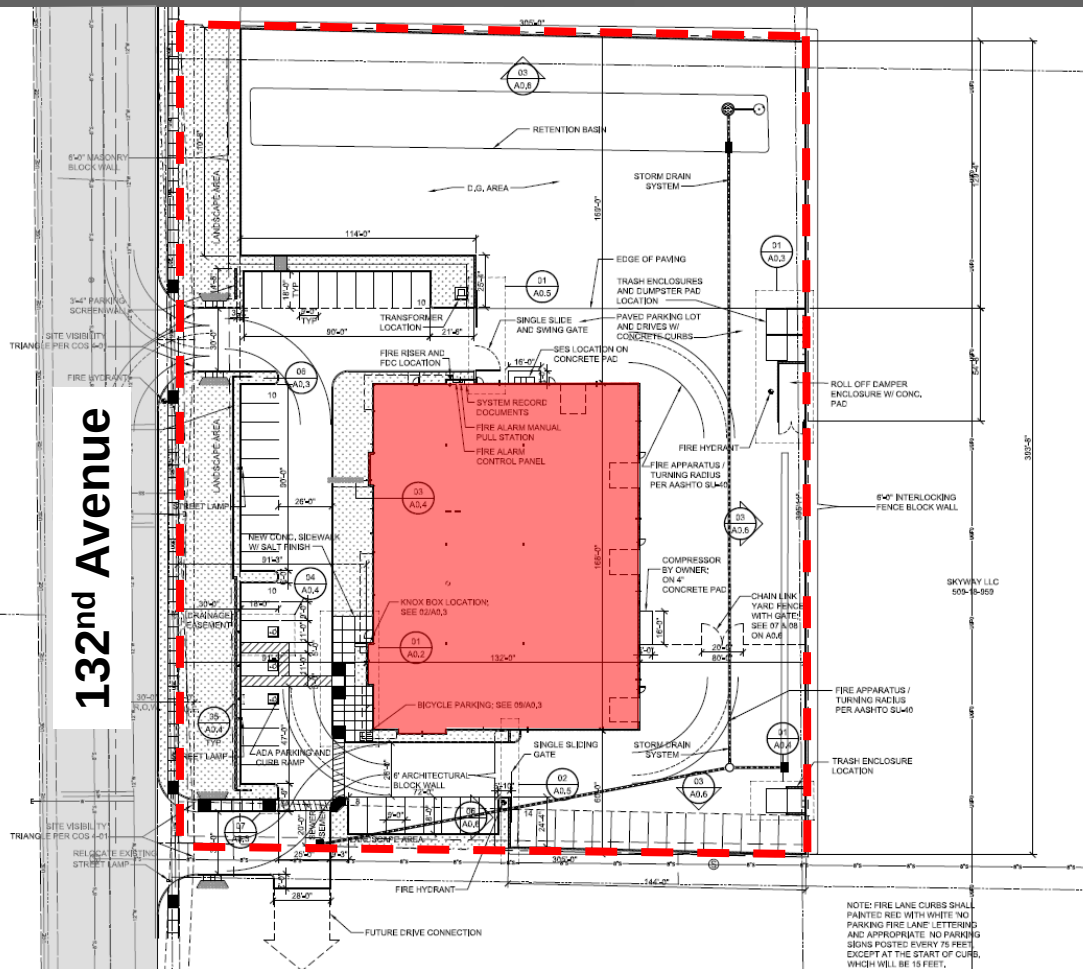
Parcel



FS16-560 Milam Glass

Site Plan

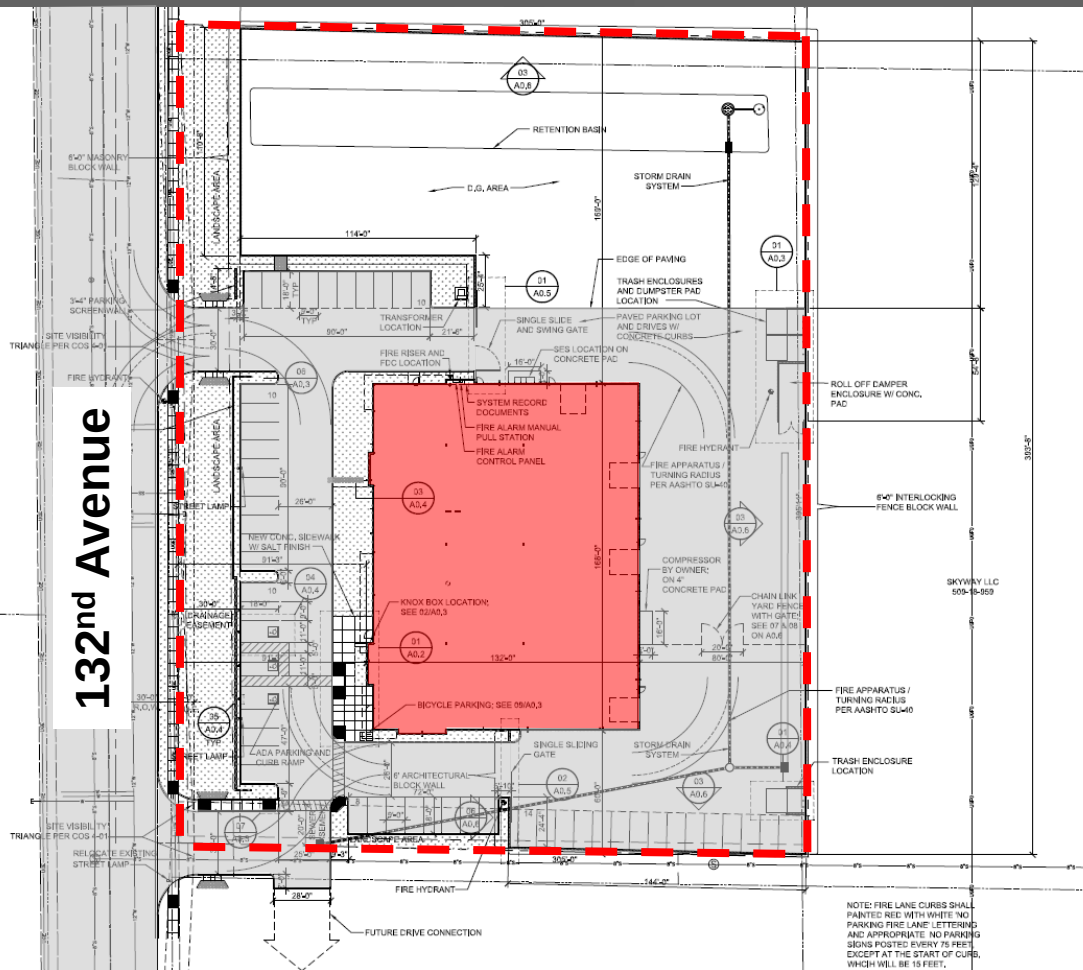
132nd Avenue



Primary
Structure

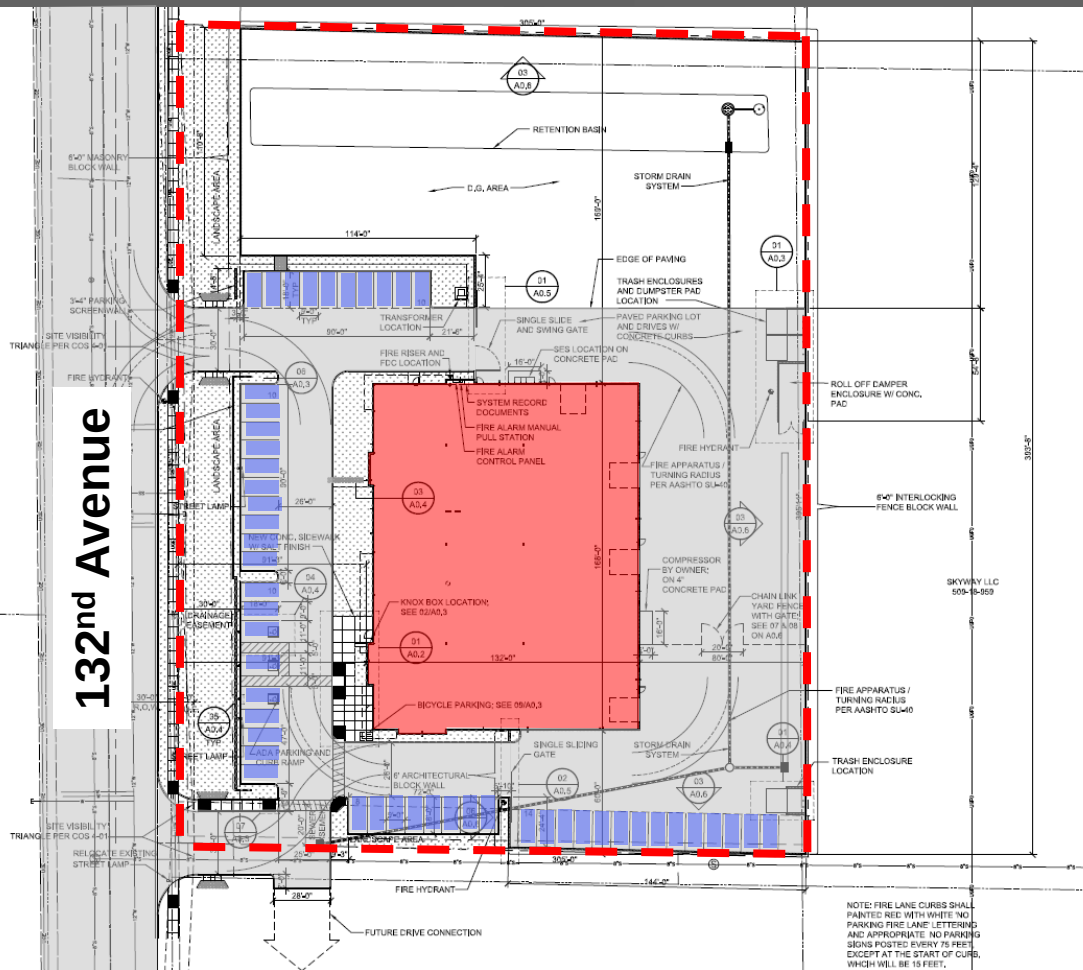
Proposed Pavement

132nd Avenue



Proposed Parking

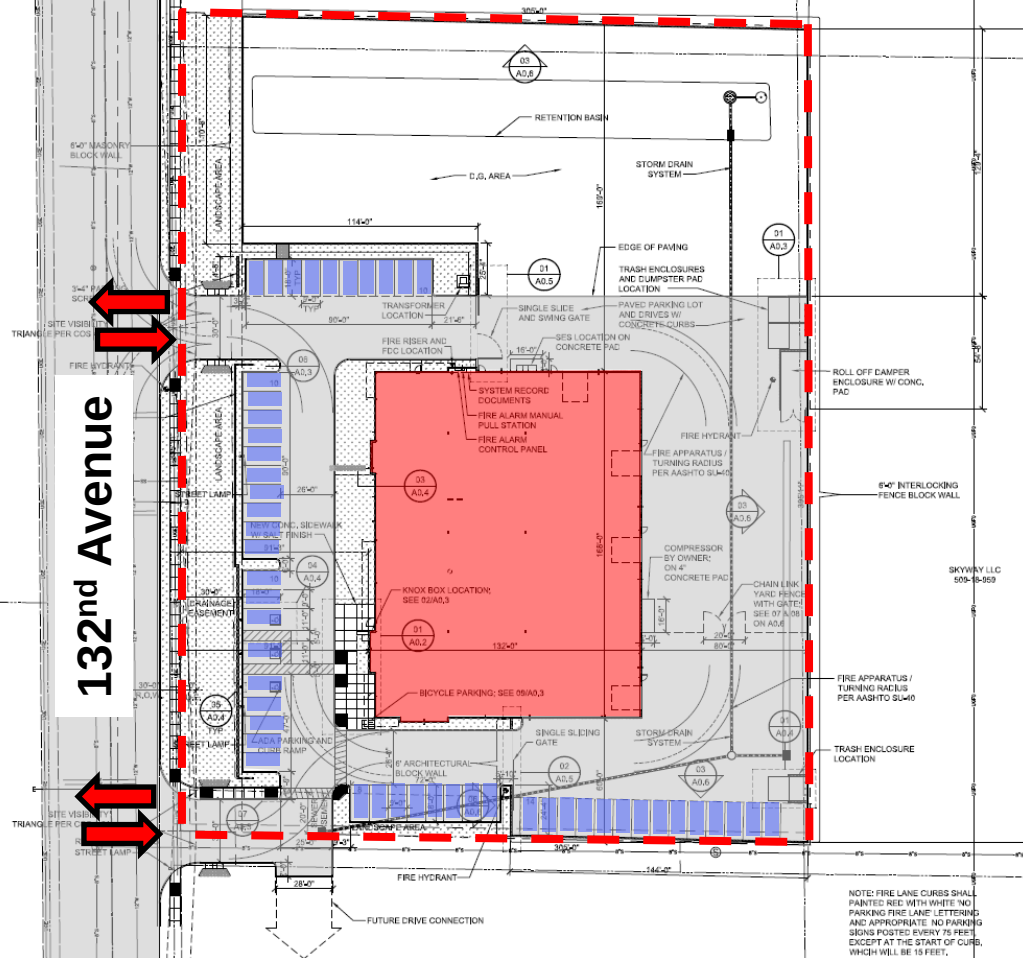
132nd Avenue



FS16-560 Milam Glass

Site Plan

Proposed
Ingress / Egress



FS16-560
Milam Glass

Site Plan

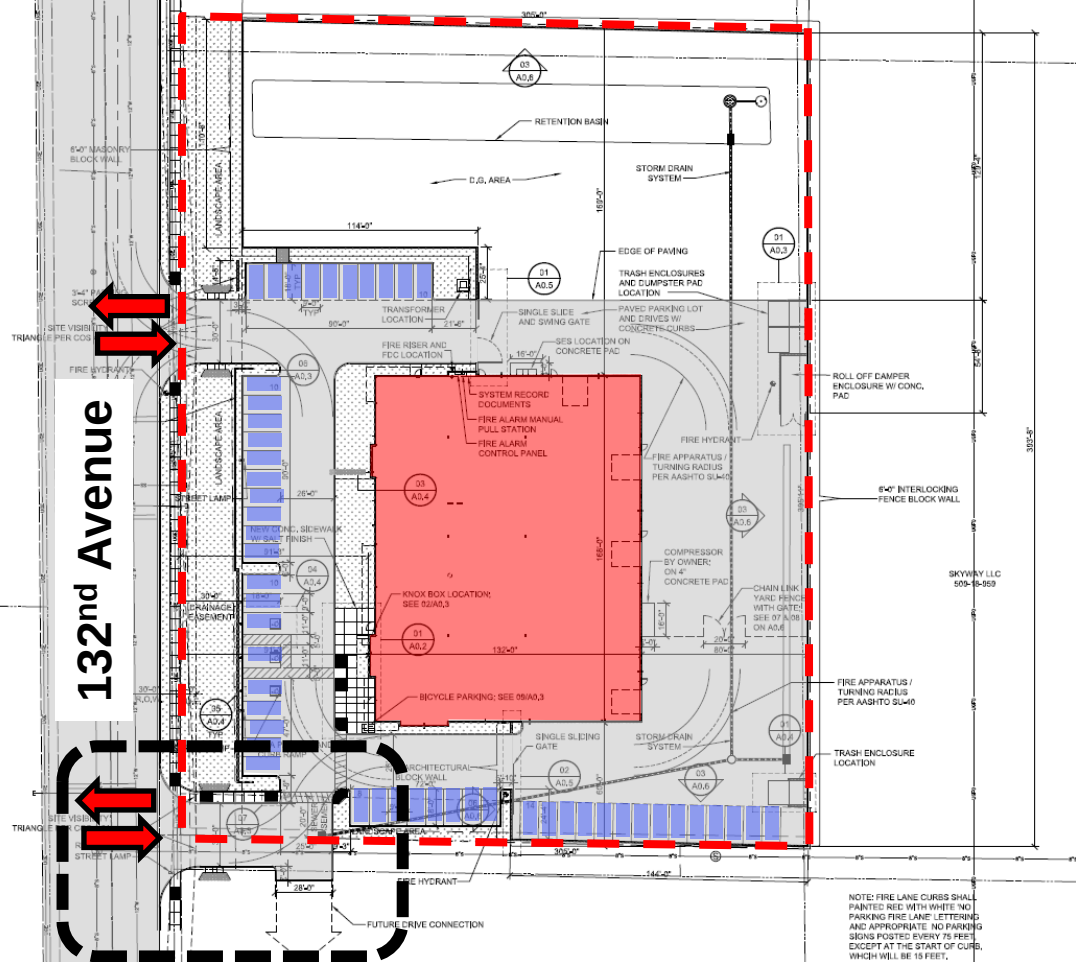
Proposed
Ingress / Egress

FS16-560
Milam Glass

Site Plan

Proposed
Ingress / Egress

Proposed Ingress / Egress

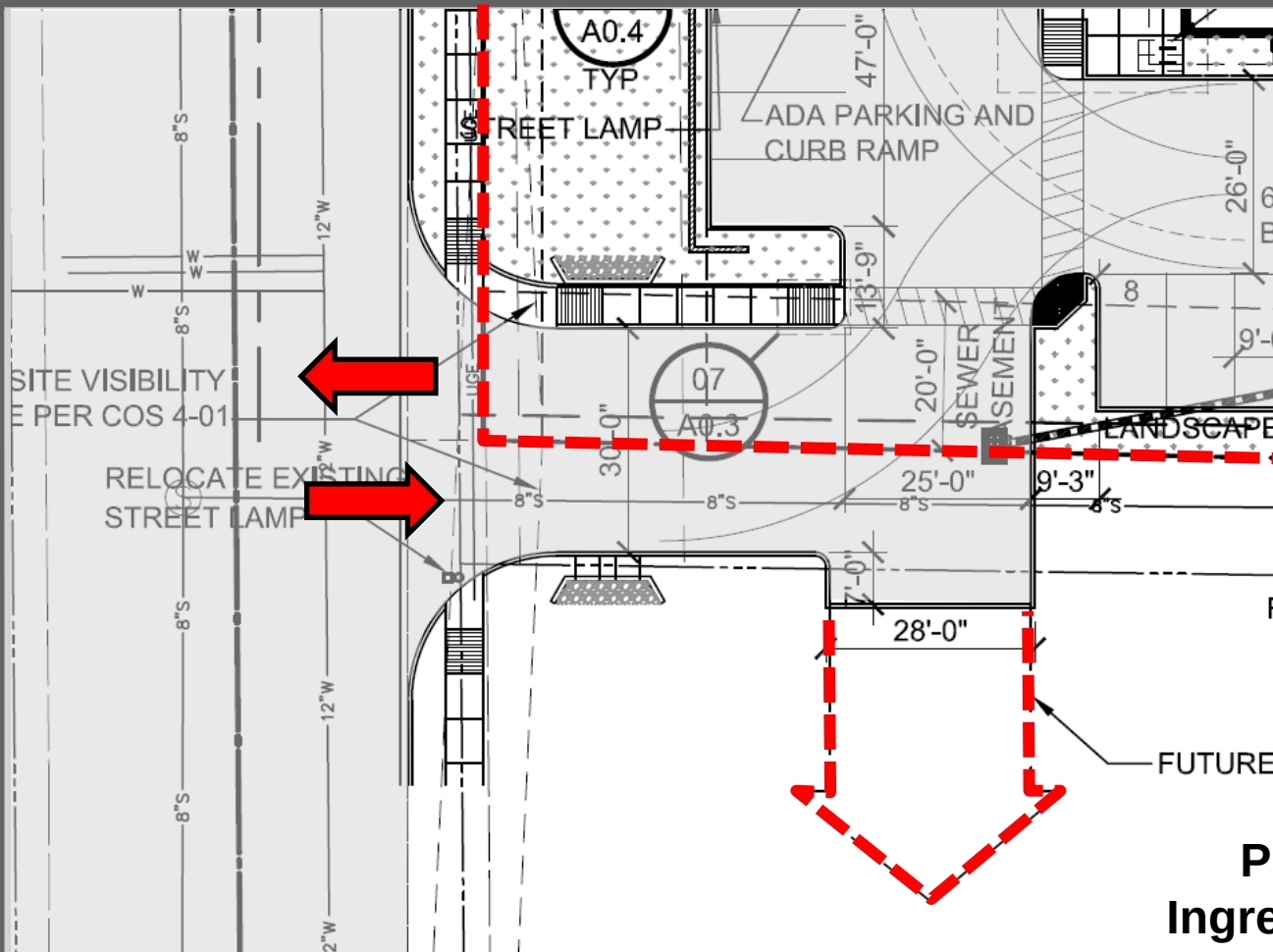


FS16-560
Milam Glass

Site Plan

**Proposed
Building / Egress**

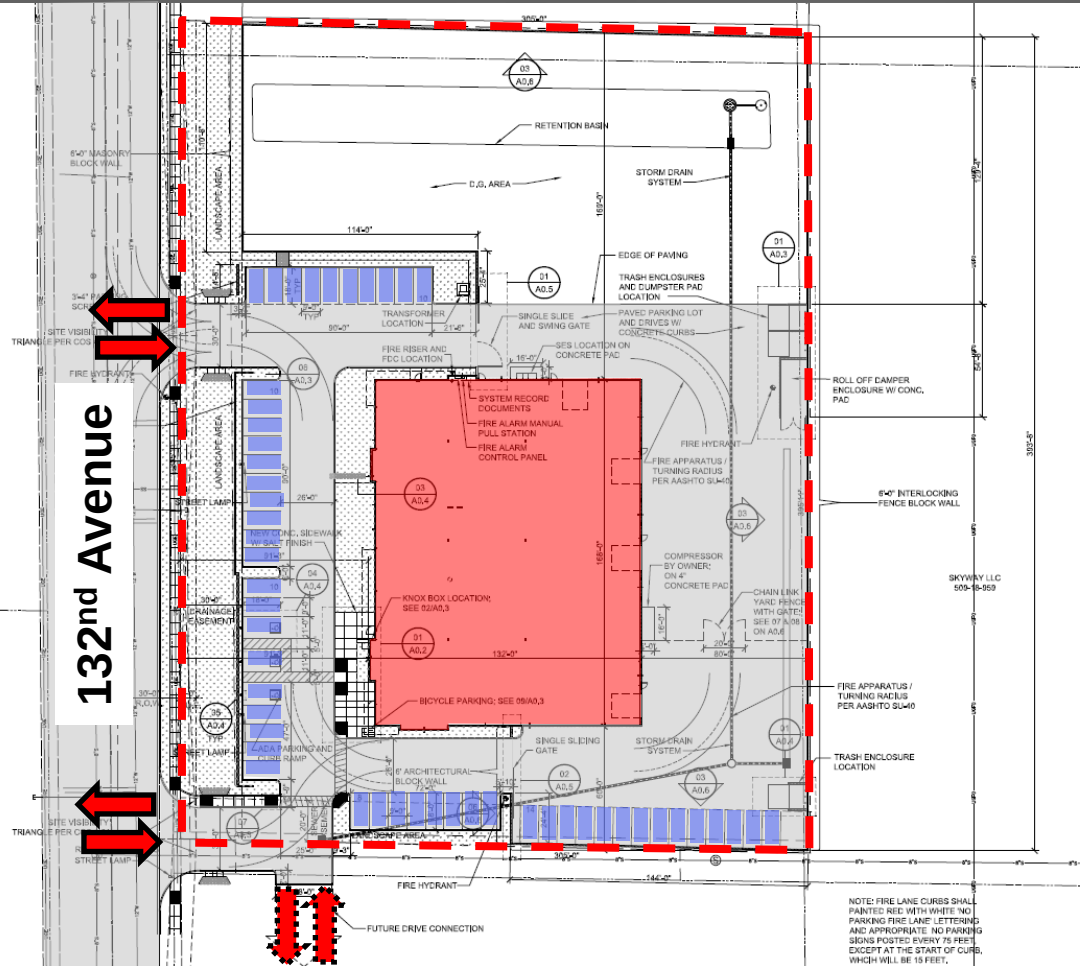
Site Plan



FS16-560
Milam Glass

Site Plan

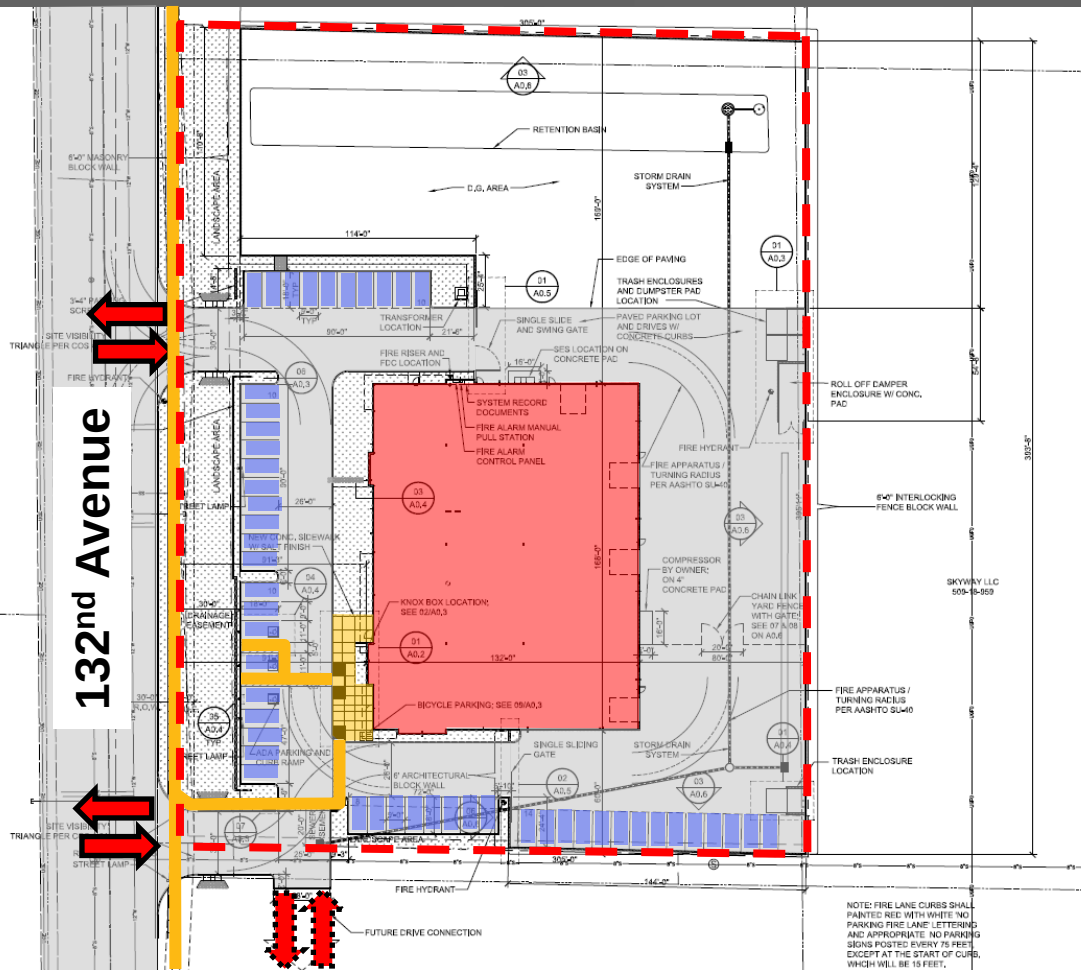
Proposed
Ingress / Egress



FS16-560 Milam Glass

Site Plan

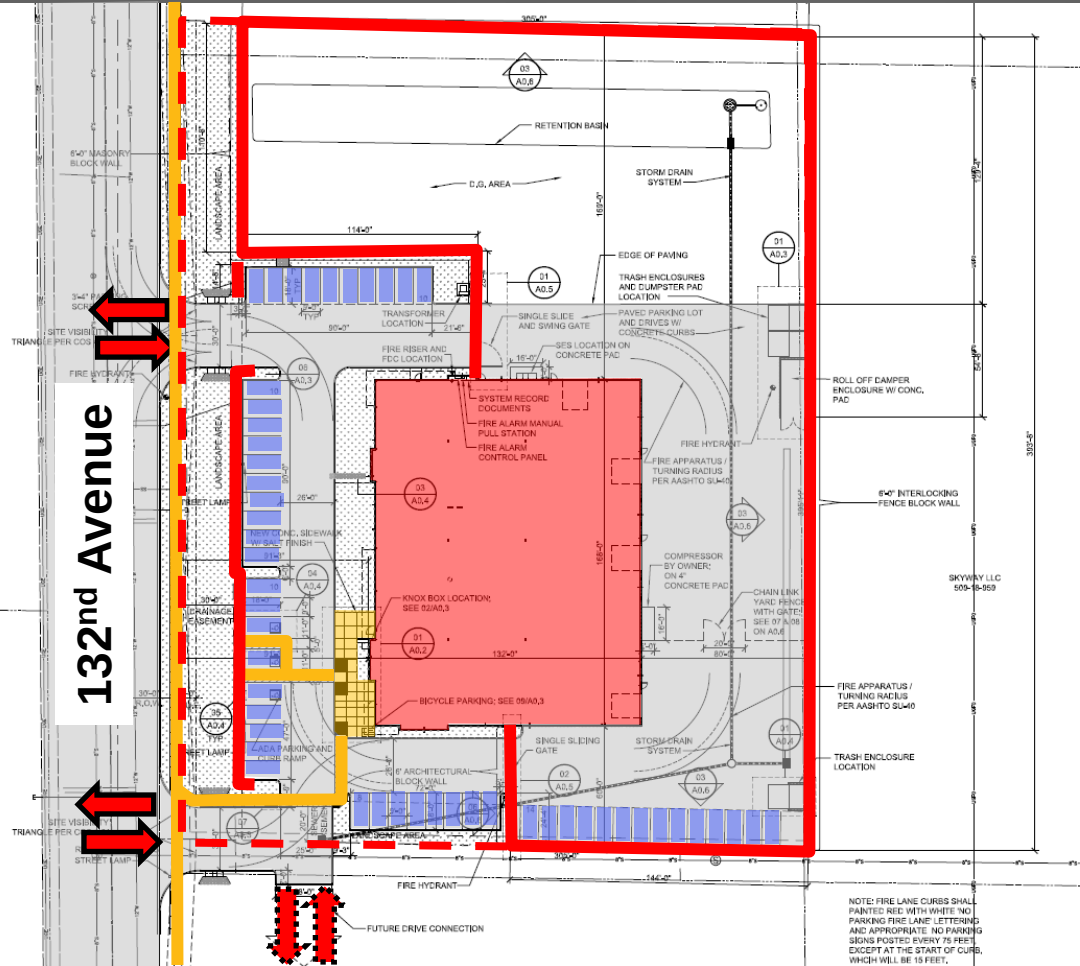
Proposed
Pedestrian Way



FS16-560 Milam Glass

Site Plan

Proposed
Walls





FS16-560 Milam Glass

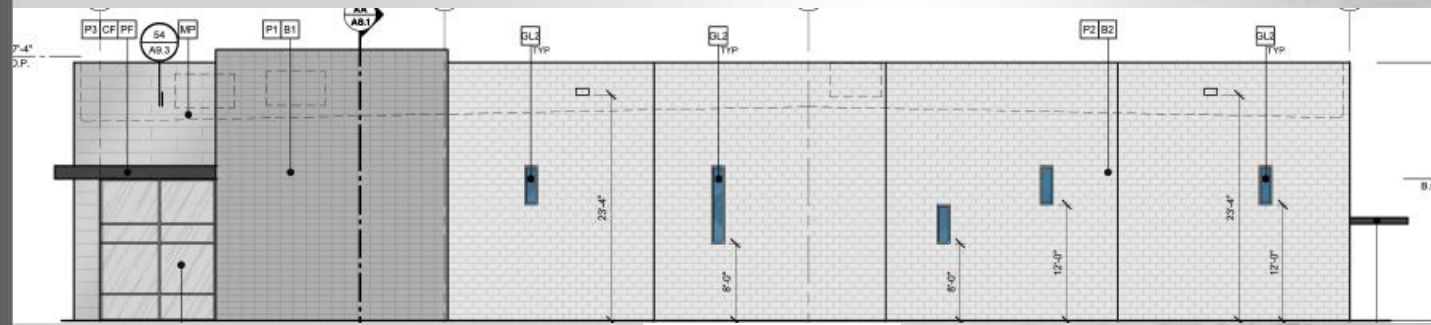
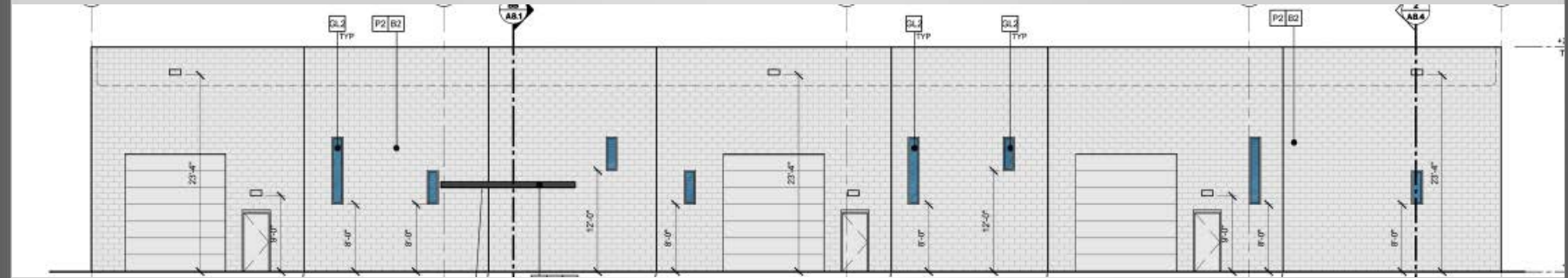
Elevations

East

South

FS16-560 Milam Glass

Elevations



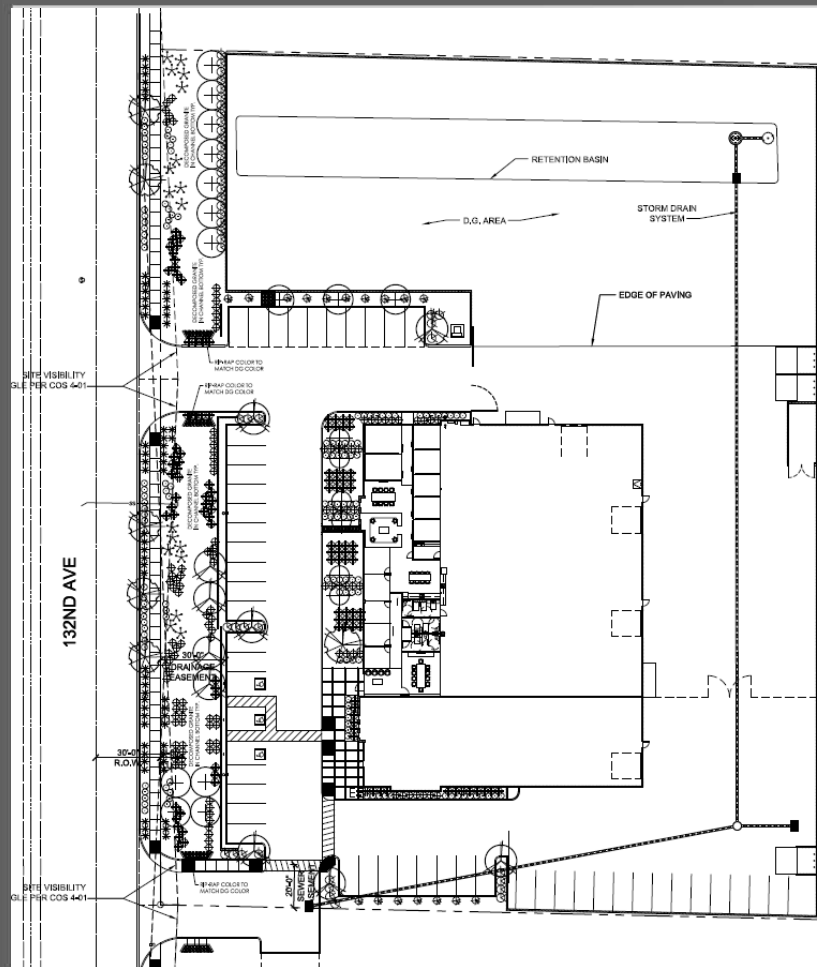
FS16-560
Milam Glass



Perspective

FS16-560 Milam Glass

Landscape



LANDSCAPE LEGEND

	CERCIDIUM HYBRID DESERT MUSEUM 24" BOX -		DASYLIUM WHEELERI DESERT SPOON 5 GALLON -
	CERCIDIUM HYBRID DESERT MUSEUM 48" BOX -		CAESALPINIA PULCHERRIMA RED BIRD OF PARADISE 5 GALLON -
	ACACIA SALICINA WILLOW ACACIA 36" BOX -		ACACIA REDOLENS DESERT CARPET 5 GALLON -
	SOPHORA SECUNDIFLORA TEXAS MOUNTAIN LAUREL 24" BOX -		LANTANA 'NEW GOLD' 'NEW GOLD' LANTANA 5 GALLON -
	RUELLA PENINSULARIS BAJA RUELLIA 5 GALLON -		ALOE 'BLUE ELF' BLUE ELF ALOE 5 GALLON -
	HESPERALOE PARVIFLORA RED YUCCA 5 GALLON -		1/2" MINUS EXPRESS BROWN DECOMPOSED GRANITE 2" DEPTH IN ALL LANDSCAPE AREAS
	LEUCOPHYLLUM LANGMANIAE 'RIO BRAVO' TEXAS RANGER 5 GALLON -		

FS16-560
Milam Glass

Recommend to Approve

Recommendation



SURPRISE

ARIZONA

**QUESTIONS OR
COMMENTS?**

Thank You



CITY OF SURPRISE
Planning and Zoning Commission

April 20, 2017 @ 6:00:00 PM

Back Print

Board Meeting Date:	April 20, 2017	Contact Person:	Hobart Wingard - Community Development
Submitting Department:	CD Boards and Commissions	District:	1
Staff Recommendations:	Approve		

Consent	Regular	x	Public Hearing	Report/Discussion
---------	---------	---	----------------	-------------------

Agenda Wording:

Consideration and action approving a Site Plan for Hayashi Restaurant at Surprise Village Marketplace, generally located on the southeastern corner of Bell Road and State Route 303.

Motion:

Move to recommend approval of a Site Plan for Hayashi Restaurant at Surprise Village Marketplace subject to stipulations 'A.' through 'E' as listed in the staff report.

Background:

Ross Design Group, LLC, on behalf of Lee Lee Holding, LLC, seeks approval of a Site Plan to allow a restaurant facility within the Surprise Village Marketplace PAD. The sit down restaurant facility will be constructed on a currently vacant pad within the larger Surprise Village Marketplace Commercial Center. Site improvements will include a new 6,100 square foot building, landscaping, sidewalk paving, signage, etc.

Financial Impact Statement:

All activity related to ongoing development of the City of Surprise has an economic and fiscal impact on the city and the region.

ATTACHMENTS:

Click to download

- ☐ [00 - FS16-556 – Hayashi at Surprise Village Marketplace Site Plan - Staff Report](#)
- ☐ [01 - FS16-556 – Hayashi at Surprise Village Marketplace Site Plan - Location Maps](#)
- ☐ [02 - FS16-556 – Hayashi at Surprise Village Marketplace Site Plan - Master Site Plan](#)
- ☐ [FS16-556 – Hayashi at Surprise Village Marketplace Site Plan](#)
- ☐ [04 - FS16-556 – Hayashi at Surprise Village Marketplace Site Plan - Elevations](#)
- ☐ [05 - FS16-556 – Hayashi at Surprise Village Marketplace Site Plan - Landscape Plan](#)
- ☐ [06 - FS16-556 – Hayashi at Surprise Village Marketplace Site Plan - Presentation](#)

External Attachment Links:

Meeting Requirements:

Powerpoint x Video x White Board x Other x

Presentation Speaker Names (spelling and titles for TV captions):

Hobart Wingard, Planner II

SITE PLAN

REPORT TO THE PLANNING AND ZONING COMMISSION

Case: FS16-556

Project Name: Hayashi at Surprise Village Marketplace

Council District: 1 – Acacia

Meeting Date: April 20, 2017

Planner: Hobart Wingard, 623-222-3156, hwingard@surpriseaz.gov

Owner: Lee Lee Holding, LLC

Applicant: Ross Design Group, LLC

Request: Site Plan approval for a Japanese Hibachi style dining facility in the Surprise Village Marketplace Planned Area Development (PAD) zoning district.

Site Location: Generally, on the southeastern corner of Bell Road and State Route 303.

Site Size: Approximately 1.34 acres of a 52 acre commercial development.

Density: N/A

General Plan Conformance: The proposal is consistent with the Surprise General Plan 2035.

Support/Opposition: None received by staff.

Staff Recommendation: Staff recommends the Commission **approve** the proposed Conditional Use Permit, subject to stipulations 'A.' through 'E.'

PROJECT DESCRIPTION:

Ross Design Group, LLC, on behalf of Lee Lee Holding, LLC, seeks approval of a Site Plan to allow a restaurant facility within the Surprise Village Marketplace PAD. The sit down restaurant facility will be constructed on a currently vacant pad within the larger Surprise Village Marketplace Commercial Center. Site improvements will include a new 6,100 square foot building, landscaping, sidewalk paving, signage, etc.

EXISTING ZONING:

The following chart depicts the existing zoning of the subject site and its surroundings.

Surprise Village Marketplace PAD Commercial	Surprise Village Marketplace PAD Commercial	Surprise Village Marketplace PAD Commercial
Surprise Village Marketplace PAD Commercial	Surprise Village Marketplace PAD Commercial	Surprise Village Marketplace PAD Commercial
Surprise Village Marketplace PAD Commercial	Surprise Village Marketplace PAD Commercial	High Density Residential (RH/R3)

BACKGROUND:

June 20, 1984: The subject parcel was annexed into the City of Surprise.

October 14, 1999: The Mayor and City Council approved a General Plan Map Amendment for the area known as Surprise Village Marketplace from High Density Residential to Commercial under Case GPA99-114.

October 14, 1999: The Mayor and City Council approved a Rezone for the area known as Surprise Village Marketplace from Single Family Residential (RR/R1-43) to Community Commercial (CC/C-2) under Case RZ99-115.

August 15, 2006: The Mayor and City Council approved a Master Site Plan for Surprise Village Marketplace under Case SP05-476.

September 28, 2006: The Mayor and City Council approved a PAD for Surprise Village Marketplace under Case PAD06-286.

September 22, 2016: Staff met with the applicant to discuss the subject project during a regularly scheduled Concept Review meeting under Case CR16-383.

December 15, 2016: The applicant filed a request for a Site Plan under case FS16-556, the subject case.

71 **ANALYSIS AND DISCUSSION:**

72
73 The subject request involves a proposed Japanese Hibachi style Restaurant to be constructed on a
74 currently vacant pad within the Surprise Village Marketplace PAD. This commercial PAD principally
75 permits restaurant uses such as that submitted.

76 The approximately 6,100 square foot facility will reside on a 1.34 acre parcel within the Commercial
77 Center. Exterior elevations, landscaping, and pedestrian facilities are designed to complement the
78 existing and proposed development in the center. Cions A.1. and B.1. stipulate that the sidewalk
79 located on the east side of the facility abut the drive aisle to be in conformance to the Master Site
80 Plan and the existing surrounding development. Condition A.2. requires the sidewalk located along
81 the western front of the building continue to the existing pedestrian trellis to the south that
82 eventually leads to the existing Sam's Club facility.

83 Ample shared parking is provided for this out parcel. Previously constructed parking spaces and
84 access aisles have been previously approved in the Master Site Plan.

85 The elevations utilize colors and components from the Sam's Club facility to create the elevations
86 for the subject facility. Because this is located internal to the overall facility, 360 degree architecture
87 is crucial to blend this facility into the existing environment. Condition C.1. requires faux windows
88 on the utility doors to emphasize the of extent the architecture. The disguised doors together with
89 enhanced landscaping ensure a finished look from all angles.

90
91 **UTILITY AND SERVICES TABLE:**

92

Electric:	APS
Water:	EPCOR
Wastewater:	City of Surprise
Refuse:	Waste Management
Natural Gas:	SWG

93
94 **CONFORMANCE WITH ADOPTED PLANS:**

95
96 **Surprise General Plan 2035:** The Surprise General Plan 2035 shows the subject property as lying
97 within the Commerce and Office Land Use Category, which supports food service uses such as that
98 proposed.
99

100 **REVIEWING AGENCIES:**

101
102 **Luke Air Force Base (LAFB):** In a letter dated December 16, 2016, LAFB indicates no objections to
103 the request, but advises the applicant review sound attenuation requirements and engage in a
104 strong notification program with respect to the air base and its operations.

105 **Maricopa Water District (MWD):** In an email dated December 19, 2016, MWD indicated the
106 proposal will not impact MWD.

Arizona Department of Transportation (ADOT): In an email dated December 19, 2016, ADOT indicated the proposal will have no impact on existing highway facilities.

SUMMARY:

Staff believes the proposed Site Plan is consistent with the manner and intent of the Surprise Village Marketplace PAD. Staff recommends stipulations that, once fulfilled, will allow the site to be developed in accordance with the requirements of the City of Surprise.

FINDINGS:

- The proposed Site Plan demonstrates compliance with the criteria set forth in Surprise Village Marketplace PAD.
- The reviewing agencies have indicated no objections to the request.

RECOMMENDATION:

Based on the findings noted above, staff recommends the Commission **approve** the subject Site Plan, subject to stipulations 'A.' through 'E.' as outlined below:

- A. The Site Plan prepared by Ross Design Group, LLC., date received March 6, 2017, will be revised and submitted for review to include the following modifications:
 1. The sidewalk along the western side of the 165th Avenue Alignment will be installed as planned in the original master site plan matching and attaching to the sidewalks to the north and south.
 2. A pedestrian crossing will be provided from the frontage sidewalk to the existing trellis located in the southwestern edge of the project.
- B. The Landscape Plan prepared by Ross Design Group LLC, date received March 6, 2017 will be revised and submitted for review to include the following modifications:
 1. The sidewalk along the western side of the 165th Avenue Alignment will be installed as planned in the original master site plan matching and attaching to the sidewalks to the north and south.
- C. The Elevations prepared by Ross Design Group LLC, date received March 6, 2017 will be revised and submitted for review to include the following modifications:
 1. The north and east elevation service doors will be provided with faux windows.
- D. All civil comments, per letter dated March 17, 2017 on file with Engineering Services of Public Works, shall be addressed and civil documents approved by city staff prior to issuance of civil construction permits.

E. Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the provisions of Article XIV of the Surprise Unified Development Code.

However, should the Commission wish to deny the request, the Commission should make its own findings and base its decision on those alternative findings.

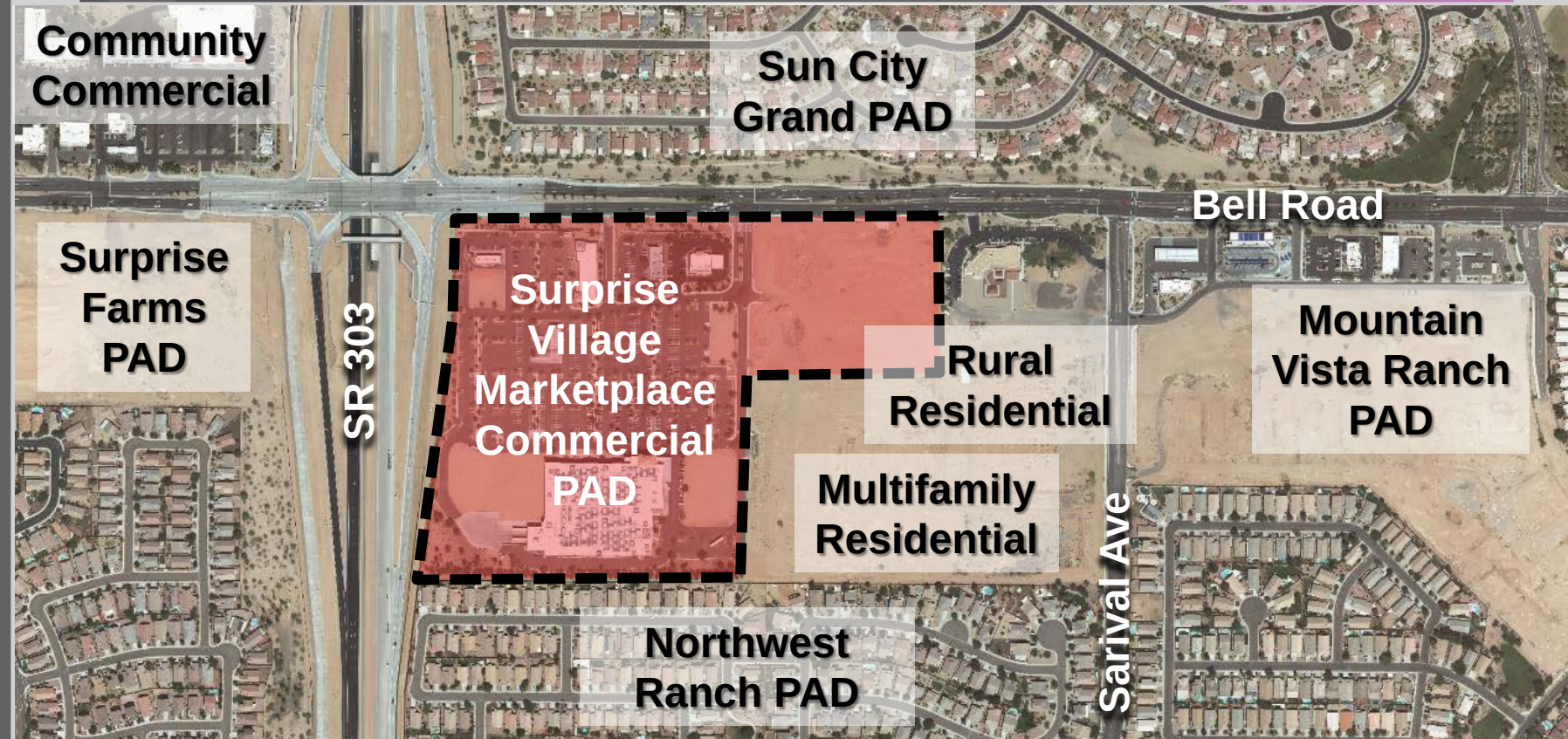
Attachments:

- 01 - Vicinity Maps
- 02 - Master Site Plan
- 03 - Site Plan
- 04 - Color Elevations
- 05 - Landscape Plan

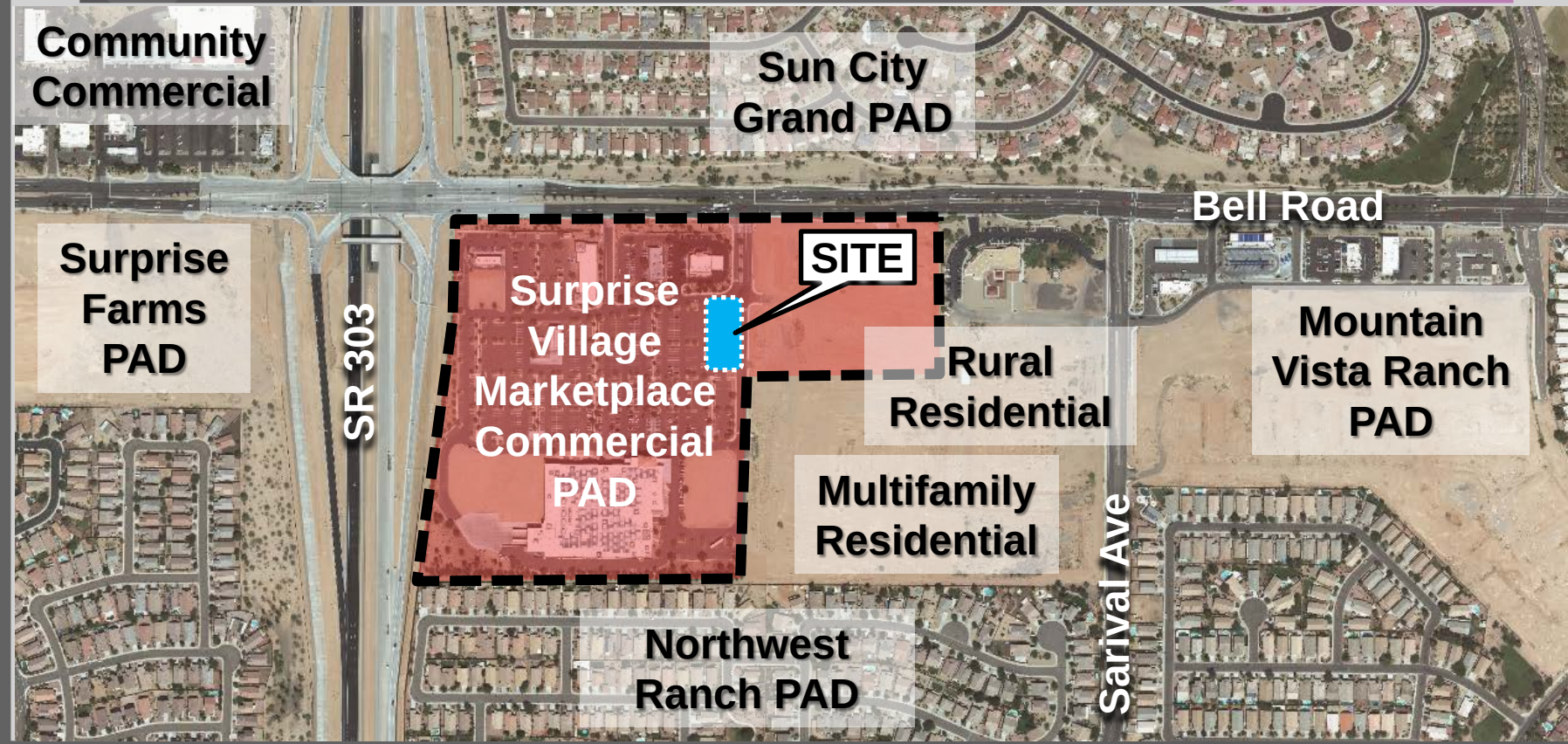
VICINITY MAP

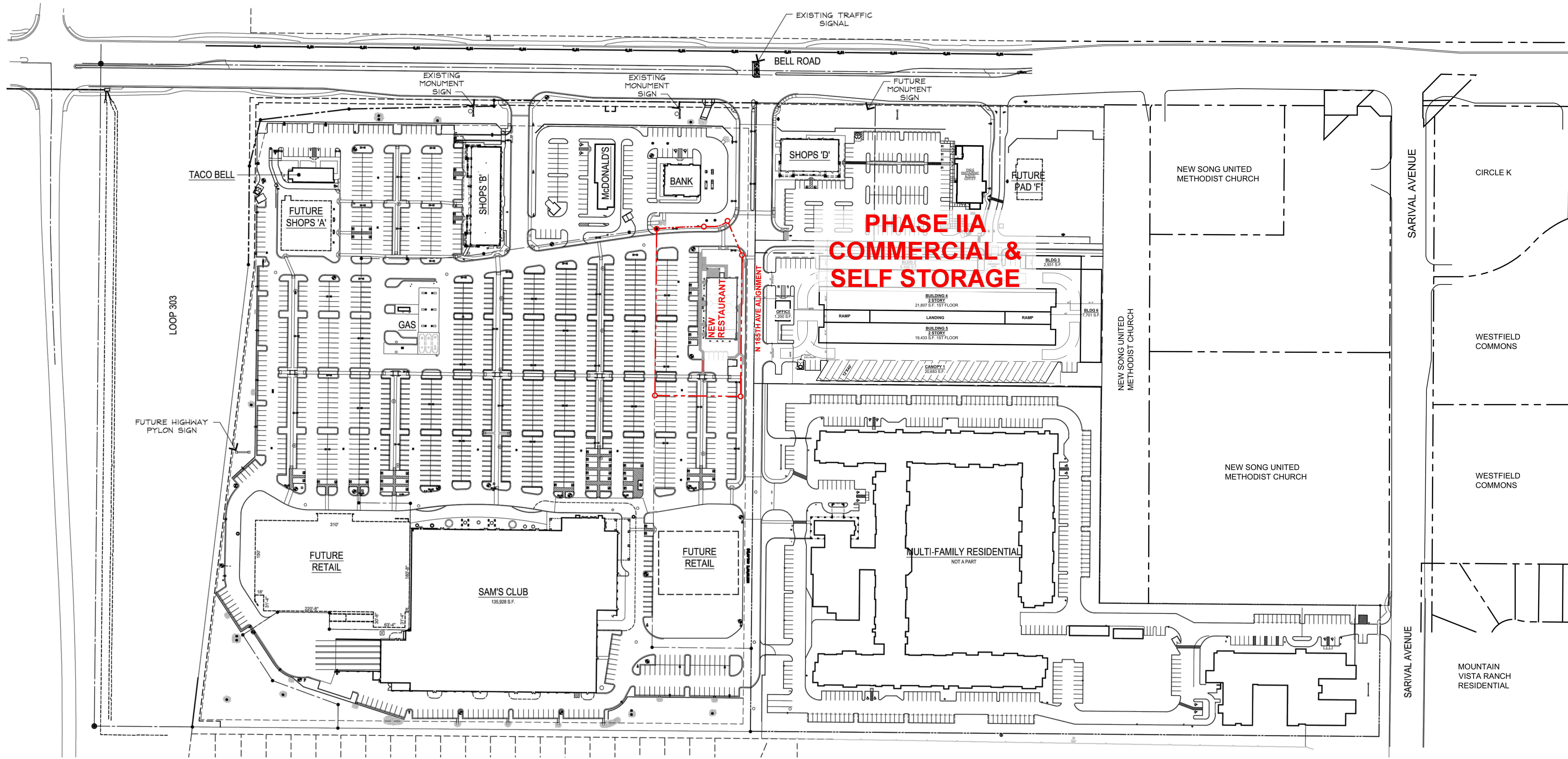


LOCATION MAP

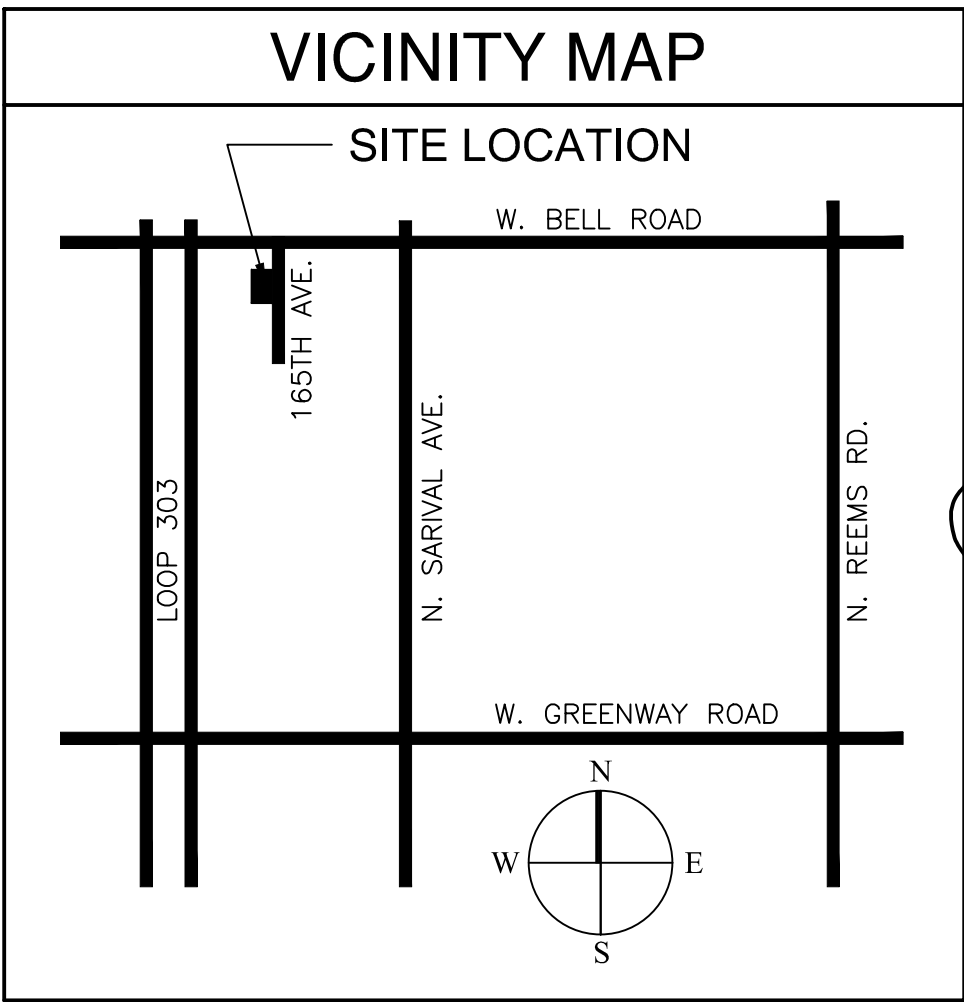
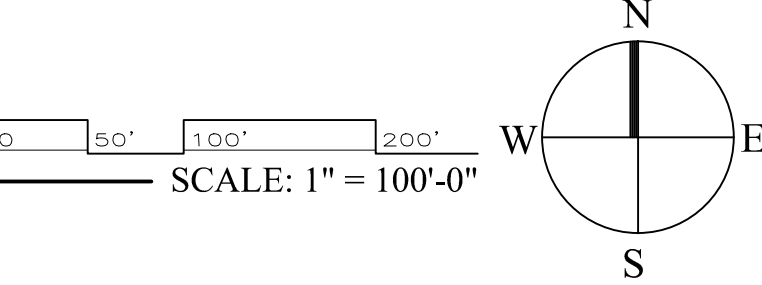


RESTAURANT





MASTER SITE PLAN



ROSS DESIGN GROUP L.L.C.

ARCHITECTURE INTERIORS PLANNING PROJECT MANAGEMENT

4345 N CIVIC CENTER PLAZA
SCOTTSDALE, ARIZONA 85251
PH: (480) 947-9685 FAX: (480) 429-0107
www.rossdesign.biz

REVISIONS	
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2	
3	
4	

HAYASHI RESTAURANT
16525 W. BELL ROAD
SURPRISE, AZ 85388



DR 3rd SUBMITTAL

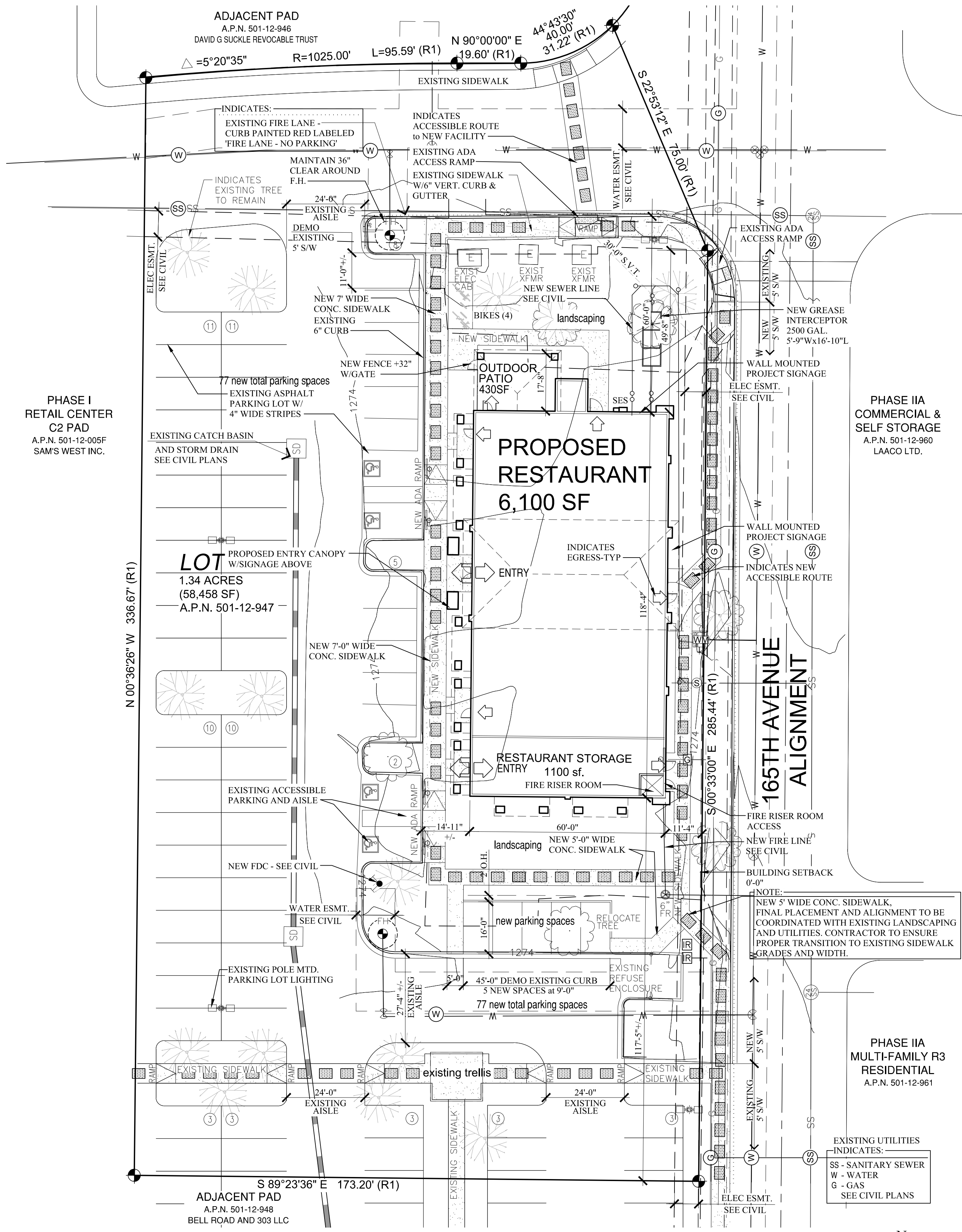
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SCALE: AS SHOWN

DRAWN BY: STAFF

CHECKED: DAVID ROSS

MASTER SITE PLAN



N 00°36'26" W 336.67' (R1)

S 89°23'36" E 173.20' (R1)

S 89°23'36" E 173.20' (R1)

S 89°23'36" E 173.20' (R1)

S 89°23'36" E 173.20' (R1)

S 89°23'36" E 173.20' (R1)

S 89°23'36" E 173.20' (R1)

S 89°23'36" E 173.20' (R1)

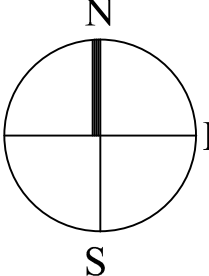
S 89°23'36" E 173.20' (R1)

S 89°23'36" E 173.20' (R1)

S 89°23'36" E 173.20' (R1)

ARCHITECTURAL SITE PLAN DD7

SCALE: 1" = 20'-0"



Contact Arizona 811 at least two full working days before you begin excavation

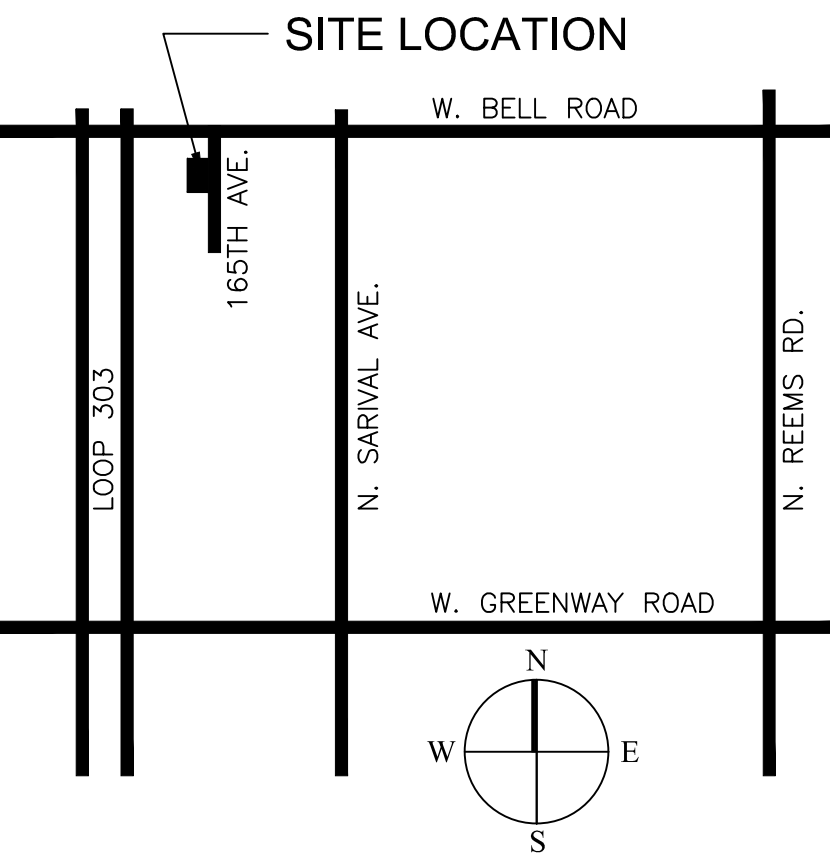
Call 811 or click Arizona811.com

PROJECT DATA

OWNER / DEVELOPER: LEE LEE HOLDING LLC P.O. BOX 303 WHITMAN, ARIZONA 85361	CIVIL ENGINEER: MCCUMBER ENGINEERING 4825 E DIXON ST MESA, ARIZONA 85205
SITE ADDRESS: 16525 WEST BELL ROAD SURPRISE, ARIZONA 85388	
ASSESSORS' PARCEL NO: 501-12-947	
CIVIL ENGINEER: MCCUMBER ENGINEERING 4825 E DIXON ST MESA, ARIZONA 85205	
ZONING: PAD	
LOT AREA: 1.34 ACRES (58,458 SF)	
OCCUPANCY TYPE: A-2	
CONSTRUCTION TYPE: V-B	
BUILDING AREA:	6,100 SF
RESTAURANT	1,100 SF
STORAGE	7,200 SF
GROSS SF	
OUTDOOR PATIO	430 SF
TOTAL AREA UNDER ROOF	7,630 SF
BUILDING HEIGHT: 27'-2" (RIDGE) / 28'-0" ALLOWED	
PARKING CALCULATIONS: DEVELOPER TRAC AND OUTPARCEL "PARKING RATIO" (4.5 SPACES PER 3 1,000 S.F. OF GROSS BUILDING) ... 7,200 S.F. / 1000 = 7.2 x 4.5 SPACES = 33 SPACES (2.5 SPACES PER 1000 OF RESTAURANT USE) ... 6,100 S.F. / 1000 = 6.1 x 2.5 SPACES = 16 SPACES	
REQUIRED (PAD) PARKING	49 SPACES
EXISTING PARKING	72 SPACES
NEW PARKING SPACES PROVIDED	+ 5 SPACES
NEW PARKING SPACES PROVIDED	77 SPACES
ACCESSIBLE PARKING REQUIRED =	4 SPACES
ACCESSIBLE PARKING PROVIDED =	4 SPACES

SITE NOTES:
- VERIFY LOCATION OF ALL EXISTING SITE UTILITIES WITH CIVIL UTILITY PLANS.
- REPAIR EXISTING CONCRETE IF DAMAGED DURING CONSTRUCTION.

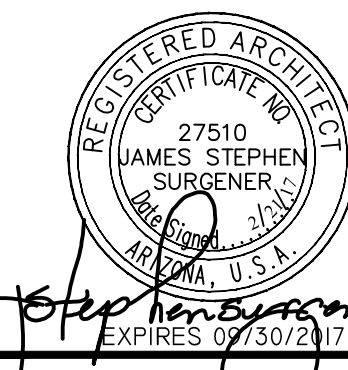
VICINITY MAP



ROSS DESIGN GROUP L.L.C.

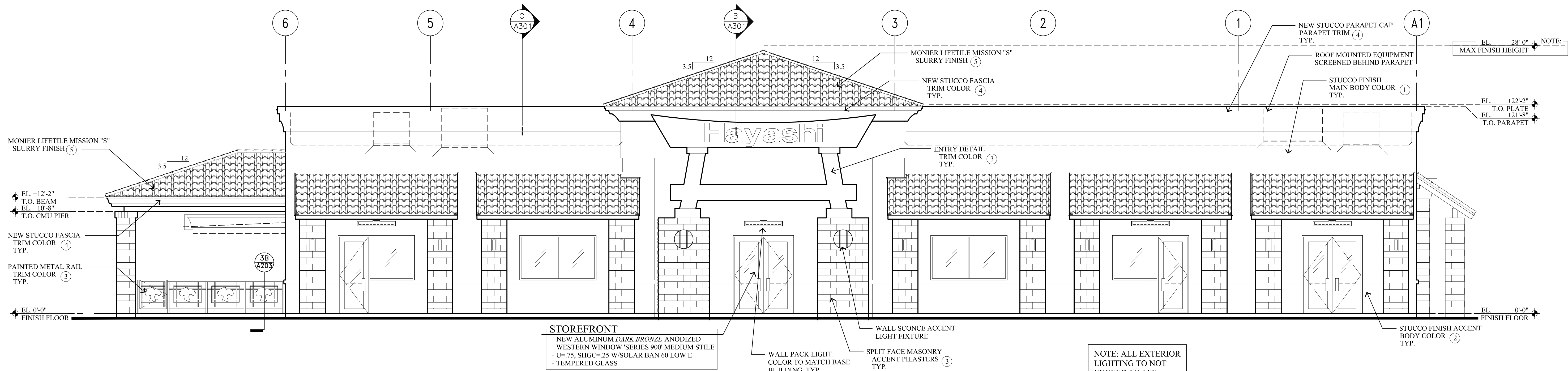
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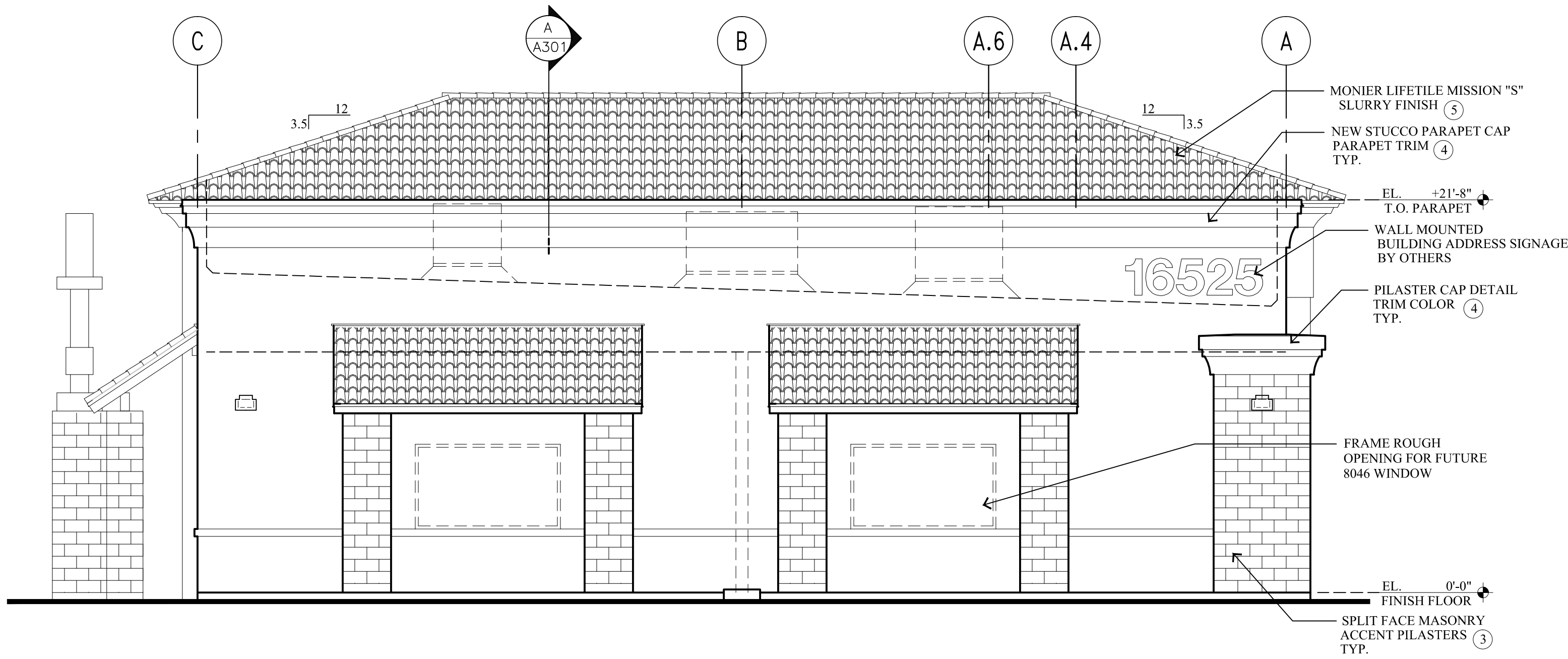
ARCHIVE:
DR 3rd SUBMITTAL
DATE: 03-02-2017
SCALE: AS SHOWN
DRAWN BY: STAFF
CHECKED: DAVID ROSS

ARCHITECTURAL SITE PLAN



WEST ELEVATION - DD7

SCALE: 3/16" = 1'-0"



SOUTH ELEVATION - DD7

SCALE: 3/16" = 1'-0"

MATERIALS & PAINT LEGEND	
① MAIN BODY COLOR 1	SHERWIN WILLIAMS SW #6085 - SIMPLIFY BEIGE
② BODY COLOR 2	SHERWIN WILLIAMS SW #6087 - TRUSTY TAN
③ ACCENT PILASTERS	SHERWIN WILLIAMS SW #6046 - SWING BROWN
④ TRIM COLOR	SHERWIN WILLIAMS SW #7042 - SHOJI WHITE
⑤ ROOFING TILE	MONIER LIFETILE MISSION 'S' SLURRY FINISH

ROSS DESIGN GROUP L.L.C.

ARCHITECTURE INTERIORS PLANNING PROJECT MANAGEMENT

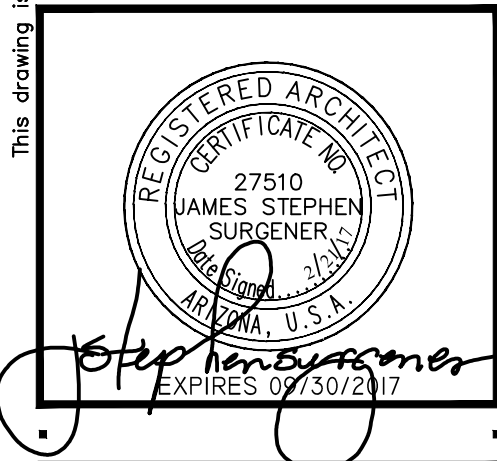
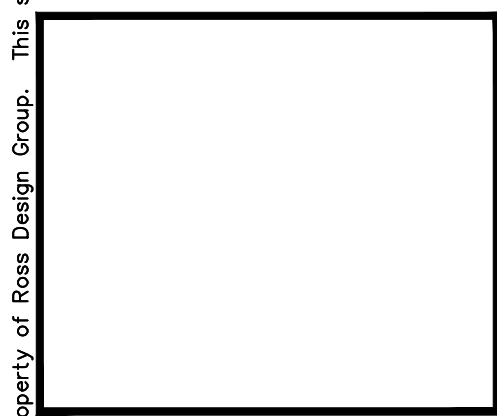
4445 N. CIVIC CENTER PLAZA
SCOTTSDALE, ARIZONA 85251
PH: (480) 947-9685 FAX: (480) 429-0107
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REVISIONS	
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HAYASHI RESTAURANT

16525 W. BELL ROAD

SURPRISE, AZ 85388



ARCHIVE:

DR 3rd SUBMITTAL

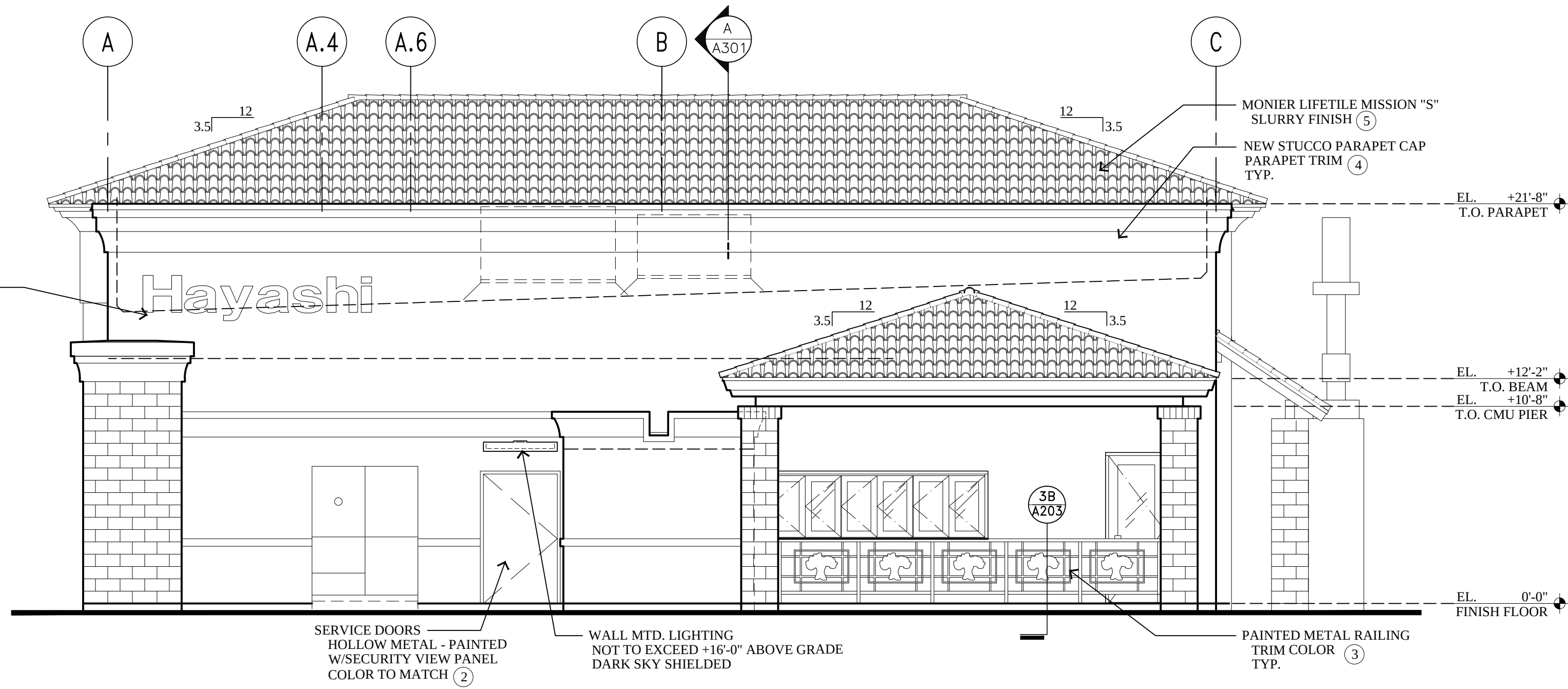
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DRAWN BY: STAFF

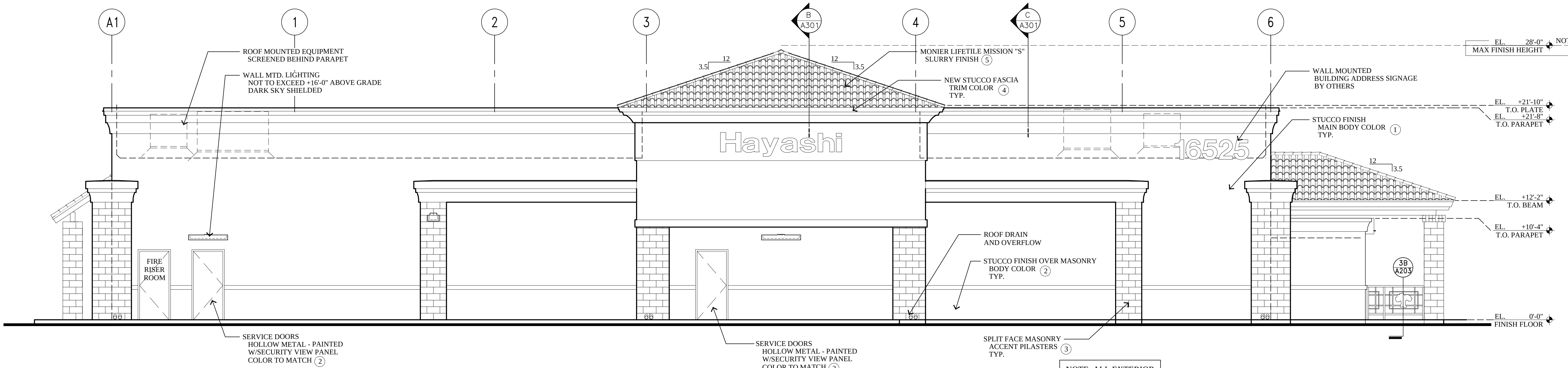
CHECKED: DAVID ROSS

EXTERIOR ELEVATIONS



NORTH ELEVATION - DD7

SCALE: 3/16" = 1'-0"



EAST ELEVATION - DD7

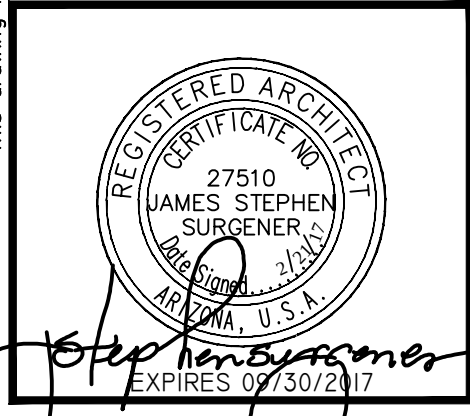
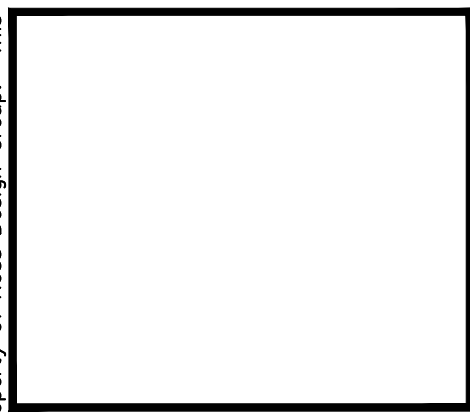
SCALE: 3/16" = 1'-0"

MATERIALS & PAINT LEGEND	
① MAIN BODY COLOR 1	SHERWIN WILLIAMS SW #6085 - SIMPLIFY BEIGE
② BODY COLOR 2	SHERWIN WILLIAMS SW #6087 - TRUSTY TAN
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⑤ ROOFING TILE	MONIER LIFETILE MISSION 'S' SLURRY FINISH

ROSS DESIGN GROUP L.L.C.
ARCHITECTURE INTERIORS PLANNING PROJECT MANAGEMENT
4343 N CIVIC CENTER PLAZA
SCOTTSDALE, ARIZONA 85251
PH: (480) 947-9685 FAX: (480) 429-0107
www.rossdesign.biz

REVISIONS	
△	
△	
△	
△	

HAYASHI RESTAURANT
16525 W. BELL ROAD
SURPRISE, AZ 85388



ARCHIVE: DR 3rd SUBMITTAL
DATE: 03-02-2017 SHEET NO.
SCALE: AS SHOWN
DRAWN BY: STAFF
CHECKED: DAVID ROSS

EXTERIOR ELEVATIONS

LANDSCAPE PLAN

HAYASHI RESTAURANT

16525 W. BELL ROAD
SURPRISE, AZ 85388

OWNER

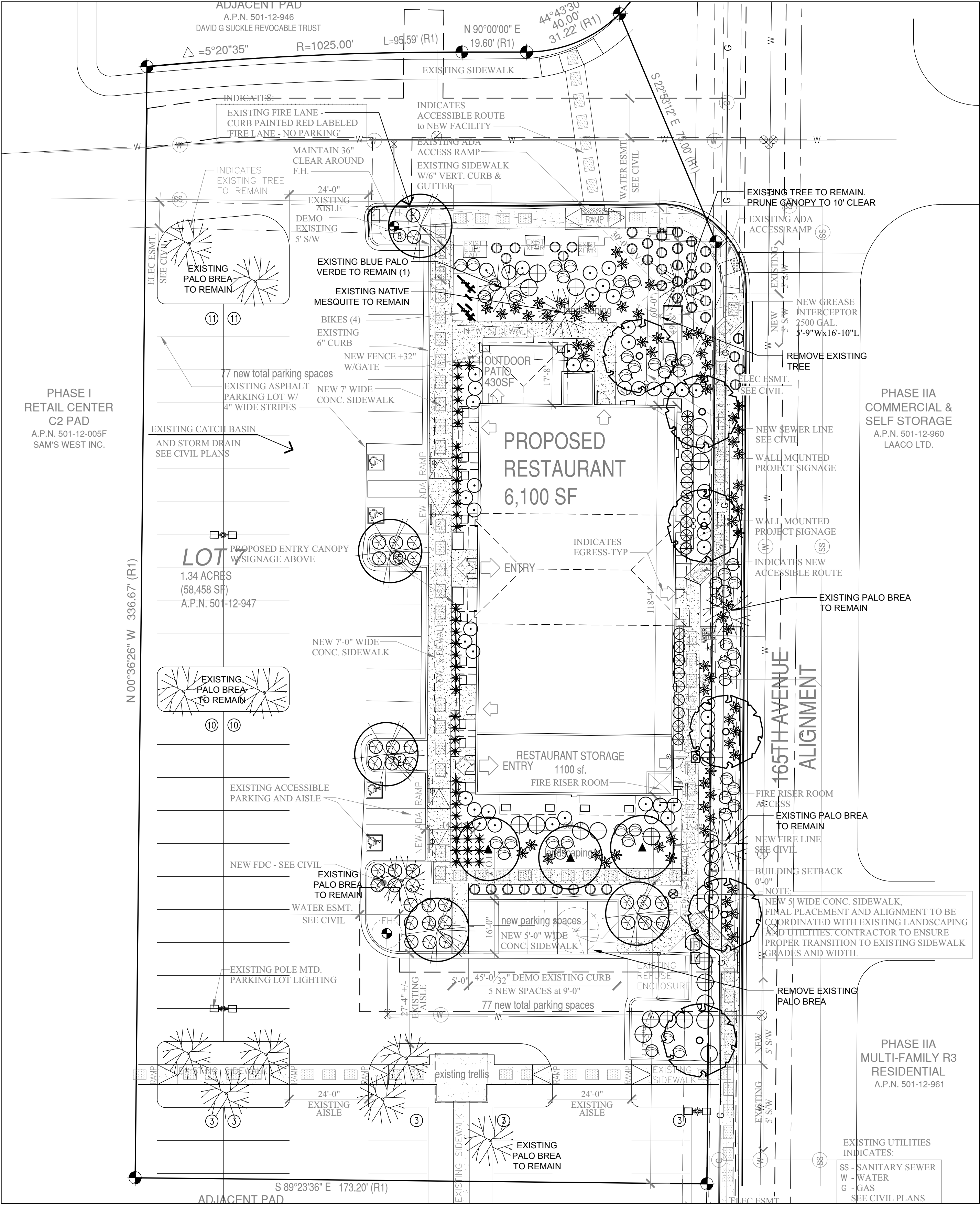
LEE LEE HOLDING LLC
P.O. BOX 303
WHITMAN, ARIZONA 85361

ARCHITECTURE

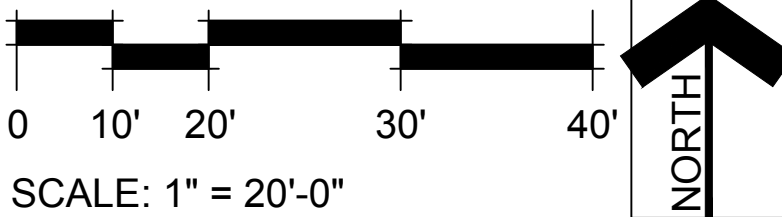
ROSS DESIGN GROUP L.L.C
4342 N CIVIC CENTER PLAZA
SCOTTSDALE, ARIZONA 85251
CONTACT:
PHONE: (480)-947-9685
www.rossdesign.biz

LANDSCAPE ARCHITECTURE

THE DESIGN ELEMENT, PLLC
2211 EAST HIGHLAND AVENUE, SUITE 120
PHOENIX, ARIZONA 85016
CONTACT NAME: JEFF ANDERSON
PHONE: (602) 244-1970
EMAIL: jeffa@thedesignelementia.com



LANDSCAPE DESIGN



LANDSCAPE LEGEND

BOTANICAL NAME	COMMON NAME	SIZE	QTY.
TREES			
EXISTING TREE TO REMAIN			
PARKINSONIA FLORIDA 'THORNLESS'	BLUE PALO VERDE 'THORNLESS'	24\"	5
PARKINSONIA PRAECOX 'THORNLESS'	PALO BREA 'THORNLESS'	24\"	6
PROSOPIS VELUTINA 'THORNLESS'	NATIVE MESQUITE 'THORNLESS'	24\"	3
ACCENTS, SHRUBS, AND GROUNDCOVERS			
HESPERALOE PARVIFLORA	RED YUCCA	5 GAL	69
LANTANA CAMARA	GOLDMOUND LANTANA	1 GAL	45
LEUCOPHYLLUM FRUTESCENS	RIO BRAVO SAGE	5 GAL	47
MUHLENBERGIA RIGENS	DEER GRASS	5 GAL	42
NERIUM OLEANDER	PETITE OLEANDER	5 GAL	35
RUELLIA PENINSULARIS	COMMON RUELLIA	5 GAL	56
SIMMONDSIA CHINENSIS	JOJOBA	5 GAL	21
TECOMA ALATA	ORANGE JUBILEE	5 GAL	20
	TOTAL		314

LANDSCAPE MATERIALS		
DECOMPOSE GRANITE	COLOR: EXPRESS GOLD 3\"	- SF

LANDSCAPE NOTES

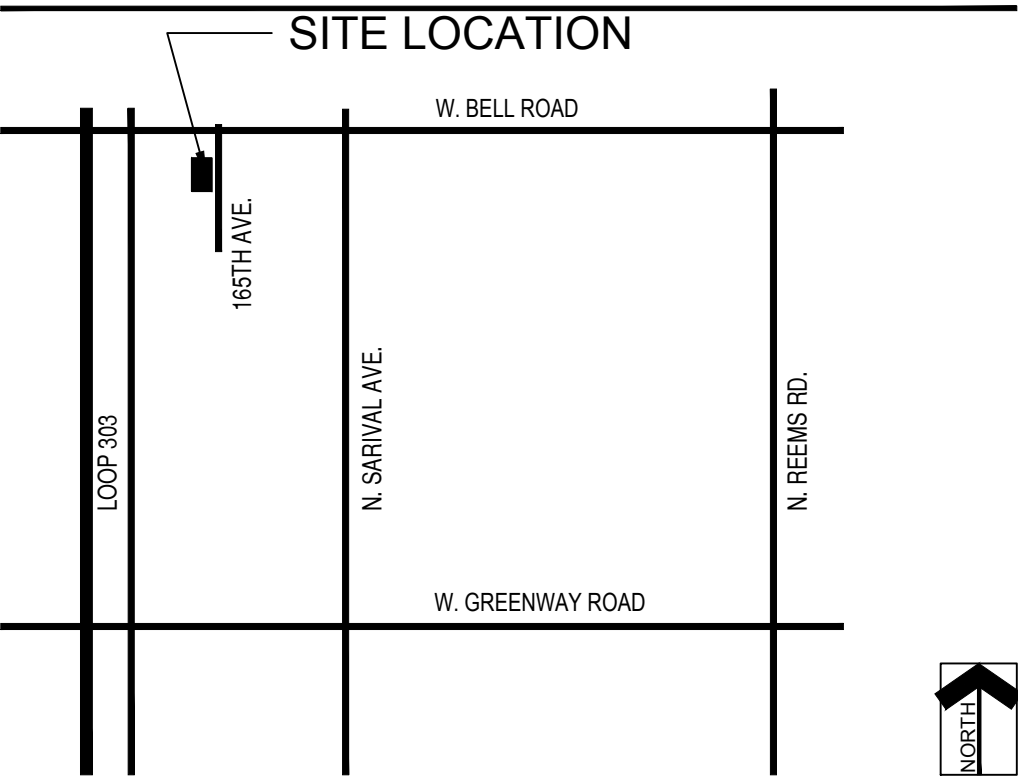
TREE OVERHANG ABOVE STREETS WITH A MINIMUM OF 15 FEET VERTICAL CLEARANCE TO LOWEST BRANCHES

PLEASE REFERENCE ARCHITECTURE AND CIVIL PLANS FOR HARDSCAPE ELEMENTS AND EXISTING CONDITIONS.

IF THE TREE ROOT ZONE IS IN CONFLICT WITH UTILITIES THEN A ROOT BARRIER MAY BE INSTALLED.

IRRIGATION WILL BE DESIGN BUILD. CONTRACTOR MUST PROVIDED IRRIGATION TO ALL INSTALLED PLANTS.

VICINITY MAP



PROJECT DATA

LOT AREA: 1.34 ACRES (58,458 SF)

BUILDING COVERAGE:
RESTAURANT: 6,100 SF
SUITE 1: 1,500 SF
OUTDOOR PATIO: 500 SF
TOTAL: 8,100 SF

LANDSCAPE DATA
LANDSCAPE PLANTING AREA: 257 AC / 11,230 S.F.
TURF: 0 SF / 0% OF LANDSCAPE AREA

NOTE: 1) THERE ARE SALVAGEABLE PLANTS ON-SITE.

SITE NOTES

- VERIFY LOCATION OF ALL EXISTING SITE UTILITIES WITH CIVIL UTILITY PLANS.
- REPAIR EXISTING CONCRETE IF DAMAGED DURING CONSTRUCTION.

ROSS DESIGN GROUP L.L.C.

ARCHITECTURE INTERIORS PLANNING PROJECT MANAGEMENT
4342 N CIVIC CENTER PLAZA
SUITE 120
SCOTTSDALE, ARIZONA 85251
PH: (480) 947-9685 FAX: (480) 429-0107
www.rossdesign.biz

REVISIONS

△	
△	
△	
△	
△	

HAYASHI RESTAURANT
16525 W. BELL ROAD
SURPRISE, AZ 85388

the design element
landscape architecture
the design element, pllc
2211 east highland avenue
suite 120
phoenix, arizona 85016
ph: 602.244.1970
fax: 602.244.1971
www.thedesignelementia.com

34164
JEFFREY ANDERSON
02/23/2017
ARIZONA, U.S.A.
EXPIRES: 09/30/2017

ARCHIVE:

DATE: 2-23-2017
SCALE: AS SHOWN
DRAWN BY: STAFF
CHECKED: JEFF ANDERSON

L1.0

LANDSCAPE PLAN



SURPRISE
ARIZONA

FS16-556

Hayashi at Surprise Village Marketplace - Site Plan

Planning and Zoning Commission

April 20, 2017

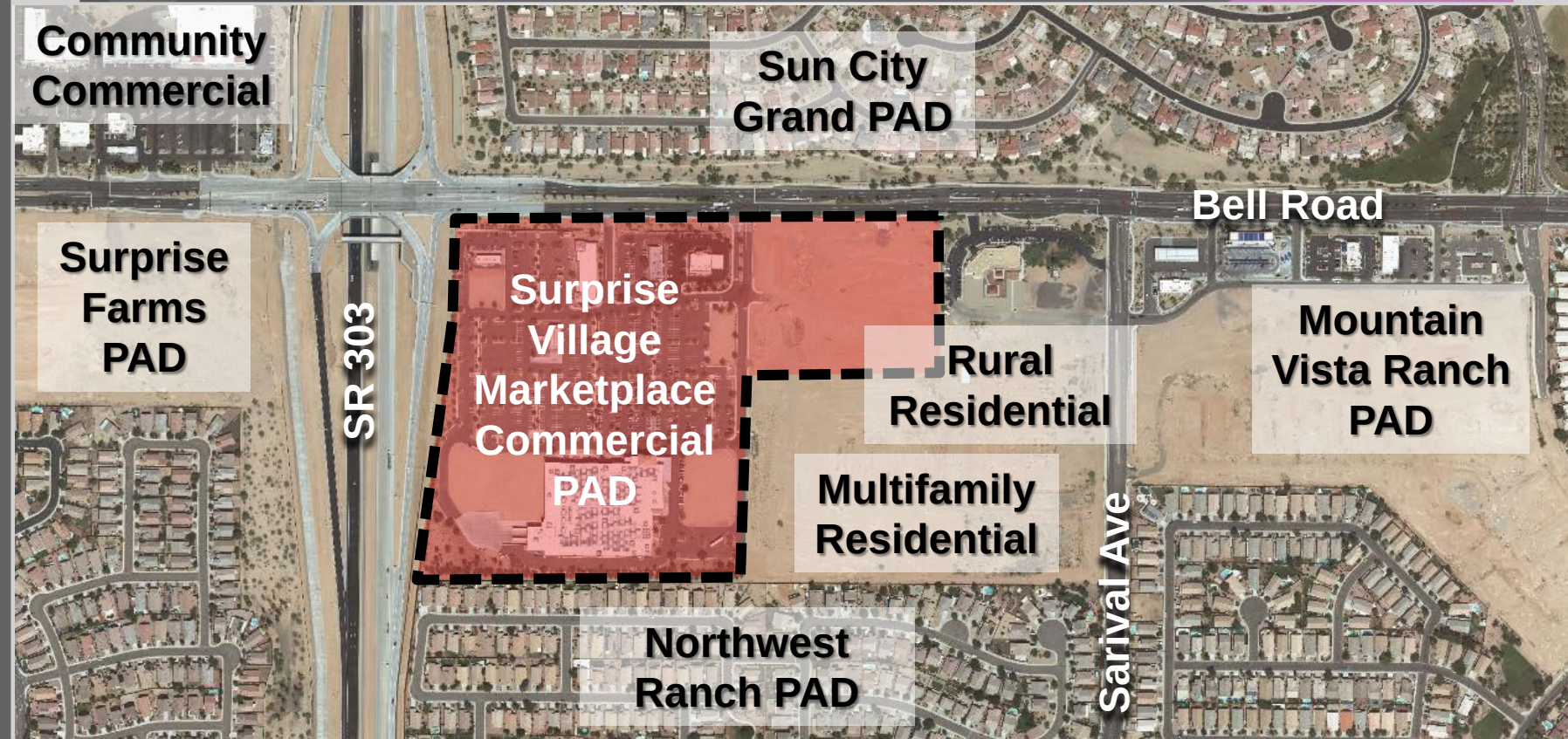
VICINITY MAP

FS16-556
Hayashi



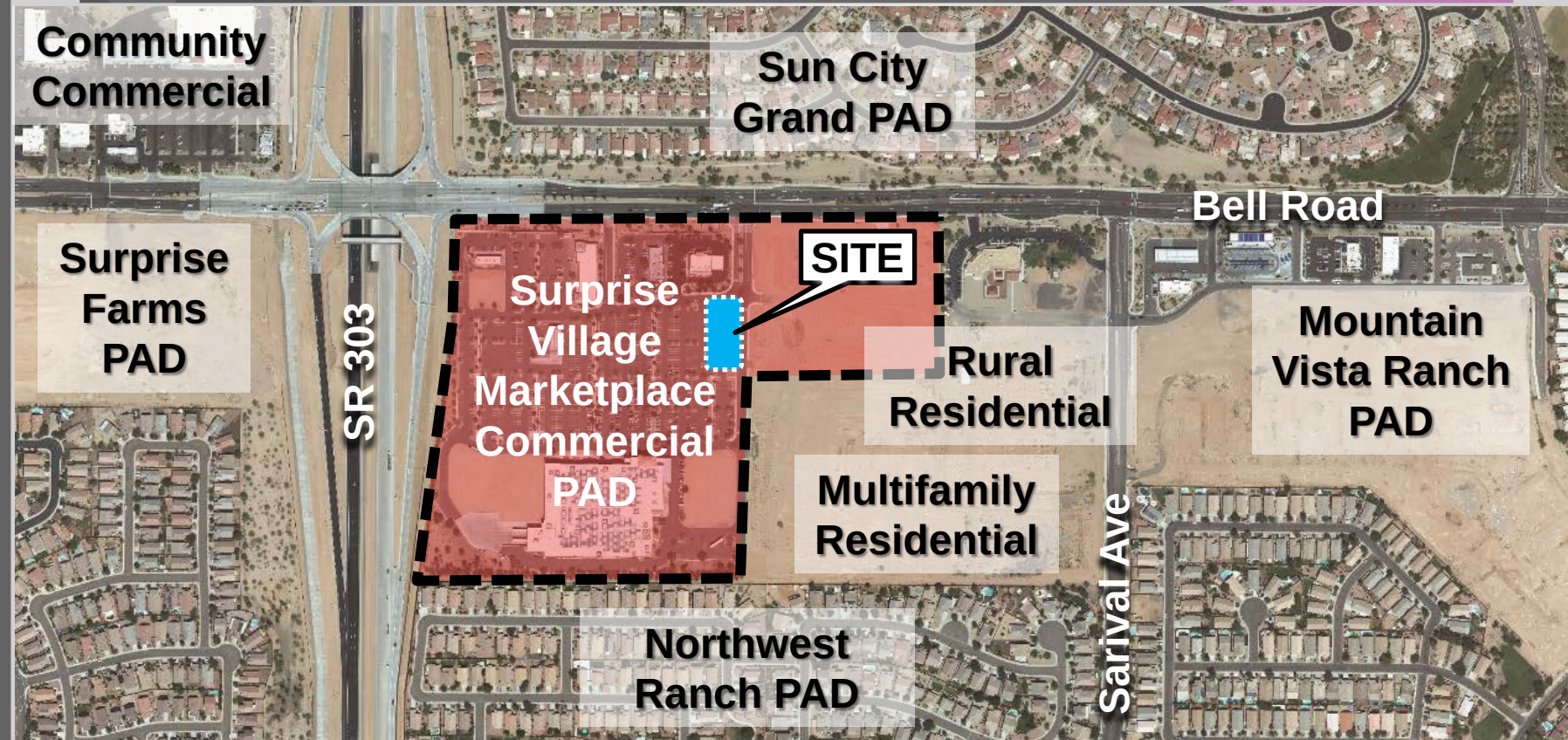
LOCATION MAP

FS16-556
Hayashi



RESTAURANT

FS16-556
Hayashi



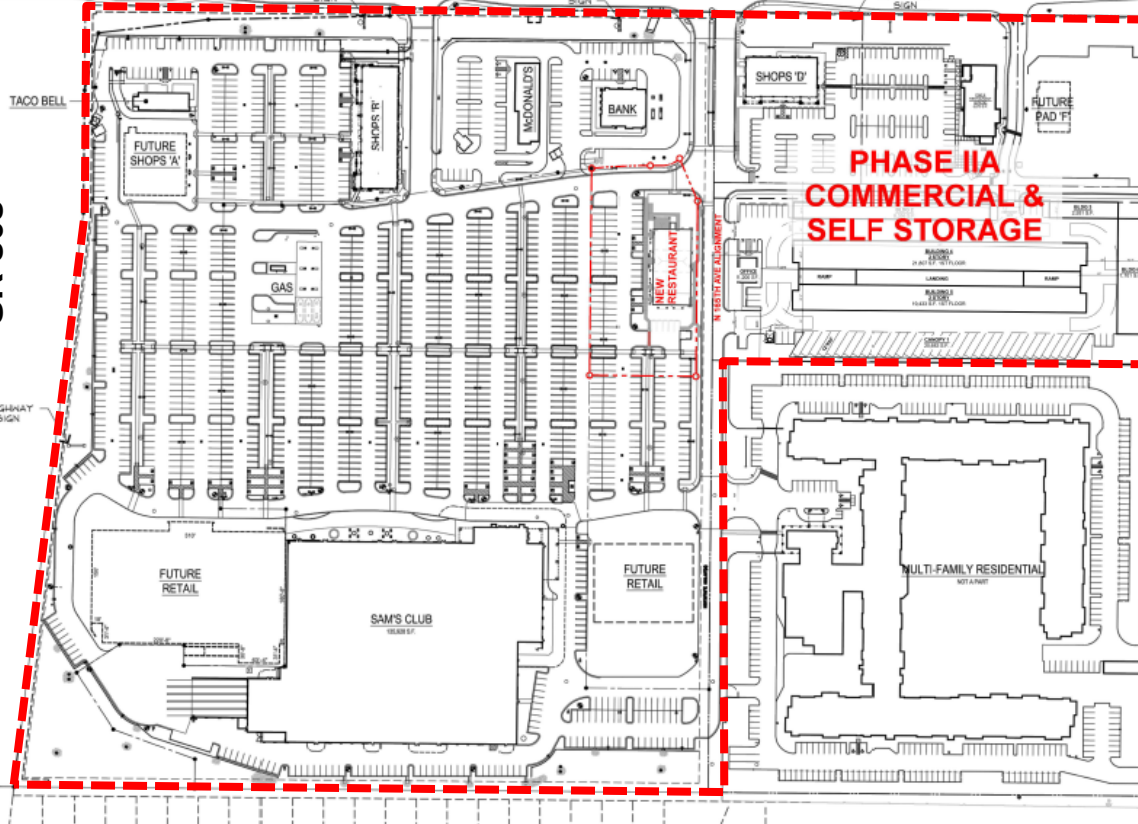
Bell Road

FS16-556
Hayashi

SR 303

FUTURE HIGHWAY
PYLON SIGN

TACO BELL



Master Site Plan

Bell Road

FS16-556
Hayashi

SR 303

FUTURE HIGHWAY
PYLON SIGN

TACO BELL

EXISTING MONUMENT
SIGN

EXISTING MONUMENT
SIGN

EXISTING TRAFFIC
SIGNAL

BELL ROAD

FUTURE MONUMENT
SIGN

PHASE IIA
COMMERCIAL &
SELF STORAGE

NEW RESTAURANT

N. 162ND ST. AVE. ALG. GROUND

NEW SONG UNITED
METHODIST CHURCH

NEW SONG UNITED
METHODIST CHURCH

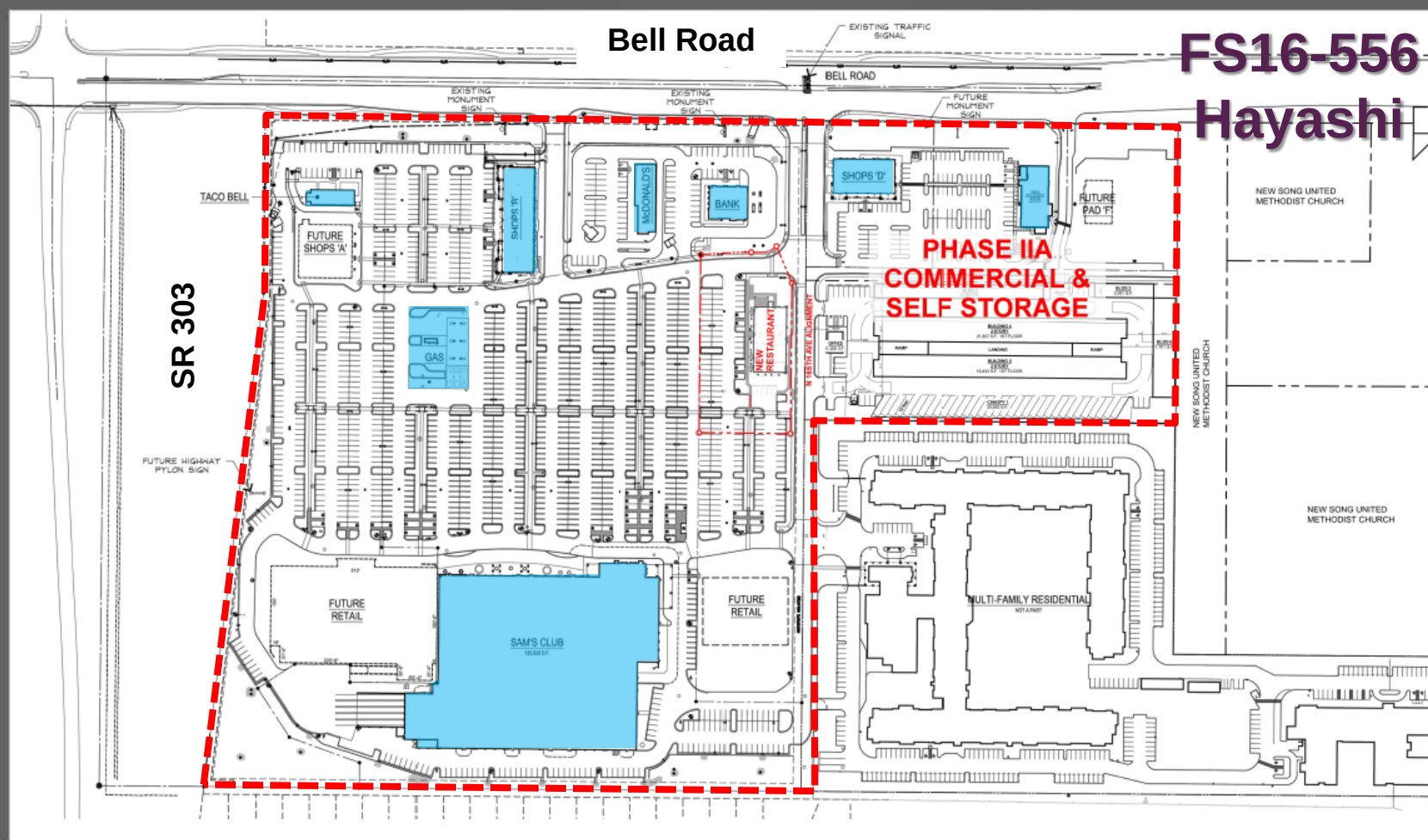
NEW SONG UNITED
METHODIST CHURCH

MULTI-FAMILY RESIDENTIAL
(NOT SHOWN)

FUTURE
RETAIL

SAM'S CLUB
(YEAR 1)

FUTURE
RETAIL



Master Site Plan

Bell Road

FS16-556
Hayashi

SR 303

FUTURE HIGHWAY
PYLON SIGN

TACO BELL

EXISTING MONUMENT
SIGN

EXISTING MONUMENT
SIGN

EXISTING TRAFFIC
SIGNAL

BELL ROAD

FUTURE MONUMENT
SIGN

FUTURE
SHOPS 'A'

SHOPS 'B'

McDONALDS

BANK

SHOPS 'D'

FUTURE
PAD 'F'

GAS

NEW
RESTAURANT

PHASE IIA
COMMERCIAL &
SELF STORAGE

NEW SONG UNITED
METHODIST CHURCH

NEW SONG UNITED
METHODIST CHURCH

MULTI-FAMILY RESIDENTIAL
(107 UNITS)

FUTURE
RETAIL

SAM'S CLUB
(100,000 SF)

FUTURE
RETAIL

Master Site Plan

Bell Road

FS16-556
Hayashi

SR 303

FUTURE HIGHWAY
PYLON SIGN

TACO BELL

EXISTING MONUMENT
SIGN

EXISTING MONUMENT
SIGN

EXISTING TRAFFIC
SIGNAL

BELL ROAD

FUTURE MONUMENT
SIGN

FUTURE
SHOPS 'A'

SHOPS 'B'

McDONALDS

BANK

SHOPS 'D'

FUTURE
PAD 'F'

GAS

NEW
RESTAURANT

PHASE IIA
COMMERCIAL &
SELF STORAGE

NEW SONG UNITED
METHODIST CHURCH

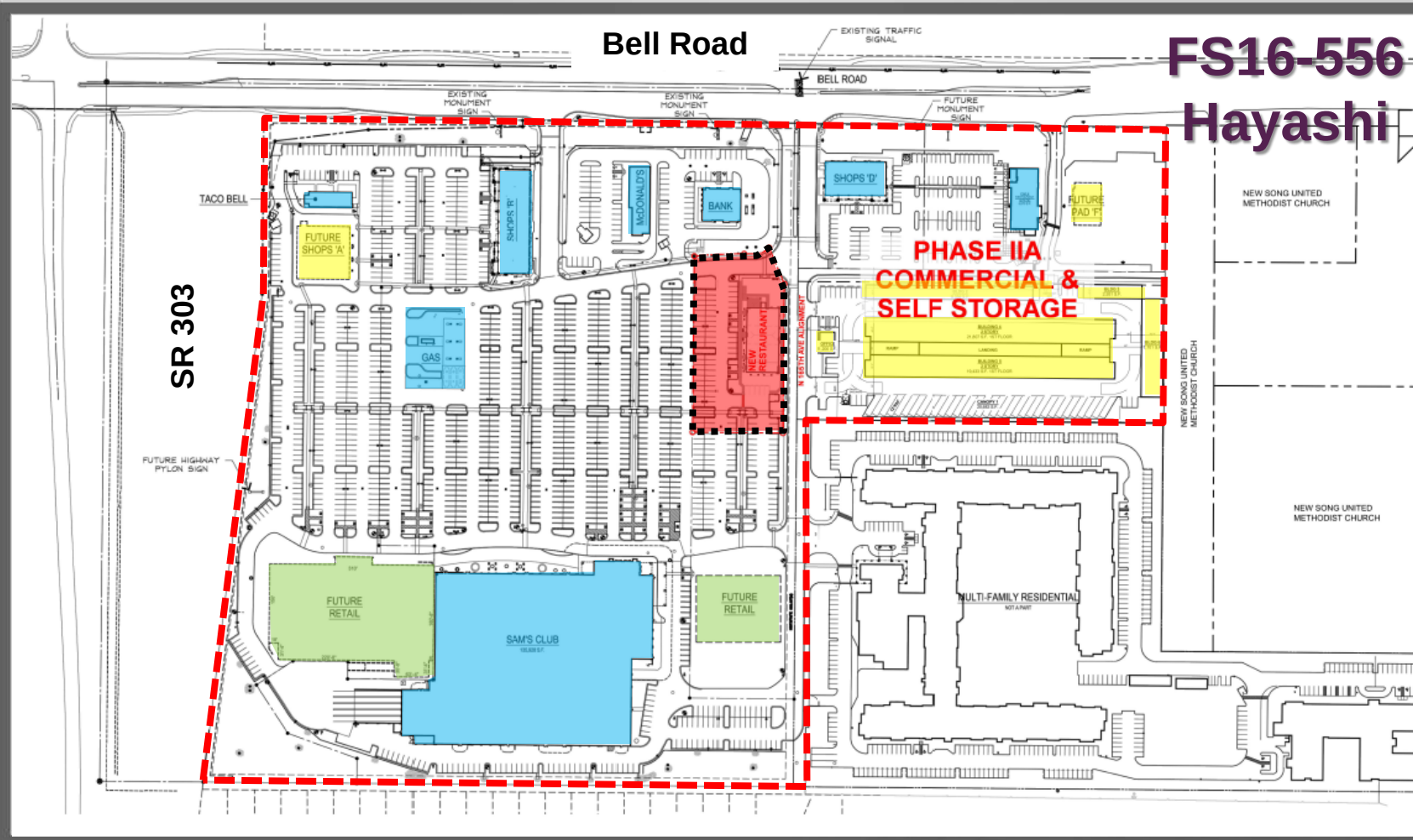
NEW SONG UNITED
METHODIST CHURCH

MULTI-FAMILY RESIDENTIAL
(107 UNITS)

FUTURE
RETAIL

SAM'S CLUB
(100,000 SF)

FUTURE
RETAIL



FS16-556
Hayashi

Master Site Plan

Existing Conditions

**FS16-556
Hayashi**

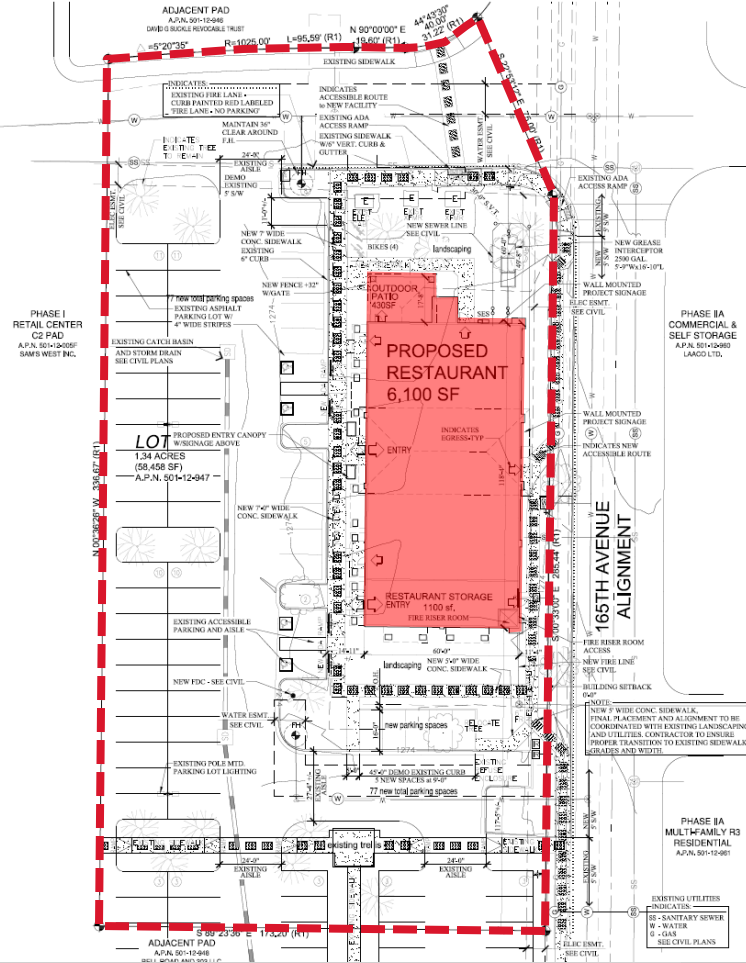


Site Plan

[illegible]

FS16-556 Hayashi

Site Plan



Structure

Site Plan

[illegible]

Site Plan

[illegible]

Site Plan

ADJACENT PAD
A.P.N. 00-12-046
DMS: 0 RUDLE REVEALABLE TRUST
R=1025.00' L=95.59' (R1) N 60°00'00" E 186.7' (R1) 31.22' (R1) 54°42'30" S 100.00' 31.22' (R1)

PHASE I RETAIL CENTER C2 PAD
A.P.N. 00-12-045
DMS: WEST INC.

PHASE IIA COMMERCIAL & SELF STORAGE
A.P.N. 00-12-048
LANDGULF

PROPOSED RESTAURANT 6,100 SF

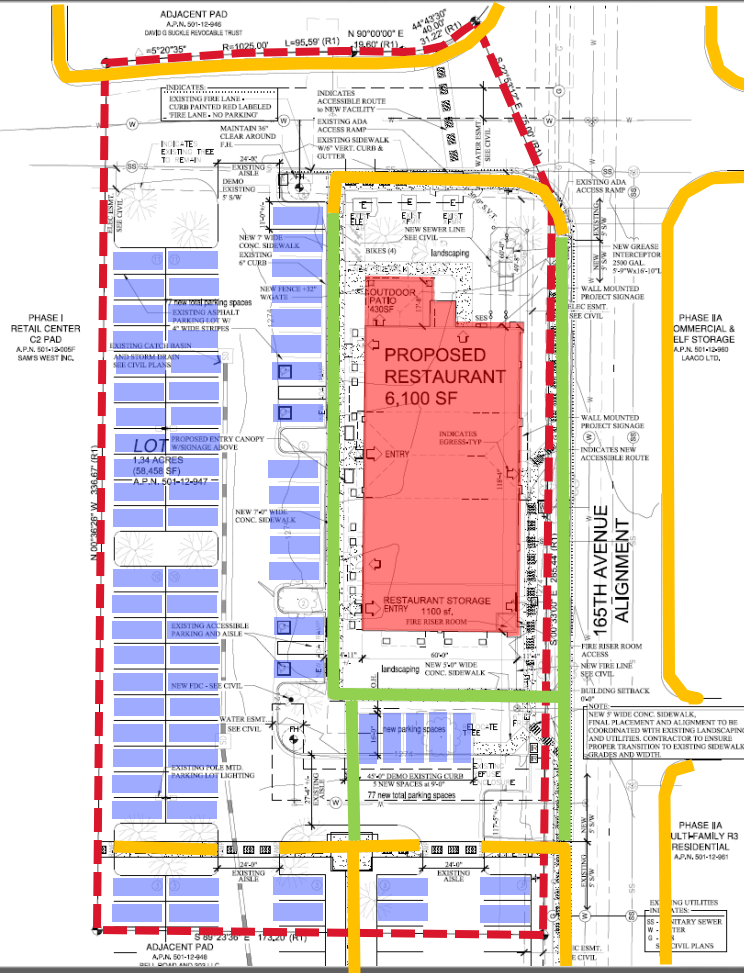
165TH AVENUE ALIGNMENT

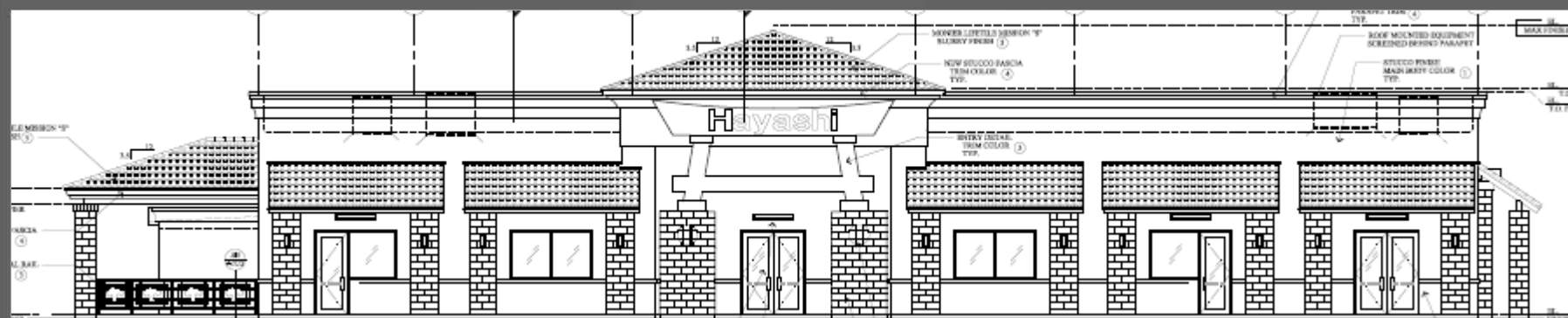
ADJACENT PAD
A.P.N. 00-12-046
DMS: 0 RUDLE REVEALABLE TRUST
R=1025.00' L=95.59' (R1) N 60°00'00" E 186.7' (R1) 31.22' (R1) 54°42'30" S 100.00' 31.22' (R1)

NO UTILITIES
EXISTING UTILITIES
WATER
SEWER
CIVIL PLANS

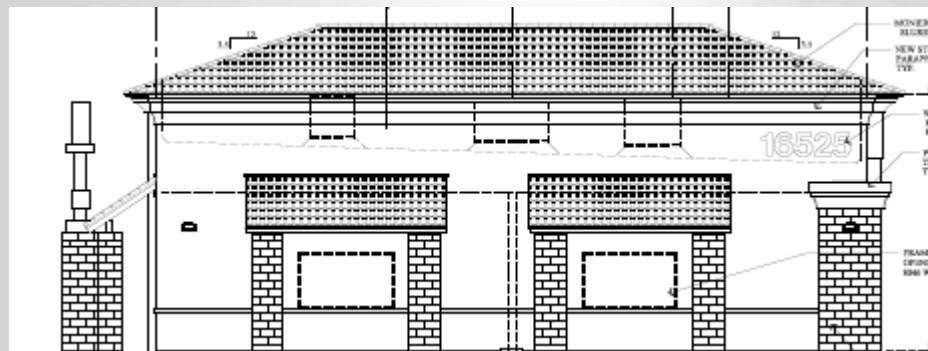
Site Plan

Conditioned Pedestrian





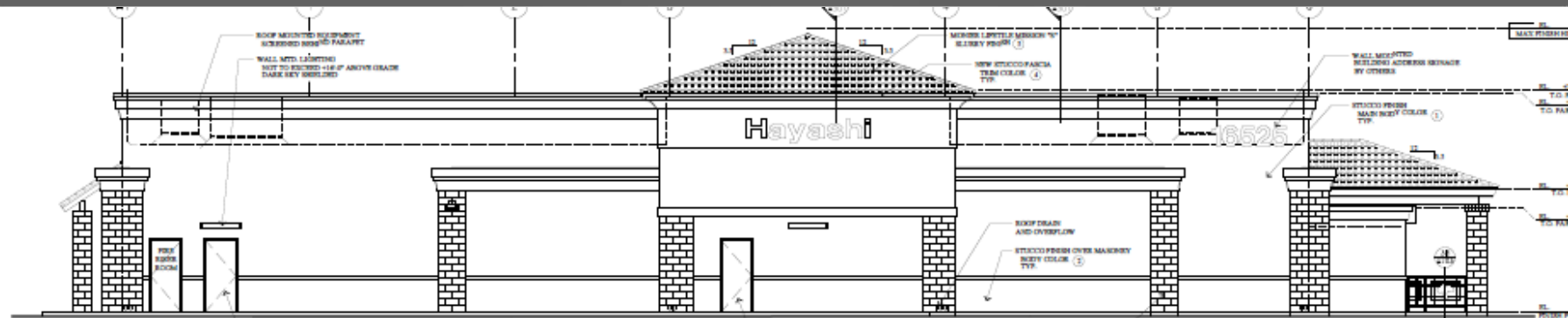
West - Front



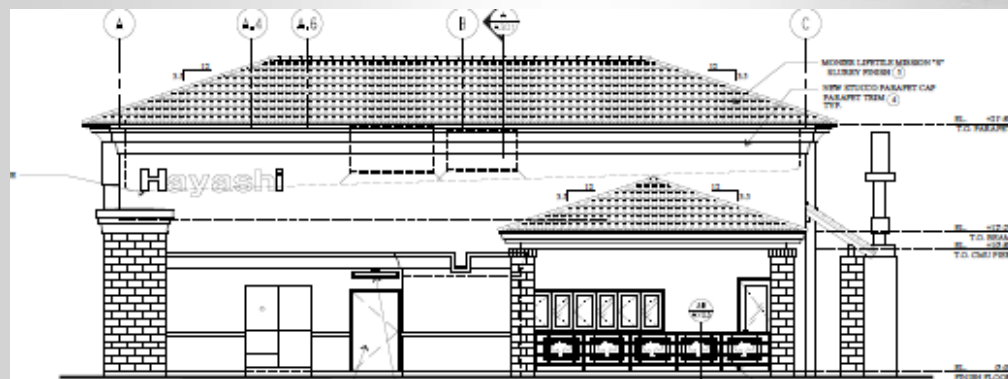
South

Elevations



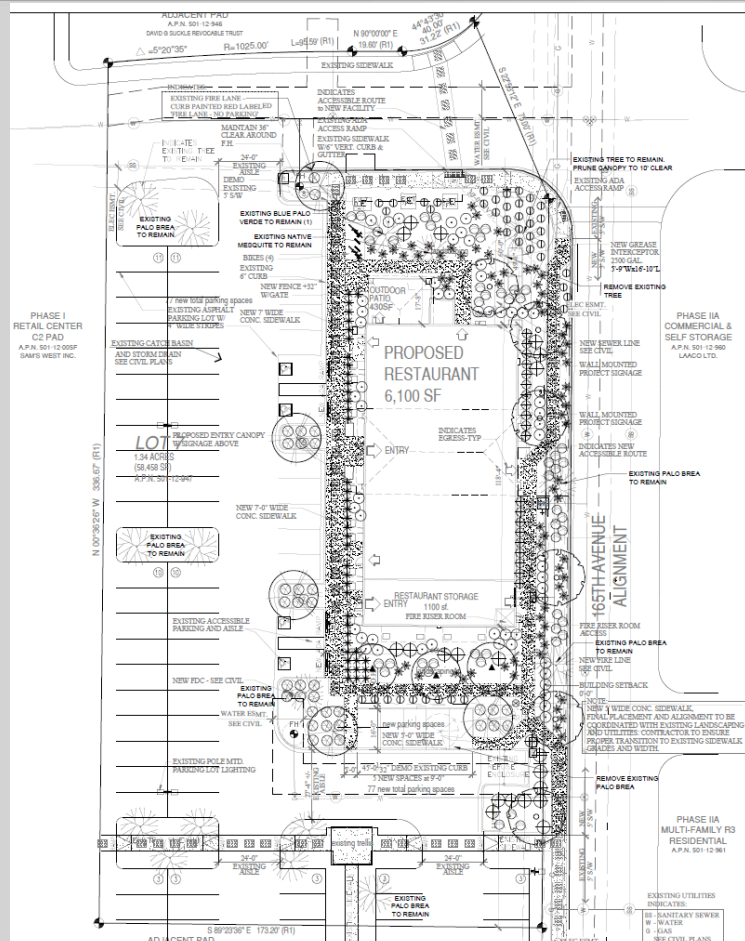


East – Main
Access Aisle



North - Patio

Elevations



LANDSCAPE LEGEND

BOTANICAL NAME	COMMON NAME	SIZE	QTY.
TREES			
EXISTING TREE TO REMAIN			
PARKINSONIA FLORIDA "THORNLESS"	BLUE PALM VERDE "THORNLESS"	24" BOX	6
PARKINSONIA FRAXCOX "THORNLESS"	PALO BREA "THORNLESS"	24" BOX	6
PROSOPIS VELUTINA "THORNLESS"	NATIVE MESQUITE "THORNLESS"	24" BOX	3

ACCENTS, SHRUBS, AND GROUNDCOVERS			
NEPENTHES PARVIFLORA	RED YUCCA	5 GAL	60
LANTANA CANARIA	GOLDMOUND LANTANA	1 GAL	48
LEUCOPHYLLUM	RIO BRAVO SAGE	5 GAL	47
PLUTEIOS			
MULLENBERGIA RIGENS	DEER GRASS	5 GAL	42
NERIUM OLIVACEUM	PETITE GLENNER	5 GAL	38
RUPELLIA PENINSULARIS	COMMON RUPELLIA	5 GAL	35
JOUVEA		5 GAL	21
TEODORA ALATA	GRANITE JUBILEE	5 GAL	20
	TOTAL		314

LANDSCAPE MATERIALS			
DECOMPOSE GRANITE	COLOR: BROWN/OLIVE		- SF
	8" MIN. L x 2" DEPTH		

LANDSCAPE NOTES

TREE OVERHANG ABOVE STREETS WITH A MINIMUM OF 15 FEET VERTICAL CLEARANCE TO LOWEST BRANCHES

PLEASE REFERENCE ARCHITECTURE AND CIVIL PLANS FOR HARDSCAPE ELEMENTS AND EXISTING CONDITIONS.

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IRRIGATION WILL BE DESIGN BUILD. CONTRACTOR MUST PROVIDE IRRIGATION TO ALL INSTALLED PLANTS.

Landscape

FS16-556
Hayashi

Recommendation

**Approve, Subject to
Stipulations 'A.' Through 'E.'**



SURPRISE

ARIZONA

**QUESTIONS OR
COMMENTS?**

Thank You



CITY OF SURPRISE
Planning and Zoning Commission

April 20, 2017 @ 6:00:00 PM

Back Print

Board Meeting Date:	April 20, 2017	Contact Person:	Robert Kuhfuss - Community Development
Submitting Department:	CD Boards and Commissions	District:	Citywide
Staff Recommendations:	None		

Consent	Regular	x	Public Hearing	Report/Discussion
---------	---------	---	----------------	-------------------

Agenda Wording:

Presentation and discussion regarding a proposed Text Amendment to Chapter 113 of the Surprise Municipal Code regarding Signs.

Motion:

Discussion only

Background:

Staff introduced the sign code re-write in a general manner to the Planning and Zoning Commission as a discussion item on April 16, 2015 and again to the City Council on April 21, 2015. Staff then proceeded to capture photographic images of various sign conditions present in the west valley and to conduct additional research regarding signage in general. In the meantime, the U.S. Supreme Court issued a ruling on Reed v. Town of Gilbert, which significantly impacted the sign code effort. In response, staff attended several workshops and seminars regarding the Reed case, which culminated in a City Council Work Session on September 1, 2015. In response to feedback received, and research conducted, staff created the draft language as included as an attachment to this report and presented the matter to the City Council as a discussion item on March 7, 2017.

Staff compiled a list of potential interested parties, which now includes 79 individual names, and conducted four outreach meetings during the month of March, 2017. Individuals were notified of the outreach meetings and were provided a link to the 1st draft of the proposed sign code. Attendance at the outreach meetings was varied; however, considerable feedback was

received.

In addition, representatives from the International Sign Association and Daktronics provided a demonstration on Electronic Messaging Centers (EMCs) the evening of March 14, 2017. Staff also met with members of the International Sign Association and the Arizona Sign Association on March 31, 2017. These efforts resulted in additional feedback regarding the proposed code.

Feedback has not been assimilated into the draft code as staff wishes to receive input from the Commission before proceeding further.

Financial Impact Statement:

All activity related to ongoing development of the City of Surprise has an economic and fiscal impact on the city and the region.

ATTACHMENTS:

Click to download

- ☐ [00 - FS15-311 Sign Code Update - Staff Report](#)
- ☐ [01 - FS15-311 Sign Code Update - Public Review Version 1](#)
- ☐ [02 - FS15-311 Sign Code Update - Public Comment 1](#)
- ☐ [03 - FS15-311 Sign Code Update - Public Comment 2](#)
- ☐ [04 - FS15-311 Sign Code Update - Public Comment 3](#)
- ☐ [05 - FS15-311 Sign Code Update - Public Comment 4](#)
- ☐ [06 - FS15-311 Sign Code Update - Presentation](#)

External Attachment Links:

Meeting Requirements:

Powerpoint	x	Video	x	White Board	x	Other	x
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Presentation Speaker Names (spelling and titles for TV captions):

Robert H. Kuhfuss, AICP

TEXT AMENDMENT

REPORT TO THE PLANNING AND ZONING COMMISSION

1 **Case:** **FS15-311**
2
3 **Project Name:** Sign Code Update
4
5 **Council District:** All
6
7 **City Council Date:** **April 20, 2017**
8
9 **Planner:** Robert H. Kuhfuss, AICP
10
11
12 **Applicant:** City of Surprise
13
14 **Request:** Text Amendment to Chapter 113 of the Surprise Municipal Code
15 regarding Signs
16
17 **Location:** City Wide
18
19 **Support/Opposition:** Staff has received several items of input
20
21 **Recommendation:** None – this is a discussion item only
22

Project Description:

23
24
25 The Surprise Community Development Department seeks an amendment to Chapter 113 of the
26 Surprise Municipal Code regarding signs. This effort is associated with the larger zoning code
27 update, which is in progress; however, with the recent U.S. Supreme Court decision regarding
28 Reed v. Town of Gilbert, staff wishes to move forward with the sign code update in order to
29 ensure the city's compliance with the 1st Amendment and applicable case law.
30

Background:

31
32
33 Staff introduced the sign code re-write in a general manner to the Planning and Zoning
34 Commission as a discussion item on April 16, 2015 and again to the City Council on April 21,
35 2015. Staff then proceeded to capture photographic images of various sign conditions present
36 in the west valley and to conduct additional research regarding signage in general. In the
37 meantime, the U.S. Supreme Court issued a ruling on Reed v. Town of Gilbert, which
38 significantly impacted the sign code effort. In response, staff attended several workshops and
39 seminars regarding the Reed case, which culminated in a City Council Work Session on
40 September 1, 2015. In response to feedback received, and research conducted, staff created
41 the draft language as included as an attachment to this report, and presented the matter to the
42 City Council as a discussion item on March 7, 2017.

43 **Outreach:**

44
45 Staff compiled a list of potential interested parties, which now includes 79 individual names, and
46 conducted four outreach meetings during the month of March, 2017. Individuals were notified of
47 the outreach meetings and were provided a link to the 1st draft of the proposed sign code.
48 Attendance at the outreach meetings was varied; however, considerable feedback was received
49 both verbally and written.

50
51 In addition, representatives from the International Sign Association and Daktronics provided a
52 demonstration on Electronic Messaging Centers (EMCs) the evening of March 14, 2017. Staff also
53 met with members of the International Sign Association and the Arizona Sign Association on March
54 31, 2017. These efforts resulted in additional feedback regarding the proposed code.

55
56 Staff also met separately with representatives of WeMAR, who issued a letter outlining their
57 concerns (see attached).

58
59 This feedback has not been assimilated into the draft code as staff wishes to receive input from the
60 Commission before proceeding further; however, the comments are summarized below with staff
61 commentary added.

62
63 **Section 113-01:** Staff received one general comment that the preamble language seems to be
64 anti-business. Staff also received additional comment to the contrary.

65
66 Staff's intent was to not be anti-business, but to provide a solid foundation in the
67 event the code is ever challenged. Staff will reconsider the wording of this section to
68 ensure an appropriate balance between business and community needs are
69 articulated.

70
71 **Section 113-05 Definitions:** Staff received several comments regarding the definition section:

- 72
73 ○ Several individuals commented that the illustrations and photographs are very helpful.

74
75 Staff appreciates the comment and will continue to find ways to provide clarity
76 throughout the document.

- 77
78 ○ The International Sign Association suggested deleting the definitions of Level 1 and Level 2
79 Electronic Messaging Centers, while leaving the base definition for Electronic Messaging
80 Centers intact.

81
82 Staff is willing to explore this option.

- 86 ○ One individual offered comment regarding the definition of Class II Temporary Signs in that
87 the standard height for an A-Frame sign is 45 inches.

88
89 Staff has no objection to this change.
90

- 91 ○ One individual expressed concerns over temporary signs in the street median.

92
93 Staff is amenable to including a definition for “Median Sign”, which would be used in
94 conjunction with other language to ensure such signs are not placed in the street
95 median.
96

97 **Section 113-06.A Permitted Signs by Zoning District:** General comments indicating the matrix
98 is a useful tool.
99

100 Staff proposes no changes.
101

102 **Section 113-06.F Prohibited Signs:** There were comments regarding the list of prohibited signs:
103

- 104 ○ Some individuals indicated a preference for off-premise advertising in certain situations and
105 suggested that billboards be omitted from the list of prohibited uses so that individual
106 billboard applications may be evaluated through a Comprehensive Sign Package on a case-
107 by-case basis. This sentiment is offset by other members of the public who prefer to
108 protect the view shed and dark sky through the continued prohibition of billboard signage.
109

110 Staff realizes that it is possible to erect a billboard that is aesthetically appropriate to
111 the area and recognizes the economic benefit of such signs, but respects concerns
112 over community aesthetics. Options include continued prohibition on billboards or
113 the creation of specific billboard regions where billboards might be allowed if they
114 met certain criteria.
115

- 116 ○ One member of the public expressed concerns over temporary signs in the street median.
117

118 Staff is amenable to adding a definition for “Median Signs” in Section 113-05 and
119 including that sign type in the list of prohibited signs. This would be reinforced by
120 additional language in 113-6.F that prohibits signs placed in hazardous locations.
121

- 122 ○ Concerns over prohibition on signs relating to garage sales, estates sales, and open houses.
123

124 These types of signs are considered “snipe signs”, defined as follows:
125

126 “Any *sign*, other than a *public sign*, that is posted on a tree, landscaping, utility pole or
127 *structure*, streetlight, fence, fire hydrant, bridge, curb, sidewalk, park bench, parkway,
128 street, or right-of-way.”

While staff agrees these signs are useful to the general public in the promotion of these various events, with the Reed decision, we cannot differentiate between signs geared towards open house, estate sales, garage sales, or a local retailer. The prohibition on such signs is geared toward community aesthetics; however, if the Commission wishes to allow this type of sign, staff could generate some language that would allow “pin signs” as a sign type separate and apart from a snipe sign.

Section 113-07.A Permitting Requirements: One individual expressed concern over requiring a permit for signs as this may constitute a prior constraint issue. Conversely, another individual saw the permitting requirement as a way to allow local small business temporary signage along the arterial street network.

The intent of this provision was to require a construction permit where the type of sign is affected by the building codes, not to place any particular sign copy under any sort of regulatory review. Staff does believe that evaluating a sign base on its sign copy would be in contradiction to the Reed decision and to require a permit for other than building code purposes would constitute prior constraint. Staff is amenable to making that clarification.

Section 113-07.B Sign Quality and Construction: General comments received regarding the desire for increased aesthetics.

Staff agrees there is an opportunity to include language that speaks to increased aesthetics for both permanent and temporary signs; however, such language may be better suited elsewhere in the code so as to not be overlooked during the design and review process.

Section 113-07.D.1.a Unframed Signs: Considerable discussion regarding the limitations imposed by the single-rectangle method for measuring sign area.

Staff is amenable to utilizing a methodology that will allow for greater creativity. This may include a “multiple-rectangle” or “multiple-geometry” methodology, provided said methodology does not adversely affect permit review times due to complicated calculation regimes. Other methodologies might include provisions for “ascenders” and “descenders” that do not contribute to the overall sign copy area, and bonuses for texture and relief as opposed to flat-surface signage.

Section 113-08.A.1.b Sign Classifications and Types (Temporary Signs, General Requirements): Comment from the real estate industry to allow the name and phone number of the entity responsible for placing the sign in lieu of the actual person.

Staff has no objection to this change.

Section 113-08.A.2 Class I Temporary Signs: Comment from the real estate industry that three (3) signs is likely inadequate to the task of providing wayfinding to real estate open houses.

This issue is among the most difficult to address in light of the Reed decision. While the Class I Temporary Sign was created to accommodate real estate open houses, as proposed, any “lawful temporary event” may utilize this type of sign. The number of signs that may be adequate to the task of providing wayfinding into a neighborhood for purposes of an open house may or may not be adequate to the task of providing wayfinding for another lawful temporary event. Further, absent a specific number of allowable signs, enforcement may seem arbitrary. One possible alternative might be to increase the number of signs to some number (to be determined) with a requirement that such signs be located within ½ mile radius of the lawful temporary event.

Section 113-08.A.3 Class II Temporary Signs: Several small business owners expressed concerns that limiting the use of A-Frames to within 15’ of the business entrance would not serve their needs.

This issue is directly related to the Reed decision. Staff’s intent in the proposed language was to allow A-Frames in certain limited circumstances while serving to clean up the sign clutter that is prevalent in the city.

Section 113-08.A.6 Banner Signs: Concerns regarding the “single-family use” exception for banner signs in that it is common for homeowners and residents to hang banners celebrating the arrival of a newborn child or a soldier returning from service.

The intent was to limit banner signs to the business community since they are most often utilized to advertise a special event or a grand opening. Since these types of uses are not associated with single-family residential uses, such signs would seem unnecessary; however, staff does not object to removing the single-family exemption provided the area of a banner sign associated with a single-family use is limited to a much smaller area such as 20 square feet.

Section 113-08.A.8 Teardrop Banner Signs: Concerns from the real estate industry over the use of the phrase “vacant property” since that term can apply to a vacant house that is the subject of an open house being conducted as a lawful temporary event.

The intent was to prevent this type of sign from appearing on vacant land. Staff is amenable to replacing this language with the phrase “undeveloped land”.

214 **Section 113-08.B.1 Building Wall Signs:**

- 215
- 216 ○ Concerns that said section does not allow for multi-tenant single-story applications.

217

218 Staff is amenable to removing the two-story limitation for multi-tenant buildings.

- 219
- 220 ○ Concerns that said section does not allow for adequate signage for multiple users under a
- 221 single roof e.g. tax service or coffee vendor located in a supermarket.

222

223 The current language relating to wall signs allows 1 square foot of sign area per 1

224 linear foot of primary elevation, with a provision for an additional 0.5 square foot of

225 wall sign area per linear foot of secondary elevation. The proposed language provides

226 for 1.5 square feet of wall sign area per linear foot of elevation, regardless of which

227 elevation or the elevation's orientation to the street or parking lot (provided that wall

228 signs in proximity of residential are not illuminated after 10:00 PM). This is a

229 considerable increase in the amount of allowed signage and it would be the responsibility

230 of the building owner to allocate signage to meet their business needs.

- 231
- 232 ○ Concerns over whether there is a compelling governmental interest in regulating wall signs.

233

234 It is common for jurisdiction to regulate building signage. To not regulate building

235 signage would create an environment where any wall sign would be permitted

236 regardless of size, location or type. Staff believes that since the proposed code does

237 not attempt to regulate other than time, place and manner, the City has not exceeded

238 its authority. Further, the proposed language provides for a reasonable amount of

239 building signage and includes allowances for additional wall signage in certain

240 circumstances such as buildings in excess of five stories or that are more than 600 feet

241 from the street.

242

243 **Section 113-08.B.6 Hanging Signs:** Concerns that propose language would inadvertently

244 restrict overhead clearance signs associated with drive-through facilities such as car washes and

245 fast food restaurants.

246

247 Staff is amenable to including language to clarify that vehicular overhead safety

248 clearance signs would be exempt provided the sign included no advertising copy. This

249 could include a new definition for such signs together with language in this section to

250 clarify the exemption.

Section 113-08.B.7 Window Signs: Question as to whether there is a compelling governmental interest in regulating window signs especially if windows may be completely covered by sun screen.

The current sign code language distinguishes between temporary window signs and permanent window signs, and allows that temporary window signs may occupy not more than 25% of the window area, while permanent window signs may occupy not more than 15% of the window area. Staff's intent with the new language was to remove the distinction between permanent and temporary window signs and to combine the sign area allowed at 40%. Staff believes there is a compelling government interest in regulating these types of signs on the basis of community aesthetics. Further, the principles of Crime Prevention Through Environmental Design (CPTED) suggest that window signs impede the ability of law enforcement being able to see into a building; however, this may seem counter-intuitive given there is no requirement to provide windows in commercial buildings and the fact that in a hot environment, sun screens are common.

Section 113-08.C.1 Class I and Class II Monument Signs: Two comments received:

- Section 113-08.C.1.c limits the sign area to 24 square feet, which according to the International Sign Association is too small. The ISA recommends not less than 32 square feet, but prefers 40 square feet.

Staff will explore this option in greater detail.

- One comment expressing concerns over the audibility of menu boards in proximity to residential uses.

Section 113-08.C.1.d requires that a Class I Monument Sign not be audible from any residential use, hotel, or patient room overnight medical facility; however, staff will explore alternatives to a greater extent.

Section 113-08.C.3 Class IV Monument Signs:

- An observation that this type of sign may serve as a surrogate to the temporary A-Frame signs that many businesses rely upon to generate business.

Staff agrees with this observation.

- Concerns over whether or not there is a compelling government interest in regulating directional signs.

Sign codes commonly and historically address directional signs; however, jurisdictions may no longer regulate based on content. The proposed code language provides an opportunity for directional signage through the use of a Class IV Monument Sign. Staff believes that since the proposed code does not attempt to regulate other than time, place and manner, the City has not exceeded its authority.

Section 113-08.C.4 Class V Monument Signs: Four specific concerns/comments were raised with regard to this type of sign.

- Allow for placement of this type of sign in the PUE if the applicant signs a waiver acknowledging their responsibility to resolve utility conflicts;

Staff is willing to explore this option provided a minimum distance from the back of walk is maintained for CPTED purposes.

- Allow for additional sign height for architectural embellishments if no sign copy included in the additional height;

Staff is willing to explore this option.

- Omit the minimum width requirement of the sign to encourage more architectural interest.

Staff is willing to explore this option.

- Require that vegetation be trimmed up so that the sign is visible;

Staff is amenable to including a provision requiring shrubs and ground covers in proximity of the sign to be trimmed up in order to ensure the sign area and address are visible.

Section 113-08.C.5 Class VI Monument Signs: In addition to the three issues identified with Class V Monument Signs, three other concerns were raised with regard to this sign type:

- If the locations are tied to driveways only, an unintended consequence could be for additional sign clutter;

Staff agrees with this observation. One alternative might be to tie the location to a specific separation distance from other Class V signs.

- If the sign is too tall, the street tree canopy may block the view of the sign from the street;

Staff agrees with this observation; however, this condition will be difficult to mitigate in that if the maximum sign height is reduced, less sign area will be available for advertising. Further, to remove the tree canopy runs against the city's stated desire to create walkable streets, in which a tree canopy plays a significant role. One possible mitigation methodology might be to establish sight visibility lines, provided that the tree canopy is maintained.

- Include an allowance for monument signs adjacent to freeways if tied to the height of the freeway paving surface;

This is essentially a Freeway Monument Sign. As currently proposed, this type of sign would not be allowed except as already approved through an existing Comprehensive Sign Program. Further, since Freeway Monument Signs were not included in the list of prohibitions, an applicant could file for a Comprehensive Sign Program where the situation warranted. An alternative might be to include specific language in the draft code that would articulate where and how such signs might be erected.

Section 113-08.C.6 Roadway Arch Signs: Several comments that this type of sign is an interesting addition.

No changes proposed.

Section 113-09 Sign Illumination: Four issues were raised with respect to sign illumination:

- Include language to require consistency in brightness of external lighting to minimize hot-spots or dead zones;

Staff is willing to explore this option.

- Include public nuisance language to aid in the enforcement of brightness levels or limit brightness based on luminance as measured in the number of nits.

Staff is willing to explore this option. United States Sign Council recommends a maximum of 750 nits. International Sign Association believes this issue is essentially self-policing.

- In environmentally sensitive areas, limit brightness as opposed to color in order to avoid conflicts with registered trademarks. Remove arbitrary language.

Staff is willing to explore this option.

- 383 ○ Clarity regarding types of illumination allowed for aesthetic purposes.

384
385 Staff wishes to be more specific with respect to what type of sign illumination is
386 allowed.

387
388 **Section 113-10 Electronic Messaging Centers (EMCs):** Four comments/suggestions were
389 provided with respect to EMCs:

- 390
391 ○ General comment that EMCs are an important sign option.

392
393 Staff does not disagree provided issues regarding EMCs can be appropriately
394 mitigated.

- 395
396 ○ General discussion regarding 8-second hold-time rule and moving the rule from the
397 definitions section to Section 113-10.

398
399 Current language sets the hold time at 8 seconds; however, according to the
400 International Sign Association, intervals of between 8 and 12 second are also
401 considered appropriate.

- 402
403 ○ In Section 113-10.A, delete one level of EMC as opposed to having two levels based on
404 image color.

405
406 Staff is willing to explore this option. This would require that the definitions be
407 changed and that the 8-second hold-time rule be relocated to Section 113-10.

- 408
409 ○ In Section 113-10.B.4, limit the amount of sign area devoted to EMCs to between 50% and
410 75% of the allowed sign area as opposed to 100% as currently proposed.

411
412 Staff is willing to explore this option.

- 413
414 ○ In Section 113-10.B.5, delete certification language in lieu of an affidavit of compliance that
415 would require the owner of the sign to attest they have read and understand the operating
416 requirements for EMCs and agree to abide by the city's standards or face enforcement
417 action.

418
419 Staff is willing to explore this option.

- 425 ○ Include a requirement that the factory installed software be locked down to prevent end-
426 user manipulation with respect to brightness setting.
427

428 According to the International Sign Association and Daktronics, such capabilities
429 would not be possible as it would affect the ability of the sign's performance in
430 jurisdictions that have little or no requirements limiting nighttime illumination levels.
431

432 **Section 113-13 Flags and Flagpoles:** Two issues were raised with respect to this section:
433

- 434 ○ In Section 113-13.B.2, the requirement limiting the location of a residential flagpole to the
435 front yard unnecessarily limits the ability of a homeowner to fly their flag in the rear yard.
436

437 Staff has no objection to allowing flag poles to be located in the required front yard,
438 required rear yard, or building envelope, but is reticent to allow flag poles in the
439 required side yard.
440

- 441 ○ In Section 113-13.B.3, a question was raised as to whether the height limitation unfairly
442 infringes on the speaker's 1st Amendment rights.
443

444 A limitation on height is geared towards time, place and manner, which staff believes
445 is consistent with the law.
446

447 **Section 113-14 Comprehensive Sign Programs:** A concern was raised on two separate
448 occasions that the Comprehensive Sign Program approval criteria are somewhat arbitrary as
449 currently proposed.
450

451 Staff will consult with the City's legal staff in this regard and make any changes
452 deemed necessary.
453

454 **Section 113-15 Nonconforming Sign:** There were several issues or concerns raised with respect
455 to nonconforming signs:
456

- 457 ○ In Section 113-15.B.1.a, a concern was raised with respect to the 90-day timeframe for
458 continued use of a non-conforming sign.
459

460 Staff does not disagree that 90-days is quite short; however, this timeframe is
461 consistent with language elsewhere in the SUDC. If the Commission and City Council
462 desire a longer timeframe in which to allow nonconforming uses including signs, this
463 should be addressed here in addition to the larger SUDC re-write.
464
465
466

- Also in Section 113-15.B.1.a, there was a concern regarding the meaning of the word “abandoned”.

If this section remains, staff will ensure that “abandoned” is clearly defined. This may include clarifications on words such as “occupied” and “vacant”.

- In Section 113-15.B.1.b, a concern was raised with respect to the 10-year requirement to remove a nonconforming sign in that while 10-years may be ample time to amortize the initial investment, signs also provide business recognition, which may be inhibited with the erection of a new sign.

While the 10-year timeframe may seem short, the intent of including such language is to remedy nonconforming uses including signs. Further, there are very few instances where a currently existing sign would need to be removed 10 years after the adoption of this Code. In addition, this section, as proposed, provides for an appeal process in which the timeframe may be extended.

- One person expressed an opinion that Section 113-15.B should either be deleted in its entirety or modified to more closely reflect the language pertaining to nonconforming uses in the SUDC.

Staff is willing to explore this option.

Section 113-16 Enforcement: Several issues were raised with respect to enforcement:

- Concern that in Section 113-16.A, the possibility of being charged criminally for a sign violation seemed overbearing.

This provision was included in order to allow Code Enforcement staff the ability to seek criminal charges for egregious violations.

- Concerns that proposed code language does not afford opportunity for appeal of sign violations.

In the event of an alleged sign code or zoning code violation, City’s Code Enforcement staff will seek voluntary compliance. This may be done through a conversation with the alleged offender and followed up with the issuance of a Notice of Violation. The entity receiving the Notice of Violation is given an opportunity to correct the violation; however, if the violation is not remedied, staff will issue an Order to Comply. If the alleged offender believes the notice and/or order to be issued in error, that entity has the right to challenge the matter in city court.

- Concerns that automatic discarding of signs after 5 business days may constitute a taking.

The proposed enforcement language allows the City to remove temporary signs in certain circumstances. The intent of the 5-day provision is to allow the owner of the sign a reasonable opportunity in which to retrieve said sign.

General comments:

- Concerns that the economic benefit of signs are not being taken into consideration with the proposed code language.

Staff recognizes the economic benefit of signs and has attempted to write the proposed language in a manner that allows a reasonable level of signage while addressing issues regarding community aesthetics.

- Concerns that the proposed code does not address sign walkers.

Sign walkers are address in Section 113-08.A.9 of the proposed code. State statute limits the authority local jurisdictions have over sign walkers and there has been a considerable case law on the subject. The propose language is consistent with the limitations placed on jurisdictions by state statute and applicable case law.

- Concerns that the proposed code does not address political signs.

State statute limits the amount of authority local jurisdictions have over political signage. Shortly after the Reed decision was rendered, the City Council approved a Text Amendment removing all references to political signs from the existing code. The proposed code is also silent with respect to political signage.

- A provision for a minimum allowance for sign area.

Staff is willing to explore this option.

Summary:

While the Reed case dealt largely with temporary signs in the public right-of-way, the ruling raised the issue of “content-neutrality”. Staff has endeavored to create a content-neutral sign code and wishes to present this matter to the Commission as a discussion item. Citizen outreach has begun in earnest, with considerable comment having been received. Upon receiving feedback from the Commission, staff will make revisions to the proposed sign code language for review and action by the Planning and Zoning Commission at a later date. Once acceptable to the Commission, staff will forward the Commission’s recommendation to the City Council for their consideration.

Tentative dates are as follows (subject to change):

- April 20, 2017 – Planning and Zoning Commission discussion item
- May 4, 2017 – Planning and Zoning Commission discussion item
- June 1, 2017 – Planning and Zoning Commission public hearing
- June 20, 2017 – City Council discussion item
- August 1, 2017 – City Council public hearing
- September 1, 2017 – Effective date

Findings:

- None at this time

Attachments:

- 02 – FS15-311 Draft Sign Code Update Public Review Version 1
- 03 – FS15-311 Public Comment #1
- 04 – FS15-311 Public Comment #2
- 05 – FS15-311 Public Comment #3
- 06 – FS15-311 Public Comment #4

**PROPOSED TEXT AMENDMENT TO CHAPTER 113 OF THE SURPRISE
MUNICIPAL CODE REGARDING SIGNS**

CITY OF SURPRISE PLANNING CASE FS15-311

Public Review Version 1

Public Review Version 1

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Section 113-01 – Title; Findings and Purpose; Intent

- A. **Title:** Chapter 113 of the Surprise Municipal Code may hereafter be referred to as the “City of Surprise Sign Code” or “Sign Code”.
- B. **Findings and Purpose:** *Signs* obstruct views, distract motorists, displace alternative uses for land, and pose other problems that legitimately call for regulation. The purpose of this Chapter is to regulate the size, illumination, movement, materials, location, height and condition of all *signs* placed on private property for exterior observation, thus ensuring the protection of property values, the character of neighborhoods, the creation of a convenient, attractive and harmonious community, and encouraging economic development. This Chapter allows adequate communication through signage while encouraging aesthetic quality in the design, location and size of all *signs*. This paragraph shall not be construed as to exempt from regulation privately owned *signs* within the public right-of-way or on publicly owned land.
- C. **Intent:** To safeguard the public interest from the negative impacts of *signs*, this Chapter establishes standards for the regulation of *signs* to:
1. Allow adequate signage for business identification while meeting public and private objectives. A *sign* placed on land or in a *building* for the purpose of identification, protection, or directing persons to a use conducted therein must be deemed to be an integral but accessory and subordinate part of the principal use of the land or *building*. Therefore, the intent of this Chapter is to establish limitations on *signs* in order to ensure they are appropriate to the land, *building* or use to which they are appurtenant and are adequate for their intended purpose while balancing individual and community interests identified Subsection B herein.
 2. Promote the free flow of traffic, while protecting pedestrians and motorists from injury and property damage that may be caused by cluttered, distracting and illegible signage. These regulations distinguish between portions of the City designed for primarily vehicular access and portions of the City designed for primarily pedestrian access.
 3. Promote the use of *signs* that are well designed, of appropriate scale, structurally sound, and integrated with surrounding *buildings* and landscape in order to meet the community's desire for quality development.
 4. Protect property values, the local economy, and the quality of life. These regulations are intended to preserve and enhance the appearance of the streetscape that affects the image of the city.

5. Maintain acceptable outdoor lighting levels. These regulations are intended to enhance the livability of the community while respecting the natural habitat for animals and the desire for dark skies in environmentally sensitive areas.
6. Provide for adequate wayfinding through and within the city. These regulations are intended to aid motorists and pedestrians in navigating to local businesses and other points of interest safely.
7. Promote the health, safety, morals, and general welfare of the citizens of the City of Surprise.

D. Limitations:

1. These regulations do not regulate every form and instance of visual communication that may be displayed within the jurisdictional limits of the City of Surprise. Rather, they are intended to regulate those forms and instances that are most likely to meaningfully affect one or more of the stated purposes set forth.
2. These regulations do not entirely eliminate all of the harms that may be created by the installation and display of *signs*. Rather, they strike an appropriate balance that preserves ample channels of communication by means of visual display while still reducing and mitigating the extent of the harms caused by *signs*.
3. These regulations are not intended to and do not apply to *signs* erected, maintained or otherwise posted, owned or leased by this State, the federal government or the City of Surprise. The inclusion of “government” in describing some *signs* does not intend to subject the government to regulation, but instead helps illuminate the type of *sign* that falls within the immunities allowed for government speech.

Section 113-02 – Applicability

The provisions of this Chapter apply to all incorporated areas within the City of Surprise and shall supersede all previous sign codes and references thereto adopted by the Surprise City Council as of the effective date of Ordinance [insert adopting Ordinance Number], except that where such land is located within an approved Planned Area Development (PAD), or is subject to an approved Comprehensive Sign Program (CSP) existing at the time of the adoption of this Ordinance, the time, place and manner provisions of said PAD or CSP shall apply. Whenever an approved PAD or CSP is silent on a matter relating to signage, the provisions of this Chapter shall apply to the extent that such provisions are not in conflict with the provisions of the approved PAD or CSP.

Section 113-03 – First Amendment Interpretation and Severability

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

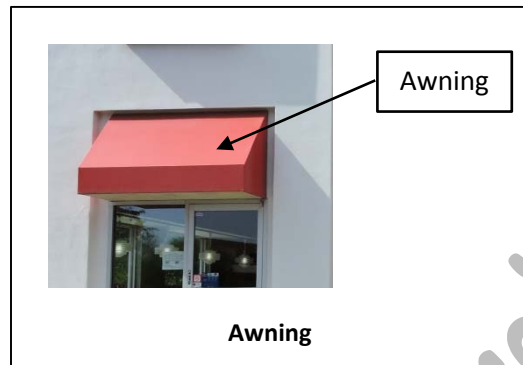
Section 113-04 – Rules of Interpretation

- A. Words or phrases within this Chapter which are expressed using *italics* shall assume the meaning as ascribed in Section 113-05 of this Chapter. Words or phrases not expressed in italics shall assume the common meaning of the word or phrase unless such word or phrase is otherwise included in Section 122-178 of the Surprise Municipal Code. Whenever the definition of a word or phrase used in this Chapter is in conflict with any word or phrase used elsewhere in the Surprise Municipal Code, the definitions of this Section shall apply for purposes of interpreting this Chapter.
- B. Graphical representations are often used throughout this Chapter to further clarify the intent of the text; however, whenever there is a conflict between the text and the illustration, the language of the text shall prevail.
- C. Words in singular form shall include the plural form and words in plural form shall include the singular form.
- D. The word “shall” is mandatory and the word “may” is permissive.
- E. The City of Surprise shall not evaluate any *sign* based on the message content of the *sign* provided the *sign copy* contains no vulgar or profane language, hate speech, or language intended to incite violence, in which case the *sign copy* shall not be permitted.

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Section 113-05 – Definitions

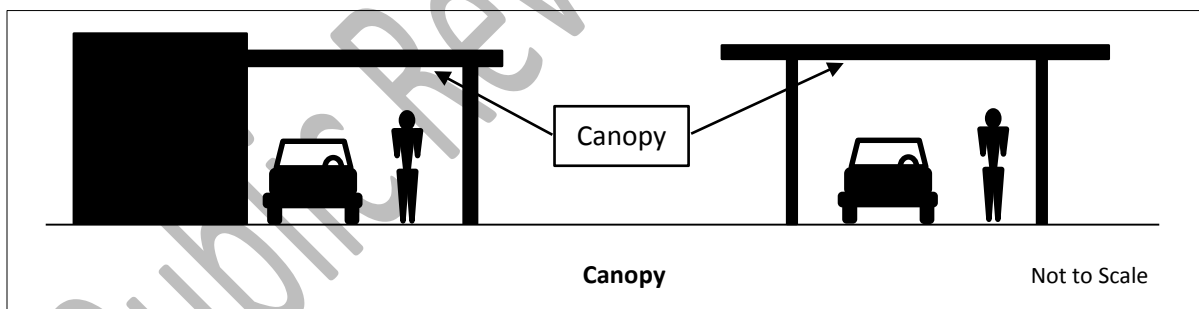
Awning: An architectural projection, typically made of cloth or metal, which projects from and is supported by the walls of a *building* and is intended to provide shade or shelter above a window or door.



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.

Canopy: A *building* or portion thereof, which is open on not less than two (2) 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: Specific to the Surprise Heritage District as outlined in Section 122-69.1 of the Surprise Municipal code, 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 122-69.1(G) of the Surprise Municipal Code.

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*.

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 (8) 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.

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

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.

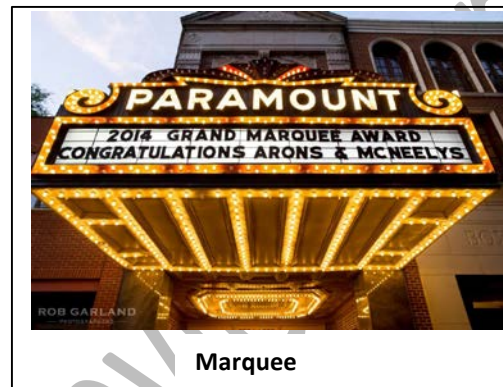
Lawful temporary event: A use of land that is permitted by and in accordance with Section 122-105 of the Surprise Municipal Code.

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

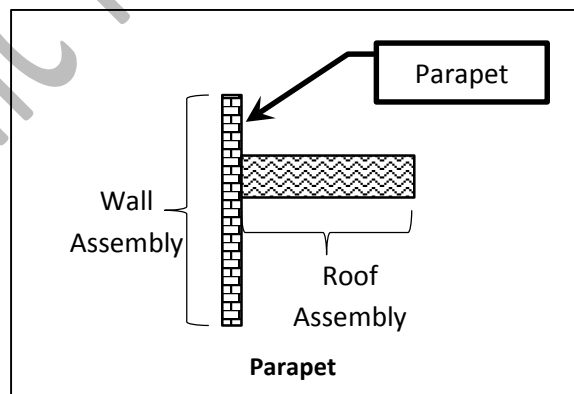
Luminance: The light that is emitted by a light source or reflected from a surface, measured in foot-Lamberts or Nits. See also “*illuminance*”.

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*.

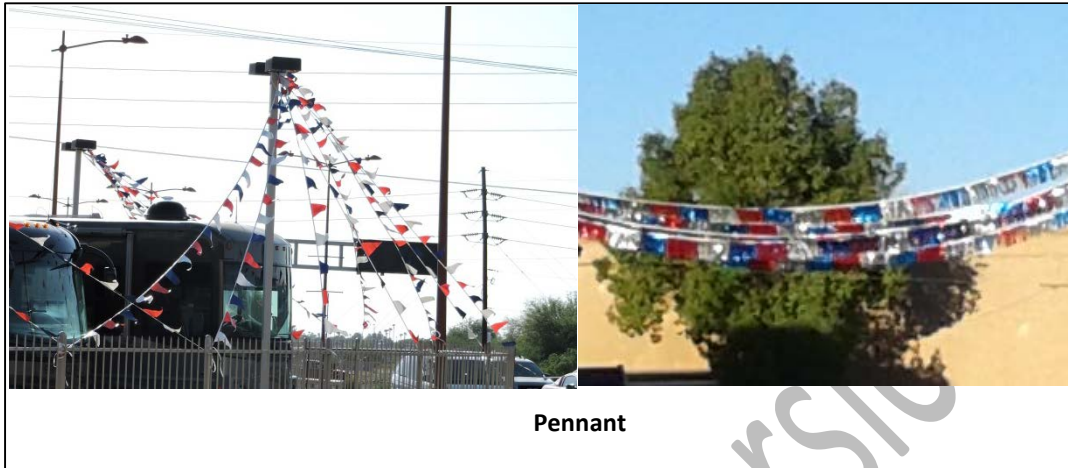
Marquee: A type of *building* projection typically attached to and projecting from the front entrance of a hotel or theater, and intended to provide an opportunity for signage.



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.



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*.

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, 3-Dimensional: A *sign* in which is meant to be viewed from all angles.



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 2-dimensional *sign* which can enclose all of the *sign copy*, or in the case of a 3-dimensional *sign*, 50% 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*.

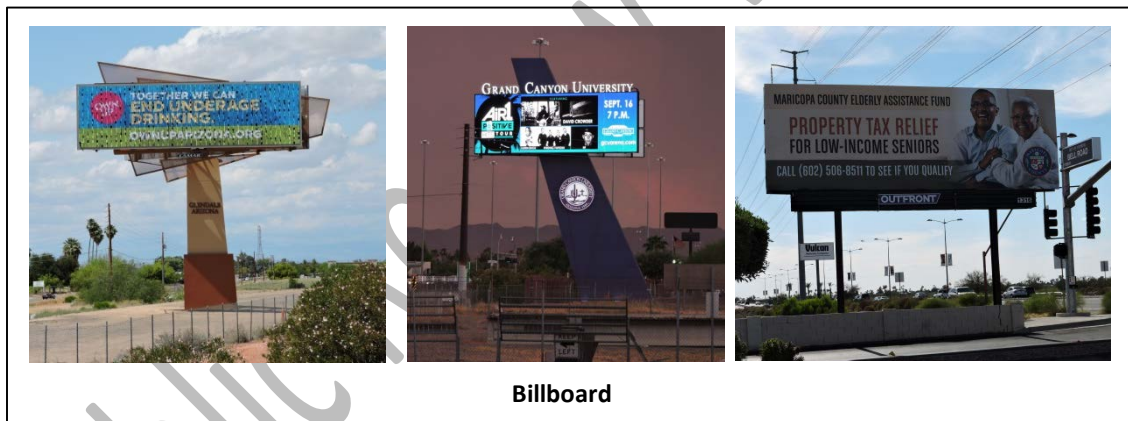


Sign, backlit: A *sign* typically utilizing opaque graphics, in which the light source is concealed or contained within the graphic thereby causing the graphic to become visible against the illuminated surface onto which the graphic is mounted.

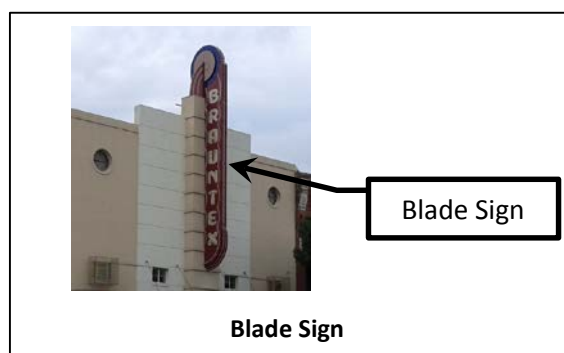
Sign, Banner: A *sign* consisting of fabric, paper, or other lightweight pliable material, either enclosed or not enclosed in a rigid frame, and secured or mounted to minimize movement in the wind, but not including *inflatable signs*.



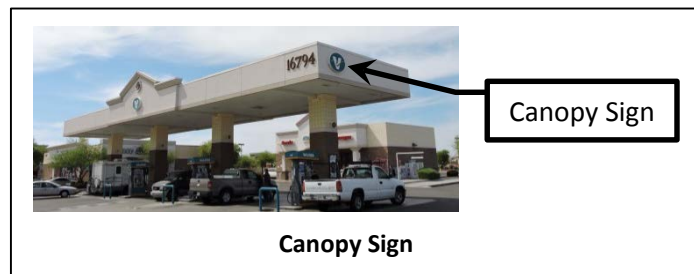
Sign, Billboard: A *sign* that advertises a business, commodity, service, entertainment, product or attraction which is sold, offered or existing elsewhere than on the property where the *sign* is located or which takes on the physical characteristics historically associated with such *signs*.



Sign, Blade: A *sign* which stands off from the façade 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: A *sign* that is erected on its own self-supporting structure, detached from any supporting elements of a *building*.

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 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.

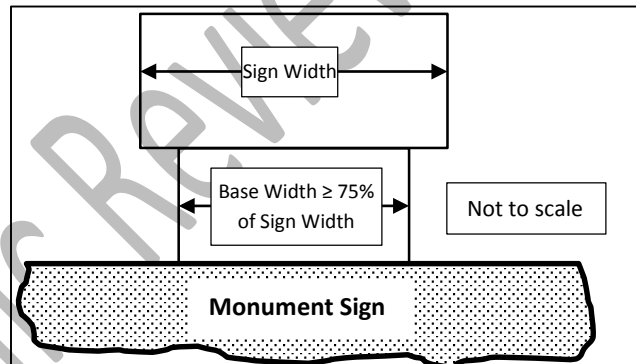


Sign, legal non-conforming: A *sign* lawfully erected and maintained prior to the adoption of the Ordinance from which this Chapter or amendments thereto is derived that does not conform to the requirements of this Chapter.

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, Monument: A freestanding sign with a base that is at least 75 percent of the width of the *sign*.



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.



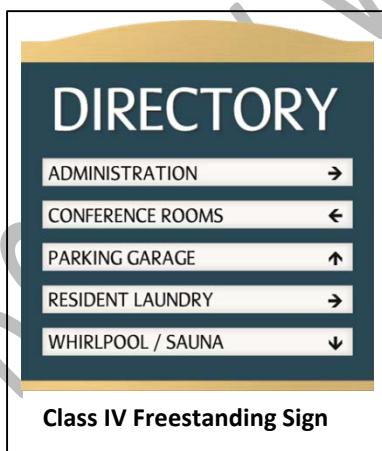
Sign, Monument, Class II: Commonly referred to as a “preview sign”, a Class II Monument Sign is a *monument sign* associated with the drive-through lanes of a *drive-through business*, and which is not equipped with a loudspeaker or microphone.



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.



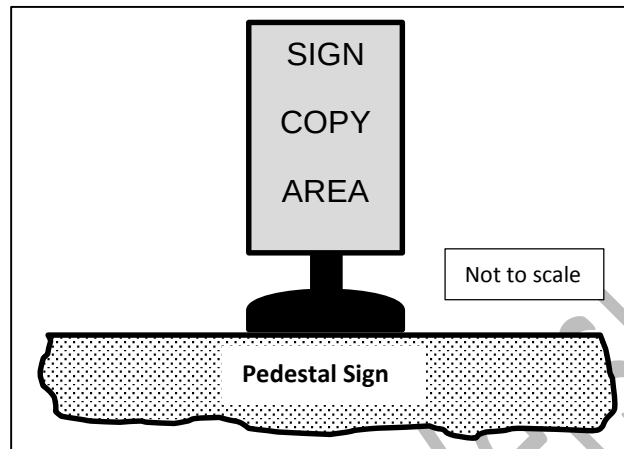
Sign, Monument, Class V: A *monument sign* associated with a High Volume Collector Street, Residential Collector Street, or Commercial Collector Street, as defined by the Surprise Engineering Design Standards, and provides the primary source of signage for the property served by the *sign*.

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.

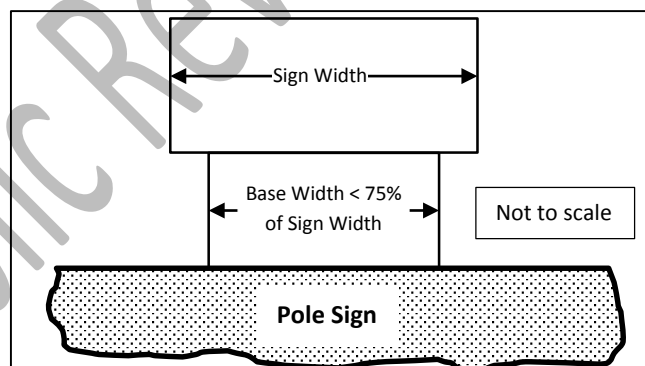
Sign panel: The surface on which *sign copy* is depicted.

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



Sign, permanent: A *sign* that due to its physical characteristics and method of attachment is intended for permanent display.

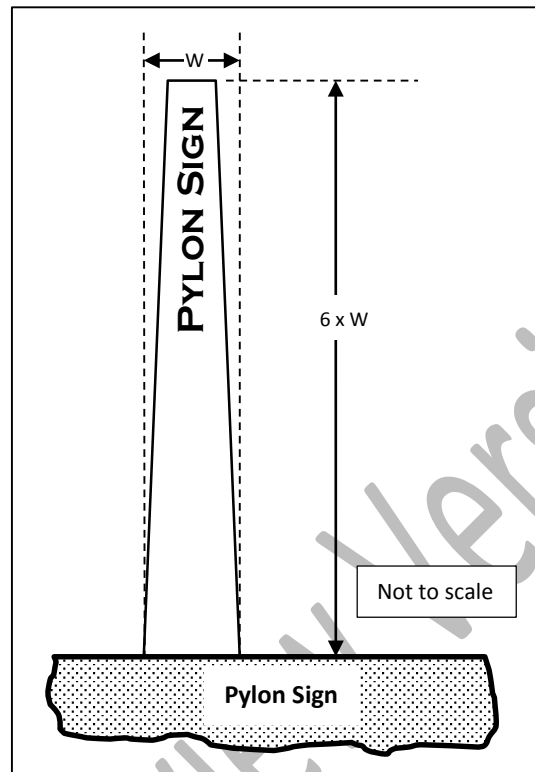
Sign, Pole: A *freestanding sign* where the width of the supporting poles, uprights or braces are collectively less than 75 percent of the width of the *sign*. For purposes of this Chapter, a *light pole banner* is not considered a pole sign. (See also "*Sign, Monument*" and "*Sign, Pylon*".)



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, public: A *sign* erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information, or direct or regulate pedestrian or vehicular traffic.

Sign, Pylon: A *Monument Sign* in which the height of the *sign structure* is at least six (6) times the width of the base of the *sign structure*.



Sign, Reader Panel: A *sign* in which the individual characters of the *sign copy* may be changed manually and immediately, but not including Electronic Messaging.



Reader Panel

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.



Sign, Roof: A *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.

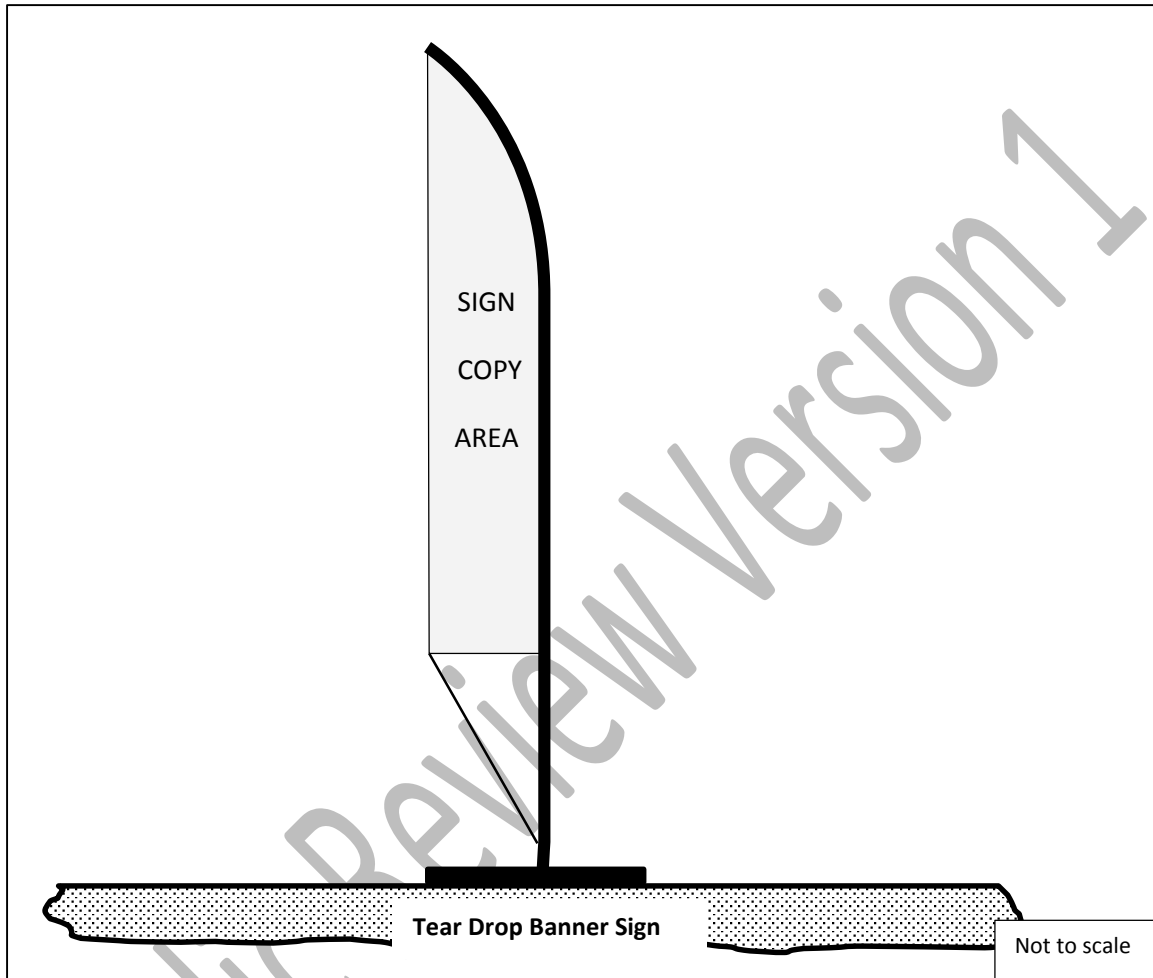
Sign, Shingle: A *sign* suspended from, and located entirely under a covered porch, walkway, *canopy* or *awning*.



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, sidewalk, park bench, parkway, street, or right-of-way.

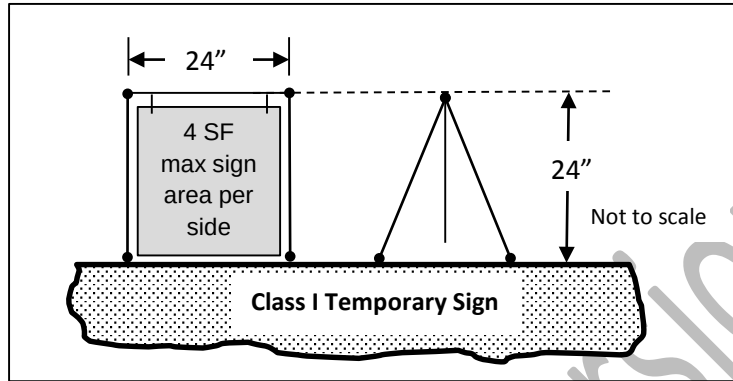
Sign structure: The supports and framework of a *sign*.

Sign, Teardrop Banner: A *sign* consisting of a narrow strip of fabric material which is attached to a flexible or partially flexible pole in a vertical manner.

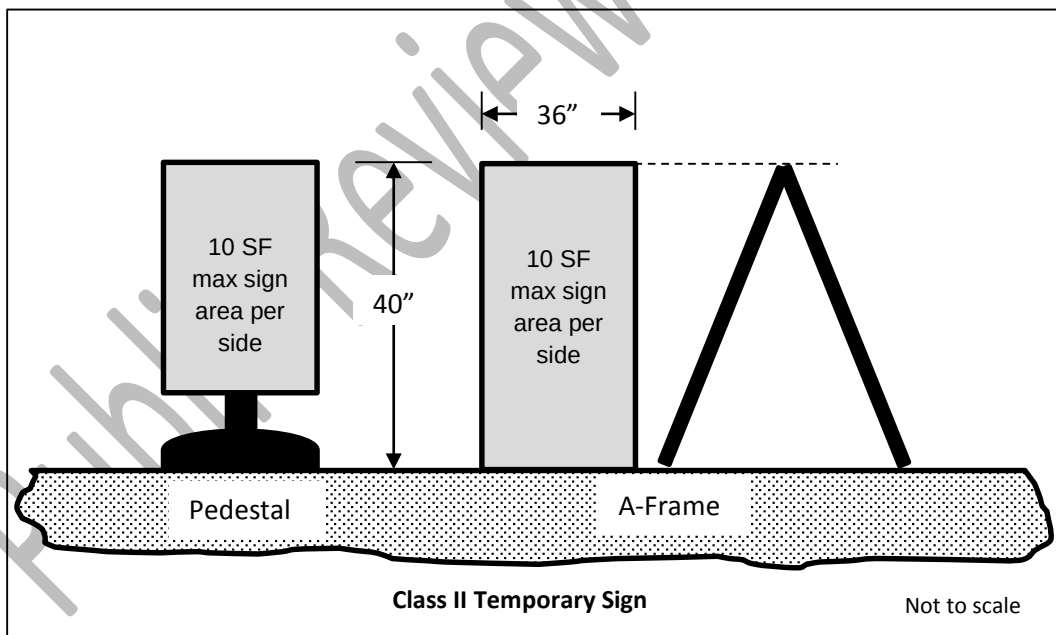


Sign, temporary: A *sign* that due to its physical characteristics and method of attachment is not intended for permanent display. See also "*sign, permanent*".

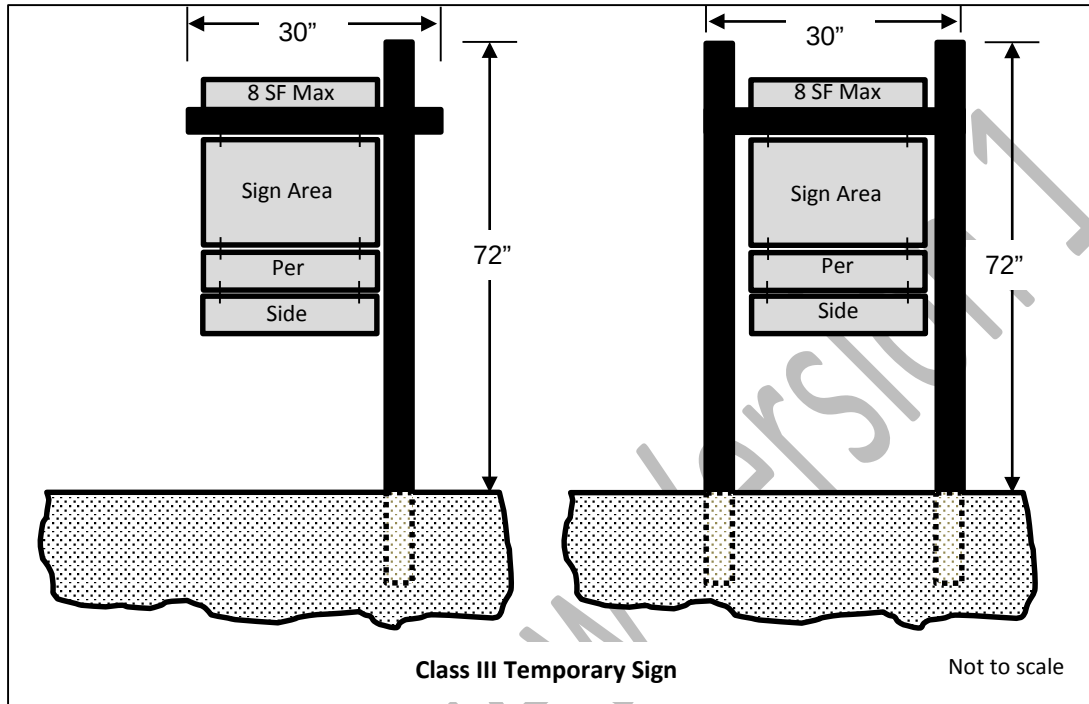
Sign, Temporary, Class I (Small A-Frame Sign): A temporary, portable sign generally in the shape of the letter “A” in which the overall height of the *sign structure* does not exceed twenty-four (24) inches, the overall width of the *sign structure* does not exceed twenty-four (24) inches and which does not exceed eight (8) square feet of aggregate *sign area*.



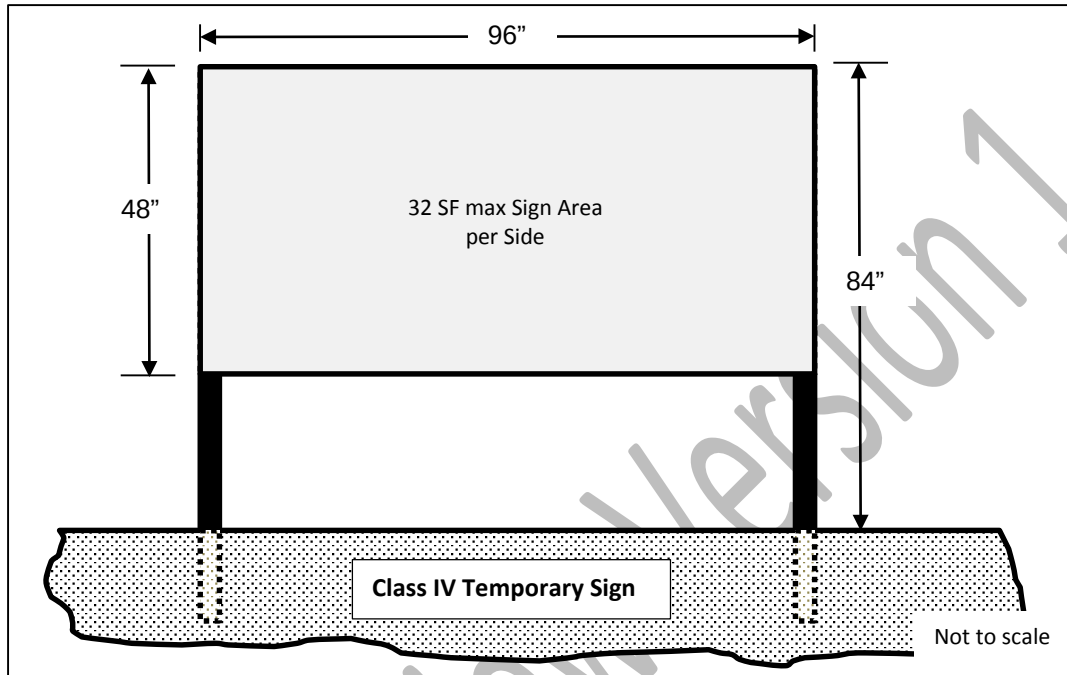
Sign, Temporary, Class II (A-Frame Sign and Pedestal Sign): A temporary, portable sign in which the overall height of the *sign structure* does not exceed forty (40) inches, the overall width of the *sign structure* does not exceed thirty-six (36) inches and which does not exceed twenty (20) square feet of aggregate *sign area*.



Sign, Temporary, Class III (Small Post Sign): A *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 thirty (30) inches, and the aggregate *sign area* does not exceed sixteen (16) square feet.



Sign, Temporary, Class IV: A temporary sign supported by two (2) 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, Vehicle: Any sign mounted, painted, or otherwise erected on a *vehicle*.

Sign Walker: A live person carrying a *portable sign* intended to convey a message to motorists and passersby.



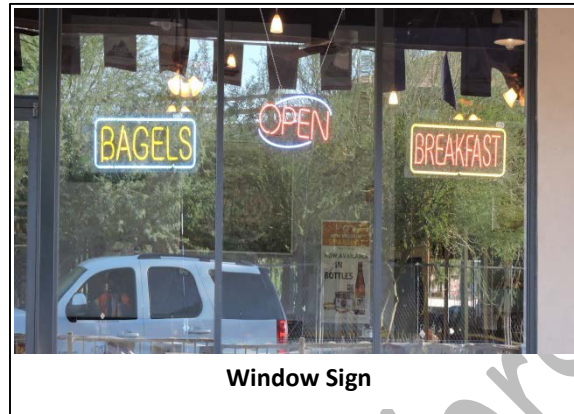
Sign, Wall, Building: A *sign* mounted flat against a *building wall* with the exposed face of the *sign* in a plane generally parallel to the face of the wall, but not including *Window Signs*.



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.



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

Vehicle: Any car, truck, motorcycle, All-Terrain Vehicle, Recreational Vehicle, boat, trailer, tractor, crane, mobile machinery, or similar.

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

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

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Section 113-06 – Permitted and Prohibited Signs

- A. **Permitted Signs by Zoning District** – Only those *sign* types and classes that are specifically listed in Table 113-06.A for each zoning district may be allowed, subject to the provisions outlined elsewhere in this Chapter.

TABLE 113-06.A – PERMITTED SIGNS (P=Permitted, shaded cell = Not Permitted)											
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											
113-08.A.2	Class I Temporary Signs (Small A-Frame Signs)			P	P	P	P	P	P	P	P
113-08.A.3	Class II Temporary Signs (Large A-Frame Signs)			P	P	P	P	P	P	P	P
113-08.A.4	Class III Temporary Signs (Small Post Signs)			P	P	P	P	P	P		P
113-08.A.5	Class IV Temporary Signs (Large Post Signs)			P	P	P	P	P	P		P
113-08.A.6	Banner Signs						P		P		P
113-08.A.7	Light Pole Banner Signs	P	P		P	P	P	P	P		P
113-08.A.8	Teardrop Banner Signs			P	P	P	P	P	P	P	P
113-08.A.9	Sign Walkers	P	P	P	P	P	P	P	P	P	P
BUILDING MOUNTED SIGNS											
113-08.B.1	Building Wall Signs			P	P	P	P		P		P
113-08.B.2	Blade Signs			P	P	P	P		P		P
113-08.B.3	Canopy Signs				P	P	P		P		P
113-08.B.4	Marquee Signs						P				P
113-08.B.5	Awning Signs						P		P		P
113-08.B.6	Hanging Signs					P	P	P	P		P
113-08.B.7	Window Signs and Sunscreens			P	P	P	P	P	P		P
FREESTANDING SIGNS											
113-08.C.1	Class I Monument Signs (Menu Signs)						P		P		
113-08.C.1	Class II Monument Signs (Preview Signs)						P		P		
113-08.C.2	Class III Monument Signs (Directional Signs)	P	P	P	P	P	P	P	P	P	P
113-08.C.3	Class IV Monument Signs (Directory Signs)				P	P	P		P		
113-08.C.4	Class V Monument Signs (Minor Monument Signs)			P	P	P	P		P		P
113-08.C.5	Class VI Monument Signs (Major Monument Signs)				P	P	P		P		P
113-08.C.6	Roadway Arch Signs	P	P				P		P		
113-08.C.7	Subdivision Perimeter Wall Signs			P	P	P	P				P
OTHER SIGNAGE											
113-10	Level 1 Electronic Messaging			P	P	P	P	P	P		P
113-10	Level 2 Electronic Messaging				P	P	P		P		P
113-11	Reader Panels			P	P	P	P	P	P		P
113-12	Address Identification			P	P	P	P	P	P	P	P
113-13	Flags and Flagpoles			P	P	P	P	P	P		P

- B. **Signs in the Public Street Right-of-Way:** *Signs* are permitted within the public street right-of-way regardless of the zoning of said right-of-way, only when erected by, or on behalf of, the City of Surprise, or as permitted under Section 113-08.A.2.b and 113-08.A.3.b below.
- C. **Signs in the Private Street Right-of-way:** *Signs* are permitted within private street rights-of-way only when associated with an approved Planned Area Development (PAD) or Comprehensive Sign Program (CSP), or as required by the City of Surprise.
- D. **Encroachments:** No portion of any *sign* erected on any property may encroach into the public right-of-way unless expressed written permission is granted by the City of Surprise 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, Billboard Signs, Pole Signs* of a permanent nature, *Roof Signs and Snipe 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 thirty (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 of Surprise Board of Adjustment, are expressly prohibited.
- G. **Signs Exempt from these Regulations** – The following *signs* are exempt from regulation under this Chapter:
1. Any public-purpose or public-safety *sign*, or any other notice or warning required by a valid and applicable federal, state or local law, regulation, or resolution, and posted by or on behalf of a governmental agency;
 2. Any *sign* that is not visible from another property to the naked eye, provided said *sign* otherwise meets applicable Building Code requirements.
- H. **Violation** – Any *sign* that is not in compliance with this Section is in violation of this ordinance.

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Section 113-07 – General Provisions

A. Permitting Requirements:

1. **Permits Required:** With the exception of those *sign* types listed in 113-07.A.3 below, a permit is required for all *signs* regulated by this Chapter and erected within the City of Surprise.
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 of Surprise 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 (6) feet in length, then a permit is required for the flagpole
 - h) *Signs* relating to citizen review or public hearings

B. Sign Quality and Construction:

Signs shall be designed in compliance with the applicable construction codes adopted by the City and in effect at the time of construction.

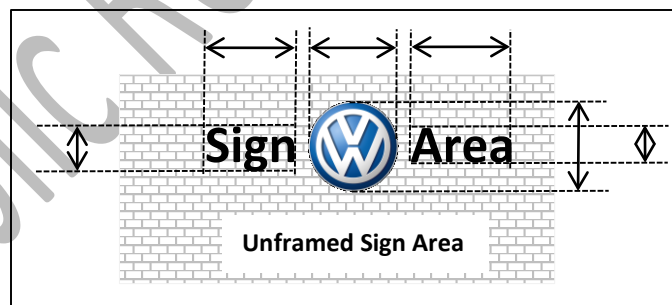
C. **Sign Maintenance:**

1. All *signs* shall be maintained in a stated 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.

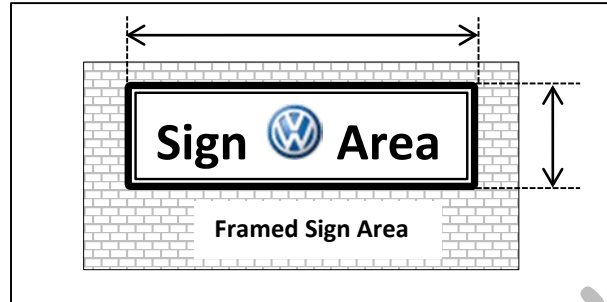
D. **Methods of Measurements:**

1. **Sign Area:**

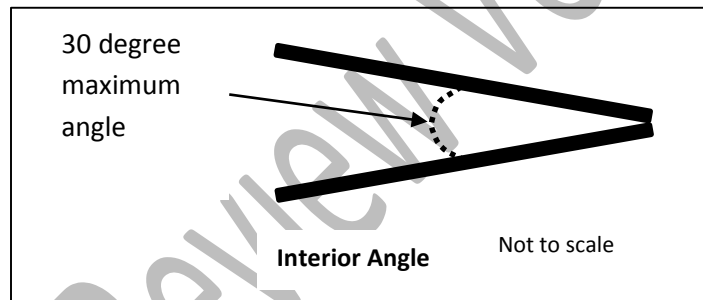
- a) **Unframed Signs:** Where the individual letters, logos and graphics of a *sign* are mounted directly to a wall or *sign structure*, the *sign area* is determined by calculating the smallest rectangle or rectangles containing *sign copy*.



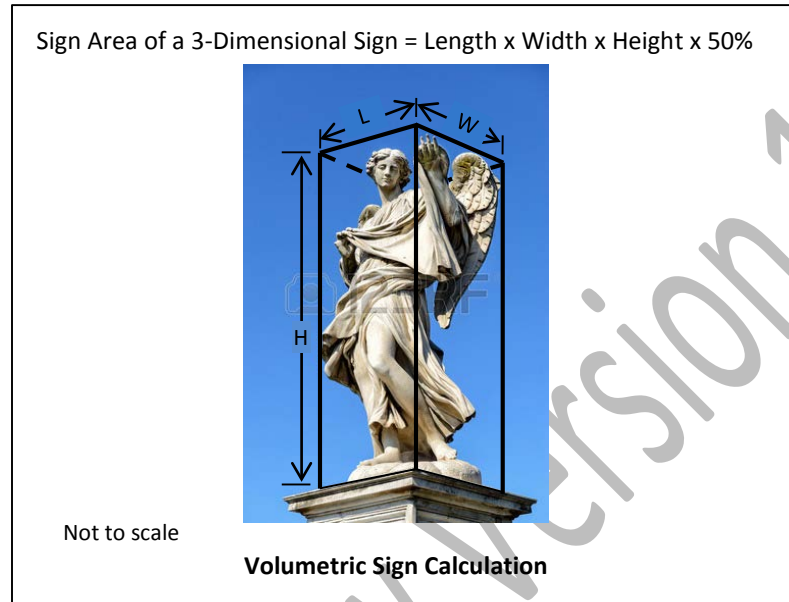
- b) **Framed Signs:** Where the individual letters, logos and graphics are integral to a *sign panel*, or are framed in by an architectural element or contrasting color apart from the color of the wall or *sign structure*, the *sign area* shall be the area of the panel or frame.



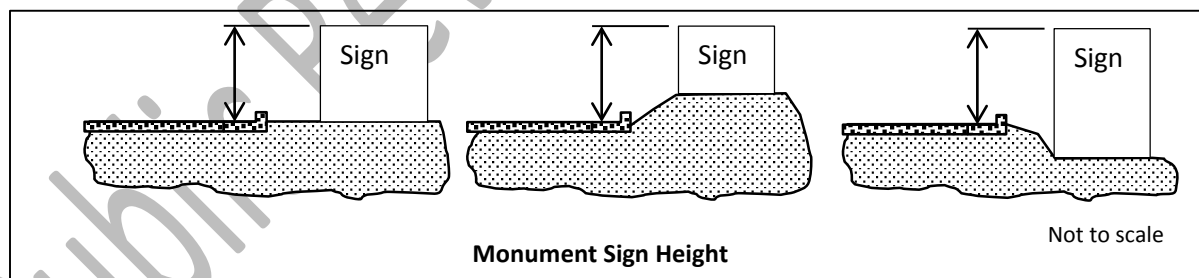
- c) **Double-Sided Signs:** Only one side of a double-sided *freestanding sign* shall be used to calculate the *sign area*, provided the interior angle between *sign faces* is not greater than 30 degrees. This provision does not apply to *A-Frame Signs*.



- d. **3-Dimensional Signs:** Where a *sign* consists of a 3-dimensional, free-form, sculptural or other non-planar design, the *sign area* shall be calculated as 50% 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:** When any requirement of Chapter 113 results in a fractional calculation, that fraction shall be rounded up to the nearest whole number.

Section 113-08 – Sign Classifications and Types

The following *sign* classifications and types as defined in Section 113-05 are permitted in the City of Surprise as outlined in Table 113-06.A 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 through the site.
- 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):**

- a) Not more than three (3) *Class I Temporary Signs* are permitted in conjunction with a *lawful temporary event*, including those associated with *cottage industries*, but not home occupations, subject to the specific requirements as outlined in this Section except that in no case shall a *Class I Temporary Sign* be allowed on a vacant property.
- b) In no case shall a *Class I Temporary Sign* be located within a public right-of-way except as outlined in Section 113-06.B above or when associated with a *lawful temporary event*.
- c) 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.
- d) The *sign* may be weighted or ballasted; however, no such *sign* may be affixed to the ground or to any permanent *structure*.

- e) The *sign* may be displayed only during the business hours of the business or temporary event served by the *sign*.

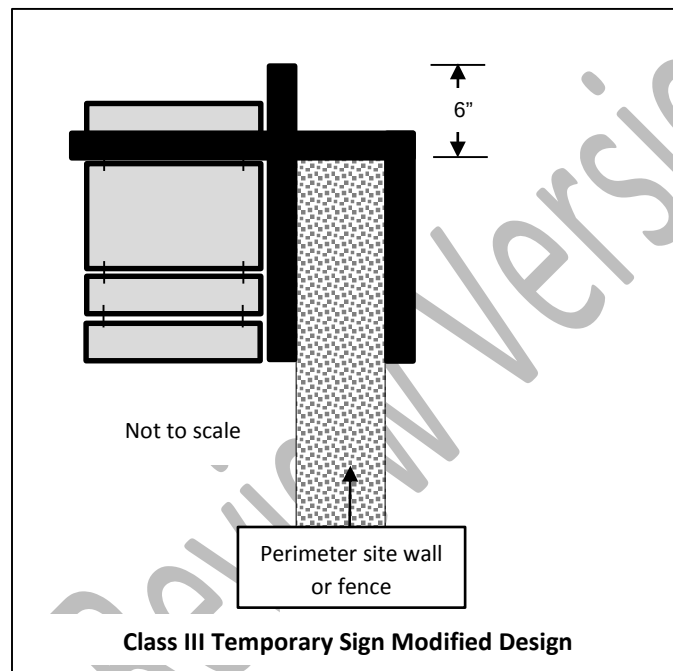
3. ***Class II Temporary Signs (Large A-Frame Signs and Pedestal Signs):***

- a) Not more than one (1) *Class II Temporary Sign* meeting the specific requirements outlined in this Section are permitted in conjunction with a lawful commercial use or a *lawful temporary event*, including those associated with *cottage industries* but not home occupations, subject to the specific requirements as outlined in this Section except that in no case shall a *Class II Temporary Sign* be allowed on a vacant property.
- b) In no case shall a *Class II Temporary Sign* be located within a public right-of-way except as outlined in Section 113-07.B above, or when associated with a *lawful temporary event*, or when the customer entrance to the *building* served by the *Class II Temporary Sign* opens directly onto a public right-of-way.
- c) 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.
- d) The *sign* shall be placed within 15' of the customer entrance of the business served by the *sign*.
- e) The *sign* shall not be located within any landscape area.
- f) The *sign* may be weighted or ballasted; however, no such *sign* shall be affixed to the ground or to any *structure* or object.
- g) The *sign* may be displayed only during the business hours of the business or temporary event served by the *sign*.

4. ***Class III Temporary Signs (Small Post-Signs):***

- a) Not more than one (1) *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 (1) street, one (1) 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) 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.
- d) In the event that a lot's *perimeter site wall* or fence is adjacent to or within twenty (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 (6) inches and does not interfere with pedestrian movement.



5. **Class IV Temporary Signs (Large Post-Signs):**

- a) Not more than one (1) *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 (1) additional *Class IV Temporary Sign* meeting said requirements may be erected along each additional street frontage.
- b) In the event a *Class IV Temporary Sign* is associated with a public hearing, one (1) additional *Class IV Temporary Sign* is permitted for each 660 feet of right-of-way frontage.
- c) The maximum number of *sign panels* per *sign structure* shall not exceed two (2).

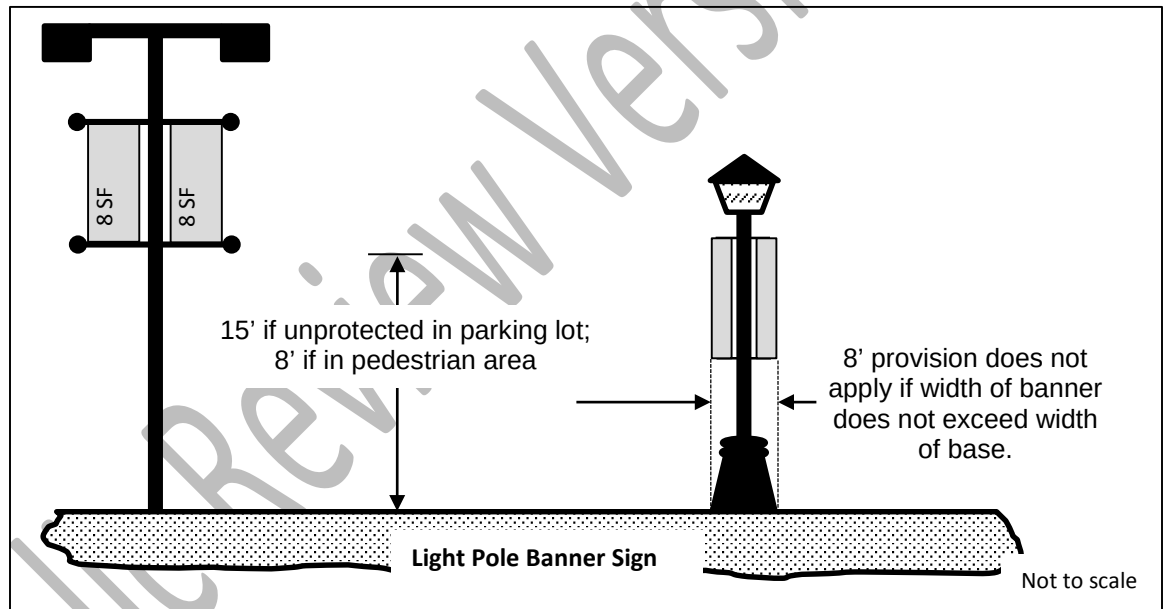
6. **Banner Signs:**

- a) One (1) *Banner Sign* may be placed on any *building*, except those associated with a single-family use. If associated with an active construction project, the one (1) additional *Banner Sign* may be attached to the construction fence surrounding the construction site.
- b) All four corners of a *Banner Sign* shall be securely attached to the *building* or fence.
- c) The maximum area of a *Banner Sign* affixed to a *building* shall not exceed 1 square foot per linear foot of *building* elevation; not to exceed 500 square feet. The maximum area of a *Banner Sign* affixed to a construction fence shall not exceed thirty (30) square feet.
- d) For a single-tenant *building*, the width of the *Banner Sign* shall not exceed 80% 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% of the leased tenant frontage.
- e) *Banner Signs* shall be equipped with ventilation flaps.

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 of Surprise.
- b) The surface area of a single *Light Pole Banner Sign* shall not exceed eight (8) square feet as measured on a single side.
- c) When two (2) *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 fifteen (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 (8) 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 (2) *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.

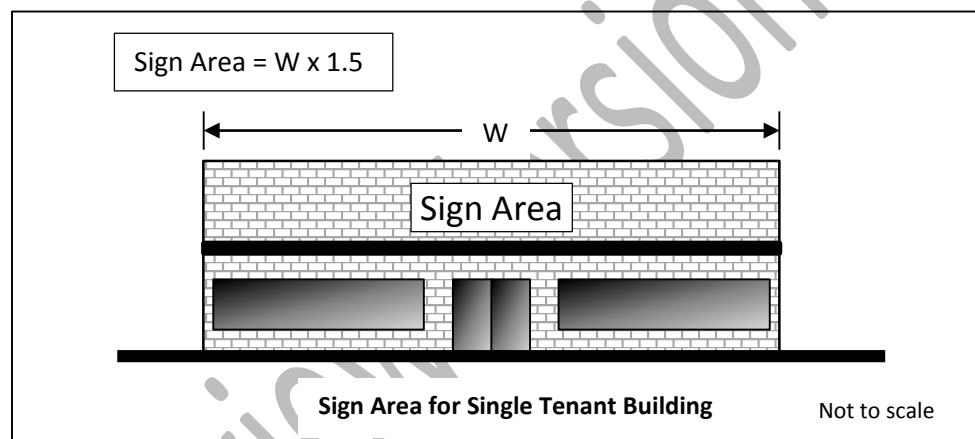
- c) No *Teardrop Banner Sign* shall be located within fifteen (15) feet of a pedestrian path, sidewalk, or trail, whether public or private.
 - d) No *Teardrop Banner Sign* shall be located within fifteen (15) feet of any vehicular parking surface or driveway.
 - e) No *Teardrop Banner Sign* shall be located within fifty (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 twelve (12) feet with the flag portion of the *sign* not exceeding sixteen (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 of Surprise 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 (2) single-sided *signs* not exceeding three (3) square feet of *sign copy* each or one (1) double-sided *sign* not exceeding twelve (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*.

B. Building-Mounted Signs:

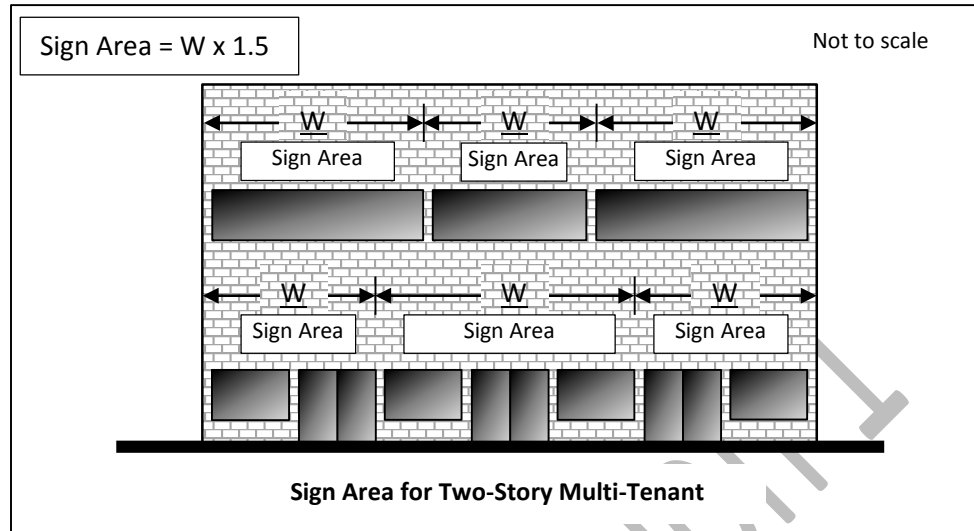
1. Building Wall Signs:

In other than residential zoning, *Building Wall Signs* are permitted on any *building* elevation of any primary use *building*, regardless of orientation to the street or parking lot, subject to the following:

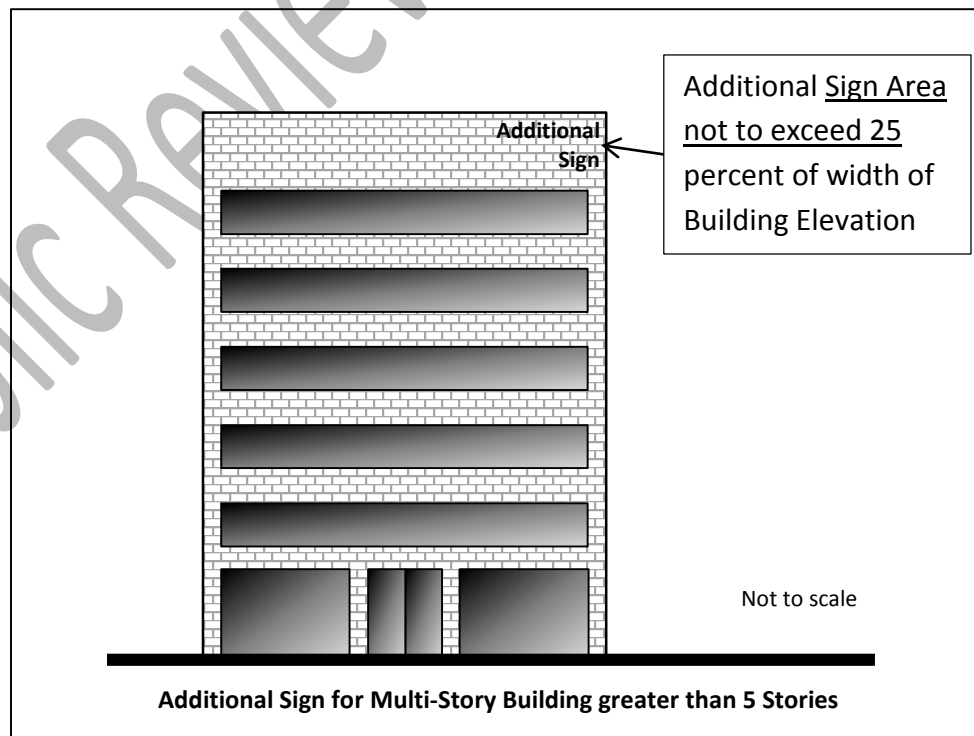
- a) For single-tenant *buildings*, any number of *Building Wall Signs* may be affixed to any *building* elevation, provided the aggregate *sign area* does not exceed one and one-half (1.5) square foot per one (1) linear foot of *building* elevation on which the *sign* is mounted.



- b) For two-story multi-tenant 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 (1.5) square foot per one (1) 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 five (5) one (1) additional *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.

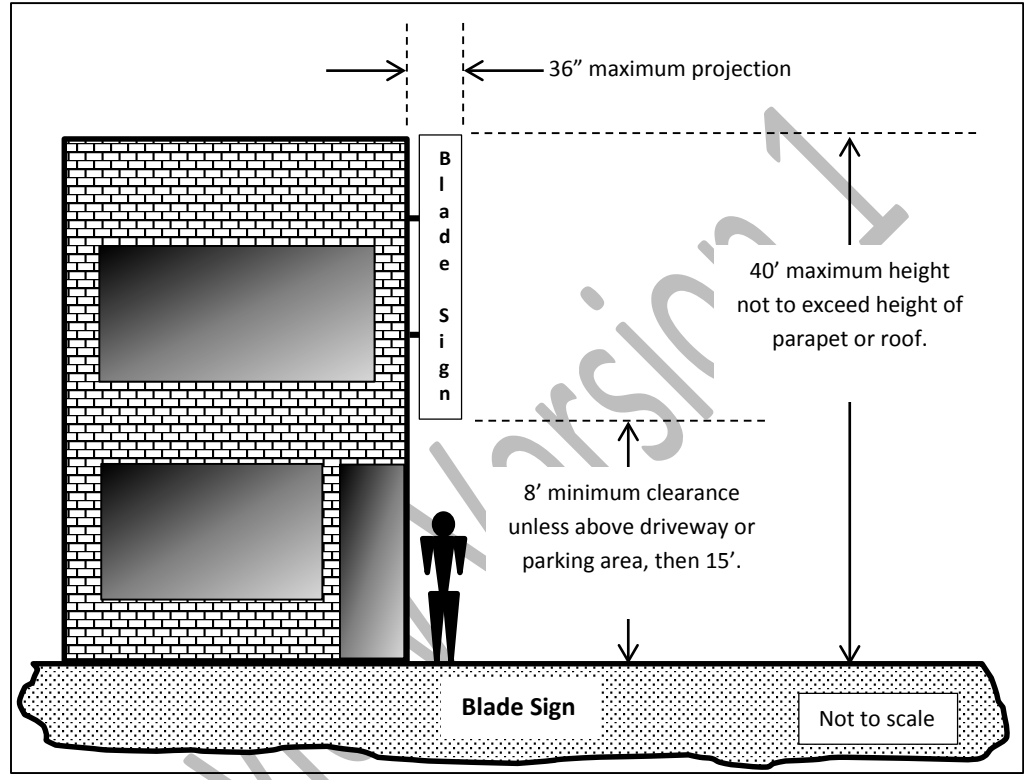


- d) The *sign area* of any *Building Wall Sign* may be increased by twenty-five (25) percent when the *building* is setback at least 600 feet from the public right-of-way and may be further increased an additional twenty-five (25) percent for each additional 200 feet of setback, up to a maximum of 100%, 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 eighty (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 113-09.

2. **Blade Signs:**

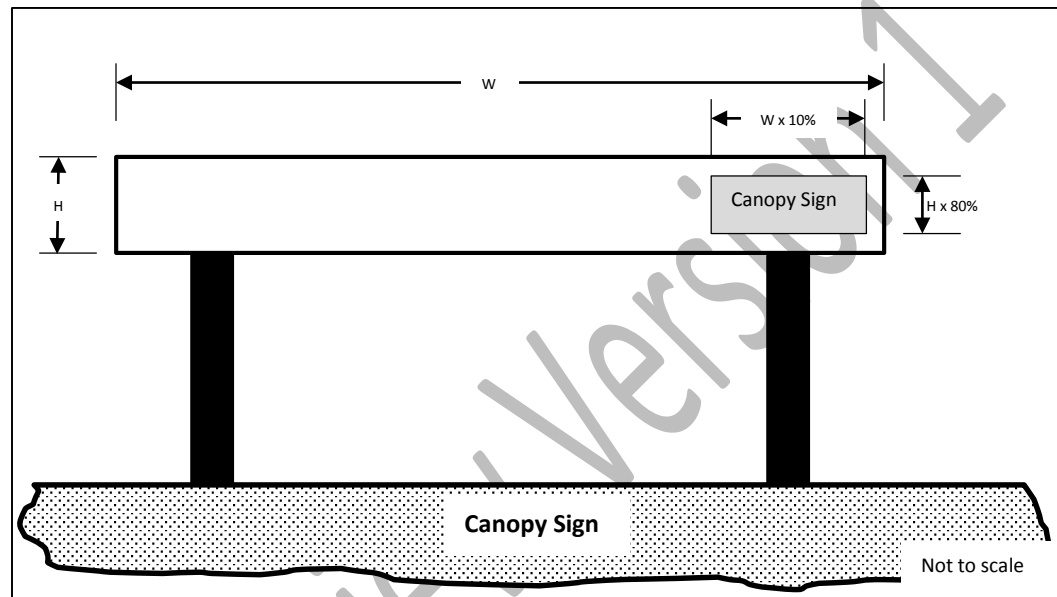
- a) One (1) *Blade Sign* is permitted per primary use multi-story *building* located in multi-family, commercial, mixed-use or industrial zoning subject to the *specific* requirements outlined below.
- b) When a *Blade Sign* extends over a pedestrian area a distance of six (6) inches or more, the bottom of the *sign* shall not be any closer than eight (8) 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 fifteen (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 forty (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 thirty-six (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 113-09.



3. **Canopy Signs:**

- a) *Canopy Signs* shall not exceed 80% of the height of the face of the canopy onto which the *Canopy Sign* is mounted.
- b) *Canopy Signs* shall not exceed ten (10) 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 113.09. *Level 1 Electronic Messaging* is permitted on a *Canopy Sign*, subject to the provisions outlined in Section 113-10.

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 eighty percent (80%) 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 113.09. *Level 1 Electronic Messaging* is permitted subject to the provisions outlined in Section 113-10.

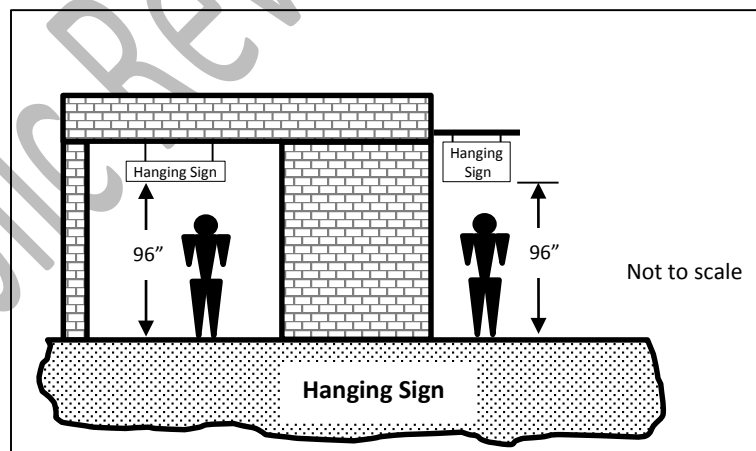
5. ***Awning Signs:***

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 (1) *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 (6) square feet.
- c) Where a *Hanging Sign* is erected above a pedestrian pathway, the bottom of the *sign* shall be not less than ninety-six (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 113-09.



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 forty (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 forty (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*.

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C. Freestanding 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 (1) Class I Monument Sign and one (1) Class II Freestanding 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 (2) 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 six (6) 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 twenty-four (24) 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 Freestanding 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 113.09.
- g) *Level 2 Electronic Messaging* is permitted, subject to the provisions outlined in Section 113-10.

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 thirty (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 (6) square feet;
- c) The *Class III Monument Sign* may be *internally illuminated, back-lit, or externally illuminated* provided the source of *external illumination* is not visible.

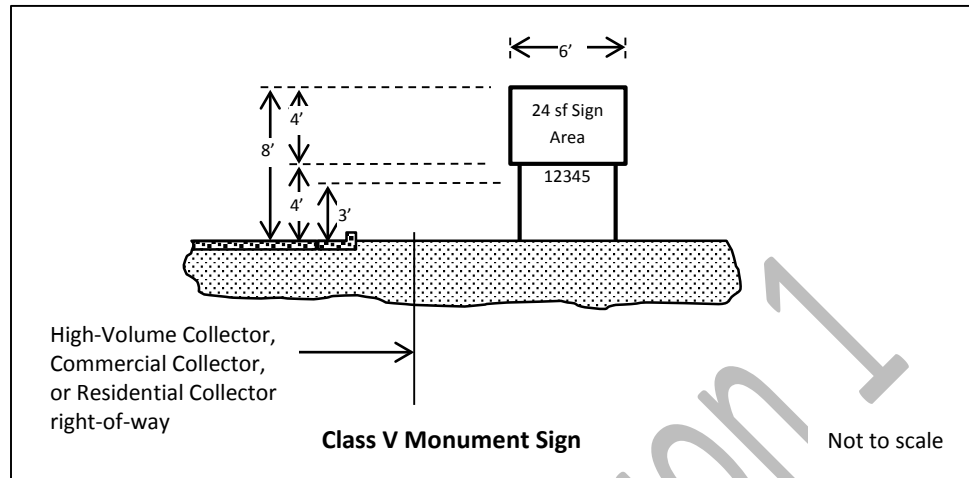
3. **Class IV Monument Signs (Directory Signs):**

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 (6) 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 twelve (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 113-09 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) When allowed, one (1) *Class V Monument Sign* meeting the requirements outlined below is permitted for every driveway entrance providing access from the street to the business or complex served by the *sign*.
- c) *Class V Monument Signs* shall only be located adjacent to a High Volume Collector street, Residential Collector street, or Commercial Collector street. The height of the *Class V Monument Sign* shall not exceed eight (8) feet as measured from the edge of pavement of the street being served by the *sign*, nor shall the width of the *Class V Monument Sign* exceed six (6) feet, nor shall the maximum *sign area* exceed 24 square feet. The bottom edge of the *sign copy* shall be no lower than four (4) feet above the adjacent edge of pavement of the street being served by the *sign*.

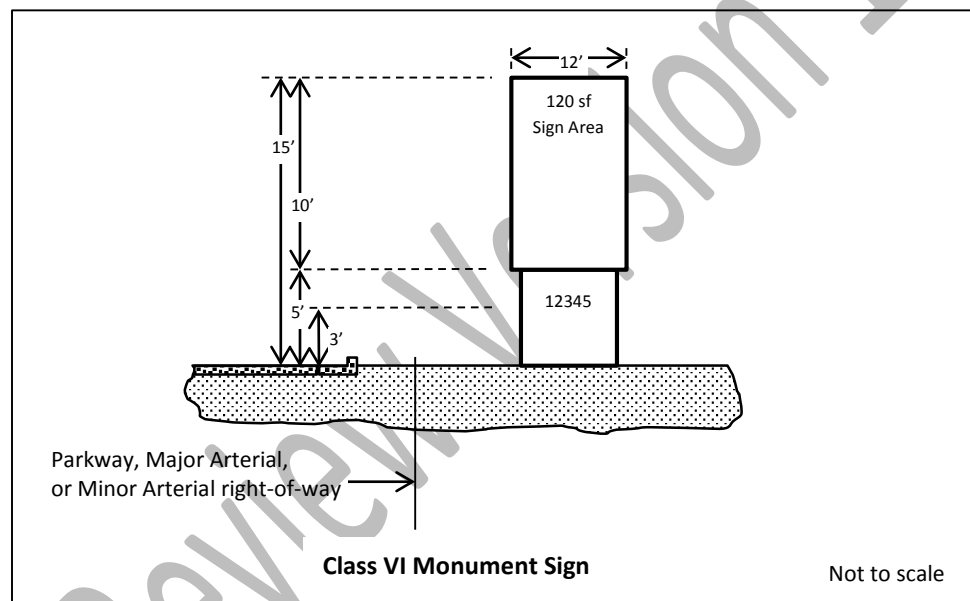


- d) The base of a *Class V Monument Sign* shall be fitted with the address of the property or properties in a manner that is consistent with Section 113-12.
- e) A *Class V Monument Sign* shall be located within a landscape area not less than 80 square feet.
- f) *Class V Monument Signs* shall be setback not less than two (2) 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 (2) 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 113.09.
- h) *Level 1 Electronic Messaging* and *Level 2 Electronic Messaging* are permitted on a *Monument Sign*, subject to the provisions outlined in Section 113-10.

5. **Class VI Monument Signs (Major Monument Signs)**

- a) *Class VI 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) When allowed, one (1) *Class VI Monument Sign* meeting the requirements outlined below is permitted for every driveway entrance providing access from the street to the business or complex served by the *sign*.

- c) *Class VI Monument Signs* shall only be located adjacent to a Parkway, Major Arterial street, Minor Arterial street, or along Grand Avenue. *Class VI Monument Signs* shall not exceed fifteen (15) feet in height as measured from the edge of pavement of the street served by the *sign*, nor shall the width of the *Major Monument Sign* exceed twelve (12) feet, nor shall the maximum *sign area* exceed 120 square feet. The bottom edge of the *sign copy* shall be no lower than five (5) feet above the adjacent edge of pavement of the street being served by the *sign*.



- d) 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 113-12.
- e) A *Class VI Monument Sign* shall be located within a landscape area not less than 120 square feet.
- f) *Class VI Monument Signs* shall be setback not less than two (2) 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 (2) feet from the easement.
- g) *Class VI Monument Signs* may be *internally illuminated*, *back-lit* or *externally illuminated* in accordance with the requirements set forth in Section 113.09.

- h) *Level 1 Electronic Messaging* and *Level 2 Electronic Messaging* are permitted on a *Class VI Monument Sign*, subject to the provisions outlined in Section 113-10.

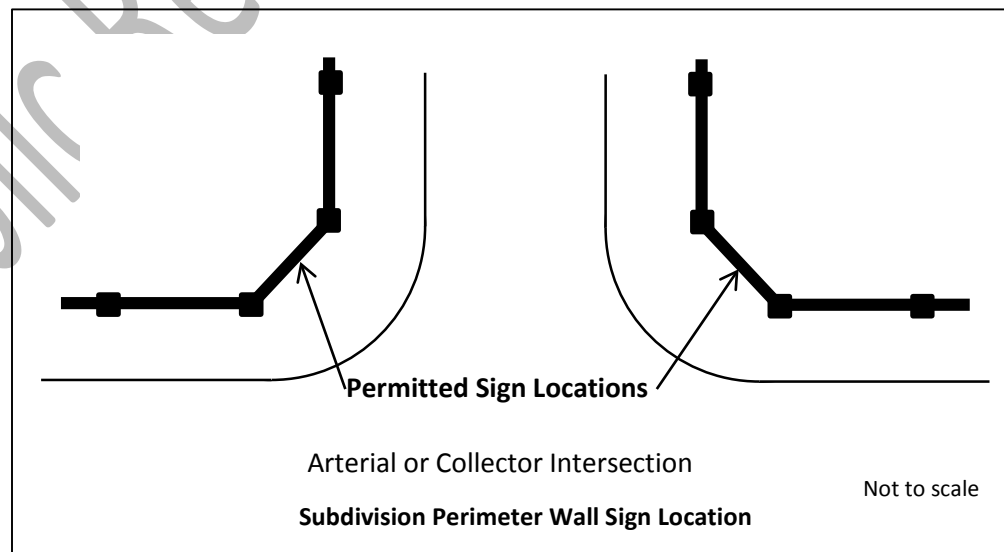
6. **Roadway Arch Signs:**

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 fifteen (15) 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 113-09 except that if the *Roadway Arch Sign* is located adjacent to any residential zoning district or use, the *Roadway Arch Sign* shall not be illuminated.

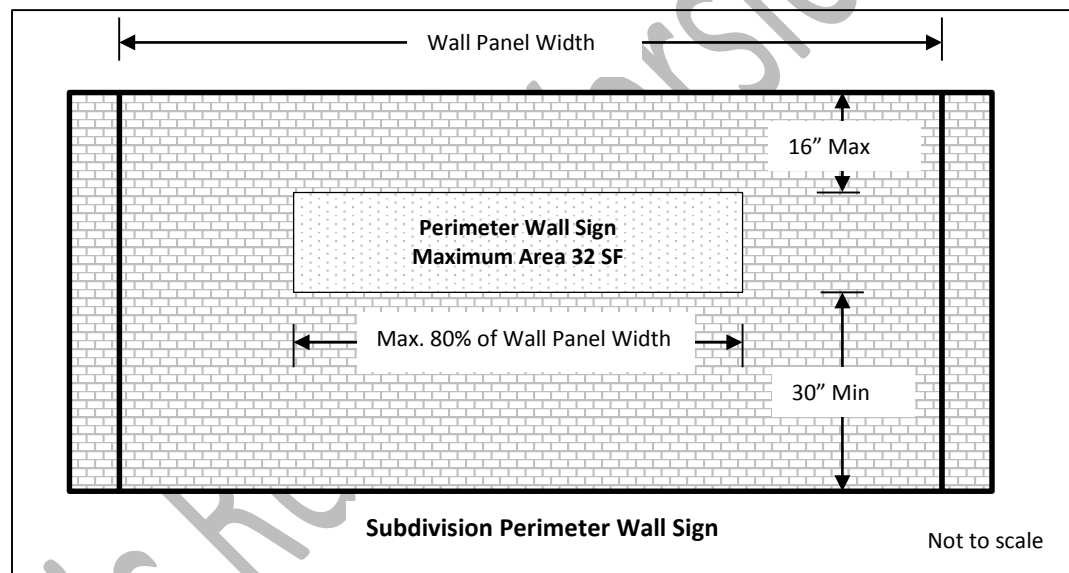
7. **Subdivision Perimeter Wall Signs:**

- a) Where a *subdivision perimeter wall* is located adjacent to a street corner that intersects a collector or arterial street, one (1) *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 thirty-two (32) square feet.

- c) The width of the *sign* shall not exceed 80% 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 thirty (30) Inches from the adjacent grade.
- e) The top of the *sign* shall be no higher than sixteen (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 113-09.



Section 113-09 – Sign Illumination

- A. Unless otherwise specified in this Chapter, *signs* may be *externally illuminated*, *internally illuminated* or *black-lit* provided;
 - 1. The brightness and intensity is no greater than necessary to meet reasonable needs of the business or use being served;
 - 2. The light sources are shielded from all adjacent *buildings* and streets;
 - 3. Lighting does not create excessive glare to pedestrians and/or motorists;
 - 4. Lighting does not obstruct traffic control or any other *public sign*; and,
 - 5. No “flashing”, “blinking” or “chasing” lights are utilized.
- B. In those areas of the city that are considered environmentally sensitive, the city may require the use of muted colors unless specific colors are included in a federally registered trademark. The city may also require reduced lighting intensities for those *signs* located within environmentally sensitive areas.
- C. Unless otherwise stated in this Chapter, any *sign* that is within 100 feet of and visible from any single-family residential zoning district shall not be illuminated between the hours of 10:00 PM and 6:00 AM other than by ambient lighting present on the property.
- D. Any *Building Wall Sign* associated with a multi-story office building greater than five (5) stories or a multi-story mixed use building greater than five (5) stories as outlined in Section 113-08.B.1.c that is located within 1,320 feet of and visible from any residential zoning district may not be illuminated in any manner between the hours of 10:00 PM and 6:00 AM except for ambient lighting present on the property.

Section 113-10 – Electronic Messaging Centers (EMCs)

- A. **Levels of Electronic Messaging:** For purposes of this Chapter, *Electronic Messaging Centers* (EMCs) are divided into two (2) categories: *Level 1 Electronic Messaging* and *Level 2 Electronic Messaging*, as defined in Section 113-05.
- B. **EMC Illumination:** The nighttime illumination of an *Electronic Messaging Center* shall conform to the criteria set forth in this Section.
 - 1. **Illumination Measurement Criteria:** The *illuminance* of an *Electronic Messaging Center* shall be measured with an illuminance meter set to measure foot-candles accurate to at least two (2) decimals. *Illuminance*

shall be measured with the EMC turned off, and again with the EMC displaying a white image for a full color-capable *Electronic Messaging Center*, or a solid message for a single-color *Electronic Messaging Center*. All measurements shall be taken perpendicular to the face of the *Electronic Messaging Center* at the distance determined by the total square footage of the *Electronic Messaging Center* as set forth in Table 113-10.B below.

TABLE 113-10.B MEASUREMENT DISTANCE AS A FUNCTION OF SIGN AREA			
Area of Sign (sq. ft.)	Measurement Distance (ft.)	Area of Sign (sq. ft.)	Measurement Distance (ft.)
5	22	55	74
10	32	60	77
15	39	65	81
20	45	70	84
25	50	75	87
30	55	80	89
35	59	85	92
40	63	90	95
45	67	95	97
50	71	100	100
For EMCs with an area in square feet other than those specifically listed in this table, the measurement distance may be calculated using the following formula: Measurement Distance = $\sqrt{\text{Area of sign sq. ft.} \times 100}$			

2. **EMC Illumination Limits:** The difference between the “off” and “solid-message” measurements using the Illumination Measurement Criteria outlined in Section 113-10.B.1 above shall not exceed 0.3 foot-candles at night.
3. **Dimming Capabilities:** All permitted *Electronic Messaging Centers* shall be equipped with a sensor or other device that automatically determines the ambient illumination and is programmed to automatically dim according to ambient light conditions, or that can be adjusted to comply with the 0.3 foot-candle measurement criteria.
4. **EMCs as a Portion of Sign Area:** When allowed, *Electronic Messaging Centers* may comprise all or part of the allowable *sign area* of a particular *sign*, but shall in no case exceed the maximum allowable *sign area* for a particular *sign*.
5. **Certification:** Prior to the issuance of a permit relating to an *Electronic Messaging Center*, the applicant shall provide a written certification from the sign manufacturer that the light intensity has been factory pre-set not

to exceed the levels specified within this ordinance, and the intensity level is protected from end-user manipulation by password-protected software or other method as deemed appropriate by the Department Director.

Section 113-11 – Reader Panels

Wherever *Level 1 Electronic Messaging Centers* (EMCs) are allowed, *Reader Panels* may be substituted, provided:

- A. The *Reader Panel* otherwise meets the provisions of Section 113-09; and,
- B. The *Reader Panel* does not exceed the allowed *sign area* of the *sign* being replaced; and,
- C. The *Reader Panel* is fitted with a clear acrylic cover or other suitable material to prevent the individual characters from being dislodged.

Section 113-12 – Address Identification

- A. *Building* addresses shall be in accordance with Article 505.1 of the International Fire Code as amended by the Surprise City Council under Ordinance #2014-04, or as subsequently amended.
- B. Where *Class V Monument Signs* or *Class VI Monument Signs* are located next to a street, said *signs* shall be affixed with the address number of the property or properties served by the *sign*. Said address number shall be nine (9) inches tall with a three (3) inch stroke. The bottom edge of the address numbers shall not be less than three (3) feet above the curb of the street from which the address is intended to be read.
- C. Address numbers meeting the provisions of this Section shall not contribute to the aggregate *sign area*.

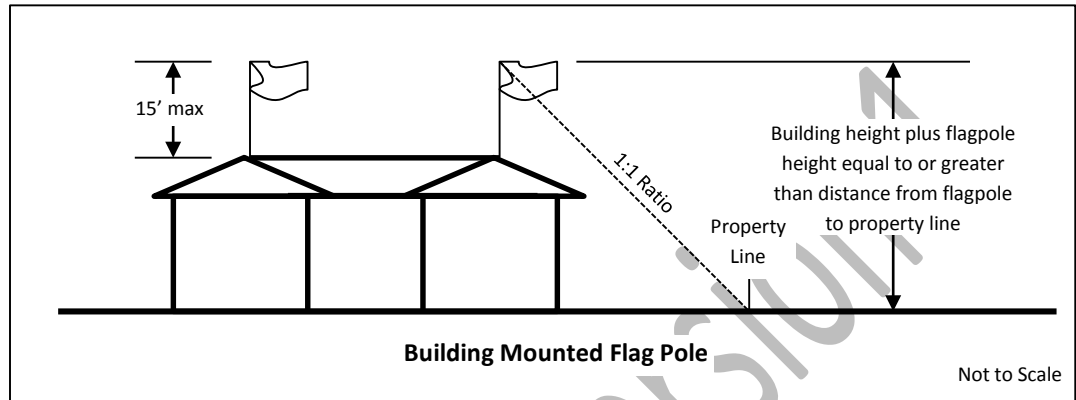
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Section 113-13 – Flags and Flagpoles

- A. **All Zoning Districts** – The following provisions relating to all zoning districts within the City of Surprise shall apply:
1. All flagpoles and the installation therein shall comply with all applicable building codes in effect at the time of permit application.
 2. *Flags* and flagpoles may be illuminated in accordance with Section 122-145 of the Surprise Municipal Code.
 3. All *flags* and flagpoles shall be maintained so as to avoid a *blighted* appearance or being in a state of disrepair.
- B. **Single-Family Zoning Districts**
1. Not more than one (1) freestanding flagpole per single-family lot or parcel of record is allowed except that when associated with an HOA-maintained open space tract, then three (3) such flagpoles are allowed.
 2. A freestanding flagpole associated with a single-family residence may only be located in the front yard.
 3. No freestanding flagpole shall exceed a maximum height of thirty (30) feet as measured at its base, unless associated with a Model Home Complex in which case the flagpole height may be increased to 45’.
 4. One (1) flagpole not exceeding six (6) feet in length may be affixed to the front of the primary residence provided the flagpole does not extend above the height of the residence onto which it is affixed or otherwise extend beyond the limits of the property.
- C. **Other Zoning Districts**
1. Not more than three (3) freestanding flagpoles per lot or parcel are allowed except that if any flagpoles are affixed to a *building*, the number of freestanding flagpoles shall be reduced by the number of *building-mounted* flagpoles.
 2. No freestanding flagpole shall exceed a maximum height of 35 feet as measured at its base unless approved by the City Council through a Comprehensive Sign Program, Zone Change, or Major Amendment thereto.

3. A maximum of two (2) flagpoles may be affixed to the primary *building* provided the top of the flagpole does not extend beyond fifteen (15) feet above the height of the *building* onto which it is affixed and the horizontal distance between the top of the flagpole and the closest property line is does not exceed the combined height of the *building* and flagpole below.



Section 113-14 – Comprehensive Sign Programs

- A. Purpose: The purpose of Comprehensive Sign Programs is to provide a mechanism by which a specific set of *sign* criteria may be approved for a specific property or geographic area in a manner that is appropriate to the character of the community in which the Comprehensive Sign Program will apply.
- B. A Comprehensive Sign Program may be obtained for the following purposes:
 - 1. To allow a deviation from the requirements applicable to a particular *sign* class or type, and/or;
 - 2. To introduce a unique or creative *sign* type that is not listed as a permitted *sign* type in Section 113-06.A.
- C. A Comprehensive Sign Program may not introduce a *sign* type that is specifically prohibited in Section 113-06.F.
- D. The Comprehensive Sign Program must demonstrate that:
 - 1. The proposed signage represents a material improvement over what is otherwise permitted in Chapter 113 of the Surprise Municipal Code, and;
 - 2. The proposed signage is appropriate to the character of the development covered by the Comprehensive Sign Program, and;
 - 3. The proposed signage is appropriate to the neighborhood in which the property is located, and;
 - 4. The Comprehensive Sign Program creates a cohesive aesthetic that will apply to all signage covered by the Comprehensive Sign Program within the specific geographic area covered by the Comprehensive Sign Program.
- E. A Comprehensive Sign Program may be included as part of a zone change request, or as an independent stand-alone document, in either case processed as a Type IV Application as outlined in Article XII of the Surprise Unified Development Code. The approval or denial of a proposed Comprehensive Sign Program is discretionary with the final approval authority lying with the Surprise City Council. A decision by the City Council to deny a proposed Comprehensive Sign Program shall not in any way be construed as a diminution of property values or a restraint of development rights.

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Section 113-15 – Nonconforming Signs

A. General Provisions:

1. *Nonconforming signs* shall be maintained in good condition pursuant to Section 113-07.C.
2. A *nonconforming sign* shall not be altered, modified or reconstructed except:
 - a) When such alteration, modification or reconstruction would bring such *sign* into conformity with these regulations;
 - b) When the existing use has a new ownership which results in a change to the name or *logo* of the use or business on the property, and such language complies with Section 113-15.A.2.d below;
 - c) When the space is re-occupied by a similar use and the new occupant requires no external *building* or site renovation, and such change complies with Section 113-15.A.2.d below;
 - d) Any alteration, modification, or reconstruction permitted in this section shall be limited to the replacement of a *sign panel*, replacing individual letters and logos within the same area or repainting the *sign* face, and does not permit changes to the structure, framing, erection, or relocation of the *sign* unless such changes otherwise conform to this Chapter.

B. Limitations for *Nonconforming Signs*:

1. A *nonconforming sign* shall be removed upon verification that any of the following conditions have been met:
 - a) The use of the property or building on which the *nonconforming sign* is located has been abandoned for more than 90 consecutive days; or,
 - b) The regulation or amendment to these regulations which made the *sign* non-conforming has been in effect for ten (10) years or more.
2. Extension of time to apply: The dates established in this Section for a *sign* to be brought into compliance with the requirements of these regulations may be expanded at the request of the sign owner or lessee. In evaluating the extension of time for a *non-conforming sign*, the City shall consider the following factors to determine whether the owner of the *sign* has had a reasonable amount of time to recuperate the initial investment:

- a) The value of the *sign* at the time of construction and the length of time the *sign* has been in place;
- b) The life expectancy of the original investment in the *sign* and its true salvage value, if any;
- c) The amount of depreciation and/or amortization of the *sign* already claimed for tax accounting purposes;
- d) The length of current tenant lease or expected occupancy compared to the date the *sign* is to be brought into compliance;
- e) The extent to which the *sign* is not in compliance with these regulations;
- f) The degree to which the City determines that the *sign* is consistent with the purposes of these regulations; and,
- g) Whether the *sign* has “historical” or “landmark” significance, and should therefore be exempt from amortization.

Section 113-16 – Enforcement

- A. **Penalties for Violation:** Any person, firm, or corporation who violates any provision of this Chapter or any provision of any code adopted by this Chapter may be charged with a civil or criminal violation.
- B. **Notice of Violation:** Whenever the City Manager or designee determines there has been a violation of this Chapter, or has grounds to believe that a violation has occurred, notice shall be given in the following form and manner:
1. The Notice of Violation shall be given in writing;
 2. The Notice of Violation shall include a description of the real property sufficient for identification;
 3. The Notice of Violation shall include a statement of the violation or violations and why the Notice of Violation is being issued;
 4. The Notice of Violation shall include a correction order allowing a reasonable time to remedy the violation.
 5. The placement of any *sign* or substantially similar *sign* on the same premises after a Notice of Violation has been issued shall be deemed a continuation of the original violation.
 6. A Notice of Violation is not required for any *Temporary Sign* that is in violation of this Chapter.
- C. **Delivery of Notice:** A Notice of Violation shall be deemed as being properly served if a copy thereof is delivered personally by an employee of the City of Surprise having the authority to do so, or is sent by Certified Mail (Return Receipt Requested) addressed to the last known address. If a Notice of Violation is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous location on the property of the alleged violation.
- D. **Removal of Signs:**
1. A Notice of Violation shall not be required to remove any *sign* that is identified in this Chapter as being prohibited, or that creates or has the potential to create a hazard to the public.
 2. Any *Temporary Sign* not specifically listed as an allowed use is specifically not permitted and the City of Surprise may remove the *sign* or cause the *sign* to be removed.

3. If a *Temporary Sign* which would otherwise be permitted by this Chapter does not include the contact information as required by 113-08.A.1.b above, the City of Surprise may remove the *sign* or cause the *sign* to be removed.
4. The City of Surprise shall have the right to contact the individual whose name appears on a *Temporary Sign* and/or the property owner of the property onto which the *Temporary Sign* is erected for the purpose of verifying property owner consent. If property owner consent cannot be verified, the City of Surprise may remove the *sign*.
5. Any *Temporary Sign* that is removed by the City of Surprise for being in violation of this Chapter may be discarded five (5) business days following removal.

Public Review Version

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Public Review Version 1

~~Chapter 113--SIGNS⁽¹⁾~~

~~ARTICLE I. --IN GENERAL~~

~~Sec. 113-1. Purpose.~~

~~The purpose of this chapter is to safeguard the public interest by establishing standards for the regulation of signs within the City of Surprise. These standards are designed to:~~

- ~~(1) Allow adequate signage for business identification while meeting public and private objectives;~~
- ~~(2) Promote the free flow of traffic and protecting pedestrians and motorists from injury and property damage that may be caused by cluttered, distracting and illegible signage;~~
- ~~(3) Prevent property damage and personal injury as a result of improperly placed or poorly maintained signs;~~
- ~~(4) Promote the use of signs that are well designed, of appropriate scale, and integrated with surrounding buildings and landscape in order to meet the community's desire for quality development;~~
- ~~(5) Protect property values, the local economy, and the quality of life by preserving and enhancing the appearance of the streetscape that affects the image of the city.~~

~~Sec. 113-2. Definitions.~~

~~The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. The word "lot" may also be used interchangeably with the words "plot" or "parcel"; the word "used" or "occupied," as applied to any land or building, shall be construed to include the words "intended, arranged, or designed to be used or occupied":~~

~~*Abandoned sign:* Any sign located on a property or premises, which is vacant and unoccupied for a period of 30 calendar days, or a sign which is damaged, in disrepair, or vandalized and not repaired within 30 calendar days of the date of the damaging event.~~

~~*Above-roof sign:* A sign displayed above the peak or parapet of a building.~~

~~*Advertising copy:* Words, letters or graphics painted, carved, etched or mounted on the face of any sign used to advertise a business, product, service or place. Advertising copy shall not include the name of the business.~~

~~*Alteration:* Any change in architectural, structural or copy of an existing sign.~~

~~*Animated sign:* A sign which has movement or the optical illusion of movement of any part of the sign structure, design or pictorial segment, including the movement of any illumination or flashing or varying of light intensity; or the automatic changing of all or any part of the facing of a sign; or any movement or rotation of a sign or any part of the sign structure; or emits audible sound.~~

~~*Applicant:* Any person who applies for a sign permit in accordance with the provisions of this chapter.~~

~~*Arterial street:* Any principal, major, or minor arterial street as classified and designated in the city general plan and transportation plan.~~

~~*Awning sign:* Any sign with information painted or integrated into a structure covered with fabric, metal or other material and supported by a building at one or more points.~~

~~*Backlit sign:* A light source that is concealed or contained within the graphic and becomes visible in darkness through a translucent surface.~~

Banner: A sign composed of a logo or design, which may include advertising copy, on a lightweight material either enclosed or not enclosed in a rigid frame and secured or mounted to allow motion caused by the atmosphere.

Bare-bulb illumination: An exposed light source that consists of light bulbs or a string of light bulbs.

Billboard sign: Any sign that advertises a business, commodity, service, entertainment, product or attraction sold, offered or existing elsewhere than on the property where the sign is located.

Breakaway design feature: A structural feature built into the sign, according to the state department of highways that allows the sign to collapse on impact.

Building: Any structure having enclosed space and a roof for the housing and enclosure of persons and animals, or chattels.

Building wall: The individual sides of a building.

Business: An establishment that engages in the purchase, sale, barter or exchange of goods, wares, merchandise or services; or the maintenance or operation of offices or recreational or amusement enterprises.

Business name: The name by which a business is commonly recognized and used by the applicant but does not include slogans or product information.

Canopy: A structure other than an awning made of cloth, metal or other material with frames affixed to a building and carried by a frame that is supported by the ground.

Changeable copy: Text or graphics on signs that are changed at frequent intervals of more than once a day.

Commercial farm or ranch sign: A sign that identifies the name of any farm or ranch.

Construction fence screen sign: A temporary sign that identifies the future development and acts as a security barrier to the construction site.

Development: Any human-made change to improve or alter real estate, including, but not limited to, buildings or structures, mining, dredging, filling, grading, paving or excavation drilling operations.

Development sign: A sign used to identify an approved future development.

Directional sign: An on premises sign, other than a kiosk sign, that includes only information assisting in the flow of pedestrian or vehicular traffic, such as enter, exit and one-way signs, and which do not display corporate colors, logos or other commercial messages.

Directory sign: Any sign, other than an identification sign, which is centrally located and lists only the names, uses or locations of the various businesses or activities conducted within a building or group of buildings.

Emergency sign: A sign erected by a governmental agency, a public utility company, or a contractor performing work within any right-of-way.

External illumination: Illumination of a sign that is affected by an artificial source of light not contained in the sign itself.

Facade: The side of a building below the eaves.

Facade, blank: The side of a building below the eaves that is blank and does not have windows or architectural detail.

Fascia sign: Any sign that is mounted against the horizontal piece covering the joint between the top of a wall and the projecting eaves of the roof.

Flashing illumination: Illumination in which the artificial source of light is not maintained stationary or constant in intensity and color at all times when a street graphic is illuminated, including illuminated lighting.

~~*For sale, lease and rent signs:* Any temporary sign that indicates a single premises, building or vacant lot that is currently for sale, lease or rent.~~

~~*Freestanding sign:* A sign that is erected on its own self-supporting permanent structure, detached from any supporting elements of a building.~~

~~*Freeway sign:* A freestanding single user or multi-tenant sign identifying an on-premise use, on property abutting or part of a complex/center abutting any freeway right-of-way, oriented to and intended to be read from the freeway. For the purposes of this section, a center/complex shall further be defined to include those projects under a common zoning case or development without regard to property ownership or individual parcel use.~~

~~*Front-lit sign:* A sign that is illuminated from a source placed in front of the graphic meant to illuminate only the graphic.~~

~~*Grand opening sign:* A temporary banner displayed on a premise on which a grand opening is in progress.~~

~~*Ground sign:* A sign supported by one or more uprights, posts, or bases placed upon or affixed in the ground and not attached to any part of a building. It includes a pole sign and a monument sign.~~

~~*Height:* The vertical distance from the top of the highest element of the sign or sign structure to the top of the curb or crown of the roadway where no curb exists.~~

~~*Home occupation sign:* A sign used to advertise a home-based business.~~

~~*Identification sign:* A sign that identifies only the business, place, organization, building, street address or person on the property on which it is located.~~

~~*Illuminated sign:* A sign on which the surface is artificially lighted internally or externally.~~

~~*Illumination or illuminated:* A source of any artificial or reflected light, either directly from a source of light incorporated within, or indirectly from an artificial source.~~

~~*Indirect illumination:* A source of external illumination located apart from the sign.~~

~~*Install:* The action of erecting, re-erecting, constructing, placing, and posting.~~

~~*Internal illumination:* A light source that is concealed or contained within the sign and becomes visible in darkness through a translucent surface.~~

~~*Kiosk sign:* A freestanding and multiple-sided structure, city regulated, and located in public rights-of-way that displays directional information to residential and commercial subdivisions.~~

~~*Lawn signs:* Any signs on private property with commercial messages.~~

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

~~*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 copy without changing the wording, composition, original color or size of the copy.~~

~~*Mansard sign:* A sign permanently affixed to a wall or surface designed to protect the edge of a roof, such surface being no more than 30 degrees from vertical.~~

~~*Marquee:* A permanent structure other than a roof attached to, supported by, and projecting from a building and providing protection from the elements.~~

~~*Menu board sign:* A permanently mounted sign displaying the bill of fare for a drive-thru restaurant.~~

~~*Message board:* A portion of a sign displaying an electronic digital message that changes more than once a day.~~

~~*Modifier:* A word or graphic that explains the intended use without using brand names or advertising copy.~~

~~*Monument:* A freestanding sign with a base at least 50 percent of the width of the sign.~~

~~*Multiple-tenant complex:* A nonresidential development where two or more separate businesses exist, in which there are appurtenant shared facilities (such as parking or pedestrian mall), and designed to provide a single area where the public can obtain varied products and services.~~

~~*Neon tube illumination:* A source of light for externally lit street graphics supplied by a neon tube that is bent to form letters, symbols, or other shapes.~~

~~*Noncommercial speech:* Constitutionally protected speech such as ideological speech that contains neither advertising copy nor obscene material or language. Signs containing only noncommercial speech shall always be considered on-premises.~~

~~*Nonconforming sign:* A sign lawfully erected and maintained prior to the adoption of the ordinance from which this chapter is derived that does not conform with the requirements of this chapter.~~

~~*Off-premises sign:* Any sign that is located on a property other than where a business is located, a product is sold, or a service is offered.~~

~~*On-premises sign:* Any sign that is within the legal boundaries of a parcel of property.~~

~~*Open house sign:* A temporary sign informing the public that prospective buyers may view available property, and the property owner's agent is on the premises during the time of the viewing.~~

~~*Parapet:* That portion of a building exterior wall projecting above the plate line of the building.~~

~~*Parcel:* A legal lot, plot, tract, or area of land having fixed boundaries.~~

~~*Peak:* The highest point on a roof or the highest point on another architectural element.~~

~~*Permanent sign:* Any sign that is constructed as lasting and enduring, remaining unchanged in character, condition (beyond normal wear) and position, and in a permanent manner affixed to the ground, wall or building.~~

~~*Planned area development (PAD):* A development pursuant to section 125-194 as it exists or as it may be amended.~~

~~*Pole sign:* A freestanding sign that is permanently supported in a fixed location by a structure of poles, uprights, or braces from the ground and not supported by a building or a base structure.~~

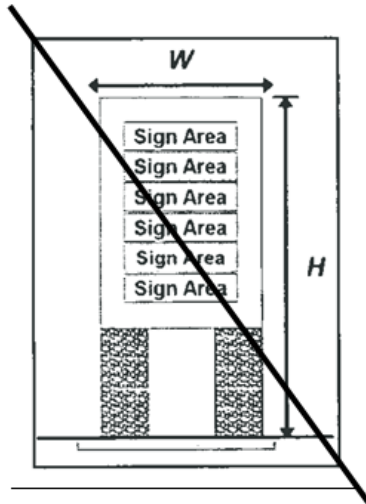
~~*Portable sign:* Any sign not affixed to a structure or ground mounted on a site that does not meet the definition of sandwich sign.~~

~~*Project:* Any parcel of land with designated legal boundaries on which development action has been approved by the city.~~

~~*Projecting sign:* A sign attached to a building or other structure and extending in whole or in part beyond the building.~~

~~*Public sign:* A sign erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information, or direct or regulate pedestrian or vehicular traffic.~~

~~*Pylon sign:* A freestanding sign, larger than a monument sign, supported by a single pylon or supported by a maximum of two pylons.~~



Pylon Sign

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

~~*Reader panel:* That portion of any sign that permits a regular change of copy, including electronic copy, which does not change more than once a day.~~

~~*Real estate sign:* A temporary sign located on premises used to advertise the availability of real property.~~

~~*Residential entry sign:* A sign that is placed at the entrance to a multifamily or duplex development, manufactured home park, or single family development only in order to identify the name of the development.~~

~~*Roof sign:* Any sign erected on a roof, or a sign that projects above the highest point of the roofline, parapet or fascia of the building.~~

~~*Roofline:* The highest point of the main roof structure or the highest point on a parapet, but shall not include cupolas, pylons, projections or minor raised portions of the roof.~~

~~*Sandwich sign or A frame sign:* A double-faced, portable sign, which is not permanently ground-mounted or affixed to any structure on site, and is designed in the shape of an "A".~~

~~*Shingle sign:* any sign suspended from, and located entirely under a covered porch or walkway.~~

~~*Shopping center or plaza:* A commercial development under unified control consisting of four or more separate commercial establishments sharing a common building, or which are in separate buildings that share a common entranceway or parking area.~~

~~*Sign:* Any device (including, but not limited to, letters, words, numerals, figures, emblems, pictures, or any part or combination) 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 shall not include any flag, badge or insignia of any governmental unit.~~

~~*Sign copy:* The letters, words or graphics used to convey information on the sign.~~

~~*Sign structure:* The supports and framework of the sign.~~

~~*Sign walker:* An individual carrying a portable sign intended to convey an advertising message to vehicular traffic.~~

~~Signable area for projecting signs and awnings: One area enclosed by a box or outline or within a single continuous perimeter composed of a single rectangle, circle, triangle, or parallelogram enclosing the extreme limits of characters, lettering, illustrations, ornamentations, or other figures.~~

~~Signable area for roof and wall graphics: One area free of architectural details on the facade of a building or part of a building, which shall include the entire area enclosed by a box or outline or within a single continuous perimeter composed of a single rectangle, circle, triangle, or parallelogram enclosing the extreme limits of characters, lettering, illustrations, ornamentations, or other figures.~~

~~Snipe sign: Any sign that is posted on trees, landscaping, utility poles or structures, streetlights, fences, fire hydrants, bridges, curbs, sidewalks, park benches parkways, streets, right of ways, or other locations on public property.~~

~~Street number sign: Any sign that gives the street address number of the building.~~

~~Subdivision: A subdivision pursuant to chapter 121.~~

~~Temporary sign: Any sign not permanently affixed and intended for a limited period of display.~~

~~Time and temperature sign: A sign on which the only copy that changes is an electronic or mechanical indication of time or temperature.~~

~~Vehicle sign: Any sign mounted upon, painted, or otherwise erected on trucks, cars, boats, trailers, other motorized vehicles or equipment.~~

~~Wall sign: A sign mounted flat against and projecting less than 14 inches from, or painted on, the wall of a building or structure with the exposed face of the sign in a plane parallel to the face of the wall, but not including window signs.~~

~~Window sign: Any sign, picture, symbol or combination thereof, that communicates information about an activity, business, commodity, event, sale or service, and is placed inside a window or upon the window panes or glass and is visible from the exterior of the window. Signs placed or hung in any manner within three feet of the windowpane shall be considered a window sign.~~

~~Sec. 113-3. Conflict.~~

~~If any portion of this chapter is found to be in conflict with any other provisions of any zoning, building, fire, safety or health provisions of this Municipal Code, the provision that establishes the higher standard shall prevail.~~

~~Sec. 113-4. Signs prohibited.~~

~~(a) No person shall erect, place, establish, paint, create or maintain a sign in the city except as provided in this chapter. All signs that are contrary to the provisions of this chapter are declared to be in violation, and as such may be abated as provided by law.~~

~~(b) The following signs are prohibited. Any:~~

~~(1) Abandoned sign;~~

~~(2) Animated sign, except as specified in this chapter;~~

~~(3) Billboard sign;~~

~~(4) Off-premises sign, except as permitted within this chapter;~~

~~(5) Portable sign;~~

~~(6) Sandwich sign, except as permitted within this chapter;~~

~~(7) Snipe sign;~~

~~(8) Sign which inhibits free ingress to or egress from any door, window or any exit way required by the International Building Code as adopted and amended by the city, or by fire department regulations;~~

- ~~(9) Sign that may obstruct the line of sight of any authorized traffic sign, signal or other traffic control device; or any sign by reason of shape, color or position that interferes with or may be confused with any authorized traffic signal or device;~~
- ~~(10) Sign placed in a location that will obstruct vision of a vehicle operator while entering, exiting or traveling upon the public right-of-way;~~
- ~~(11) Sign located in a manner that interferes with pedestrian travel or poses a hazard to pedestrians;~~
- ~~(12) Vehicle sign when mounted or placed on any trailer, boat, or motor vehicle that is parked, stored or displayed in a manner to attract the attention of the public for advertising purposes;~~
- ~~(13) Sign with flashing, blinking, rotating lights, exposed neon or similar tube type illumination, bare incandescent, fluorescent, metal halide, or high or low pressure sodium light bulbs or mercury vapor light sources;~~
- ~~(14) Sign placed in rights-of-way, except as specified in this chapter;~~
- ~~(15) Message board;~~
- ~~(16) Roof-mounted sign;~~
- ~~(17) Any other sign that is not expressly permitted by this chapter;~~
- ~~(18) Home occupation sign;~~
- ~~(19) Pole-mounted banners, attention flags, wind-driven spinners, streamers, search lights, strobe lights, holographic projections, laser light displays, inflatable signs, or balloons;~~
- ~~(20) Any flag not associated with a governmental unit.~~

~~Sec. 113-5. Signs in the right-of-way.~~

- ~~(a) It is unlawful for any person to install a sign in any public right-of-way, except for the following:~~
 - ~~(1) Public signs;~~
 - ~~(2) City-regulated kiosk signs;~~
 - ~~(3) Emergency signs.~~
- ~~(b) The city manager or designee is authorized to immediately remove any illegal sign located in any public right-of-way.~~

~~Sec. 113-6. Building identification.~~

- ~~(a) For all uses other than single-family residential:~~
 - ~~(1) Numbers shall be provided on the front of the building unless an alternative location is approved by the city fire chief or designee.~~
 - ~~(2) The numbers shall be visible and legible from the street fronting the property.~~
 - ~~(3) All commercial and industrial uses shall be sized according to the following table:~~

Building setback from main road	Minimum size address number
0—50'	9"
51—100'	12"
101' and above	15"

(b) ~~For single family residential, residential dwellings shall have four-inch high address numbers that are contrasting in color to the background color of the house.~~

~~Sec. 113-7. — Permits and licenses required.~~

~~No person shall erect, place, establish, paint, create or maintain any sign in the city without first obtaining all required permits and licenses as regulated by this chapter or any other laws.~~

~~Sec. 113-8. — Signs not requiring a permit.~~

~~No person shall be required to have a permit for the following signs; provided, however, that such signs shall be subject to any and all applicable provisions of this chapter or any other law:~~

- ~~(1) Public signs;~~
- ~~(2) Directional signs, when wall-mounted or, if detached, where not exceeding a height of three feet;~~
- ~~(3) Emergency signs;~~
- ~~(4) Portable electronic signs used by the city for special events;~~
- ~~(5) Way finding signs for public buildings and facilities;~~
- ~~(6) Development sign as described under section 113-158(b);~~
- ~~(7) Temporary window graphics, consistent with restrictions herein.~~

~~Sec. 113-9. — Maintenance.~~

~~Any individual, business or corporation who owns, erects, establishes, paints, creates or maintains any sign, including a nonconforming sign, shall maintain the sign in good order and repair at all times so that it does not constitute any danger or hazard to public safety, or a visual blight, and is free of peeling paint, major cracks, or loose, dangling or torn materials. All lighting shall also be kept in good order, and burnt out bulbs shall be replaced.~~

~~Sec. 113-10. — Sign approval as part of site plan approval.~~

- ~~(a) For all developments requiring site plan approval, information on the proposed design and location of all permanent and temporary signs for the life of the project, subject to the guidelines presented herein, shall be submitted for review and approval by the planning and zoning commission.~~
- ~~(b) A site plan application shall be made to the community development department. Such application shall be made on forms, together with documents and drawings, and shall be submitted in both paper and electronic format. The specific contents of the application shall be described in the application packet.~~

- ~~(c) The site plan application shall not be accepted for processing until all required information as described in the application is provided to the community development department and appropriate fees are paid.~~
- ~~(d) Any amendment or modification to an approved site plan application shall be resubmitted for approval. All amendments shall be shown on a site plan amendment application.~~

~~Sec. 113-11. Kiosk signs.~~

- ~~(a) Purpose. The purpose of a kiosk sign is to provide a uniform, coordinated method of offering developers a means of providing directional signs to their projects that are located within the city or the city's municipal planning area, while minimizing confusion among prospective buyers who wish to inspect development projects, while promoting traffic safety and reducing the visual blight of sign proliferation.~~
- ~~(b) Authority to erect in rights-of-way. The city is permitted to erect kiosk signs in the public right-of-way at sites approved by the city manager or designee.~~
- ~~(c) Permit required. The city shall review and approve all proposed locations prior to installation of kiosk signs.~~

~~Secs. 113-12—113-40. Reserved.~~

~~ARTICLE II. ADMINISTRATION AND ENFORCEMENT~~

~~DIVISION 1. GENERALLY~~

~~Sec. 113-41. Code administrator.~~

~~The city manager or designee shall be the authorized code administrator for the city. The city manager or designee shall implement, administer, and enforce this chapter, and may establish rules, regulations and procedures to implement, administer and enforce this chapter.~~

~~Sec. 113-42. Sign permit applications.~~

- ~~(a) A sign permit application shall be made to the community development department. Such application shall be made on forms, together with documents and drawings. The specific contents of the application shall be described in the permit application packet.~~
- ~~(b) The city manager or designee shall not issue permits for the use, construction, reconstruction or alteration of any sign structure, until adequate information is submitted to determine the proposed action is in conformance with the provisions of these sign regulations.~~
- ~~(c) The city manager or designee may, in writing, suspend or revoke a permit issued under the provisions of this section whenever the permit is issued on the basis of a material omission or misstatement of fact, or in violation of this chapter or this Code.~~
- ~~(d) No permit for a sign issued by the city shall be deemed to constitute permission or authorization to maintain a public or private nuisance, nor shall any permit issued hereunder constitute a defense in any action to abate a nuisance.~~
- ~~(e) Whenever any sign for which a permit is required by this chapter has been placed, erected or displayed without first obtaining a permit, a special investigation shall be made before a permit may be issued. If a permit is obtained after a sign has been erected, the sign fee shall be doubled.~~
- ~~(f) Whenever any sign requires an electrical permit, both the sign permit and the electrical permit must be issued and obtained simultaneously or may be included under one sign permit.~~

~~Sec. 113-43. Permit fees and refunds.~~

- ~~(a) Before the city issues any sign permit required by this chapter, the applicant shall pay all fees in accordance with the schedule as set by city council resolution.~~
- ~~(b) For refunds, the applicant must submit a refund request form along with a copy of the sign permit to the city manager or designee. Refunds shall be permitted in accordance with the provisions of the International Building Code as adopted and amended by the city.~~

~~Sec. 113-44. Variances, comprehensive sign programs and administrative appeals.~~

- ~~(a) An application requesting a variance from the provisions of this chapter shall be submitted to the city manager or designee and acted upon by the board of adjustment in accordance with chapter 125, as it exists or as it may be amended.~~
- ~~(b) An application for a comprehensive sign program required by this chapter shall be submitted to the city manager or designee and acted upon by the planning and zoning commission in accordance with the site plan process in section 125-33, as it exists or as it may be amended.~~
- ~~(c) An application for administrative appeal shall be submitted to the city manager or designee and acted upon by the board of adjustment in accordance with chapter 125, as it exists or as it may be amended.~~

~~Sec. 113-45. Violations and revocation of permits.~~

~~The city manager or designee may revoke any permit authorizing the erection of any sign that is in violation of the permit or this chapter. The following is the revocation process:~~

- ~~(1) Notice of the city manager or designee's decision to revoke a sign permit shall be served upon the applicant and/or business owner of such permit:
 - ~~a. By delivering in person a copy of the notice to the applicant of the permit or to one of its officers;~~
 - ~~b. By leaving a copy of the notice with any person in charge of the premises;~~
 - ~~c. In the event no such person can be found on the premises, by affixing a copy of the notice in a conspicuous position at an entrance to the premises and by the certified mailing of another copy of the notice to the last known post office address of the applicant and/or business owner of such permit; or~~
 - ~~d. By posting a copy of the notice on the sign in violation and by the certified mailing of another copy of the notice to the last known post office address of the applicant and/or business owner of such permit.~~~~
- ~~(2) The applicant of the permit may appeal the decision of the city manager or designee to revoke the permit to the board of adjustment, in writing, within 15 calendar days from the date when the notice was served.~~
- ~~(3) If no appeal has been taken at the end of 15 calendar days, the permit is revoked. The city manager or designee shall then initiate the process for the removal of the illegal sign in accordance with section 113-46.~~

~~Sec. 113-46. Removal of signs.~~

- ~~(a) The city manager or designee is authorized to require removal of any illegal sign.~~
- ~~(b) Before bringing an action to require removal of any illegal sign, the city manager or designee shall give written notice to the owner of the sign or the owner of the premises on which such sign is located. The notice shall state the violation charged, and the reasons and grounds for removal, specify the deficiencies or defects and what repairs, if any, will make the sign conform to the requirements of this chapter, and specify that the sign must be removed or made to conform with the provisions of this chapter with the notice period provided in subsection (c) of this section.~~

~~(c) Notice period.~~

~~(1) The notice period for permanent signs shall be five calendar days.~~

~~(2) The notice period for temporary signs shall be 48 hours.~~

~~(3) Re-erection of any sign or substantially similar sign on the same premises after a compliance notice has been issued shall be deemed a continuation of the original violation.~~

~~(d) Service of notice shall be made personally on the owner or lessee, or by certified mail addressed to the owner or lessee at the address specified in the permit or the last known address.~~

~~(e) If the owner or lessee of the premises upon which the sign is located has not demonstrated to the satisfaction of the city manager or designee that the sign has been removed or brought into compliance with the provisions of this chapter by the end of the notice period, then the city manager or designee shall certify the violations to the city attorney for prosecution.~~

~~(f) The city manager or designee may remove any illegal sign which exists or has been re-erected after the expiration date of the notice period, if the owner or lessee of the premises has been issued a compliance notice at least once before for the same violation involving the same or similar sign.~~

~~(g) Notwithstanding the above, the city manager or designee may cause the immediate removal or repair (without notice to the owner of the sign, or of the property on which it is located) of any unsafe or defective sign or signs that creates an immediate hazard to persons or property, or of any sign which is placed in any right-of-way in violation of section 113-5.~~

~~(h) If the city removes an illegal sign pursuant to this section, the city may petition the court to recover the costs, expenses and attorney fees that the city incurred in removing the illegal sign and in bringing the petition for recovery. If the court finds by a preponderance of the evidence that the city is entitled to recover, the court may order the defendant to pay to the city the amount of the costs, expenses and attorney fees reasonably incurred by the city, and may enter judgment in favor of the city and against the defendant in that amount.~~

~~Sec. 113-47. Penalties for violations.~~

~~Any person who violates any provision of this article or any provision of any code adopted by this article shall be guilty of a civil or criminal violation.~~

~~Sec. 113-48. Liability for damages.~~

~~The provisions of this chapter shall not be construed to relieve or to limit in any way the responsibility or liability of any person which erects or owns any sign for personal injury or property damage caused by the sign; nor shall the provisions of this chapter be construed to impose upon the city's officers, city manager or the employees any responsibility or liability by reasons of the approval of any sign under the provisions of this chapter.~~

~~Secs. 113-49 – 113-69. Reserved.~~

~~DIVISION 2. NONCONFORMITIES~~

~~Sec. 113-70. Maintenance.~~

~~Any person owning or maintaining a legal nonconforming sign shall maintain such sign in good condition pursuant to section 113-9.~~

~~Sec. 113-71. Alterations.~~

~~It is unlawful for any person owning or maintaining a legal nonconforming sign or sign structure to alter, reconstruct, replace or relocate such sign. Reasonable repair and maintenance of said sign is~~

limited to a maximum total of 50 percent of the sign's or structure's reproduction cost as determined from an appraisal by a competent appraiser.

~~Sec. 113-72. Removal.~~

- ~~(a) Any person owning or maintaining a legal nonconforming sign shall remove or bring the sign into conformance with this chapter when:
 - ~~(1) More than 50 percent of the reproduction cost of the sign or sign structure has been damaged or destroyed or by any means taken down;~~
 - ~~(2) The condition of the sign has deteriorated to such an extent that the cost of repairs exceeds 50 percent of the reproduction cost of the sign or sign structure as determined from an appraisal by a competent appraiser;~~
 - ~~(3) The use of the sign or the property on which it is located has ceased, become vacant or been unoccupied for a period of three months or more.~~~~
- ~~(b) In the event any of these should occur, the sign shall be presumed to be abandoned and shall be removed by the owner of the property, his agent, or person having the beneficial use of the building or structure upon which the sign or sign structure is erected within 30 calendar days after written notification from the community development director.~~

~~Secs. 113-73 – 113-102. Reserved.~~

~~ARTICLE III. LOCATION, DESIGN AND CONSTRUCTION SPECIFICATIONS~~

~~Sec. 113-103. General regulations.~~

- ~~(a) All signs shall be structurally designed, constructed, erected and maintained in accordance with all applicable provisions and requirements of this Code.~~
- ~~(b) Signs are considered a component of the site's design and building architecture; and they shall be architecturally integrated with their surroundings in terms of size, shape, color, texture and lighting so that they are complimentary to the overall design of the building.~~
- ~~(c) The owner of any building shall identify every building or groups of buildings with a street number sign. The street number sign shall not be computed as part of the total of the sign area permitted and shall not require a permit. Refer to the Code section on Building identification for requirements.~~
- ~~(d) New development shall anticipate the need for signs and provide a comprehensive sign program that:
 - ~~(1) Establishes a theme of conceptual master design for all signs within the comprehensive sign program;~~
 - ~~(2) Allows for flexibility for new users as buildings are re-tenanted;~~
 - ~~(3) Provides for convenient and attractive placement of signs;~~
 - ~~(4) Specifies quality materials that complement the style, color, and materials of the building.~~~~
- ~~(e) New signs proposed for attachment to existing buildings must provide a compatible appearance with the building sign of other tenants and where multiple signs exist on a single building there shall be unifying elements such as size and/or color to reduce sign clutter and confusion.~~
- ~~(f) The use of metal is an acceptable material for signs; provided that it has been formed, etched, cast, engraved, and/or properly primed, treated, painted, or factory-coated to protect against corrosion.~~
- ~~(g) The use of wood is an acceptable material for signs; provided that it is compatible with architectural character of the development and it is properly scaled, primed, painted, or stained.~~

- ~~(h) Signs attached to masonry, concrete or steel shall be safely and securely fastened thereto by means of metal anchors, bolts, or approved expansion screws of sufficient size and anchorage to support safely the loads applied.~~
- ~~(i) All sign supports shall be an integral part of the sign design. There shall be no visible angle iron supports, guy wires, braces, or other supports.~~
- ~~(j) Cabinet signs shall only be permitted when constructed with aluminum or other solid opaque face containing routed copy or letters mounted to the aluminum cabinet. Lexan, acrylic, or any other type of backlit material is not permitted except when used in individual routed lettering. The use of opaque vinyl on lexan, acrylic, or any similar material shall not be permitted as an acceptable face material except when used as individual lettering.~~
- ~~(k) Signs shall be placed so they are not obscured by landscaping when it has reached full maturity.~~
- ~~(l) Illuminated signs and flagpoles are permitted by this article unless otherwise specified. Illumination may be either by direct, internal or internal direct as allowed herein, and it is unlawful for any person to install illumination that creates any glare or reflection onto any adjacent property, or onto a street or alley, or into the night sky or so as to create a traffic hazard.~~

~~Sec. 113-104. Requirements and standards:~~

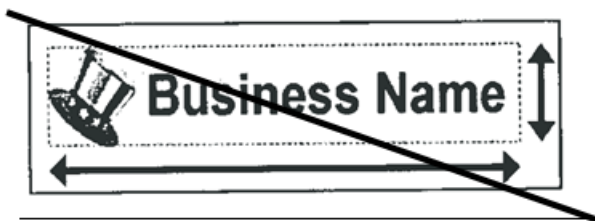
~~(a) Sign measurement criteria:~~

- ~~(1) Area. Sign area for all sign types is measured as follows:~~



Sign Area Measurement

- ~~a. Sign copy mounted, affixed, or painted on a background panel or area distinctively painted, textured, or constructed as a background for the sign copy, is measured as that area contained within the sum of the smallest rectangle that will enclose both the sign copy and the background.~~
- ~~b. Sign copy mounted as individual letters or graphics against a wall, fascia, mansard, or parapet of a building or surface of another structure, that has not been painted, textured, or otherwise altered to provide a distinctive background for the sign copy, is measured as a sum of the smallest rectangle that will enclose each word and each graphic in the total sign.~~



Sign Area includes Logo

- c. ~~Sign copy mounted, affixed, or painted on an illuminated surface, or illuminated element of a building or structure, is measured as the entire illuminated surface or illuminated element which contains sign copy. Such elements may include, but are not limited to, lit canopy fascia signs, spanner board signs, and/or interior lit awnings.~~
 - d. ~~Multi-face signs are measured as follows:~~
 - 1. ~~Two face signs:~~ If the interior angle between the two sign faces is 45 degrees or less, the sign area is of one sign face only. If the angle between the two sign faces is greater than 45 degrees, the sign area is the sum of the areas of the two sign faces.
 - 2. ~~Three or four face signs:~~ The sign area is 50 percent of the sum of the areas of all sign faces.
 - e. ~~Spherical, free-form, sculptural, or other nonplanar sign area is 50 percent of the sum of the areas using only the four vertical sides of the smallest four-sided polyhedron that will encompass the sign structure. Signs with greater than four faces are prohibited.~~
- (b) ~~Sign illumination. All permanent signs may be nonilluminated, illuminated by internal, internal indirect (halo), or lit by external indirect illumination, unless otherwise specified.~~
- (1) ~~Internal illumination. Signs with internal illumination shall conform with dark sky principles and not cause glare or reflection onto any adjacent property, street, or alley, or so to create a traffic hazard.~~
 - (2) ~~External indirect illumination. Externally lit signs are permitted to be illuminated only with steady, stationary, down-directed and shielded light sources directed solely onto the sign. Light bulbs or light tubes, excluding neon, used for illuminating a sign shall not be visible from adjacent public rights-of-way or residential properties.~~
 - (3) ~~Neon and LED.~~
 - a. ~~Exposed neon tube illumination and LED is not permitted.~~
 - b. ~~Visually exposed neon is permissible in the nonresidential districts as long as the neon has a clear plastic face to protect it from breakage and weather damage. Visually exposed neon and LED shall not be permitted on freestanding signs.~~
 - c. ~~Neon illumination utilized as a sign copy projection, border, frame, or other embellishment of sign copy, or other features, consistent with the definition of "sign" in section 113-2, shall be included in the total square footage of the sign.~~
 - d. ~~Neon, LED or other forms of illumination shall not be used as a border or outline for any architectural element of the building.~~
- (c) ~~Structure and installation.~~
- (1) ~~Raceway cabinets. Raceway cabinets, where used as an element of building-mounted wall signs, shall match the building color at the location of the building where the sign is located. Where a raceway provides a contrast background to sign copy, the colored area is counted in the aggregate sign area permitted for the site or occupancy. Raceways shall not be used on roof-mounted signs, freestanding signs, or landscape wall signs.~~
 - (2) ~~Support elements. The support elements for all signs shall appear to be free of any angle iron, bracing, guy wires or similar features.~~
 - (3) ~~Electrical service. When electrical service is provided to freestanding signs or landscape wall signs, all such electrical service is required to be underground and concealed. Electrical service to building-mounted signs, including conduit, housings, and wire, are to be entirely concealed or, when necessary, painted to match the surface of the structure upon which they are mounted.~~
 - (4) ~~Permanent signs. 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.~~

(d) ~~Sign maintenance.~~ It shall be unlawful for any owner of record, lessor, lessee, manager, agent, or other person having lawful possession or control over a building, structure, or parcel of land to fail to maintain the property and all signage thereon, in conformance with this Code. Failure to maintain signs and/or property constitutes a violation of this Code.

(1) ~~General maintenance.~~ Complete maintenance is required for all signs, whether or not in existence prior to the adoption of the ordinance from which this chapter is derived. Maintenance of a sign shall include periodic cleaning, replacement of flickering, burned out or broken light bulbs or fixtures, repair or replacement of any faded, peeled, cracked, or otherwise damaged or broken parts of a sign, and any other activity necessary to restore the sign so that it continues to conform to the requirements and contents of the sign permit issued for its installation and provisions of this chapter.

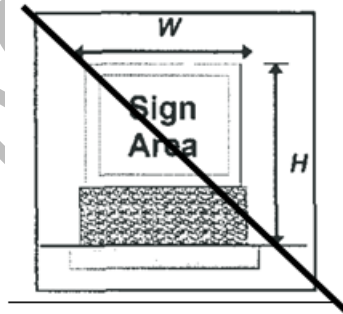
(2) ~~Landscape maintenance.~~ Replacement of plant materials that do not survive after installation in required landscaped areas is required within the next planting season or within six months of the plant's demise. Required landscaped areas contained by a fixed border, curbed area, or other perimeter structure shall receive regular repair and maintenance.

(3) ~~Removal of unused sign support structures.~~ Removal is required of any vacant and/or unused sign support structures, angle irons, sign poles or other remnants of old signs, which are not currently in use, or proposed for immediate reuse evidenced by a sign permit application for a permitted sign.

(4) ~~Removal of obsolete signs.~~ Signs which conform to the provisions of this chapter, but which reflect obsolete sign copy, may remain in place, provided that the sign copy is left unlit and/or blank for a time period up to 30 calendar days after the use or activity it identified has ceased and/or the property has become vacant. A one-time extension of 30 calendar days may be granted by the city manager or designee, provided the copy has been left unlit and/or blank, and when such extension is requested by the owner or person in control of the vacant property.

Sec. 113-105. -- Sign height.

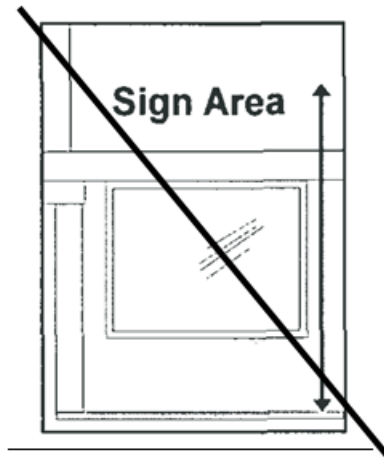
Sign heights shall be measured as follows:



Sign Measurements

(1) ~~Freestanding sign.~~ The height of all signs shall be the vertical distance from the top of the highest element of the sign or sign structure to the top of the curb or crown of the roadway where no curb exists. The height of any monument base or other structure erected to support or ornament the sign shall be measured as part of the sign height.

(2) ~~Wall, fascia, mansard and parapet-mounted signs.~~ Height shall be the vertical distance to the top of the sign or sign structure from the base of the wall on which the sign is located.



Wall Sign

~~Sec. 113-106. Inspections.~~

~~All signs for which a permit is required shall be subject to the following inspections, unless waived by the city manager or designee:~~

- ~~(1) Footing inspections on all freestanding signs except freestanding signs that are five feet or less in height with a maximum area of 32 feet;~~
- ~~(2) Electrical inspections on all signs prior to placement;~~
- ~~(3) Final inspection that shall cover the sign location, structural members and placement of the inspection marker in accordance with this article.~~

~~Sec. 113-107. Inspection markings.~~

~~Any person installing or erecting a permanent sign as regulated by this chapter shall ensure that such signs be marked with the maker's name and the person erecting such sign, the date of installation, and the permit number as approved by the city manager or designee.~~

~~Secs. 113-108—113-127. Reserved.~~

~~ARTICLE IV. ZONING DISTRICT RESTRICTIONS~~

~~Sec. 113-128. Residential zones.~~

~~(a) Residential uses in residential zones.~~

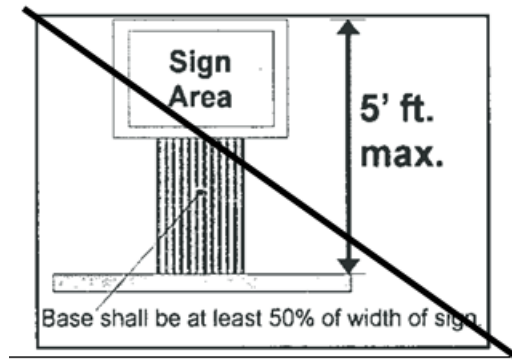
~~(1) Generally.~~

- ~~a. Applicable zones. This subsection (a) applies to all signs for residential uses, and in all residential areas which are vacant or are in a planned area development (PAD) zone.~~
- ~~b. Permitted signs. Only signs that are specifically permitted by this subsection (a) are allowed. Any sign that is not specifically permitted by this subsection (a) is prohibited.~~
- ~~c. Aggregate sign area allowed.~~
 - ~~1. Parcels less than or equal to two acres. Except as otherwise permitted, the aggregate sign area for any parcel located in a residential zone and which is less than two acres shall not exceed one and one half square feet.~~

~~2. *Parcels larger than two acres.* Except as otherwise permitted, the aggregate sign area for any parcel located in a residential zone and which is larger than two acres shall not exceed eight square feet.~~

~~(2) *Wall signs.* Wall signs are permitted, but shall not exceed a height of 15 feet.~~

~~(3) *Freestanding signs.*~~



Freestanding Sign

- ~~a. One freestanding sign shall be permitted on each parcel with a maximum height of five feet and a maximum area of one and one-half square feet.~~
- ~~b. A freestanding sign may include only the name of the occupant and the street address. Such sign shall not include any advertising copy.~~
- ~~c. The base shall have an aggregate width of at least 50 percent of the width of the sign.~~
- ~~d. Reader panels are not permitted.~~

~~(4) *Residential entry sign.* A maximum of two residential entry signs, placed at the entrance to a multifamily or duplex development, manufactured home park, or single-family development only in order to identify the name of the development, and with a maximum aggregate area of 48 square feet shall be permitted at each main entrance. The residential entry signs may be freestanding signs. The residential entry signs may include only the name of the development and the street address, and shall not include advertising copy.~~

~~(5) *Temporary signs.* Temporary signs are only permitted in accordance with article V of this chapter.~~

~~(b) *Nonresidential uses in residential zones.*~~

~~(1) *Generally.*~~

- ~~a. *Applicable zones.* This subsection (b) applies to all signs for nonresidential uses in residential zones which includes, but are not limited to, churches, schools, institutions, commercial farms or ranches, public facilities and similar activities which are located in R1-43, R1-18, R1-12, R1-8, R1-5, R-2 or R-3 zones and for all nonresidential uses in residential areas in a planned area development (PAD) zone.~~
- ~~b. *Permitted signs.* Only signs that are specifically permitted by this subsection (b) are allowed. Any sign that is not specifically permitted by this subsection (b) is prohibited.~~
- ~~c. *Maximum aggregate area.* The maximum aggregate area of all signs on a parcel shall not exceed 48 square feet.~~

~~(2) *Wall signs.* Wall signs are permitted.~~

~~(3) Freestanding signs.~~

- ~~a. One freestanding sign shall be permitted on each parcel with a maximum height of ten feet and a maximum area of 24 square feet.~~
- ~~b. A freestanding sign may include only the name of the facility, building or organization it is intended to identify. Such sign shall not include any advertising copy. The sign must include the number of the street address, but the area of these numerals shall not be included in calculating the allowed sign area.~~
- ~~c. The base shall have an aggregate width of at least 50 percent of the width of the sign.~~

~~(4) Wall, fascia, mansard and parapet signs.~~ Wall, fascia, mansard and parapet signs are permitted, and may identify the facility, building or organization by name or by name and principal activity when the name alone does not identify the general nature of the use, and may include the street address.

~~(5) Directional signs.~~ Directional signs are permitted when required to assist the flow of traffic. Directional signs shall not exceed six square feet in area or three feet in height. Off-site directional signs are prohibited.

~~(6) Directory signs.~~ Directory signs are permitted for nonresidential uses in multi-residential developments and other multiple tenant facilities. Directories shall be provided at all driveway entrances for all multi-residential developments, mobile home parks, or when required by the fire chief or designee.

- ~~a. Each directory shall be illuminated with a maximum area of 18 square feet and a maximum height of six feet.~~
- ~~b. The number and location of the signs must be approved by the city manager or designee and the fire chief.~~

~~(7) Reader panels.~~

- ~~a. Reader panels shall only be permitted for schools and public facilities located in residential zone districts to identify school and community activities.~~
- ~~b. All electronic message displays shall be turned off between the hours of 10:00 p.m. and 7:00 a.m. each day.~~
- ~~c. Fifty percent of the maximum sign area may be used for changeable copy whether it is LED, plastic zip track, or any method of replaceable lettering.~~
 - ~~1. Any sign using plastic zip track or any other method of replaceable lettering shall have a secured, clear, plastic or lexan cover to mitigate the risk of potential vandalism.~~
 - ~~2. Any sign using an electronic messaging system shall not be visible to any minor or major arterial street.~~

~~(8) Temporary signs.~~ Temporary signs are only permitted in accordance with article V of this chapter.

~~Sec. 113-129. Nonresidential zones.~~

~~(a) Generally.~~

- ~~(1) Applicable zones.~~ This section applies to all signs in nonresidential zones and in all nonresidential areas in a planned area development (PAD) zone, unless otherwise restricted.
- ~~(2) Permitted signs.~~ Only signs that are specifically permitted by this section are allowed. Any sign that is not specifically permitted by this subsection (a) is prohibited.
- ~~(3) Aggregate sign area allowed.~~

- ~~a. Unless otherwise modified by this section, the maximum aggregate sign area for any business is one square foot of signage for each linear foot of the business wall elevation along the street frontage on which the sign is displayed. Businesses on a separate parcel or lot, or on a PAD site within a project of three or more businesses, shall be permitted sign area as described in subsection (a)(3)a of this section for any one elevation, with sign area on all other elevations not to exceed one-half square foot for each linear foot of elevation where the sign is displayed.~~
- ~~b. The total aggregate area excluding all freestanding signage shall not exceed 300 square feet and the maximum total sign area of any one elevation shall not exceed 200 square feet. Businesses that share a building structure and do not have a designated leased/owned frontage shall be considered one business for the purpose of determining total aggregate area of street graphics.~~

~~(b) Wall, fascia, mansard, and parapet.~~

~~(1) Generally.~~

- ~~a. Wall, fascia, mansard and parapet signs are allowed only on the exterior elevation of the space occupied by the business.~~
- ~~b. Wall, fascia, mansard or parapet signs may identify the individual businesses, building complex, or center, by name, and may identify up to three principal services when the name alone does not identify the general nature of the business. Any wall, fascia, mansard or parapet sign may include the street address, but shall not include advertising copy.~~
- ~~c. Units of information. Modifiers may be used on building wall signs only and shall be identical for each elevation in which the sign is displayed. The maximum height of the modifiers shall be subordinate to the vertical letter height of the business name, but shall not be less than 12 inches. Such signs shall be included when computing the sum total sign area allowed for each use.~~

~~(2) Wall, fascia, mansard and parapet signs for theaters.~~

- ~~a. One wall, fascia, mansard or parapet sign for a theater may contain the name of the theatre on the elevation where the sign is displayed. Such signs shall be permitted as described in subsection (a)(3)a of this section.~~
- ~~b. The reader panel shall be used exclusively for the purpose of identifying entertainment, motion pictures, or special events that occur on the premises. The sign area shall not exceed 48 square feet.~~
- ~~c. Exterior poster cases shall be limited to six per theatre. The cases will not count toward the aggregate sign area.~~

~~(3) Shingle signs.~~

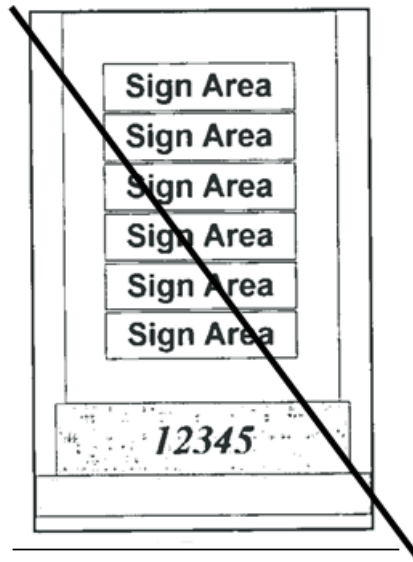
- ~~a. One shingle sign that is designed and oriented primarily for the aid of pedestrians is permitted per business.~~
- ~~b. The minimum clearance between the bottom of the sign and the nearest grade or sidewalk shall be seven feet, six inches. The size shall be approved by the city manager or designee. The shingle sign shall not be calculated within the overall aggregate sign area.~~
- ~~c. A shingle sign must be located immediately adjacent to the business it identifies. The sign must be perpendicular to the store front.~~

~~(c) Freestanding signs.~~

~~(1) Generally.~~

- ~~a. Freestanding signs are permitted.~~

- b. ~~The base of any freestanding sign shall have an aggregate width at least 50 percent of the width of the sign.~~
- c. ~~Any freestanding sign which identifies a single tenant building shall only bear the name of the business or building it is intended to identify, and shall not include any advertising copy.~~
- d. ~~Any freestanding sign must include the number of the street address, but the area of these numerals shall not be included in calculating the allowed sign area.~~
- (2) ~~Maximum number and height of signs allowed. One freestanding sign shall be permitted per single tenant building or multiple tenant complex, except on parcels with multiple street frontages. On parcels with multiple street frontages, one sign is permitted on each street. The freestanding sign shall not exceed a height of ten feet.~~
- (3) ~~Aggregate sign area allowed.~~
 - a. ~~Freestanding signs in industrial zones or for multiple tenant complexes. The maximum aggregate sign area allowed for all freestanding signs in industrial zones or for multiple tenant complexes is 48 square feet on parcels up to ten acres, 60 square feet for parcels up to 20 acres, and 80 square feet on parcels over 20 acres.~~
 - b. ~~Freestanding signs for single tenant buildings. The maximum aggregate sign area allowed for all freestanding signs for single tenant buildings in the C-1 zone is 12 square feet. The maximum aggregate sign area allowed for all freestanding signs in the C-2 and C-3 zones is 36 square feet on parcels up to two acres, and 48 square feet on parcels over two acres.~~



Multiple Tenant Sign

- (4) ~~Identification of tenants in a multiple tenant complex. Any freestanding sign within the multiple tenant building or shopping center may identify the name of the building, complex, or center and the names of tenants within the complex. Such signs shall not include any advertising copy. Modifiers are permitted.~~
 - a. ~~Panels shall only contain the name of the business or logo. No more than six panels per side are allowed on multiple tenant freestanding sign. All individual panels will require a permit.~~
 - b. ~~Panels shall not display business telephone numbers.~~

- ~~(d) *Directional signs.* Directional signs when required to assist the flow of traffic are permitted, but shall not exceed six square feet in area or three feet in height. Such sign may include business identification by word or symbol on up to 25 percent of the sign area.~~
- ~~(e) *Directory signs.* Directory signs when required to identify the location of the various buildings or businesses located within the center or complex are permitted as follows:~~
- ~~(1) Each directory sign shall be illuminated with a maximum area of 18 square feet and a maximum height of six feet. Such directories are required at all driveway entrances and approved by the fire chief or designee.~~
- ~~(2) The number and location of the signs must be approved by the city manager or designee.~~
- ~~(f) *Noncommercial signs.* In all commercial and industrial zones, noncommercial signs shall have a maximum area of 12 square feet and a maximum height of five feet.~~
- ~~(g) *Permanent window signs.* Window signs may be internally illuminated only with the use of exposed neon and LED lighting. There shall be a maximum of one sign per business and such sign shall be limited to no more than 15 percent of the area of the window panel. The sign area shall be calculated against the square footage allowed the business/use. Sign copy shall be limited to business identification and a graphic symbol or any combination thereof. In no case shall product signs be allowed.~~
- ~~(h) *Reserved.*~~
- ~~(i) *Gasoline service stations.*~~
- ~~(1) One monument sign per right of way frontage up to two total signs shall be permitted with a maximum sign area of 24 square feet each with a maximum height of five feet. Fifty percent of the allowable sign area may be used to identify the current price of gas being sold and may have changeable copy such as LED or zip track. Such signs shall be placed within a landscaped setting containing not less than 240 square feet.~~
- ~~(2) Canopy signs.~~
- ~~a. Such signs shall identify the business only.~~
- ~~b. The maximum number of signs per canopy shall be two.~~
- ~~c. The maximum sign area for any one canopy sign shall not exceed six square feet.~~
- ~~d. Any canopy sign will be calculated against total sign area allowed.~~
- ~~(j) *Banks.*~~
- ~~(1) *Building wall signs.*~~
- ~~a. Such sign shall identify the business.~~
- ~~b. The maximum sign area allowed for one linear foot of building wall shall be one square foot. The sign area on all other elevations is one half square foot for each linear foot of elevation where the sign is displayed.~~
- ~~c. When the wall on which the sign is placed is 200 or more feet from any public right-of-way, the maximum sign area for each one linear foot of building wall shall be one and one-half square feet.~~
- ~~d. No part of a building wall sign shall extend above a roofline.~~
- ~~e. Such sign shall be installed with the exposed face of the sign in a plane parallel to the face of the building wall.~~
- ~~f. No part of a building wall sign shall project from a building wall a distance greater than 12 inches.~~

~~(2) Freestanding business identification signs. There shall be a maximum of one freestanding business identification sign per street.~~

~~a. Ground signs.~~

- ~~1. Such sign shall identify the business.~~
- ~~2. The maximum number of such signs per street shall be one sign.~~
- ~~3. Such signs shall be placed within a landscaped setting containing not less than 120 square feet.~~
- ~~4. The maximum area for such signs shall not exceed 12 square feet.~~
- ~~5. The maximum height of such signs shall be five feet.~~
- ~~6. Individual letters shall not cover a percentage of wall surface area greater than 50 percent.~~

~~b. Monument signs.~~

- ~~1. Such signs shall identify the business.~~
- ~~2. The maximum number of such signs per street front shall be one sign.~~
- ~~3. The maximum area of such signs shall be 24 square feet.~~
- ~~4. The maximum height of such signs shall be five feet.~~
- ~~5. The maximum vertical dimension of the cabinet or panel shall be four feet.~~
- ~~6. The maximum horizontal dimension of the cabinet or panel shall be ten feet.~~
- ~~7. Such signs shall be placed within a landscaped setting of not less than 240 square feet.~~

~~(3) ATM (automated teller machine) signs.~~

- ~~a. Such signs shall be located on the face of the machine.~~
- ~~b. Any such signs may identify the individual business name, logo, time, and principal services offered at the ATM.~~
- ~~c. The area of any such signs shall not exceed ten square feet.~~
- ~~d. The total sign area of all such signs at any one site shall not exceed 20 square feet.~~
- ~~e. The bezel and architectural border of an ATM sign shall not be included in the sign area unless they contain sign characters, logos, or other sign graphics.~~
- ~~f. The area of any ATM signage not visible beyond the boundaries of the property shall not be deducted from the sum total sign area permitted for the use.~~
- ~~g. Wording, symbols, and graphics which instruct persons on the use of the ATM shall not be considered part of the sign area unless they are visible beyond the boundaries of the property and attract the attention of the public.~~

~~(4) ATM (automated teller machine) directional signs.~~

- ~~a. Such signs shall be located only on a site offering automated teller services.~~
- ~~b. The maximum height of such signs shall be three feet.~~
- ~~c. The maximum area of such signs shall be four square feet.~~
- ~~d. A maximum area for business name or logo shall be one square foot.~~
- ~~e. Time-related information and other information commonly used by a business to reference its particular ATM is allowed.~~

~~f. The number and location of such signs shall be determined by the city manager or designee.~~

~~(k) Regional commercial subdivisions (20 acres or more).~~

- ~~(1) Entryway signs are allowed for commercial subdivisions.~~
- ~~(2) Such signs shall contain only the name of the subdivision.~~
- ~~(3) The maximum number of such signs for each entrance shall be two signs.~~
- ~~(4) The maximum number of such signs on each side of an entrance shall be one sign.~~
- ~~(5) The total area of such signs allowed at each entrance shall not exceed 24 square feet.~~
- ~~(6) The height of such sign shall not exceed five feet.~~

~~(l) Temporary signs. Temporary signs are permitted in accordance with section 113-157.~~

~~(m) Menu boards.~~

- ~~(1) Two menu boards are permitted per business. Such signs may be freestanding or wall-mounted.~~
- ~~(2) The maximum aggregate area for a menu board shall not exceed 24 square feet.~~
- ~~(3) The maximum height shall not exceed six feet.~~

~~(n) Awning signs.~~

- ~~(1) A maximum of 25 percent of the front face area of an awning may be used for signage.~~
- ~~(2) The sign area shall be measured according to section 113-104 unless a distinctive background is provided.~~
- ~~(3) If letters or graphics are placed on the valence, they shall not be placed elsewhere on the awning.~~
- ~~(4) Awning signs are allowed only on the exterior elevation of the space occupied by the business.~~
- ~~(5) Sign copy shall be limited to business name and/or logo.~~

~~Secs. 113-130—113-156. Reserved.~~

~~ARTICLE V. TEMPORARY SIGNS~~

~~Sec. 113-157. Standards and regulations.~~

~~Temporary signs shall be allowed in accordance with the requirements of this chapter and the following provisions:~~

- ~~(1) Duration. Each parcel or business may have displayed upon it a temporary banner sign with the following limitations:~~
 - ~~a. A temporary banner sign may not be displayed longer than 30 calendar days at a time.~~
 - ~~b. A business is limited to two temporary sign banners per year with the exception of for sale, lease or rent signs, which may be displayed for a period of one year during the time the parcel is being sold, let or rented.~~
 - ~~c. A new business may have an additional 30 calendar days beyond the limitations stated above for a grand opening sign.~~
 - ~~d. Temporary banner signs must be attached to a building.~~
- ~~(2) Residentially zoned parcels smaller than five acre.~~

- a. ~~Number.~~ Each parcel shall be entitled to one temporary sign for every 50 linear feet of right-of-way frontage (minimum of one sign per parcel).
 - b. ~~Size and height.~~ The maximum height for all freestanding signs is five feet. For sale, lease or rent signs shall be a maximum of 12 square feet with a maximum height of eight feet.
- ~~(3) Nonresidentially zoned parcels and residentially zoned parcels larger than five acres.~~
- a. ~~Number.~~ Each parcel shall be entitled to one temporary sign displaying a commercial message for each side of the parcel that has right of way frontage, up to two temporary signs displaying a commercial message per parcel. Additionally, each parcel shall be entitled to one temporary sign displaying a noncommercial message for every 50 linear feet of right of way frontage.
 - b. ~~Size and height.~~ The maximum height for all freestanding signs is eight feet. For sale, lease or rent signs shall be a maximum of 32 square feet with a maximum height of eight feet.
- ~~(4) For multiple tenant commercial or industrial parcels.~~
- a. Each tenant with less than 50 feet of store frontage shall be entitled to temporary banner signs, as stated above, applied to the storefront, not exceeding 12 square feet in size.
 - b. Each tenant with more than 50 feet of store frontage shall be entitled to temporary banner signs, as stated above, applied to the storefront, not exceeding 32 square feet in size.
- ~~(5) Window signs.~~ Such signs shall be affixed only to the interior surface of the glass. No more than 25 percent of the window on the front elevation of any business may be used for window signage. Such signs shall be used for promotional purposes and will not require a permit.
- ~~(6) Location.~~ Temporary signs shall not be placed in the following locations:
- a. Off-premises.
 - b. Within five feet of the public right of way.
 - c. Within a site visibility triangle.
 - d. Within a public utility, water or sewer easement.
 - e. Within any parcel owned by the city, except for temporary signs placed by the city for city events.
 - f. Affixed to any light pole, street pole, electrical box, or other similar structure.
- ~~(7) Permit.~~ A city issued permit shall be required before installing any temporary sign displaying a commercial message.
- ~~(8) Construction.~~ Temporary signs may be made of paper, plastic, cloth or any other pliable material. Window signs may be painted with water soluble paint directly on the window.
- ~~(9) Non-conforming temporary signs.~~ Temporary signs that become non-conforming after the adoption of the Code shall be removed within ten calendar days.

~~Sec. 113-158. Development information temporary sign.~~

~~The purpose of the development information sign is to inform the public of the development name and future tenants on developments under construction. The city manager or designee may remove any development sign or construction fence screen sign if said sign violates City Municipal Code, is deemed a public or private nuisance, or is a hazard to public health and safety.~~

~~(a) Applicability.~~

- ~~(1) Development signs or a construction fence screen sign shall be erected within 30 calendar days of application for a building permit or grading permit.~~

- ~~(2) The development sign or construction fence screen sign shall be maintained until all principle structures are completed in the designated construction area.~~
- ~~a. In cases where the initial building has been completed and subsequent permits for other principal buildings in the construction area have been applied for, the applicant for the latest building permit will maintain the sign.~~
- ~~b. Sign is to be removed after completion of all building permits posted on sign or as directed by the city manager or designee.~~
- ~~(3) Sign location to be submitted with new principle building permits.~~
- ~~(b) Development information sign.~~
- ~~(1) Duration.~~
- ~~a. Signs must be removed once all projects in the construction area are completed. This does not include tenant improvements.~~
- ~~b. Signs will be allowed for a period of one year.~~
- ~~(2) One sign per street frontage per construction area.~~
- ~~a. Construction area is to be determined by the city manager or designee.~~
- ~~(3) Freestanding sign size shall be 32 square feet.~~
- ~~(4) Maximum sign height shall not exceed eight feet.~~
- ~~(5) Signs must be updated for new projects in the construction area.~~
- ~~(6) Banner signs may be attached to a temporary construction fence.~~
- ~~(7) Sign text and graphics will follow City of Surprise development information sign format, unless modified by the city manager or designee.~~
- ~~(c) Construction fence screen sign.~~
- ~~(1) Duration.~~
- ~~a. Signs must be removed once all projects in the construction area are completed. This does not include tenant improvements.~~
- ~~b. Signs will be allowed for a period of one year.~~
- ~~(2) Maximum sign height shall not exceed eight feet.~~
- ~~(3) Sign must include:~~
- ~~a. Information provided in City of Surprise development information sign format (section 113-158(b)(7)) to exclude the elevation block.~~
- ~~b. Renderings or art relating to the site.~~

~~Secs. 113-159—113-182. Reserved.~~

~~ARTICLE VI. FLAGS AND FLAGPOLES~~

~~Sec. 113-183. Regulations.~~

~~To regulate and control the use of permanent flagpoles on which a flag is located. It is unlawful for any person to place or install a flag in any zone except as follows: Any flag of the United States, or any state of the United States, foreign nations having diplomatic relations with the United States, the city, corporate flag, or any other flag adopted or sanctioned by an elected legislative body of competent jurisdiction, or any other flag whose display is authorized by the Constitution of the United States or the constitution of the state.~~

The provisions are subject to the following conditions:

- ~~(1) Only one of each flag with a maximum of three flags on any one lot or parcel shall be allowed.~~
- ~~(2) Parcels zoned R1-43, R1-18, R1-12, R1-8, and R1-5 shall not have more than one flagpole per parcel.~~
- ~~(3) No flagpole shall exceed the following heights per specified zone:
 - ~~a. Parcels zoned R1-43, R1-18, R1-12, R1-8 and R1-5 shall not exceed 30 feet.~~
 - ~~b. Parcels zoned R-2 and R-3 shall not exceed 35 feet.~~
 - ~~c. Parcels zoned C-1, C-2, and C-3 shall not exceed 35 feet.~~
 - ~~d. Parcels zoned industrial and business park shall not exceed 35 feet.~~~~
- ~~(4) Flagpoles shall not be placed except within a landscaped setting of not less than 200 square feet.~~
- ~~(5) Illumination of any flags or flagpoles shall be in accordance with section 113-103.~~
- ~~(6) Nothing in this section shall apply to any flag or flagpole located on any parcel owned or operated by any federal, state or local government for a governmental purpose.~~

~~Secs. 113-184, 113-185. Reserved.~~

~~ARTICLE VII. FREEWAY MONUMENT SIGNS~~

~~Sec. 113-186. General requirements.~~

- ~~(a) Freeway monument signs shall be allowed only on properties zoned for commercial or industrial uses;~~
- ~~(b) Buildings in excess of three stories shall be identified only by a freeway monument sign or a building-mounted wall sign and shall not be eligible for the construction of or inclusion of both types of signs;~~
- ~~(c) For the purposes of this section, the height of all freeway monument signs shall be measured as the vertical distance from the finished grade of the site to the highest point of the sign structure;~~
- ~~(d) Freeway monument signs shall not be counted as a portion of the total sign area of the user(s);~~
- ~~(e) Freeway monument signs shall be required to provide an architecturally enhanced treatment for the sign base, pole cover and supports compatible with the individual business or the complex/center. Pole covers and sign base shall be a minimum of 35 percent of the full sign width;~~
- ~~(f) 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;~~
- ~~(g) For the purpose of this section, such signs shall only identify the name of the business, the center/complex, or the place for which the sign is intended. Such signs shall not include any advertising copy;~~
- ~~(h) Freeway monument signs may be illuminated by externally illuminated indirect or internal lighting;~~
- ~~(i) Freeway monument signs shall not be allowed within a natural or manmade watercourse;~~
- ~~(j) Freeway monument signs shall be subject to all applicable Arizona Department of Transportation sign regulation standards;~~
- ~~(k) All freeway signage requests shall be processed administratively via site plan amendment process to determine conformity with the regulations within section [chapter] 113.~~

~~Sec. 113-187. Location and size.~~

- ~~(a) Freeway monument signs shall be located a minimum of 50 feet from any non-freeway lot line and a minimum of 100 feet from any residentially zoned property;~~
- ~~(b) All freeway monument signs shall have a maximum height of 80 feet, and 750 square feet in total sign area, unless as modified below;~~
- ~~(c) All freeway monument signs shall be allowed an extra three feet in height for architectural embellishments where architectural embellishments are defined as elements of a sign incorporating architectural features of the associated building or development; Embellishments shall not include any feature, figure or emblem conveying a commercial message and may not constitute more than 20 percent of sign area;~~
- ~~(d) For every 880 linear feet of freeway frontage, one freeway monument sign shall be allowed per site, development, project, or center. Such signs shall not be located off-premise, except that a multi-tenant complex/center sign may identify users within the complex/center located on separate parcels;~~
- ~~(e) For the purpose of this section, multi-tenant freeway monument signs shall be allowed an extra 20 percent of sign area for identification of the center/complex;~~
- ~~(f) Freeway signs shall maintain a minimum of 880-foot spacing from any other freeway monument sign, or from the intersection of any arterial road with the freeway;~~
- ~~(g) Freeway monument signs shall be located a minimum of 50 feet from any non-freeway lot line and a minimum of 200 feet from any residentially zoned property.~~

~~Secs. 113-188—113-194. Reserved.~~

~~ARTICLE VIII. COMPREHENSIVE SIGN PROGRAM~~

~~Sec. 113-195. Regulations.~~

~~The comprehensive sign program is designed to allow signage which is appropriate to the character of the development, provide adequate identification and information, provide a good visual environment, promote traffic safety and regulate to the extent necessary to be consistent with the purpose and intent of the sign requirements.~~

- ~~(1) *Criteria.* Comprehensive sign programs shall only apply to commercial properties within redevelopment project areas, or to projects within planned area development zoning designations, approved by the planning and zoning commission and city council, and shall be prepared and reviewed concurrently with the planned area development documentation, or as a separate site plan amendment application for existing commercial centers.~~
 - ~~a. Any request for approval of the comprehensive sign program shall be submitted on forms provided by the city. Such application shall be submitted to the city manager or designee and acted upon by the planning and zoning commission in accordance with this section 113-195 of this chapter.~~
 - ~~b. The comprehensive sign program shall not be applied to freeway monument signs.~~
 - ~~c. *Compatibility.* The comprehensive sign program shall promote compatibility for all signs within a specific development. Architectural theme, materials and color should compliment the overall character.~~
- ~~(2) *Size and height.* Signs proposed under the comprehensive sign program shall be no larger than the maximum of 50 percent of the standards. The maximum height for freestanding signs is 15 feet with a maximum aggregate area of 160 square feet.~~
- ~~(3) *Offsite signs.* Projects, which have an approved commercial subdivision or final plat, may have offsite signage. The signs may be placed on parcels where an existing master site plan or residential development has been established.~~

- ~~(4) *Placement.* Signs proposed under the comprehensive sign program shall be placed appropriately in areas visible and readable. Review of location is considered by traffic movement of surrounding streets, traffic volumes and access points, AASHTO and engineering standards, visibility triangles, sign orientation and topographic features.~~

~~Secs. 113-196—113-215. Reserved.~~

~~ARTICLE IX.—SIGN WALKER~~

~~Sec. 113-216.—Regulations.~~

~~Regulations regarding sign walkers, as defined in this chapter, are designed to reduce potential traffic hazards.~~

- ~~(1) *Locations.* Sign walkers are only permitted in C-3, BP, I-1, I-2 and I-3 zoning districts. The sign walkers must operate only within the public right-of-way, exclusive of any paved street area or any landscaped area.~~
- ~~(2) *Hours of operation.* Sign walkers are limited to the following hours of operation: 9:00 a.m. to 3:00 p.m., Sunday through Saturday.~~
- ~~(3) *Permit required.* Sign walkers are required to obtain a permit.~~
- ~~(4) *Size of signs.* Sign walker signs are limited to four square feet.~~
- ~~(5) *Additional restrictions.* Sign walkers may not twirl, spin, throw into the air or cause to flash their portable signage.~~

Robert Kuhfuss

From: JoAnna Mankiewicz <jodiemank@gmail.com>
Sent: Monday, March 13, 2017 8:37 PM
To: Robert Kuhfuss
Cc: Lloyd Abrams; Joshua Mike
Subject: Signage meeting

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Rob,

It was nice to meet you last Wednesday at the library, and I thought that it was a good meeting, with great participation.

I know this is an extreme point of view, but I need to say it anyway. I don't like signs, period. They're usually tacky, and take away from the timeless design of a city or town, unless you are in Times Square in New York, or on the Vegas Strip, and of course, those are two places of extreme signage.

With that said, I would like to see Surprise be a real 21st Century city. If you see a classic European country village, there are few signs. If you see an artist's rendering of a futuristic city, there are NO signs, because of course all people in the future are telepathic and they know where all the burger joints are. Is that "food for thought"? But seriously, many important parts of our City are still a blank canvas, and we need someone like a city architect to supervise and advise on the design and placement. I don't have anything against logos on buildings, provided they meet a creative design code. My reasoning is as follows: How many of us really dislike commercials on TV? We will get up and do something else, fast-forward the recording, change channels, or mute it when playing, but try to ignore it in the end. I fear this is the end result of having a code that allows a lot of signs, provided they all minimally meet that code. People will drive through Surprise without looking.

My father worked in New York as a film editor, and did a lot of work in commercials, and he's the first one to say that the majority of commercials have few redeeming qualities, and are annoying to most viewers. I am not a snob, but I think there's got to be a better way, and I would know it if I heard it. What was presented at the meeting was a lot of the same-old, same-old. I would hope that we would do something better.

On another note, the Country Inn & Suites, although I feel bad for them, have a horrible location for a hotel, and again reflects poor planning. I realize the owners make these decisions without regard to the bigger picture. That's their own fault. I don't think theirs is a City signage issue as much as an ADOT issue, as they are located on a state highway, not a City street.

Again, I appreciate your efforts and those of your staff, and I hope to attend some additional meetings in the coming months.

Very truly yours
JoAnna Mankiewicz



Timeless Design



Renderings show an urban downtown that Surprise General Plan 2035 envisions for the future with improved transportation and connections between neighborhoods. Rendering Credit: City of Surprise (Arizona Builders Exchange - 2013 Re Surprise General Plan)

<http://azbex.com/new-general-plan-approved-by-surprise-voters/>

From: [Webmaster](#)
To: [Robert Kuhfuss](#)
Subject: New Sign Code Public Comment
Date: Monday, March 20, 2017 3:57:02 PM

A New Sign Code Public Comment as Been Received!

The comment:

Good Afternoon,

I'm sorry that I am not able to attend any of the future meetings concerning the new sign code in the city of Surprise. I am concerned with one aspect of the new sign code, that I think warrants a comment here however. The right to use an A frame sign should continue in my business/professional opinion. I see A frame signs everywhere across Arizona as well as places that would be considered much more intrusive to business rights and liberties like California and many places on the east coast. Beach towns, ritzy towns, upscale, downscale, everywhere I go, A frames are used to solicit business for business owners. They are not downscale. When presented properly they can be portrayed as being rather glamorous! I was putting balloons on mine which I think cheered people up. Why would balloons be illegal? I remember an event where the city released thousands of balloons into the sky. I'm not releasing them after. Why? No one I asked so far, thinks that balloons and a frame signage should be illegal. Please rethink these revisions. Please don't hesitate to have me answer any questions you might have.

Thank you in Advance,

William M. Bucur D.C.
GreenwayCotton Chiropractic
Prasada MarketPlace

was received on 03/20/2017 at 06:56 pm

Thank you,
Webmaster

From: [Hans Koppenhoefer](#)
To: [Robert Kuhfuss](#)
Subject: Signs - Comprehensive Sign Program
Date: Wednesday, April 22, 2015 1:49:53 PM
Attachments: [CCF04222015_0001.pdf](#)

Rob – Hope you’re doing well. We worked together on various projects before you came to Surprise when I was at Pulte Homes. Glad to see that you’ve become a part of the Surprise team.

I’ve been following the process that you’ve been making on the sign ordinance and hope to offer some feedback on its impact to PADs in Surprise. This perspective is through the eyes of a master planned developer as it pertains to the current “Comprehensive Sign Program” (Article VIII).

First, I think the allowance of a Comprehensive Sign Program is a great tool that the City has in its code. I only had two suggestions that the City may consider in updating the verbiage.

1. Should only commercial PADs be allowed to have a comprehensive sign program after the initial zoning?
 - a. While working on large master planned community projects in the past it has always been challenging to get directional signage to the master planned community. Based upon what I understand in the current code, only a commercial project is provided an opportunity for a comprehensive sign program. Non-commercial projects signage must be submitted with the initial PAD. In other words, there does not appear to be a comprehensive sign program option for a non-commercial PAD after initial approval.
 - b. Timing challenge - The timing of a sign program as part of a master planned community is normally considered concurrent with the construction of the 1st phase of the master planned community. This could be many years after the initial PAD application.
 - c. Suggest that verbiage be added to the Code to allow for PADs (commercial, residential or mixed-use) to process a Comprehensive Sign Program application after the initial PAD.
2. Should offsite signage only be limited to an “existing master site plan” or where “residential development has been established”?
 - a. It is great that offsite signs are permitted but don’t believe that those off-site signs should only be limited to projects that have an existing master site plan or residential development. Since all signs must be on private property should it matter if the property is entitled or improved?
 - b. Suggest that the property owner’s permission and City approval are only required approvals for an off-site sign (as part of a comprehensive sign program).

I’ve redlined the current code per the above suggestions and have attached a pdf. Thank you in advance for your consideration. I look forward to catching up with you sometime in the near future. Best regards -

Hans Koppenhoefer
Director of Land Operations
Courtland Homes, Inc.
4160 W. Kitty Hawk
Chandler, Arizona 85226
Phone: 480.893.7515
Cell: 602.885.1634



Dear Robert,

Thank you for the opportunity to participate in the March 22, 2017 public meeting and review of the proposed Surprise Sign Ordinance.

WeMAR appreciates the work that has gone into amending the sign ordinance and continues. It is our hope the remarks below will be of help and value as you and your staff go forward.

We were struck with surprise when we read pages 5&6. These two pages seem overly aggressive in their position that signs are undesirable and have only negative impacts. We believe signs are more properly treated as free speech, rather than land use, since they are a form of communication.

We are concerned that while sign walkers and political signs are not addressed by the proposed ordinance because of state laws, there may overlap in court interpretation, particularly the ability for the city to differentiate between commercial speech and political speech without discriminating based on content and/or speaker, and the posting of signs in the public right of way.

In general, we are concerned that permits are required for all signs. Since signs are a form of speech, this amounts to permitted speech which has been struck down by the courts.

Signs are still the most cost effective and least expensive method for businesses to advertise the goods and services they provide, as well as their location. Property owners wishing to sell personal or real property depend on signs to advertise the sale, and guide those interested to the property.

Individuals who start a business place their finances, savings, homes, assets and their family's future at stake. These individuals believe they can provide a product or service the market is interested in and willing to pay for, these businesses will fail if no one knows what they do, where they are or who they are. As an economic development issue and a free speech issue, this is of concern.

Property owners attempting to sell or lease their property will experience difficulty and time delays if they are limited to inadequate signage. Some properties will require very few signs to guide potential customers, other properties will require several signs. Inadequate signage frustrates real estate agents, property owners, neighbors and potential buyers. We suggest adequate signage for the task be the guide. For residents attempting garage sales, open houses or estate sales, inadequate signage will mean they are unable to conduct a successful sale.

As to the question of temporary sign glut along main streets, Justice Alito suggested limiting the number of signs displayed by defining a particular number of signs allowed within a particular number of miles or feet. These limitations would need to be appropriate to the location of the property and street access. For example, a two-lane rural street may find adequate signage at a particular number of signs per $\frac{1}{4}$ or $\frac{1}{2}$ mile. A busy suburban street may find adequate signage at a particular number of signs per feet of roadway or front footage.

Several small business owners and Ginger Zilk (branch manager at West USA Realty) spoke to A-frame signs outside their business on Bell Rd bringing in customers. One small business owner said he experienced 4-6 customers/day coming in from his A-frame sign at the driveway entrance to the shopping center he is located in. The small business owner of a Gelato shop stated her concerns that not having her one A-frame sign would have an adverse effect on her business. Both small business owners voiced concern that inadequate signage and an inability to post an A-Frame sign will mean they will be forced to close their businesses before the end of the year.

Ginger stated her office recorded 57 walk-ins' in 2016. People who found West USA Realty from driving by and seeing the A-frame sign at their entrance. That doesn't count members of the public who came by to get more information about Surprise, but did not purchase. Several real estate agents saw the A-frame sign, chose to drop in and eventually work, at West USA Realty in Surprise as well. West USA estimates each house they sell contributes \$46,000 to Surprise in ancillary business (escrow, inspectors, appraisers, other services). That amounts to \$2,622,000.00 in ancillary business and does not include the economic impact after escrow closes to area businesses and property taxes.

While West USA Realty is a large brokerage, each real estate agent is an independent contractor. They are the smallest of small business. Inadequate signage does not allow agents to advertise properties for lease or sale, and limits their ability to direct potential buyers or tenants to the property. This will restrict the ability of licensed real estate agents to conduct their business and serve their clients.

Studies from USD (University of San Diego) and the University of Cincinnati have shown adequate signage is a significant component of business success, no matter how big the business. They found a strong correlation between number of signs and sales increases, as well as transaction amount increases.

A small A-frame directional sign contributes 10% to weekly sales. The addition of one building sign contributed an increase of 4.75% to sales. For \$500,000 of income, that translates to about a \$23,750 increased. Increased income adds to the amount of sales tax the city receives. The USD study found 68% of customers used signs to find the business and were frustrated when they could not find a business because of inadequate signage. Surprise has several businesses located in retail, medical or industrial complexes with limited signage to the street and passersby.

We question the compelling government interest of limiting building signage, particularly on buildings facing more than one street or buildings that are part of an office/industrial complex. Building signage and directional signage should be adequate so as to allow patrons to easily identify the building and direction of travel they must follow to arrive safely and in a timely manner to their destination. We question the compelling government interest in limiting directional signage inside commercial and residential development.

In the public meeting, we asked why the difference between flagpole sizes for residential private parties versus residential model homes. On the surface this appears to discriminate based on the speaker. We were told it is a safety issue based on size of the lot and the fall arc of the flagpole. We suggest this restriction be articulated based on the safety issue, not the person.

We discussed the legibility and visibility of signs and the need for public safety reasons, as well as business reasons, to establish **minimum** sign sizes based on science of the visual arc, legibility and visibility. Busy streets with several lanes will need larger signs than small streets with little traffic.

In the proposal, temporary signs must all have the name and contact information of the person placing the sign. We suggested this statement be amended to read "person or entity" since the Designated Broker (DB) or Managing Broker is the responsible party in supervision of all real estate agents, and the broker is in the best position to make sure the offending sign is taken care of quickly.

Arizona State law already requires real estate brokerage signs on property listed for sale or lease, display the brokerage name and contact information. Requiring the agent name and contact number may not be possible with the limited sign space allocated by the proposed sign ordinance. An additional concern is that sign riders will not be possible under this code. Sign riders alert potential buyers not only of amenities, but legally required notifications such as agent owned property.

In the proposed ordinance, banner signs are limited to commercial districts only. We asked that this be amended to allow banner signs in residential areas as well. Frequently property owners will post a "New Baby", "Welcome Home" to the Military (or other family member), "Just Married", or some other personal message for a short period of time. We question the compelling government interest in limiting this speech. Personal property rights and free speech rights may be abridged with the proposed limitation.

In the meeting, we expressed concern and asked for clarification on Building Mounted Signs, item #1. We are concerned that businesses with more than one business under one roof will not have adequate signage. Example: Grocery store with a bank and a Starbucks, or a real estate brokerage with a title company or lender.

We are likewise concerned for the limit of window (40%) allowed for window signs. The window is part of the building the business either leases or owns. Many businesses express specials or product to the public with window signs. We question the compelling government interest in regulating this. Because sunscreens are allowed 100% of window space, the 40% limit appears to be arbitrary.

In Section 113-09 (Sign Illumination) we are concerned that limited visibility of the sign at night will create a public safety hazard and injure businesses who are unable to have visible and legible signage at night. The term "environmentally sensitive areas" is a legally specific term. It is our understanding from City comments at the meeting, that the City of Surprise has no legally recognized "environmentally sensitive areas" and therefore this term may be used in an arbitrary fashion.

We expressed our concerns on the Comprehensive Sign Program (CSP). The criteria specify the sign must be "appropriate to the character of the community". We are concerned this is an arbitrary measure. We are further concerned by item D and ask: How will the CSP measure and demonstrate a sign represents a "measurable improvement" to the community; is "appropriate to the character of the development", and that it is "appropriate to the neighborhood"? This appears to be an arbitrary measure and most likely will be determined by content or identity of the speaker.

The limitations for Non-Conforming signs is of concern to us as well. The methodology suggested is amortization. Signs are an expression of the business' identity and branding. Frequently customers will recognize a shape and color before reading the sign. Some signs have no words at all (example: McDonald's).

Signs are a business owner's expression of their business character and identity. The business "good will" that is part of the sign value, is in addition to the amortization and depreciation of the physical sign structure and frequently adds to the value of the business. We are concerned this proposal will essentially be a government taking without compensation and therefore unconstitutional. We further question the narrow government interest and constitutionality in mandating a business change their branding identity.

We are concerned the term "abandonment" of a sign is not defined and therefore subject to arbitrary determination. We are concerned the 90-day limit is unreasonable under special circumstances such as estate sale, bankruptcy, owner health issues, complicated and prolonged business sale or other circumstances in which a sign and business are not abandoned, but rather caught up in a process of property transfer outside their control.

Causing a well-recognized sign to be taken down would immediately devalue the business and the property it is located on, causing harm to the ownership interest. This could be argued as an unconstitutional government taking.

We are concerned about the enforcement provision. Charging a business owner who violates the sign ordinance with a criminal violation, punishable by jail, seems overly zealous and increases the risk of opening a business in Surprise. We ask the enforcement provision be much less injurious to the business owner and more appropriate to the nature of the violation.

We are further concerned with the apparent lack of due process afforded accused sign ordinance offenders. Nowhere in section 113-16 is a mechanism provided in which the accused sign owner may protest the notice of violation or protest the fine involved. The only method open to the sign owner is suing the City in court.

The automatic discarding of the City removed sign within 5 business days does not appear to give the sign owner adequate time to receive due process. The short time period does not allow adequate time for court proceedings, and therefore appears to be a government taking of property without compensation.

We hope you find these comments helpful. Thank you for the opportunity to provide input on the proposed sign ordinance.

Sincerely,

A handwritten signature in cursive script, appearing to read "Liz Recchia".

Liz Recchia

West Maricopa Association of REALTORS®
Government Affairs Director
April 6, 2017



FS15-311 Sign Code Update

Planning and Zoning Commission

April 20, 2017

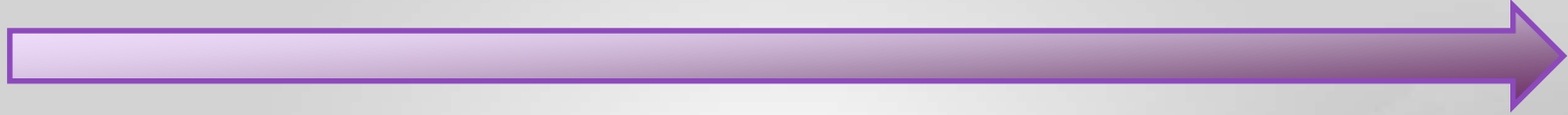


Chronicle / Michael Macor

Topics of Discussion

- [Progress To-Date](#)
- [Public Outreach](#)
- [Reed v. Town of Gilbert](#)
- [Orientation to Structure of New Code](#)
- [Temporary Signs](#)
- [Building-Mounted Signs](#)
- [Freestanding Signs](#)
- [Pylon Signs and Billboards](#)
- [Electronic Messaging](#)
- [Next Steps](#)

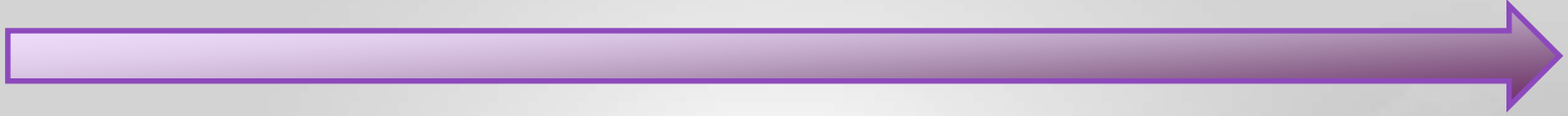
Progress to-date



- P&Z Commission discussion item April 16, 2015
- City Council work session April 21, 2015
- Research, imagery collection
- U.S. Supreme Court decision on Reed v. Town of Gilbert
- Workshops regarding Reed v. Town of Gilbert
- City Council discussion September 1, 2015
- Preparation of draft language
- City Council Discussion – March 7, 2017
- EMC Demonstration – March 14, 2017
- **P&Z Discussion – April 20, 2017**



Outreach Meetings



March 8, 2017 – Surprise Regional Library

March 15, 2017 – Surprise City Hall Community Room

March 22, 2017 – Surprise City Hall Community Room

March 29, 2017 – Surprise Regional Library

Reed v. Town of Gilbert



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

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



Orientation to Structure of New Code

Section 113-01 – Title; Findings and Purpose; Intent; Limitations

Section 113-02 – Applicability

Section 113-03 – First Amendment Interpretation and Severability

Section 113-04 – Rules of Interpretation

Section 113-05 – Definitions

Section 113-06 – Permitted and Prohibited Signs

Section 113-07 – General Provisions

Section 113-08 – Sign Classifications and Types

Section 113-09 – Sign Illumination

Section 113-10 – Electronic Messaging

Section 113-11 – Reader Panels

Section 113-12 – Address Identification

Section 113-13 – Flags and Flagpoles

Section 113-14 – Comprehensive Sign Programs

Section 113-15 – Nonconforming Signs

Section 113-16 – Enforcement



Orientation to Structure of New Code

Section 113-01 – Title; Findings and Purpose; Intent; Limitations

Sets the legal stage for the rest of the document

Section 113-02 – Applicability

Makes the new sign code applicable city wide, but leaves intact all existing sign programs

Section 113-03 – First Amendment Interpretation and Severability

Reinforces ties to 1st Amendment and allows for severability in event of challenge

Section 113-04 – Rules of Interpretation

Italicized font used in body of text for any word or phrase included in definitions

Section 113-05 – Definitions

Content-neutral definitions with pictures and graphics



Orientation to Structure of New Code

Section 113-06 – Permitted and Prohibited Signs

- Includes Table 113-06.A Signs Permitted by Zoning District which serves as a quick glance reference tool
- Establishes that most signs must be accessory to the primary use
- Lists prohibited signs
- Establishes what signs are exempt from regulation

TABLE 113-06.A – PERMITTED SIGNS (P=Permitted, shaded cell = Not Permitted)											
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											
113-08.A.2	Class I Temporary Signs (Small A-Frame Signs)			P	P	P	P	P	P	P	P
113-08.A.3	Class II Temporary Signs (Large A-Frame Signs)			P	P	P	P	P	P	P	P
113-08.A.4	Class III Temporary Signs (Small Post Signs)			P	P	P	P	P	P		P
113-08.A.5	Class IV Temporary Signs (Large Post Signs)			P	P	P	P	P	P		P
113-08.A.6	Banner Signs						P	P	P		P
113-08.A.7	Light Pole Banner Signs	P	P		P	P	P	P	P		P
113-08.A.8	Teardrop Banner Signs			P	P	P	P	P	P		P
113-08.A.9	Sign Walkers	P	P	P	P	P	P	P	P	P	P
BUILDING MOUNTED SIGNS											
113-08.B.1	Building Wall Signs			P	P	P	P		P		P
113-08.B.2	Blade Signs				P	P	P		P		P
113-08.B.3	Canopy Signs				P	P	P		P		P
113-08.B.4	Marquee Signs						P				P
113-08.B.5	Awning Signs						P		P		P
113-08.B.6	Hanging Signs					P	P	P	P		P
113-08.B.7	Window Signs and Sunscreens			P	P	P	P	P	P		P
FREESTANDING SIGNS											
113-08.C.1	Class I Monument Signs (Menu Signs)						P		P		
113-08.C.1	Class II Monument Signs (Preview Signs)						P		P		
113-08.C.2	Class III Monument Signs (Directional Signs)	P	P	P	P	P	P	P	P	P	P
113-08.C.3	Class IV Monument Signs (Directory Signs)				P	P	P		P		
113-08.C.4	Class V Monument Signs (Minor Monument Signs)			P	P	P	P		P		P
113-08.C.5	Class VI Monument Signs (Major Monument Signs)				P	P	P		P		P
113-08.C.6	Roadway Arch Signs	P	P				P		P		
113-08.C.7	Freeway Pylon Signs						P				
113-08.C.8	Subdivision Perimeter Wall Signs			P	P	P	P				P
OTHER SIGNAGE											
113-10	Level 1 Electronic Messaging			P	P	P	P	P	P	P	P
113-10	Level 2 Electronic Messaging					P	P	P	P	P	P
113-11	Building Identification			P	P	P	P	P	P	P	P
113-12	Flags and Flagpoles			P	P	P	P	P	P		P



Orientation to Structure of New Code

Section 113-06 – Permitted and Prohibited Signs

■ Prohibited signs include:

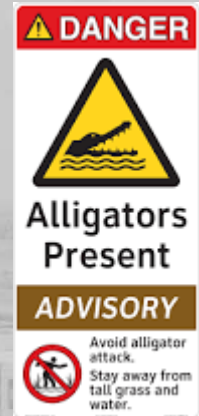
- o *Abandoned signs, Billboard Signs, Pole Signs* of a permanent nature, *Roof Signs and Snipe Signs*;
- o *Animated Signs*, flashing, blinking, or rotating *signs*, festoons, *Inflatable Signs including latex balloons*, permanent *Banner Signs, Pennants*, searchlights, streamers, *signs* other than *Class 1 Monument Signs* that emit audible sound, and any clearly similar features;
- o *Vehicle Signs* when the *vehicle* is placed in a location not approved for vehicular parking or storage;
- o *Signs* containing any words or symbols that would cause confusion because of their resemblance to highway traffic control or direction signals;
- o Merchandise, equipment, products or other items which are not available for purchase, but are intended to attract attention, or for identification or advertising purposes;
- o *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;
- o *Signs* containing vulgar or profane messages, hate speech, or language intended to incite violence;
- o *Signs* greater than thirty (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;
- o *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 of Surprise Board of Adjustment, are expressly prohibited.

Orientation to Structure of New Code

Section 113-06 – Permitted and Prohibited Signs

- Establishes what signs are exempt from regulation

- Any public-purpose or public-safety *sign*, or any other notice or warning required by a valid and applicable federal, state or local law, regulation, or resolution, and posted by or on behalf of a governmental agency;



- Any *sign* that is not visible from another property to the naked eye, provided said *sign* otherwise meets applicable Building Code requirements.

Orientation to Structure of New Code

Section 113-07 – General Provisions

A - Permitting Requirements

- 1. Permits Required:** With the exception of those *sign* types listed in 113-07.A.3 below, a permit is required for all *signs* regulated by this Chapter and erected within the City of Surprise.
- 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 of Surprise upon request.

Orientation to Structure of New Code

Section 113-07 – General Provisions

A - Permitting Requirements

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 (6) feet in length, then a permit is required for the flagpole
- h) *Signs* relating to citizen review or public hearings

Orientation to Structure of New Code

Section 113-07 – General Provisions

B - Sign Quality and Construction

Signs shall be designed in compliance with the applicable construction codes adopted by the City and in effect at the time of construction.

Orientation to Structure of New Code

Section 113-07 – General Provisions

Methods of measurement

Sign Area of a 3-Dimensional Sign = Length x Width x Height x 50%



Not to scale

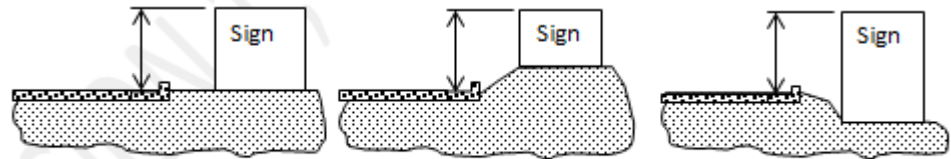
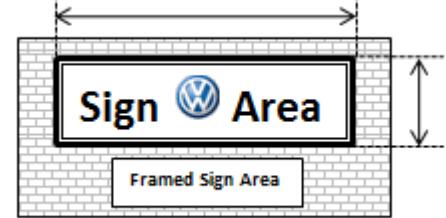
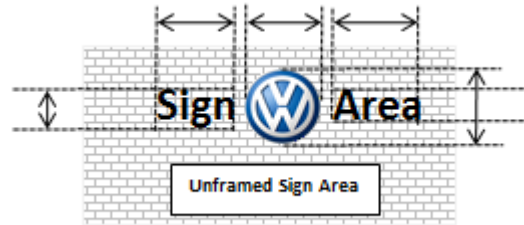
Volumetric Sign Calculation

30 degree
maximum
angle



Interior Angle

Not to scale



Monument Sign Height

Not to scale



Scenario:

- Wendy's Restaurant
- Proposed Wall Sign
- 6 Square Feet of Sign Area Allowed



Single Rectangle Method



Multiple Rectangle Method



Scenario:

- Wendy's Restaurant
- Proposed Wall Sign
- 6 Square Feet of Sign Area Allowed

Different methodology results in larger sign but same Sign Area



Wendy's®

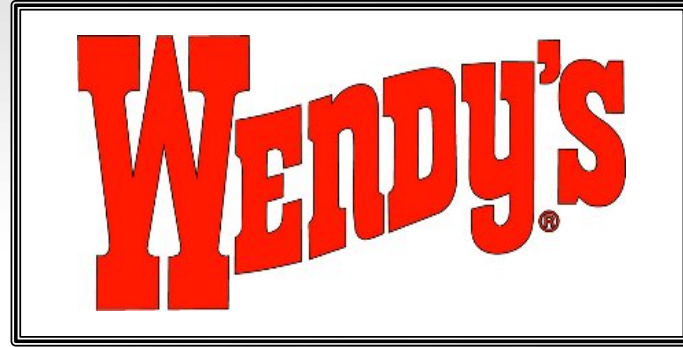
Wendy's®

Scenario:

- Wendy's Restaurant
- Proposed Wall Sign
- 6 Square Feet of Sign Area Allowed



Single Rectangle Method



Framed sign would still be evaluated
using Single Rectangle Method



Temporary Signs

Section 113-08 – Sign Classifications and Types

A – Temporary Signs

- 1 – General Requirements
- 2 – Class I Temporary Signs (Small A-Frame Signs)
- 3 – Class II Temporary Signs (Large A-Frame and Pedestal Signs)
- 4 – Class III Temporary Signs (Small Post-Signs)
- 5 – Class IV Temporary Signs (Large Post-Signs)
- 6 – Banner Signs
- 7 – Light Pole Banner Signs
- 8 – Teardrop Banner Signs
- 9 – Sign Walkers

Temporary Signs

Section 113-08 – Sign Classifications and Types

A – Temporary Signs

1 – General Requirements

- Illumination by ambient lighting only
- Must include the name and phone number of the person responsible for placing the sign
- Cannot obstruct pedestrian or vehicular traffic
- May be buried or inserted (except for teardrop banners) but not cemented

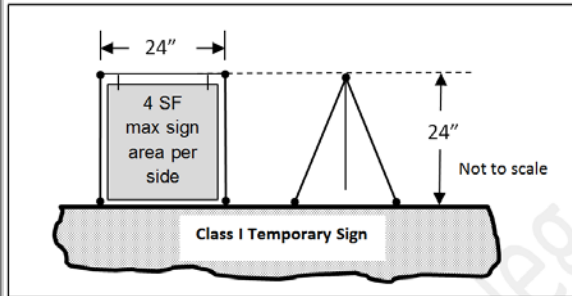


Temporary Signs

Section 113-08 – Sign Classifications and Types

A – Temporary Signs

- Four “Classes” of Temporary Signs as defined in Section 113-05



Class I Temporary Signs (Small A-Frame Signs)

- 3 Class I Temporary Signs per “lawful temporary event”
- May not be located on vacant property
- Not allowed in public right-of-way except in conjunction with lawful temporary event
- No limit to number of sign panels provided sign copy does not exceed 8 square feet total
- May be weighed or ballasted but not affixed to ground or permanent structure
- May only be displayed during business hours

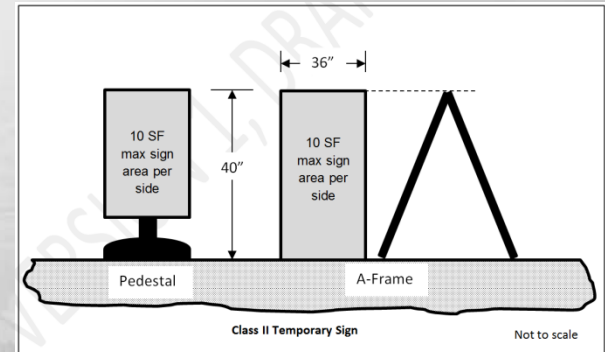


Temporary Signs

Section 113-08 – Sign Classifications and Types

A – Temporary Signs

- Four “Classes” of Temporary Signs as defined in Section 113-05
-
- 1 Class II Temporary Sign per commercial use or “lawful temporary event”
 - May not be located on vacant property
 - Must be located within 15’ of customer entrance
 - May not be located within public right-of-way unless customer entrance opens directly into right-of-way
 - No limit to number of sign panels provided sign copy does not exceed 20 square feet
 - May be weighed or ballasted but not affixed to ground or permanent structure
 - May only be displayed during business hours



Class II Temporary Signs (Large A-Frame and Pedestal Signs)

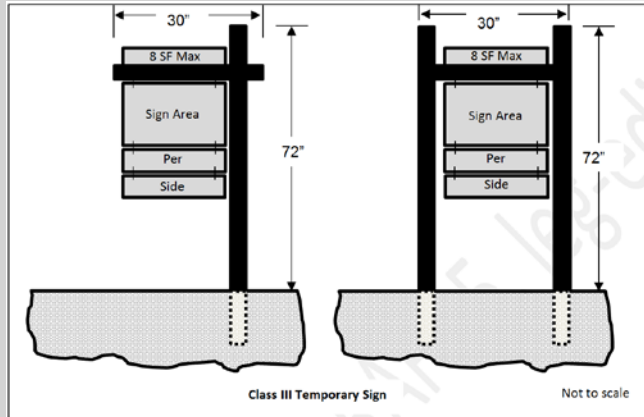


Temporary Signs

Section 113-08 – Sign Classifications and Types

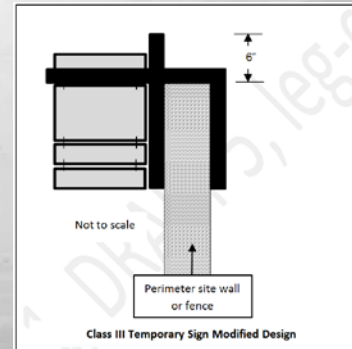
A – Temporary Signs

- Four “Classes” of Temporary Signs as defined in Section 113-05



Class III Temporary Signs (Small Post-Signs)

- 1 Class III Temporary Sign per street frontage
- If located on vacant property, must be 600' apart
- No limit to number of sign panels provided sign copy does not exceed 16 square feet total
- Includes provision for properties that back up to street

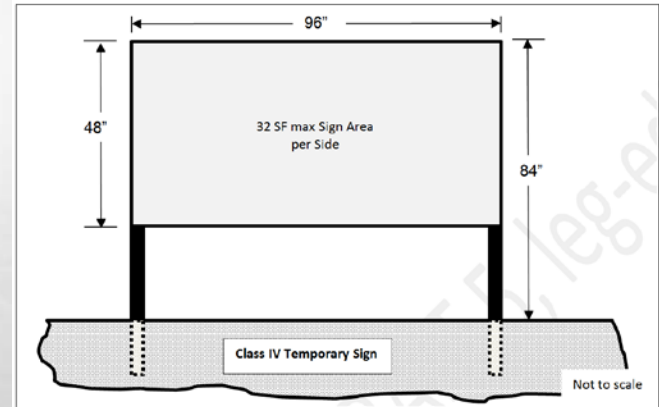


Temporary Signs

Section 113-08 – Sign Classifications and Types

A – Temporary Signs

- Four “Classes” of Temporary Signs as defined in Section 113-05
- 1 Class IV Temporary Sign per street frontage
- 1 additional Class IV Temporary sign per 660’ of street frontage if associated with a public hearing
- Limited to 2 sign panels per sign at 32 square feet each



**Class IV Temporary Signs
(Large Post-Signs)**

Temporary Signs

Section 113-08 – Sign Classifications and Types

A – Temporary Signs

- Four additional categories of temporary signs as defined in Section 113-08



Light Pole
Banners



Banners



Teardrop
Banners



Sign Walkers

Temporary Signs

Section 113-08 – Sign Classifications and Types

A – Temporary Signs

- Four additional categories of temporary signs as defined in Section 113-08

- **Banners**



- 1 Banner Sign per building plus 1 additional Banner Sign on construction fence if associated with a construction project
- All four corners must be attached
- 1 square foot of sign area per lineal foot of elevation length not to exceed 500 square feet (30 square feet of associated with construction fence)
- Length limited to 80% of building elevation or leased tenant frontage
- Must have vent flaps

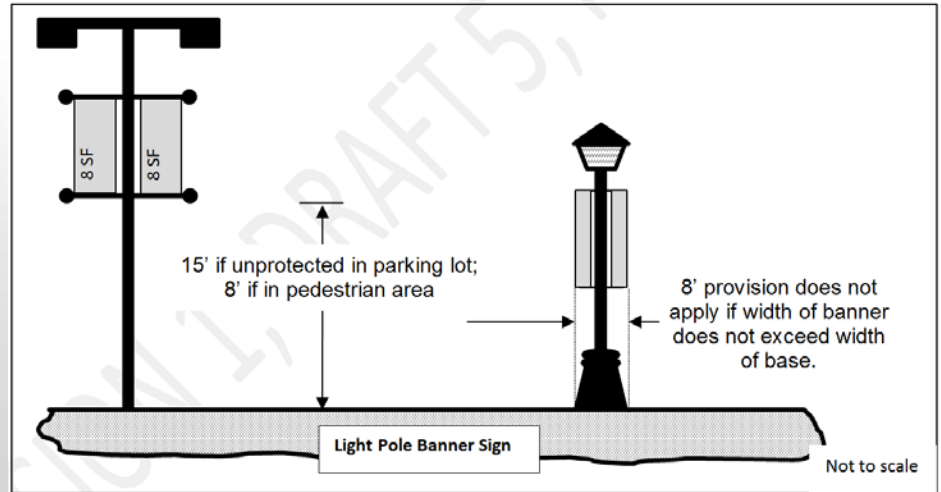
Temporary Signs

Section 113-08 – Sign Classifications and Types

A – Temporary Signs

- Four additional categories of temporary signs as defined in Section 113-08
 - Light Pole Banners**

- Light Pole Banner Signs allowed if pole is properly equipped
- 8 square feet of sign area per sign per side
- Paired signs must be uniformly sized
- 15' overhead clearance if unprotected in parking lot
- 8' overhead clearance if in pedestrian area (unless base of pole is wider than the signs)
- Horizontal supporting members must be removed or folded up when not in use
- Must have vent flaps



Temporary Signs

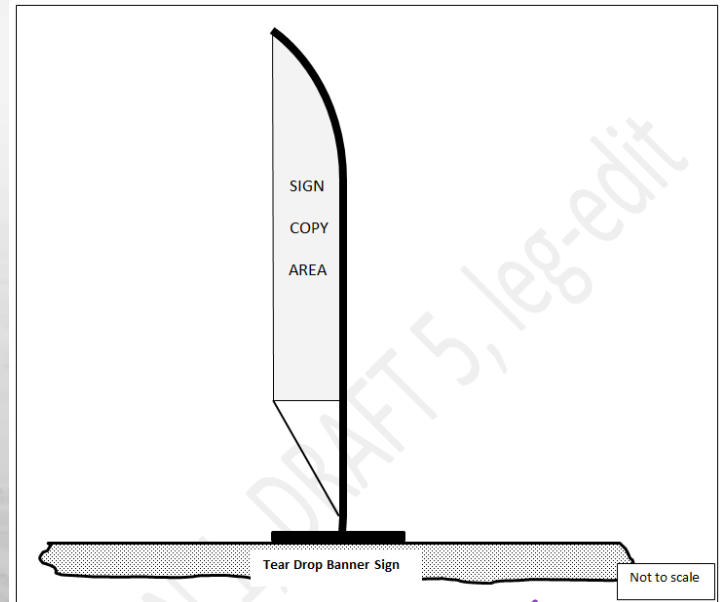
Section 113-08 – Sign Classifications and Types

A – Temporary Signs

- Four additional categories of temporary signs as defined in Section 113-08

o Teardrop Banners

- Two per lawful temporary event
- Must be located on the property of where the temporary event is occurring
- May not be located in a public right-of-way
- Must be 15' away from pedestrian path, sidewalk, trail, vehicular parking surface or driveway
- Must be located 50' from any public or private right-of-way
- Maximum height of 12'
- Maximum sign area of 26 square feet
- May be weighted or ballasted but not inserted into the soil



Temporary Signs

Section 113-08 – Sign Classifications and Types

A – Temporary Signs

- Four additional categories of temporary signs as defined in Section 113-08
 - **Sign Walkers**

- May only operate during daylight hours
- May only operate on sidewalks
- May not obstruct pedestrian or vehicular traffic
- May carry 2 single-sided signs not exceeding 3 square feet each or 1 double-sided sign not exceeding 12 square feet
- Must wear or hold the sign



Building-Mounted Signs

Section 113-08 – Sign Classifications and Types

B – Building-Mounted Signs

- 1 – Building Wall Signs
- 2 – Blade Signs
- 3 – Canopy Signs
- 4 – Marquee Signs
- 5 – Awning Signs
- 6 – Hanging Signs
- 7 – Window Signs and Screens



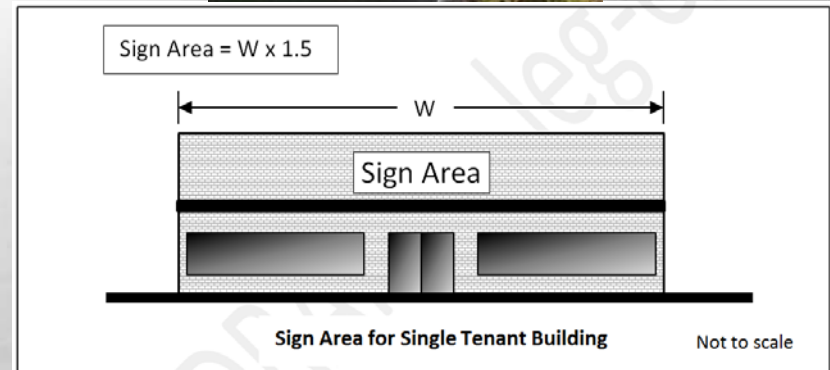
Building-Mounted Signs

Section 113-08 – Sign Classifications and Types

B – Building-Mounted Signs

1 – Building Wall Signs

- Allowed on any elevation of any primary use building regardless of orientation to the street or parking lot
- Single-tenant sign area is 1.5 square feet per 1 linear foot of elevation on which the sign is mounted
- Width of sign not to exceed 80% of width of building



Building-Mounted Signs

Section 113-08 – Sign Classifications and Types

B – Building-Mounted Signs

1 – Building Wall Signs



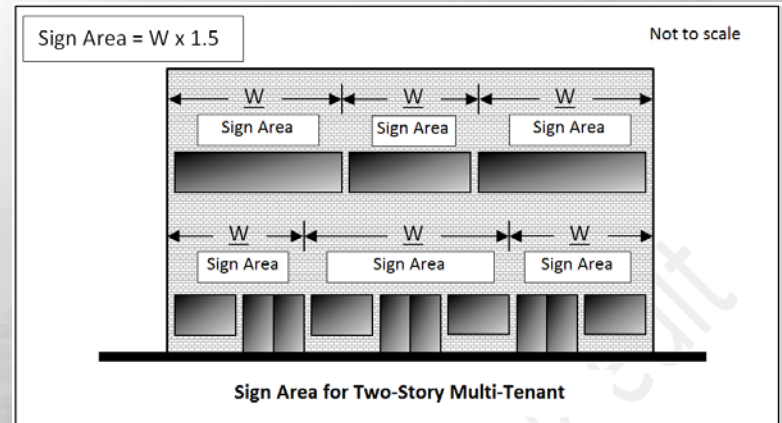
Building-Mounted Signs

Section 113-08 – Sign Classifications and Types

B – Building-Mounted Signs

1 – Building Wall Signs

- Allowed on any elevation of any primary use building regardless of orientation to the street or parking lot
- Multi-tenant sign area is 1.5 square feet per 1 linear foot of leased tenant frontage
- Width of sign not to exceed 80% of width of leased tenant space



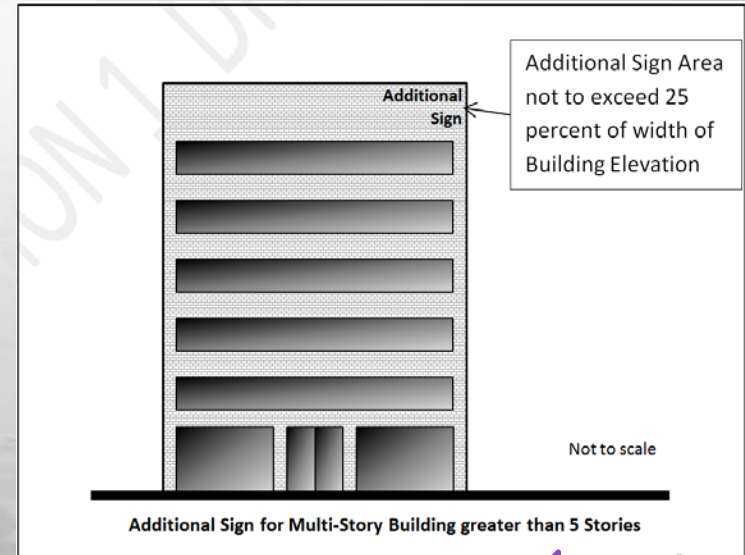
Building-Mounted Signs

Section 113-08 – Sign Classifications and Types

B – Building-Mounted Signs

1 – Building Wall Signs

- Allowed on any elevation of any primary use building regardless of orientation to the street or parking lot
- Multi-story building 5-stories or more get 1 additional sign near the top of the building
- Sign area not exceeding 25% of the width of the building
- Not allowed on elevation shaft or equipment screening



Building-Mounted Signs

Section 113-08 – Sign Classifications and Types

B – Building-Mounted Signs

1 – Building Wall Signs

- May not obscure building's architecture



Building-Mounted Signs

Section 113-08 – Sign Classifications and Types

B – Building-Mounted Signs

1 – Building Wall Signs

- Sign area may increase by 25% when building is setback 600' from public right-of-way
- May increase an additional 25% for each additional 200' of setback up to maximum of 100%
- Provided sign does not otherwise violate other provisions of the sign code



Building-Mounted Signs

Section 113-08 – Sign Classifications and Types

B – Building-Mounted Signs

2 – Blade Signs



Building-Mounted Signs

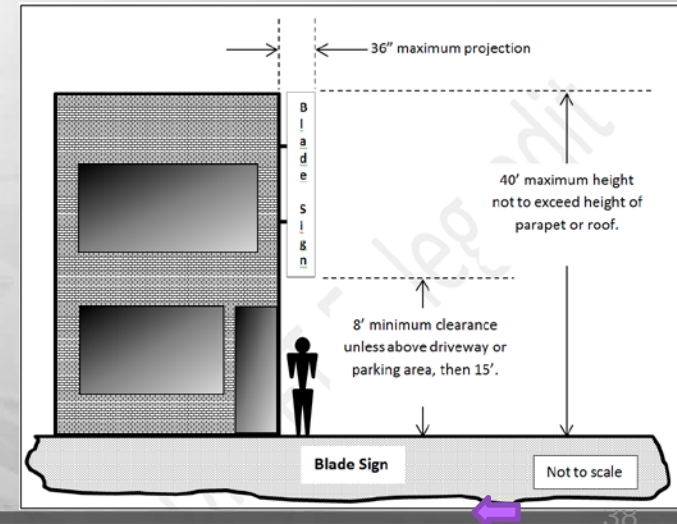
Section 113-08 – Sign Classifications and Types

B – Building-Mounted Signs

2 – Blade Signs



- 1 blade sign per primary use multi-story building in multi-family, commercial, mixed use or industrial zoning
- 8' overhead clearance for pedestrian areas
- 15' overhead clearance for vehicular areas
- Maximum height of 40' NTE roof or parapet
- 36" projection from building face

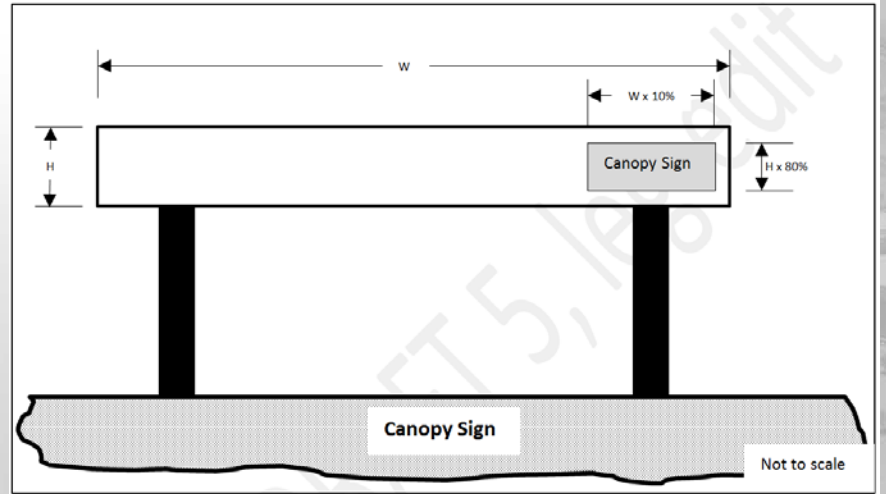


Building-Mounted Signs

Section 113-08 – Sign Classifications and Types

B – Building-Mounted Signs 3 – Canopy Signs

- Height 80% of height of canopy face
- Width 10% of width of canopy



Building-Mounted Signs

Section 113-08 – Sign Classifications and Types

B – Building-Mounted Signs

4 – Marquee Signs

- Height NTE height of marquee face
- Width 80% of width of marquee



Building-Mounted Signs

Section 113-08 – Sign Classifications and Types

B – Building-Mounted Signs

5 – Awning Signs



- Allowed in mixed-use, commercial and industrial zoning
- Does not contribute to aggregate sign area

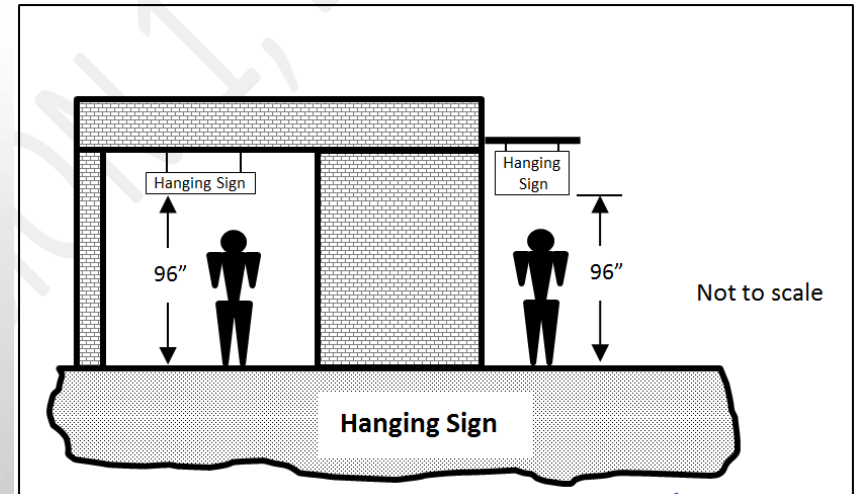
Building-Mounted Signs

Section 113-08 – Sign Classifications and Types

B – Building-Mounted Signs 6 – Hanging Signs



- 1 sign per customer entrance
- Max 6 square feet sign area
- 96" overhead clearance



Building-Mounted Signs

Section 113-08 – Sign Classifications and Types

B – Building-Mounted Signs

7 – Window Signs and Screens

- May cover 40% of individual window pane
- Sunscreen may cover 100% of window pane but may only include 40% sign copy
- Does not contribute towards aggregate sign area
- Excludes etched or stained glass



Freestanding Signs

Section 113-08 – Sign Classifications and Types

C – Freestanding Signs

- 1 – Class I Monument Signs and Class II Monument Signs (Menu Signs and Preview Signs)
- 2 – Class III Freestanding Signs (Directional Signs)
- 3 – Class IV Freestanding Signs (Directory Signs)
- 4 – Class V Monument Signs (Minor Monument Signs)
- 5 – Class VI Monument Signs (Major Monument Signs)
- 6 – Roadway Arch Signs
- 7 – Subdivision Perimeter Wall Signs



Freestanding Signs

Section 113-08 – Sign Classifications and Types

C – Freestanding Signs

1 – Class I Monument Signs(Menu Signs)

Class II Monument Signs (Preview Signs)

- Associated with drive-through businesses
- Must be monument style vs. pole style
- Bottom of sign not less than 2' above curb
- Max height of 6'
- Max area of 24 square feet
- Class I may not be audible from residential, hotel, motel, etc.
- Neither may be located within 100' of a residential zoning district or use



Freestanding Signs

Section 113-08 – Sign Classifications and Types

C – Freestanding Signs

2 – Class III Freestanding Signs (Directional Signs)

- Associated with driveway serving multi-family, commercial, or industrial
- Max area of 6 square feet
- Max height of 30” (sight visibility)



Freestanding Signs

Section 113-08 – Sign Classifications and Types

C – Freestanding Signs

3 – Class IV Freestanding Signs (Directory Signs)

- Associated with the interior of a multi-family, commercial, or industrial
- Max area of 12 square feet
- Max height of 6'



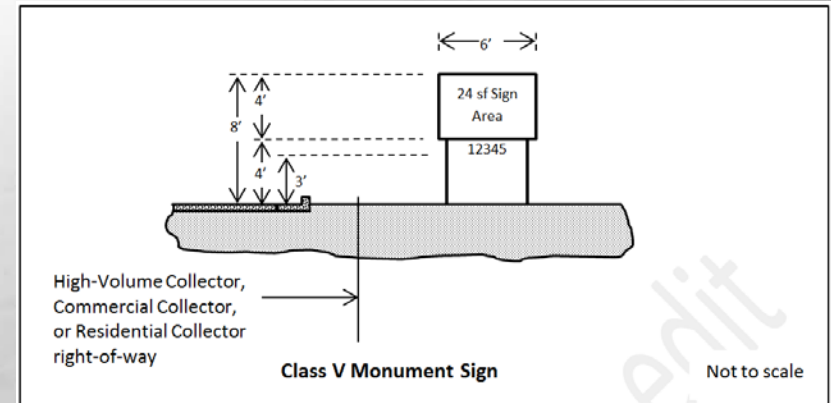
Freestanding Signs

Section 113-08 – Sign Classifications and Types

C – Freestanding Signs

4 – Class V Monument Signs (Minor Monument Signs)

- Associated with a High Volume Collector, Residential Collector, or Commercial Collector
- 1 per driveway for non-residential uses in residential zone, multi-family, non-residential uses in non-residential zones



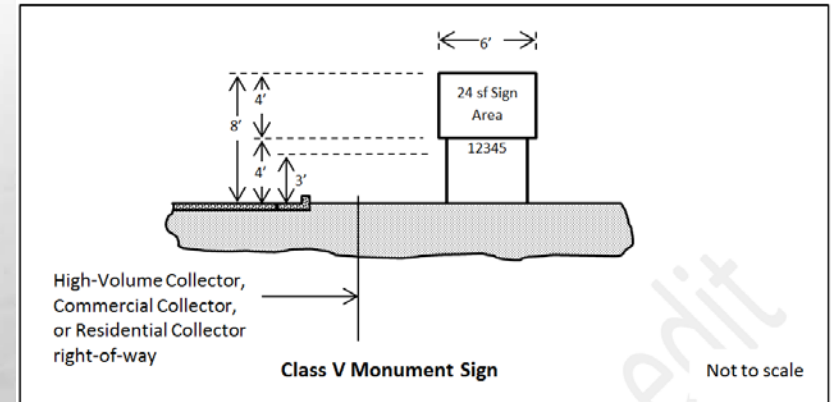
Freestanding Signs

Section 113-08 – Sign Classifications and Types

C – Freestanding Signs

4 – Class V Monument Signs (Minor Monument Signs)

- Max height of 8'
- Max width of 6'
- Bottom of sign not less than 4'
- Max sign area 24 square feet
- Must be fitted with address
- 80 square foot landscape area required
- Setback 2' from ROW or PUE



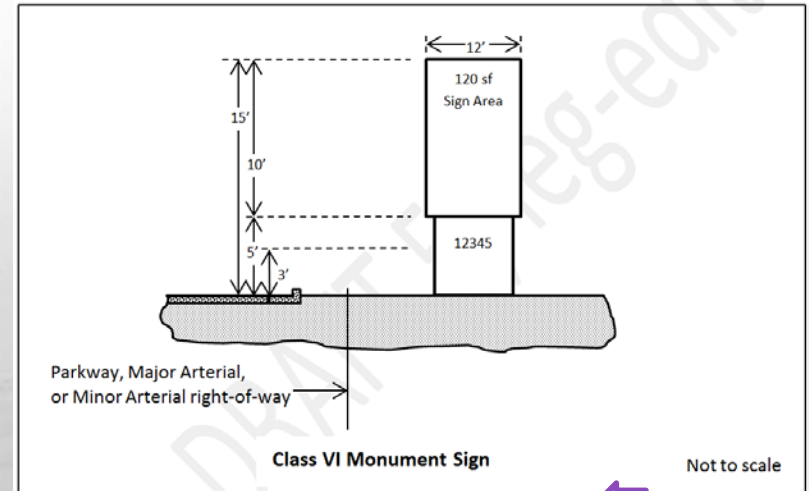
Freestanding Signs

Section 113-08 – Sign Classifications and Types

C – Freestanding Signs

5 – Class VI Monument Signs (Major Monument Signs)

- Associated with a Parkway, Major Arterial, or Minor Arterial
- 1 per driveway for non-residential uses in residential zone, multi-family, non-residential uses in non-residential zones



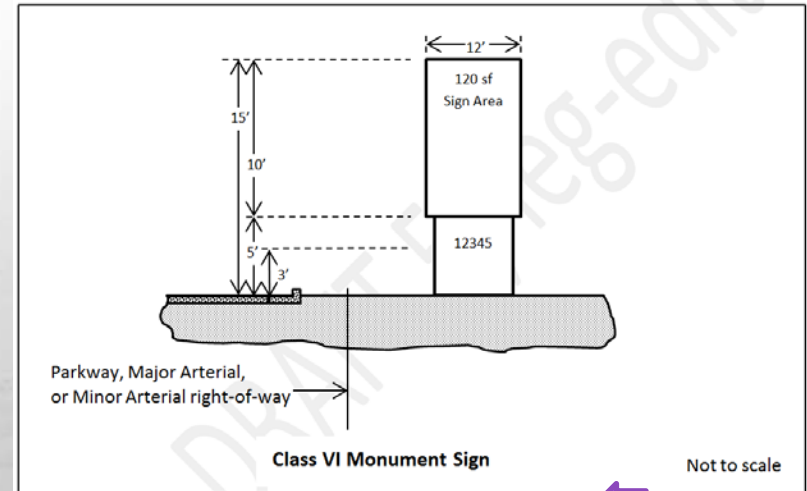
Freestanding Signs

Section 113-08 – Sign Classifications and Types

C – Freestanding Signs

5 – Class VI Monument Signs (Major Monument Signs)

- Max height of 15'
- Max width of 12'
- Bottom of sign not less than 5'
- Max sign area 120 square feet
- Must be fitted with address
- 120 square foot landscape area required
- Setback 2' from ROW or PUE



Freestanding Signs

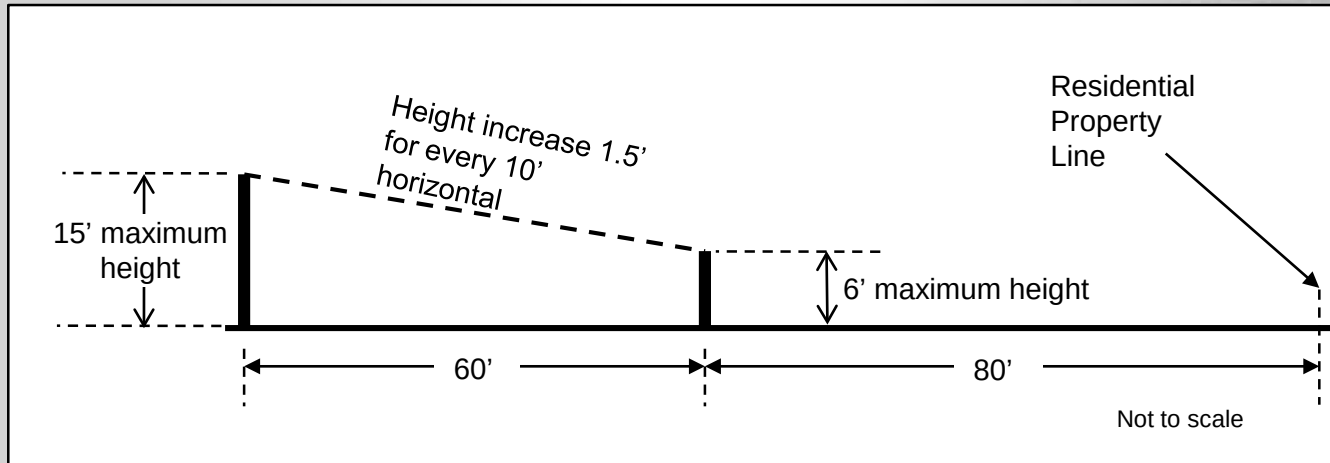
Section 113-08 – Sign Classifications and Types

C – Freestanding Signs

5 – Class VI Monument Signs
(Major Monument Signs)

Alternative methodology:

- 6' increasing at 1-1/2:1 to max height of 15'



Freestanding Signs

Section 113-08 – Sign Classifications and Types

C – Freestanding Signs

6 – Roadway Arch Signs



- Allowed in commercial or industrial zoning
- 15' overhead clearance

Freestanding Signs

Section 113-08 – Sign Classifications and Types

C – Freestanding Signs

7 – Subdivision Perimeter Wall Signs



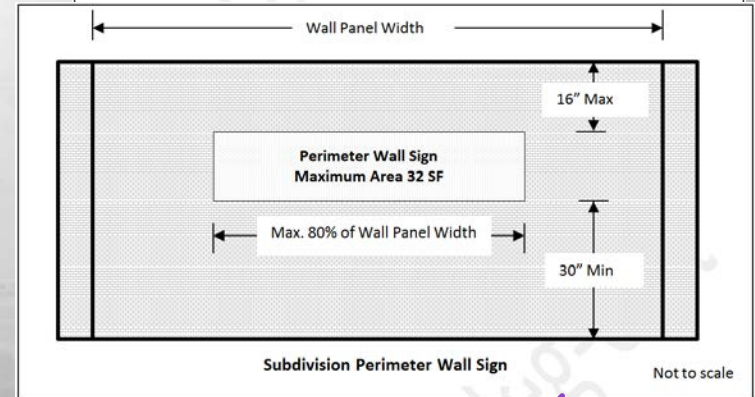
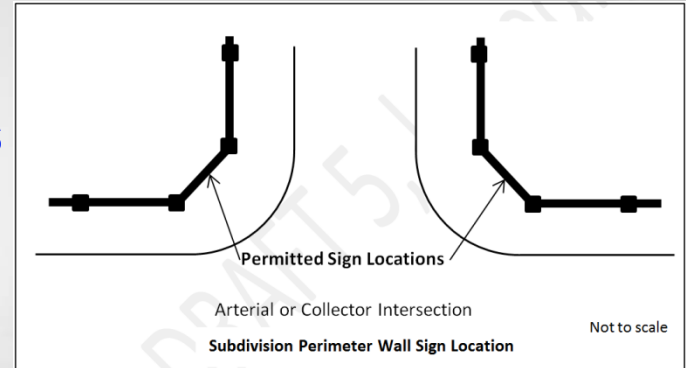
Freestanding Signs

Section 113-08 – Sign Classifications and Types

C – Freestanding Signs

7 – Subdivision Perimeter Wall Signs

- 1 sign per collector or arterial street corner
- 32 square feet max
- Sign width NTE 80% of panel width
- Bottom no lower than 30"
- Top no higher that 16" below top of wall
- Back-lit or external lighting



Pylon Signs and Billboards

Billboards

Definition: 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*.



Pylon Signs and Billboards

Freeway Pylon Signs



Pylon Signs and Billboards



Pylon Signs and Billboards

Chapter 113 – Proposed Language. No provision for pylon signs. Would require Comprehensive Sign Program through P&Z and City Council.

Chapter 113 – Current Language. Allows freeway monument signs.

Prasada Pylons – Robust sign program approved by City Council. Allows for freeway signage up to 100' tall in specified locations.

Sycamore Farms – Defaults to Chapter 113. If language pertaining to freeway monument signs is not included in the re-write, then Sycamore Farms would not be allowed that type of signage.

County Pylons – Allows pylon signs in certain circumstances.

County Billboards – Allows billboards in certain circumstances.



Sign Lighting

Section 113-09 – Sign Illumination

- Signs may be externally illuminated, internally illuminated or back-lit unless otherwise specified.
- Brightness no more than necessary.
- Light sources must be shielded from view.
- No excessive glare.
- May not obstruct traffic control or other public signs
- May not utilize flashing, blinking or chasing lights.
- Provision for environmentally sensitive areas
- Any sign that is within 100 feet of and visible from any single-family zoning may not be illuminated between 10:00 PM and 6:00 AM
- Signs associated with the top of a 5-story+ building and located within 1,320 feet of residential may not be illuminated between 10:00 PM and 6:00 AM



Sign Lighting

Section 113-09 – Sign Illumination



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



Sign Lighting

Section 113-09 – Sign Illumination



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



Sign Lighting

Section 113-09 – Sign Illumination

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 Lighting

Section 113-09 – Sign Illumination

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.



Sign Lighting

Section 113-09 – Sign Illumination



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. ←

Sign Lighting

Section 113-09 – Sign Illumination

- Luminance - The light that is emitted by a light source or reflected from a surface, measured in foot-Lamberts or Nits. (Think of as the brightness of the light source)

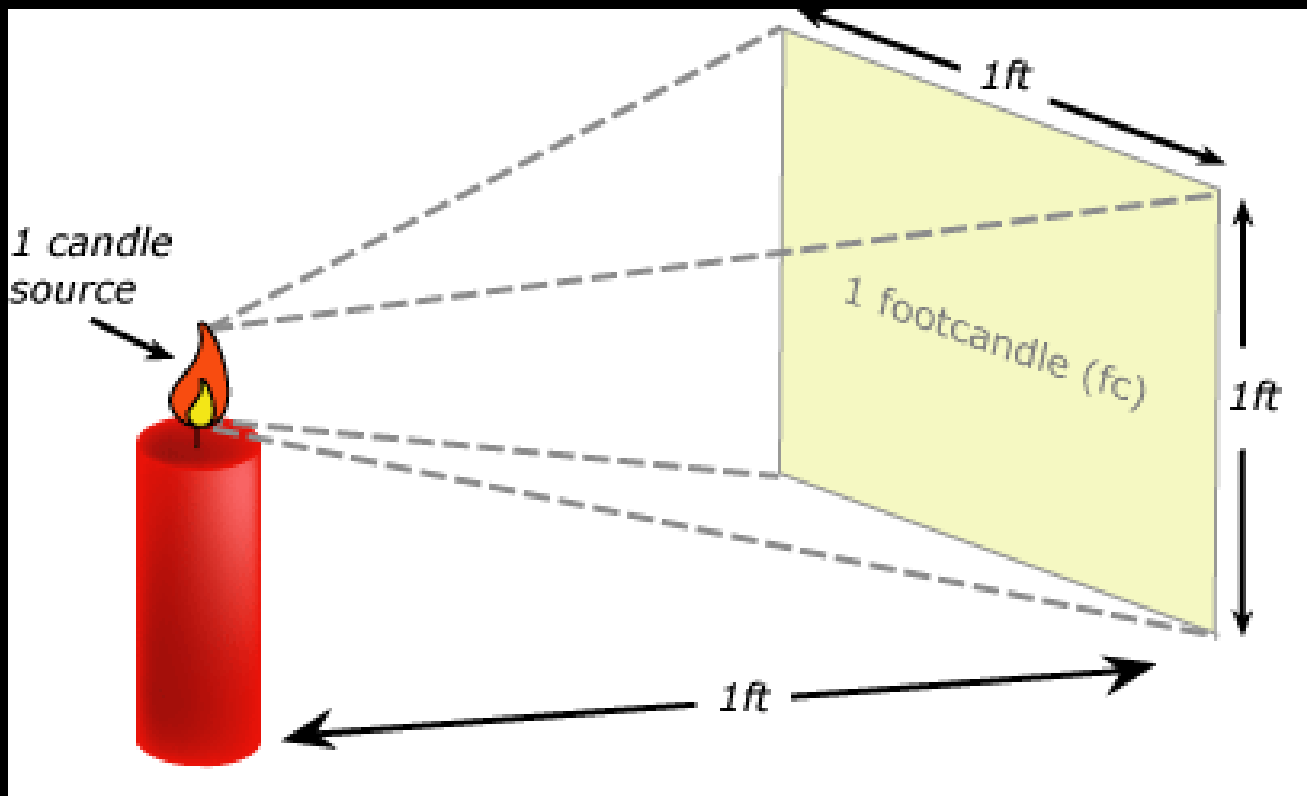


- Illuminance - The amount of light falling upon a real or imaginary surface, measured in either foot-candles or lux. (Think of how much light actually reaches the eye)



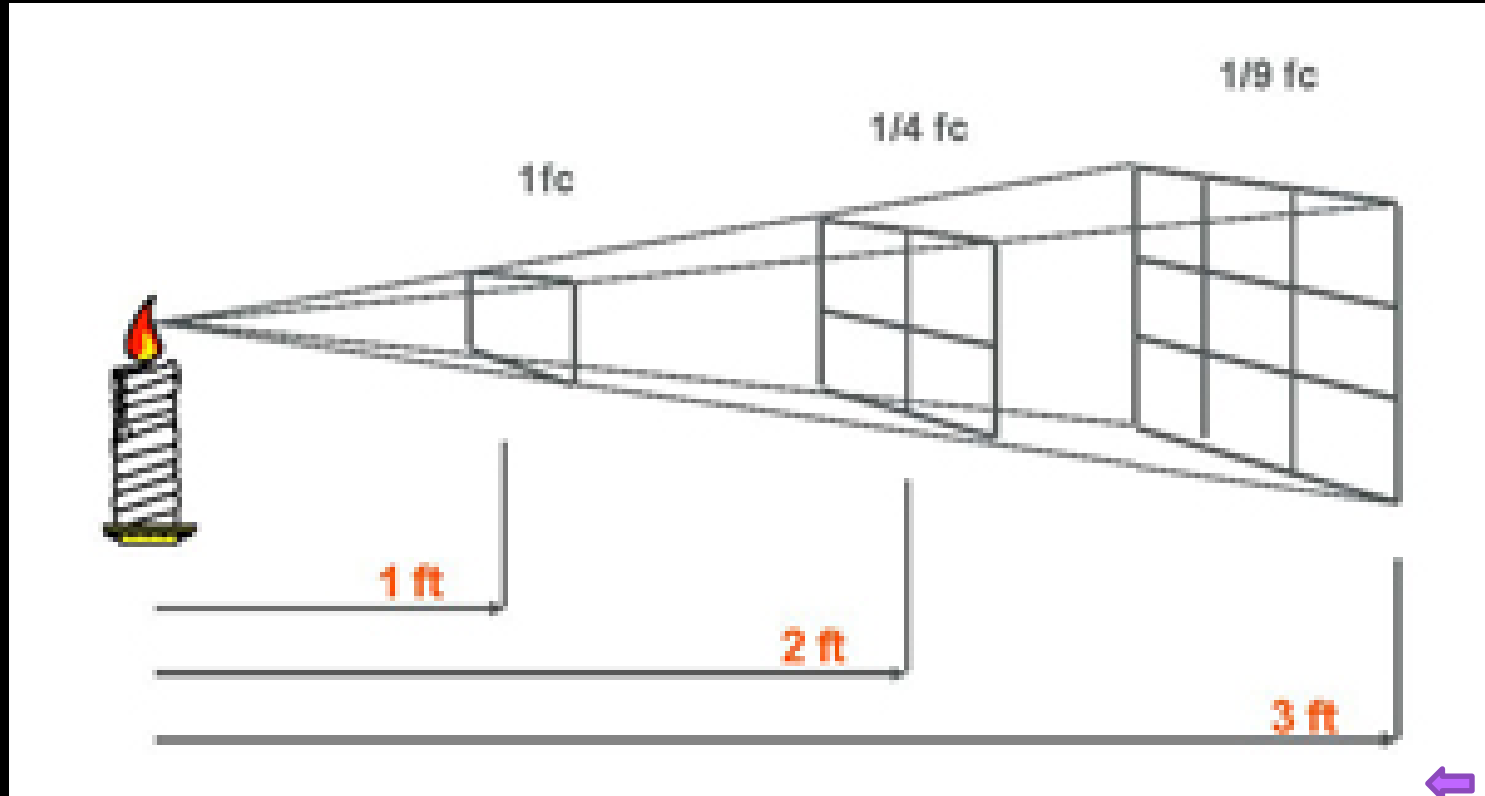
Sign Lighting

Section 113-09 – Sign Illumination



Sign Lighting

Section 113-09 – Sign Illumination



Electronic Messaging

Section 113-10 – Electronic Messaging

- Sets up two “levels” of electronic messaging:
 - o Level 1 – static messaging with manual copy change
 - o Level 2 – static messaging with automatic copy change and 8 second hang time



Electronic Messaging

Section 113-10 – Electronic Messaging

- Both may employ full color graphics
- Sign area cannot exceed what is outlined for any particular sign type
- Not allowed for sign walkers or wall signs
- Reader Panels may be substituted for Level 1



Electronic Messaging

Section 113-10 – Electronic Messaging

- Neither type may employ any form of movement e.g. fade, scroll, etc.



DSCN0296.MOV

Electronic Messaging

Section 113-10 – Electronic Messaging

- Brightness measured by illuminance meter set to measure foot-candles and accurate to 2 decimals
- Difference between “off” and “solid” NTE 0.3 foot-candles
- Must include written certification from manufacturer that light intensity levels are factory set and may not be manipulated by the end user.



Electronic Messaging

Section 113-10 – Electronic Messaging

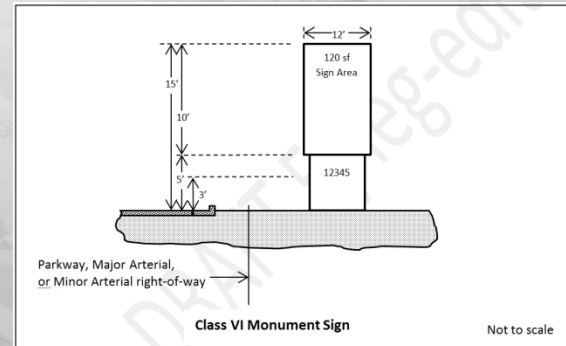
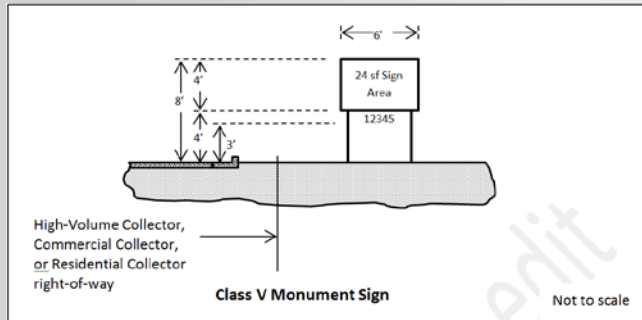
- Must be equipped with sensor or other device that automatically determines the ambient illumination level and automatically adjusts to 0.3 foot-candle requirement



Addressing

Section 113-11 – Address Identification

- Defers largely to International Fire Code for building addresses
- Does speak to Monument Sign addresses
 - o 9" tall numbers
 - o 3" brush stroke
 - o 3' to bottom of numbers
 - o Does not contribute to Sign Area



Flags and Flagpoles

Section 113-12 – Flags and Flagpoles

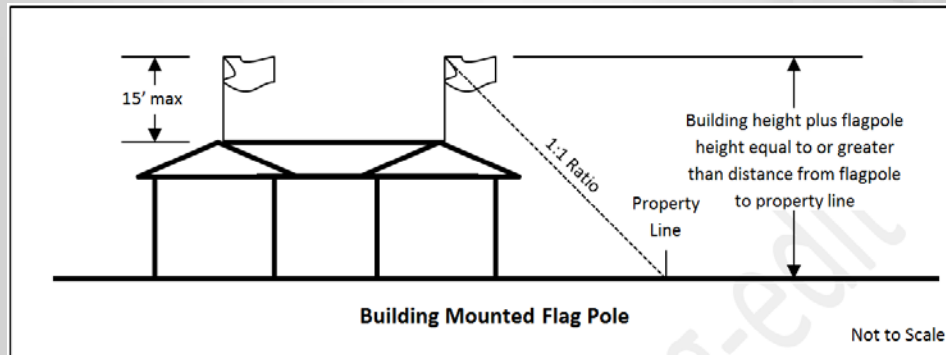
- 1 freestanding flagpole per single-family lot of record
- Must be located in the front yard
- 30' max height unless associated with a MHC
- 1 pole not exceeding 6' in length may be attached to the house



Flags and Flagpoles

Section 113-12 – Flags and Flagpoles

- 3 freestanding flagpole per business
- 35' max height unless approved by City Council
- 2 poles not exceeding 15' in length may be attached to the building if 2:1 distance to height ratio is maintained



Comprehensive Sign Programs

Section 113-13 – Comprehensive Sign Programs

- May allow a deviation from the requirements applicable to a particular sign class or type, and/or;
- May introduce a unique or creative sign type that is not listed as a permitted sign type in Section 113-06.A.
- May not introduce a sign type that is specifically prohibited in Section 113-06.F.

Comprehensive Sign Programs

Section 113-13 – Comprehensive Sign Programs

- Must demonstrate:
 - o Material improvement over what is otherwise allowed
 - o Appropriateness to the character of the development
 - o Appropriateness to the neighborhood
 - o Provides a cohesive aesthetic to be applied to all areas covered by the CSP

- Process:
 - o May be approved as stand-alone document or as part of rezone
 - o Requires public hearings through P&Z and City Council
 - o Approval is discretionary

Nonconforming Signs

Section 113-14 – Nonconforming Signs

- Nonconforming signs must be maintained in good condition
- May not be altered, modified, or reconstructed unless:
 - o Bringing into conformance with the code
 - o Changing sign copy
- Nonconforming signs must be remove if:
 - o Use of property is abandoned for 90 consecutive days; or,
 - o 10 years since nonconformity began
- May apply for time extension under certain circumstances



Enforcement

Section 113-15 – Enforcement

- Any sign that is not listed as allowed is specifically not allowed
- Notice of Violation not required to remove sign that is thought to be in violation
- Contact information required on sign or is automatically in violation
- COE may contact person responsible for the sign or the property owner to investigate
- City may discard a sign within 5 business days of removal



Next Steps (tentative)



- P&Z work session May 4, 2017
- P&Z public hearing June 1, 2017
- City Council work session June 20, 2017
- City Council public hearing August 1, 2017



SURPRISE
ARIZONA

**QUESTIONS OR
COMMENTS?**

Thank You





CITY OF SURPRISE
Planning and Zoning Commission

April 20, 2017 @ 6:00:00 PM

Back Print

Board Meeting Date:	April 20, 2017	Contact Person:	Hobart Wingard - Community Development
Submitting Department:	CD Boards and Commissions	District:	5
Staff Recommendations:	Approve		

Consent	Regular	Public Hearing	x	Report/Discussion
---------	---------	----------------	---	-------------------

Agenda Wording:

Presentation and action regarding a Rezone with PUD Overlay for Paradise Acres Commercial Center, generally located along the eastern edge of Reems Road between Paradise Lane to the north and Tierra Buena Lane to the south.

Motion:

Staff recommends the Planning and Zoning Commission recommend approval to the Mayor and City Council regarding the Rezone with PUD Overlay for Paradise Acres Commercial Center, subject to conditions A, B and C.

Background:

The City of Surprise seeks approval of a Rezone for a portion of the Paradise Acres area from Rural Residential (RR/R1-43) and Medium Density Residential (RM-12) to Neighborhood Commercial (CN/C-1) with a PUD Overlay defining allowable land uses and dimensional standards. This proposed rezone with PUD Overlay demonstrates opportunity for limited commercial development along Reems Road in accordance with the Surprise Unified Development Code (SUDC).

Financial Impact Statement:

All activity related to ongoing development of the City of Surprise has an economic and fiscal impact on the city and the region.

ATTACHMENTS:

Click to download

- ☐ [00 - FS16-153 - Paradise Acres Rezone with Planned Unit Development \(PUD\) Overlay - Staff Report](#)
- ☐ [01- FS16-153 - Paradise Acres Rezone with Planned Unit Development \(PUD\) Overlay - Vicinity Maps](#)
- ☐ [02 - FS16-153 - Paradise Acres Rezone with Planned Unit Development \(PUD\) Overlay - Rezone Document](#)

- ☐ [03 - FS16-153 - Paradise Acres Rezone with Planned Unit Development \(PUD\) Overlay - Citizen Participation Report](#)
- ☐ [04 - FS16-153 - Paradise Acres Rezone with Planned Unit Development \(PUD\) Overlay - Public Engagement Form](#)
- ☐ [05 - FS16-153 - Paradise Acres Rezone with Planned Unit Development \(PUD\) Overlay - Presentation](#)

External Attachment Links:

Meeting Requirements:

Powerpoint x Video x White Board x Other x

Presentation Speaker Names (spelling and titles for TV captions):

Hobart Wingard, Planner II

PAD REZONE AMENDMENT

REPORT TO THE PLANNING AND ZONING COMMISSION

Case: **FS16-153**

Project Name: Paradise Acres Rezone with Planned Unit Development (PUD) Overlay

Council District: 5 - Palm

Meeting Date: **April 20, 2017**

Planner: Hobart Wingard, 623-222-3156, hobart.wingard@surpriseaz.gov

Owners: JVM Investments Limited Partnership
Advisory Board of the Arizona District Church
Joseph W. Sr. and Carolyn S. Rosson
King Over Pass LLC
Marguerite Pleshe

Applicant: The City of Surprise

Request: Approval of a Rezone for a portion of the Paradise Acres area from Rural Residential (RR/R1-43) and Medium Density Residential (RM-12) to Neighborhood Commercial (CN/C-1) with a PUD Overlay defining allowable land uses and dimensional standards.

Site Location: Generally located along the eastern edge of Reems Road between Paradise Lane to the north and Tierra Buena Lane to the south.

Site Size: Approximately 15.76 acres

General Plan Conformance: The proposal is consistent with the Surprise General Plan 2035

Support/Opposition: Both concern and support was received. Details of the meeting can be found in the attached Citizen Participation Report.

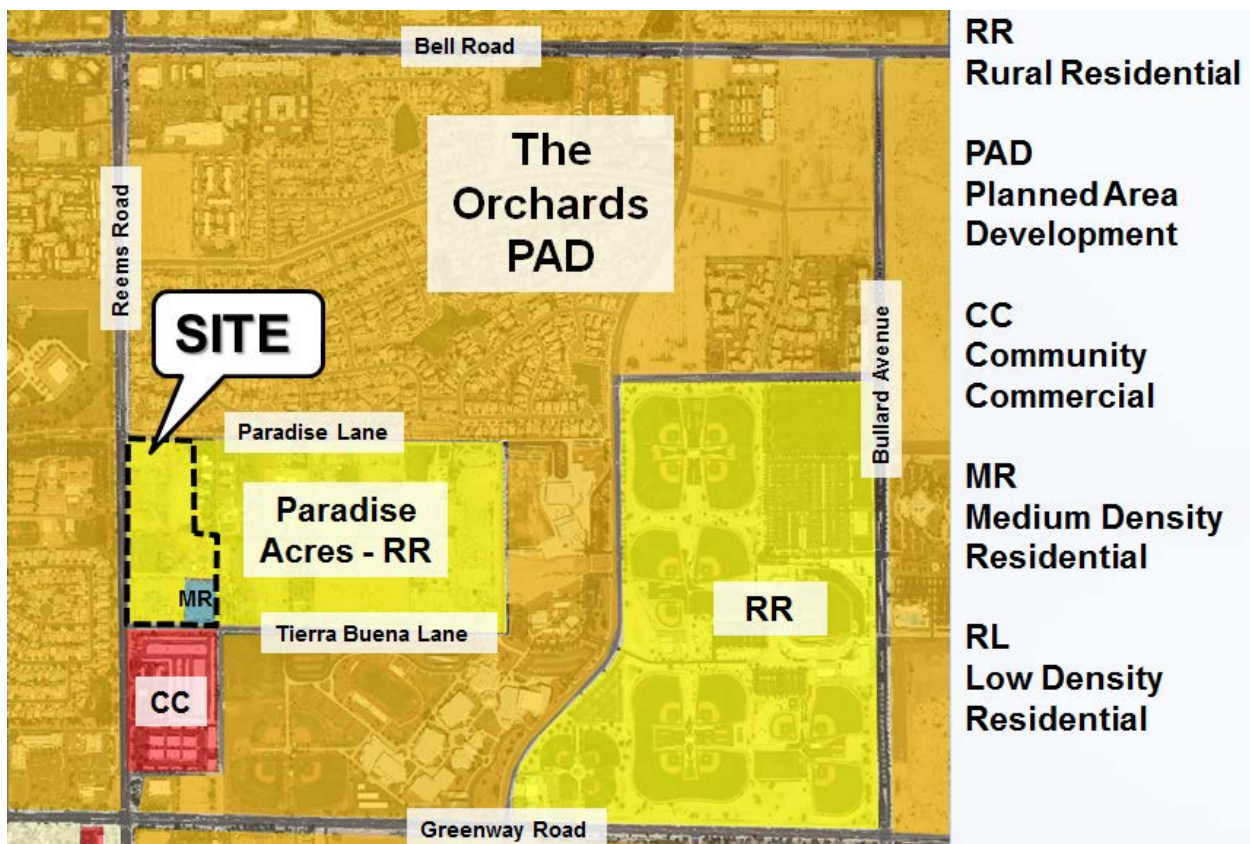
Staff Recommendations: Staff recommends the Commission move to recommend **approval** of the Paradise Acres Rezone with PUD Overlay to the Mayor and City Council, subject to stipulations 'A.' through 'C.'

Project Description:

The City of Surprise seeks approval of a Rezone for a portion of the Paradise Acres area from Rural Residential (RR/R1-43) and Medium Density Residential (RM-12) to Neighborhood Commercial (CN/C-1) with a PUD Overlay defining allowable land uses and dimensional standards. This proposed Rezone with PUD Overlay demonstrates opportunity for limited commercial development along Reems Road in accordance with the Surprise Unified Development Code (SUDC).

Existing Zoning:

The following chart and associated map depict the existing zoning of the subject project area and its surroundings:



Mountain Vista Ranch PAD Radiant Church	The Orchards Residential PAD	The Orchards Residential PAD
Mountain Vista Ranch PAD Paradise Education Center	Rural Residential (RR/R1-43) and Medium Density Residential (RM-12)	Rural Residential (RR/R1-43)
Mountain Vista Ranch PAD Residential	Community Commercial (CC/C-2)	The Orchards PAD – Valley Vista High School

Background:

June 28, 1984: The subject lands were annexed into the City of Surprise.

August 18, 2014: The Mayor and City Council approved a rezone of 1.5 acres of the Paradise Acres Commercial Center area from Rural Residential (RR/R1-43) to Medium Density Zoning (RM-12) to accommodate an assisted living facility.

March 28, 2016: After receiving approval from the owners of the subject properties, the City filed a request for a Rezone with PUD Overlay for the western portion of the area known as Paradise Acres under case FS16-231, the subject case.

March 8, 2017: The applicant held a neighborhood outreach meeting to discuss the proposed project.

Citizen Review:

The Citizen Review Meeting was held on March 8, 2017. The site was posted and advertised for a Citizen Review meeting in accordance with the SUDC. The applicant held a meeting for the proposed Paradise Acres Commercial Center Rezone with PUD Overlay at the City of Surprise City Hall. Details of the meeting can be found in the attached Citizen Participation report.

Analysis and Discussion:

For many years the residents of the 75 acres located on Reems Road just south of Bell Road, commonly known as Paradise Acres, have struggled with developers, speculators, and even the City to maintain their rural lifestyle. Staff, as directed by City Council, has set out to provide a solution that will benefit and appease all parties involved.

During the City Council meeting on August 18, 2014 regarding the rezone of one (1) of the parcels involved in this request, Council, at the suggestion from a resident of Paradise Acres, instructed staff to investigate the possibility of a PUD Overlay on the area adjacent to Reems Road. Staff was able to meet with, and gain authorization of, the property owners to request a City initiated rezone for a low intensity commercial use along the Reems Road arterial road.

This PUD will rezone the 1,300 lineal feet abutting Reems Roads, approximately 15.76 acres, to a Neighborhood Commercial (C-1/CN) with a PUD overlay that will limit the uses and provide a buffer from the development going on along this corridor. The community is working with the property owners of the parcels along Reems road to provide a low intensity commercial center that will provide the buffer the residential portion desires. While this PUD will rezone and provide uses for these parcels, the development standards will stay consistent with the current and future zoning codes.

The intent of the planned unit development (PUD) overlay zoning district is to facilitate development of land uses by permitting greater flexibility and, consequently, more creative and imaginative designs for the development than may be possible under conventional SUDC regulations. Where a provision in a PUD overlay zoning district varies from the SUDC, the

provisions in the PUD overlay zoning district shall govern. As per the SUDC, the guiding objectives of this PUD overlay zoning district will include the following principles:

1. *Encourage development that enriches the whole community through creating a unique sense of place for the residents within the PUD overlay zoning district as well as those in surrounding neighborhoods.* - Staff believes development of these parcels under the CN-PUD zoning district would both create a sense of place more fitting of location along Reems while preserving and buffering the unique sense of place for those in and around the existing Paradise Acres community.
2. *Provide for a variety of coordinated and compatible land uses through innovative site planning.* - Utilizing stakeholder suggestions of all affected parties, a unique low intensity commercial land use is proposed.
3. *Maximize choice in the types of environments for residential and non-residential uses and facilities through flexibility in the distribution of land uses, the density of development, and other matters typically regulated in zoning districts.* - As explained in Item 1, the distribution of uses and density were taken into account in this proposal.
4. *Create a higher standard of development than would be accomplished through the development of individual parcels through conventional zoning regulations.* - It would be extremely difficult for these parcels to develop independently. If remaining residential, they would have to turn around and be served by a currently non-existing interior access. If commercial, they would have to work together as a commercial center to provide access off of Reems. A multitude of driveways would not be acceptable.
5. *Provide for a planned and integrated comprehensive transportation system for pedestrian and vehicular traffic, which shall include provisions for mass transportation and roadways, bicycle or equestrian paths, pedestrian walkways and other similar transportation facilities.* - The proposed project will continue existing multimodal choices along the Reems Road corridor.
6. *Provide for adequate, well located, and well-designed open space and community facilities.* - As the residential portion of Paradise acres are comprised of minimum one (1) acres lots, much of the open space is provided on the individual lots. It should be noted that there is a variety of public recreation opportunities including parks, trails, and a library within a half mile of the residential portion of the project.
7. *Assist in the fulfillment of the goals, objectives, and policies of the General Plan as well as specific plans for city areas.* - This project would fulfil numerous goals, objectives, and policies of the city including infill development and adaptive reuse of existing land stock.
8. *Provide for a variety of housing types, employment opportunities, and commercial services to achieve a balanced community for families of a wide variety of ages, sizes, and levels of income.* - This project will provide infill and contribute to the area currently surrounded by the described uses.

- 134 9. *Provide for cultural, educational, medical, religious, and recreational facilities.* - These
135 facilities are addressed and permitted under this proposed zoning designation.
- 136 10. *Site structures to take maximum advantage of the natural and man-made*
137 *environment, to provide view corridors and to minimize adverse environmental impact*
138 *on surrounding areas during the development stages.* – Buffers are included to
139 preserve the rural residential community while preserving views of the White Tank
140 Mountains.
- 141 11. *Provide for revitalization of designated areas and redevelopment in areas where*
142 *depreciation of any type has occurred.* – These parcels are currently vacant or have
143 older homes that reflect the previous agricultural use of the area. Development would
144 act as a true revitalization in use and aesthetics.
- 145 12. *Avoid premature or inappropriate development that would result in incompatible uses*
146 *or would create traffic and public service demands that exceed the capacity of existing*
147 *or planned facilities.* – As this project serves as an infill development, it is unlikely
148 development will demand excessive capacity.
- 149 13. *All standards set forth in an approved PUD document shall carry the full force of law.*
150

151 **Conformance with Adopted Plans:**

152 **Surprise General Plan 2035:** The Surprise General Plan 2035 shows the subject property as lying
153 within the Neighborhood Character area. The proposed Rezone with PUD overlay demonstrates
154 consistency with this land use category. While neighborhoods are predominantly residential, they
155 can also be supported by locally oriented commercial and public facility uses.
156

157 **Reviewing Agencies:**

158 In addition to the standard city reviewing agencies, who indicate no objections to the requests,
159 Luke Air force Base, Maricopa Water District, EPCOR Water, ADOT, and Maricopa Association of
160 Governments (MAG) were included in the routing of this case. The entities expressed no concern
161 regarding the proposed rezone.
162

163 **Summary:**

164 Staff believes the proposed Rezone with PUD Overlay for Paradise Acres Commercial Center will
165 allow appropriate development to take place while preserving the rural lifestyle of the Paradise
166 Acres area. The project is designed to integrate with the existing residential and commercial
167 development while providing opportunity for limited commercial development to cultivate in a way
168 that is consistent with the vision of the City's General Plan.
169
170
171
172

Findings:

Rezone PAD Amendment:

- The proposed Rezone with PUD Overlay is consistent with the Surprise General Plan 2035.
- The reviewing agencies have indicated no objections to the request.

Recommendation:

Based on the findings noted above, staff recommends the Commission move to recommend **approval** of the proposed amendment of the Sycamore Farms PAD under case **FS16-231** to the Mayor and City Council subject to conditions 'A.' through 'C.' as outlined below.

- A. Development and use of the Rezone with PUD Overlay shall be in conformance with the project narrative entitled "Paradise Acres Commercial Center Rezone with Planned Unit Development Overlay FS16-153", prepared by the City of Surprise, consisting of 24 pages dated Revised March 15, 2017.
- B. Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the provisions of Article XIV of the Surprise Unified Development Code.
- C. The Property owner and successors waive claim for diminution in value if the City takes action to rescind approval of this zone change request due to non-compliance with the stipulations of approval.

However, should the Commission wish to recommend denial of the request, the Commission should make its own findings and base its decision on those alternative findings.

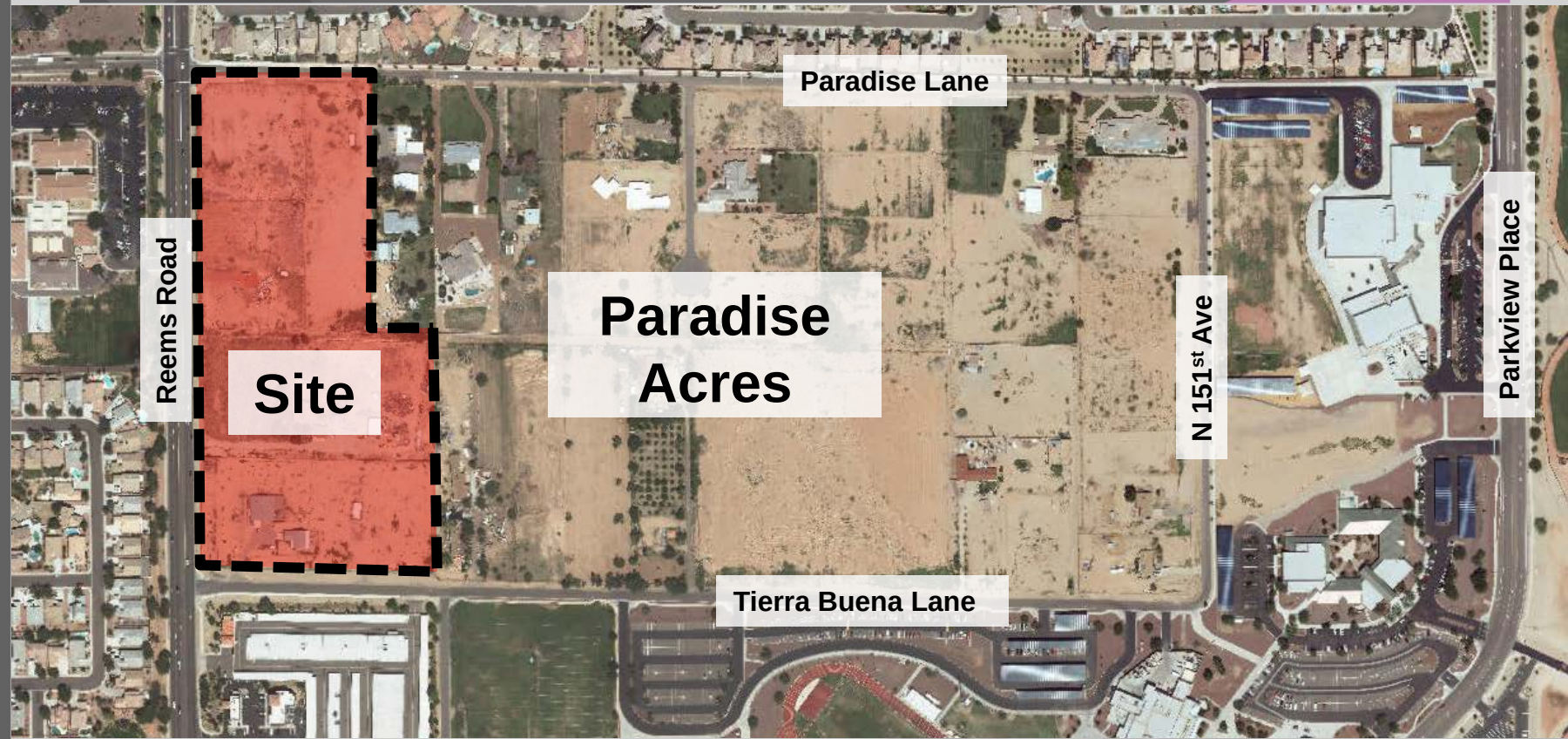
Attachments:

- 01 – Vicinity Maps
- 02 – Rezone with PUD Overlay Document
- 03 – Citizen Participation Report
- 04 – Public Engagement Form

VICINITY MAP



LOCATION MAP



Paradise Acres Commercial Center Rezone with Planned Unit Development Overlay

FS16-153



Prepared By:

City of Surprise
16000 North Civic Center Plaza
Surprise, Arizona 85374-7470
623-222-3000
March 15, 2017

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Narrative

For many years the residents of the 75 acres located on Reems Road just south of Bell Road, commonly known as Paradise Acres, have struggled with developers, speculators, and even the City to maintain their rural lifestyle. Staff, as directed by City Council, has set out to provide a solution that will benefit and appease all parties involved. This PUD will rezone the 1,300 lineal feet abutting Reems Roads, approximately 15.76 acres, to a Neighborhood Commercial (C-1/CN) with a PUD overlay that will limit the uses and provide a buffer from the development going on along this corridor. The community is working with the property owners of the parcels along Reems road to provide a low intensity commercial center that will provide the buffer the residential portion desires. While this PUD will rezone and provide uses for these parcels, the development standards will stay consistent with the current and future zoning codes.

During the City Council meeting on August 18, 2014 regarding the rezone of one (1) of the parcels involved in this request, Council, at the suggestion from a resident of Paradise Acres, instructed staff to investigate the possibility of a PUD Overlay on the area adjacent to Reems Road. Staff was able to meet with, and gain authorization of, the property owners to request a City initiated rezone for a low intensity commercial use along the Reems Road arterial road.



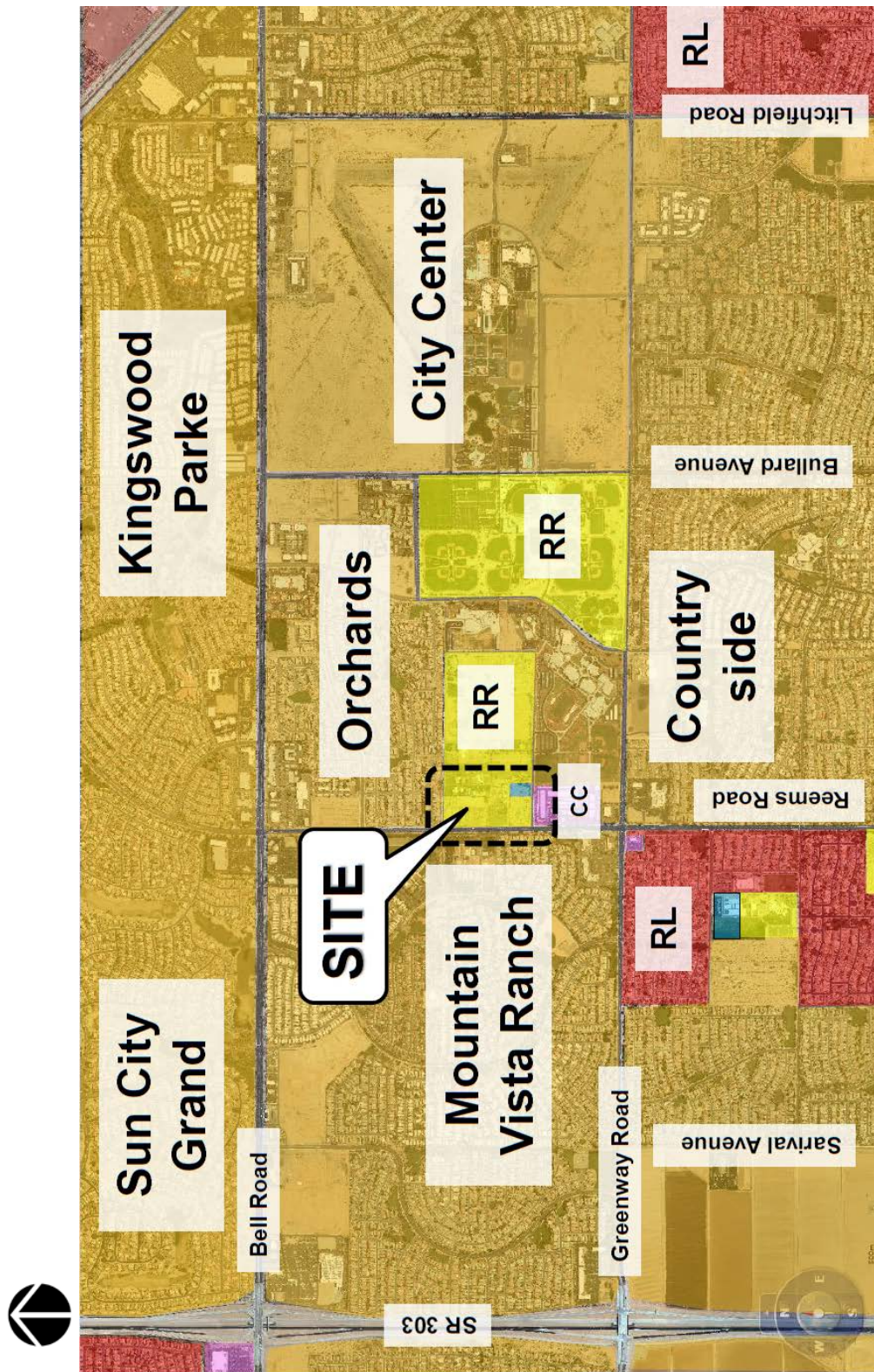
Location Map 1



Location Map 2



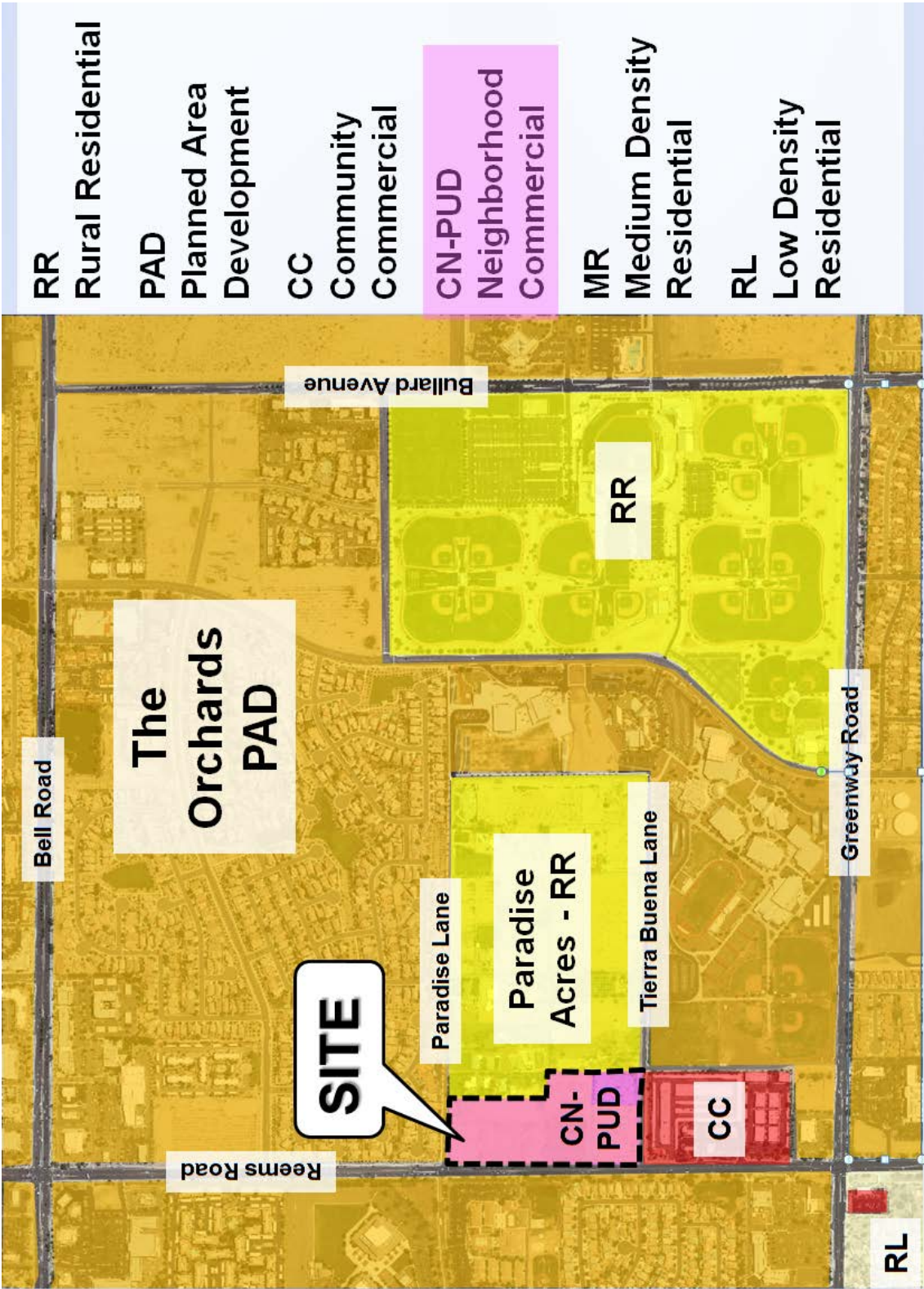
3 Mile Existing Zoning



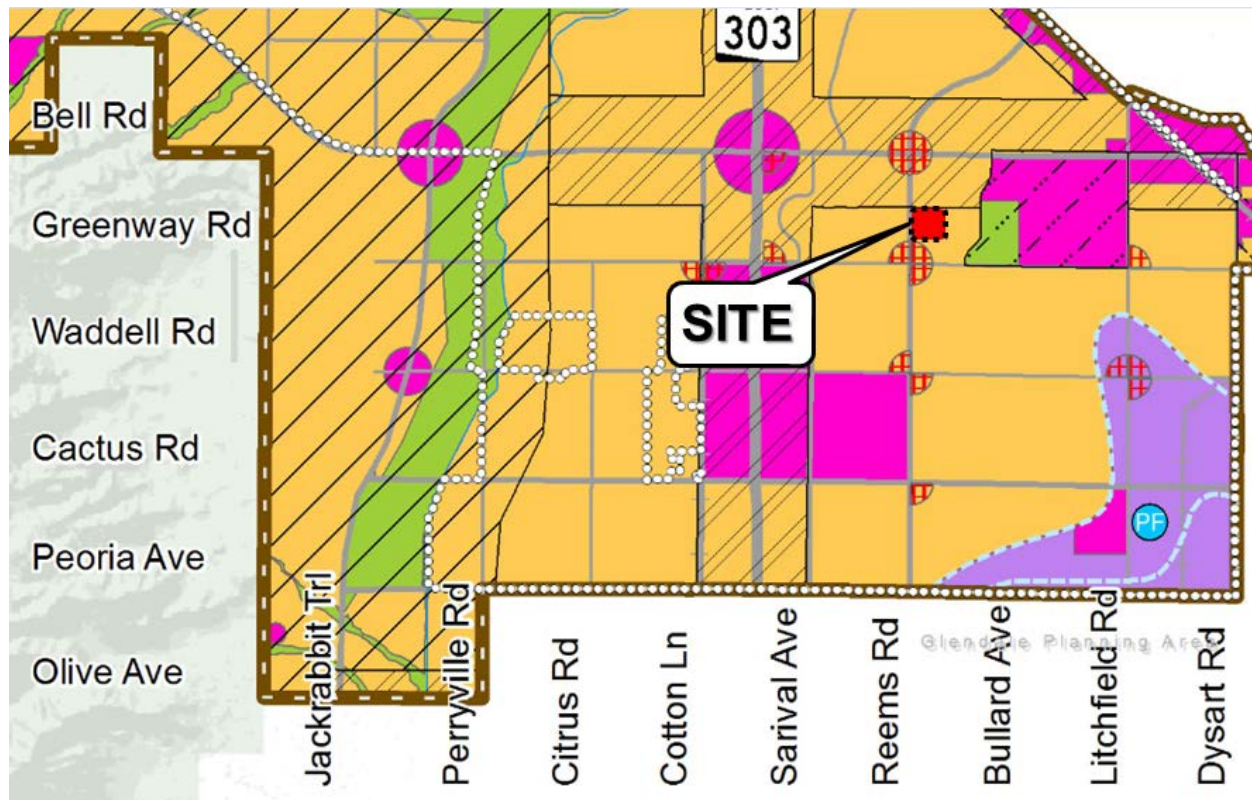
Existing Zoning



Proposed Zoning



Existing General Plan Land Use



Character Areas

- Neighborhood**
 - Rural
 - Suburban
 - Urban
- Commerce & Office**
 - Mixed Use: Residential
 - Mixed Use: Commercial
 - Regional Commercial
 - Commercial Office
- Employment**
 - Business Park
 - Industrial
- Open Space**

The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character area. The proposed Rezone with PUD overlay demonstrates consistency with this land use category. While neighborhoods are predominantly residential, they can also be supported by locally oriented commercial and public facility uses.

Planned Unit Overlay (PUD)

The purpose of the PUD is to identify uses along the 1,300 feet of frontage property along the Major Arterial known as Reems Road. The neighbors in this 75 acre rural community known as Paradise Acres wish to keep their rural lifestyles while the urban environment closes in around them. To stay buffered from the growing development occurring along Reems Road, the community is working with the property owners of the parcels along Reems Road to provide a low-intensity commercial center that will provide the buffer the residential portion requires. While this PUD will rezone and provide uses for these parcels, the development standards will stay consistent with the current and future zoning codes.

Zoning Use Matrix

The purpose of the zoning use matrix is to classify uses on the basis of common functional characteristics and land use compatibility. The city manager or designee shall determine if uses not expressly listed in the matrix are significantly similar or dissimilar to particular uses.

LAND USE GROUP	ZONING DISTRICTS	
	Permitted Use	Conditional Use Permit Required
Animal Hospitals, Clinic, and Boarding Facilities	--	Yes
Arts and Craft Studios	Yes	--
Assisted Living Center	Yes	--
Athletic or Fitness Club, Commercial Recreation Facilities - Indoor	Yes	--
Banks – Without Drive Through Facilities	Yes	--
Barber/Beauty Shops	Yes	--
Funeral Home, Mortuary	--	Yes

Galleries and/or Museums	Yes	--
Medical Clinic or Laboratory	Yes	--
Medical Office	Yes	--
Medical Outpatient Facility	Yes	--
Office	Yes	--
Photo Studios	Yes	--
Places of Worship	Yes	--
Printing or Copy Shops	Yes	--
Tailors	Yes	--
Travel Agencies	Yes	--
Utility Equipment Infrastructure	Yes	--
Wireless Communication Systems	Refer to Current City of Surprise Code Language	

Conditions:

Animal Hospitals, Clinic, and Boarding Facilities:

1. All activities are performed indoors.
2. Outdoor kennels are not permitted.

Funeral Home, Mortuary

1. All entries to employee and deceased building entry will be screened by a minimum six (6) foot decorative masonry wall.

Development Standards

Development Standards for the Paradise Acres Commercial Center will follow the development standards of the Neighborhood Commercial (C-1/CN) Zoning District at the time of project development. This will include, but not be limited to setbacks, landscaping, parking, loading, design, engineering standards and signage.

24 feet of landscaped buffer together with an eight (8) foot decorative wall will be required along the eastern border of this commercial center. No structures or paving of any kind, with the exception of the decorative wall, will be allowed in this buffer area.

Appendix

Legal Description

SPECIAL WARRANTY DEED 20140599001 M.C.R.

APN 501-17-979

The Northwest quarter of the Northwest quarter of the Northwest quarter of the Southwest quarter of Section 5, Township 3 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

EXCEPT the West 33 feet; and

EXCEPT the North 30 feet; and

EXCEPT the following described property:

A portion of that real property located in the Northwest quarter of the Northwest quarter of the Northwest quarter of the Southwest quarter of Section 5, Township 3 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

BEGINNING at the Northwest quarter of said real property, being 30 feet South of the North line and 33 feet East of the West line of said Southwest quarter of Section 5;

THENCE along the North line of said real property South $88^{\circ}44'21''$ East, a distance of 37.00 feet;

THENCE departing said North line South $45^{\circ}27'38''$ West, a distance of 51.59 feet to a point on the West line of said real property;

THENCE along the West line of said real property parallel with and 33 feet East of said West line of said Section 5, North $00^{\circ}20'41''$ West, a distance of 37.00 feet to the POINT OF BEGINNING.

TOGETHER WITH

WARRANTY DEED 20050114909 M.C.R.

APN 501-17-006X

The Southwest quarter of the Northwest quarter of the Northwest quarter of the Southwest quarter of Section 5, Township 3 North, Range 1 West of the Gila and Salt River Base and Meridian.

Together with a permanent easement for ingress, egress, irrigation and utilities over the North 30 feet and the South 20 feet of the East half of the Northwest quarter of the Northwest quarter of the Southwest quarter and over the East three-fourths of the North half of the North half of the Southwest quarter and for irrigation purposes over the West 10 feet of the Northeast quarter of the Northwest quarter of the Northwest quarter of the Southwest quarter, all in Section 5, Township 3 North, Range 1 West.

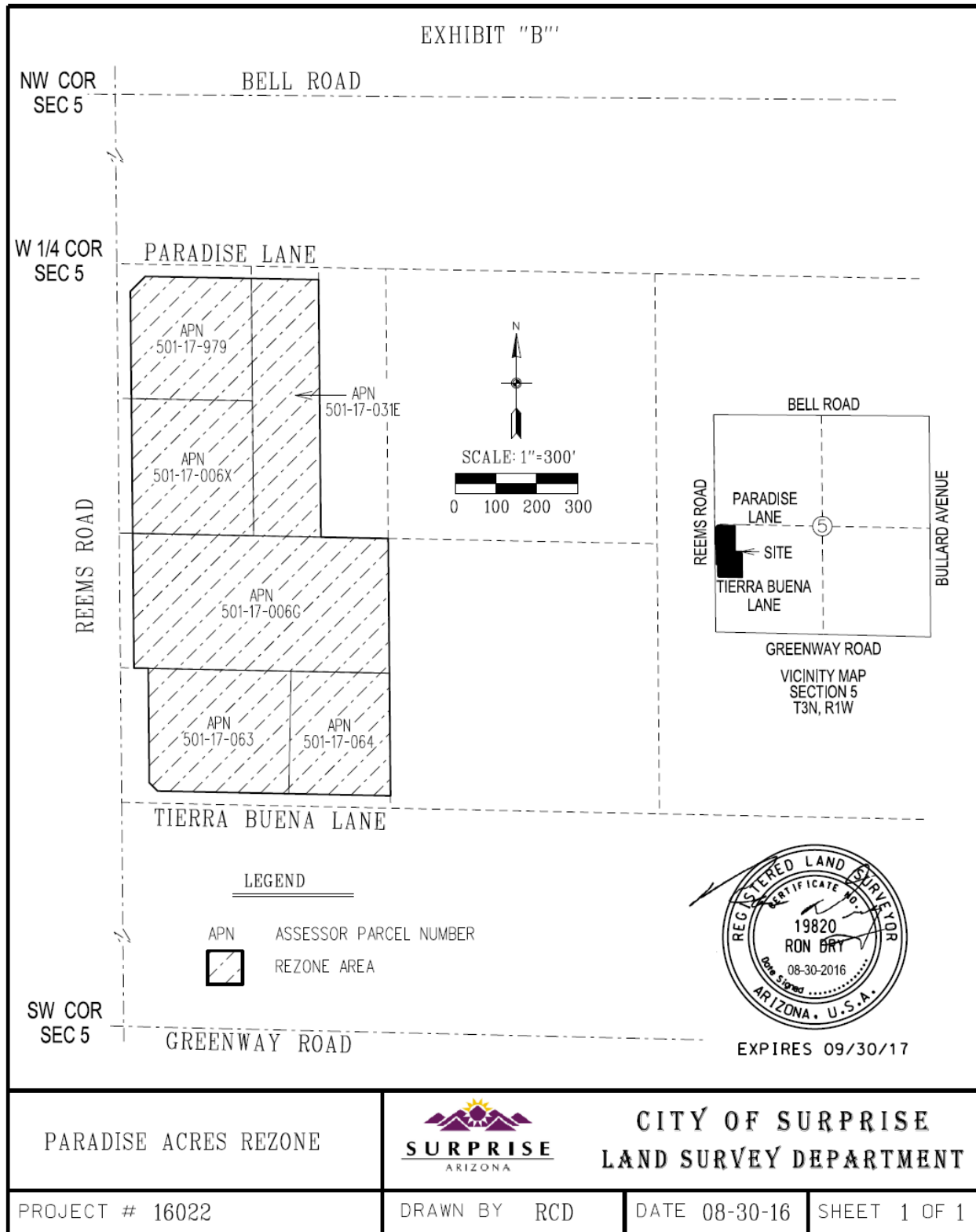
TOGETHER WITH

The North One-half of the Southwest One-quarter of the Northwest One-quarter of the Southwest One-quarter of Section Five (5) Township Three (3) North, Range One (1) West of the Gila and Salt River Base and Meridian, Except the West Thirty-three (33) feet thereof.

TOGETHER WITH

Lot 1 of the FINAL PLAT MARIPOSA ACRES as recorded in Book 1231 Page 38, Records of Maricopa County, Arizona.

Legal Description Graphic



Property Owners

JVM Investments Limited Partnership
16187 North Reems Road
Surprise, AZ 85374
APN 501-17-979 – 2.03 Acres
Zoned Rural Residential (RR/R1-43)

Advisory Board of the Arizona District Church
16051 North Reems Road
Surprise, AZ 85374
APN 501-17-006X – 2.55 Acres
Zoned Rural Residential (RR/R1-43)

Joseph W. Sr. and Carolyn S. Rosson
16005 North Reems Road
Surprise, AZ 85374
APN 501-17-006G – 4.69 Acres
Zoned Rural Residential (RR/R1-43)

King Over Pass LLC
158 West Tierra Buena Lane
Surprise, AZ 85374
APN 501-19-063 – 2.37 Acres
Zoned Rural Residential (RR/R1-43)

King Over Pass LLC
Address to be established
Surprise, AZ 85374
APN 501-19-064 – 1.68 Acres
Zoned Medium Density Residential (RM-12)

Marguerite Pleshe
14239 West Peoria Avenue
Waddell, AZ 85355
APN 501-17-031E – 2.44 Acres
Zoned Rural Residential (RR/R1-43)

Owner's Authorization Letters

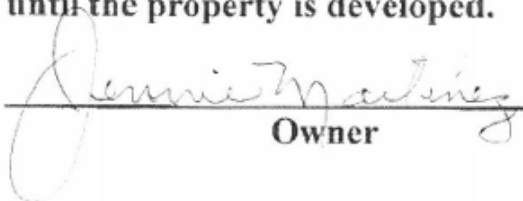
Date: 04/29/16

Mr. Hobart Wingard
Planning Department
City of Surprise

Mr. Wingard,

JVM Investments Limited Partnership owns the property on the corner of Reems Road and Paradise Lane, Surprise, AZ, identified as 501-17-979 Tax ID.

In response to your letter dated November 3, 2014, we are not opposed to a City initiated overlay of CN(C1) Neighborhood Commercial Zoning allowing such uses as indicated in the list attached to that letter, provided that the City of Surprise not require any improvements to be installed along each property's right-of-way until there is a change of use of the property. It is our understanding that it is the intent of staff to include as part of the overlay, a section that will allow existing uses to continue until the property is developed.



Owner

04/29/16

Date

Owner

Date

APN 501-17-979

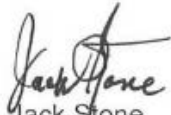
ARIZONA DISTRICT
C H U R C H O F T H E N A Z A R E N E

Hobart Wingard
Planner II
City of Surprise
Hobart.Wingard@surpriseaz.gov

August 4, 2016

City of Surprise,

The Advisory Board of the Arizona District Church of the Nazarene, representing Hope Community Church of the Nazarene, agrees to the rezoning of the property located on Reems Road to Neighborhood Commercial with an overlay. We understand that churches will still be allowed under this zoning.



Jack Stone

Assistant District Superintendent
jackstone@arizonadistrict.org

APN 501-17-006X

3180 NORTH ALMA SCHOOL ROAD • SUITE 2 • CHANDLER, ARIZONA 85224
PHONE 480-237-7000 • FAX 480-237-7777 • WEB SITE: WWW.ARIZONADISTRICT.ORG

Date: 4/22/16

Mr. Hobart Wingard
Planning Department
City of Surprise

Mr. Wingard,

Joseph W. & Carolyn Rossen are the owners of the property at 16005 N. Reems Road in Surprise, AZ, identified as 501- 17- 006 Tax ID.

In response to your letter dated November 3, 2014, we are not opposed to a City initiated overlay of CN(C1) Neighborhood Commercial Zoning allowing such uses as indicated in the list attached to that letter, provided that the City of Surprise not require any improvements to be installed along each property's right-of-way until there is a change of use of the property. It is our understanding that it is the intent of staff to include as part of the overlay, a section that will allow existing uses to continue until the property is developed.

Joseph W. Rossen
Owner

4/22/16
Date

Carolyn S. Rossen
Owner

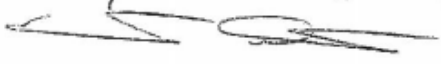
4/22/16
Date

April 8, 2016

Mr. Hobart Wingard
Planning Department
City of Surprise, Arizona

Mr. Wingard,

King Overpass LLC, the owner of the property described as Mariposa Acres MCR 1231-38 Lot 1 in Surprise, AZ, identified as Maricopa Assessor Parcel #501-19-063 (Tax ID), in response to your letter dated November 3, 2014, am not opposed to a City Initiated overlay of CN (C1) Neighborhood Commercial Zoning allowing such uses as indicated in the list attached to that letter, provided that the City of Surprise not require any improvements to be installed along each property's right-of-way until there is a change of use of the property. It is our understanding that it is the intent of staff to include as part of the overlay, a section that will allow existing uses to continue until the property is developed.

King Overpass LLC
Owner by Ernie Dutton LLC


4-8-16
Date

April 8, 2016

Mr. Hobart Wingard
Planning Department
City of Surprise, Arizona

Mr. Wingard,

King Overpass LLC, the owner of the property described as Mariposa Acres MCR 1231-38 Lot 2 in Surprise, AZ, identified as Maricopa Assessor Parcel #501-19-064 (Tax ID), in response to your letter dated November 3, 2014, am not opposed to a City Initiated overlay of CN (C1) Neighborhood Commercial Zoning allowing such uses as indicated in the list attached to that letter, provided that the City of Surprise not require any improvements to be installed along each property's right-of-way until there is a change of use of the property. It is our understanding that it is the intent of staff to include as part of the overlay, a section that will allow existing uses to continue until the property is developed. It is further understood that the deed restriction recorded for this property will limit the use of this property to assisted living.

King Overpass LLC
Owner- by Ernie Dutton, Mgr.



4-8-16
Date



**Community Development
Development Services Division**
16000 N. Civic Center Plaza
Surprise, AZ 85374
Ph 623-222-3156
Fax 623-222-3001
TTY: 623-222-1002

August 30, 2016

Marguerite Pleshe
14239 W Peoria Avenue
Waddell, AZ 85355
Re: Assessor's Parcel Number 501-17-031E

Good afternoon,

Below is a Proposition 207 waiver all property owners of lands to be rezoned are required to sign.

Proposition 207 Waiver:

In exchange for its processing of entitlements, the City of Surprise (the "City") requires that landowners execute a waiver of claims that may arise under Proposition 207 (A.R.S. §12-1134 *et seq.*). As a result of any requested City land use action. The waiver applies only to the action requested and does not diminish any other landowner rights that may exist prior to the request.

By signing this document, the undersigned owner(s) agree(s) and consent(s) to all the conditions imposed by the City of Surprise in conjunction with the approval of this application and acknowledge(s) that the approval might affect current or existing rights to use, divide, sell or possess the subject property, and waives any right to compensation for diminution in value pursuant to Arizona Revised Statutes §12-1134 that may now or in the future exist as a result of the approval of this application.

Owner Signature: Marguerite M. Pleshe Trust
Dustin C. Vashan Trustee

Date: 9/7/16

An associated Legal description is attached to this document for reference:



**Community Development
Development Services Division**
16000 N. Civic Center Plaza
Surprise, AZ 85374
Ph 623-222-3156
Fax 623-222-3001
TTY: 623-222-1002

APN 501-17-031E

Quit Claim Deed 1993-0852333, Records of said Maricopa County

The West half of the East half of the Northwest quarter of the Northwest quarter of the Southwest quarter, of Section 5, Township 3 North, Range 1 West, of the Gila and Salt

River Base and Meridian, Maricopa County, Arizona.

Paradise Acres Commercial Center Rezone with Planned Unit Development Overlay

FS16-153

Citizen Participation Report



Prepared By:

City of Surprise
16000 North Civic Center Plaza
Surprise, Arizona 85374-7470
623-222-3000
March 8, 2017

Citizen Review Summary

The Citizen Review Meeting and Public Hearings for the Rezone for a portion of the Paradise Acres area from Rural Residential (RR/R1-43) and Medium Density Residential (RM-12) to Neighborhood Commercial (CN/C-1) with a PUD Overlay was posted and advertised for a Citizen Review meeting in accordance with the SUDC:

- On February 15, 2017, signs were posted on the intersection of Reems Road and Paradise Lane as well as Reems Road and Tierra Buena Lane. These locations sit on both the northern and southern edge of the project area along Reems Road.





- On February 15, 2017, 158 property owners within 300 feet of the subject project area were sent the following informational mailer:

CITY OF SURPRISE CITIZEN REVIEW MEETING

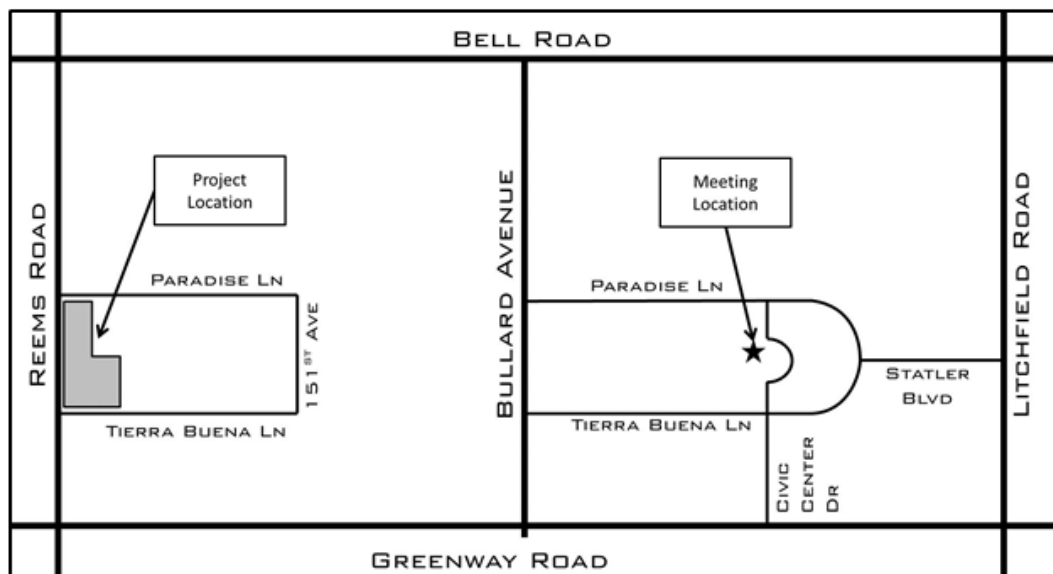
Take notice that at the date, time, and place listed below, there will be a Citizen Review meeting to discuss the below-referenced project. At this meeting, any of the public may appear and be heard relative to this project. The City of Surprise Community Development Department may be contacted prior to the scheduled meeting for additional information.

City of Surprise Planner: Hobart Wingard
623-222-3156

CITIZEN REVIEW MEETING DETAILS

DATE: Wednesday, March 8, 2017
TIME: 6:00 PM to 7:00 PM
LOCATION: Surprise City Hall
Overflow Room
16000 N Civic Center Plaza
Surprise, Arizona 85374

Meeting Location Map & Project Location Map



PROJECT DESCRIPTION: The applicant is requesting approval of a rezone (Case FS16-153) of approximately 75 acres of land zoned Residential Ranch (RR) to Neighborhood Commercial with a Planned Unit Development (CN-PUD) to limit the allowed land uses for the subject lots.

- On February 21, 2017, the following Public Notice was posted in the Daily News-Sun:

CITY OF SURPRISE
CITIZEN REVIEW MEETING

Take notice that at the date, time, and place listed below, there will be a Citizen Review meeting to discuss the below-referenced project. At this meeting, any of the public may appear and be heard relative to this project. The City of Surprise Community Development Department may be contacted prior to the scheduled meeting for additional information.

City of Surprise Planner: Hobart Wingard
623-222-3156

CITIZEN REVIEW MEETING DETAILS

DATE: Wednesday, March 8, 2017
TIME: 6:00 PM to 7:00 PM
LOCATION: Surprise City Hall
Overflow Room
16000 N Civic Center Plaza
Surprise, Arizona 85374

Meeting Location Map & Project Location Map

PROJECT DESCRIPTION: The applicant is requesting approval of a rezone (Case FS16-153) of approximately 75 acres of land zoned Residential Ranch (RR) to Neighborhood Commercial with a Planned Unit Development (CN-PUD) to limit the allowed land uses for the subject lots.

Publish: Daily News-Sun, February 21, 2017; Surprise Today, February 22, 2017/ 172042-1

Citizen Review Meeting Summary

The Citizen Participation meeting started at 6:00 pm at Surprise City Hall. Approximately 15 participants and a single Council member attended. Members of both the Paradise Acres residential community as well as property owners for the subject project attended. The meeting was lively, but respectful as members expressed their views.

Resident concerns were primarily traffic related. As Paradise and Tierra Buena Lanes do not travel through to the next collector or arterial street, but turn back around to Reems Road. There were several suggestions by residents:

- Installing 'No Through Street' signs.
- Installing speed bumps along Paradise and Tierra Buena Lanes.
- Designing the commercial center to be accessed by separate driveways.
- When a project does come in, redesign the intersection of Paradise lane to lead to the commercial center while Paradise could be an offshoot of that entrance.
- Relocate the irrigation infrastructure from the southeast corner of Reems Road and Paradise Lane to the east of the proposed rezoned area.
- Continue Paradise Lane to Parkview.

Owners of parcels encompassed in this rezone expressed their support of the project and concern regarding other property owners working together.

The host of the meeting explained that the commercial center would have to be envisioned as a whole and as development occurs, a master site plan would be required to show how the entire project area would function. Each site plan, replat, or conditional use permit would be reviewed by all applicable departments to ensure that the direction of the project, and ultimately the entire project, would work to buffer and maintain the lifestyle the residents of Paradise acres now enjoy.

The meeting ended at approximately 7:00 pm. The majority of the participants disbursed, while a few remained for a more intimate discussion.

A sign in sheet is shown at the end of this document. It should be noted that not all participants signed in to the meeting.

The following are emails sent to staff regarding the project:

Sent 03/08/2017 at 7:20pm

Hi Bart,

Thanks for listening to our concerns this evening. Here are my comments about the Reems Rd. Re-Zone.

Knowing that a re-zone is inevitable, we support the re-zone to neighborhood commercial. We do have a concern with the properties that front Tierra Buena and Paradise Lane and not Reems Rd. If access is allowed from these residential roads into a commercial business it will increase the traffic on these two roads. The high school and elementary school already add increased traffic; we also have quite a bit of traffic from individuals thinking that these two streets have access to Parkview Place, business access on these roads would give the impression that these are not residential streets, but through streets.

Again, thanks for listening to our concerns. It was a very productive meeting. I'll see at the P&Z meeting.

Thanks,

Jean Poe

623 640-3486

Sent 03/10/2017 at 9:44am

Thanks Hobart! I appreciate you sending me this! My only concern would be the additional traffic. There is already a ton of cars and buses from the schools. As long as the ingress and egress would be off of Reems and there is no access points along Paradise or Tierra Buena I would be fine with the rezone. Maybe they can record a Non-Accesses Restriction along those lots?

Joshua Vukoder

623-256-1950

Any additional comments sent to the city regarding the Paradise Acres project will be supplied independently at the time of the Planning and Zoning and Council Public hearings.

SURPRISE
ARIZONA

PROJECT NAME: FS16-153 PARADISE APRES

[illegible]

PUBLIC ENGAGEMENT FORM

PROJECT TITLE: Paradise Acres Rezone with Planned Unit Development (PUD) Overlay, FS16-153

OVERALL PUBLIC INVOLVEMENT LEVEL:

Citizen Review. Allows residents to input their opinions on the proposed Rezone. The Public Hearing will allow another chance for the public to express their views on the proposal.

IDENTIFY STAKEHOLDERS:

Residents within the Paradise Acres residential area; the public at-large; adjacent property owners.

OBJECTIVES:

The City seeks approval of a Rezone with Planned Unit Development (PUD) Overlay to propose a Neighborhood Commercial (CN/C-1) zoning designation with specific land uses and some commercial development standards.

PUBLIC ENGAGEMENT STRATEGIES & TOOLS:

Public Engagement & Project timeline:

Public outreach time frame (when to when) - March 8, 2017 at City Hall

Future Council Work Session/Meetings target dates - May 2, 2017

Election dates (if applicable) - Not applicable

Project start/completion dates - To be determined

Communication Tools and Technique options: (which do you plan to use?)

- ☐ Press releases
- ☒ Public meetings (video/photos, poster boards, fact sheet(s) *do you need Spanish version?)
- ☒ Presentations to boards and commissions, other interested community partners/stakeholders
- ☐ Third-party consultant/moderator (pending budget)
- ☐ Survey (online/paper/both?)
- ☐ Social media
- ☒ Surprise 11
- ☐ Notify Me email/ Council newsletters (opt-in audience)
- ☒ Paid advertising (pending budget)
- ☐ Surprise Progress (mailed quarterly and tied to print deadlines)
- ☐ Booth at city events
- ☒ Paid mailings (pending budget)
- ☐ Creation of a subcommittee/task force
- ☐ Youth/adult activities, registration, or orientation (HOA Academy)
- ☒ Website updates



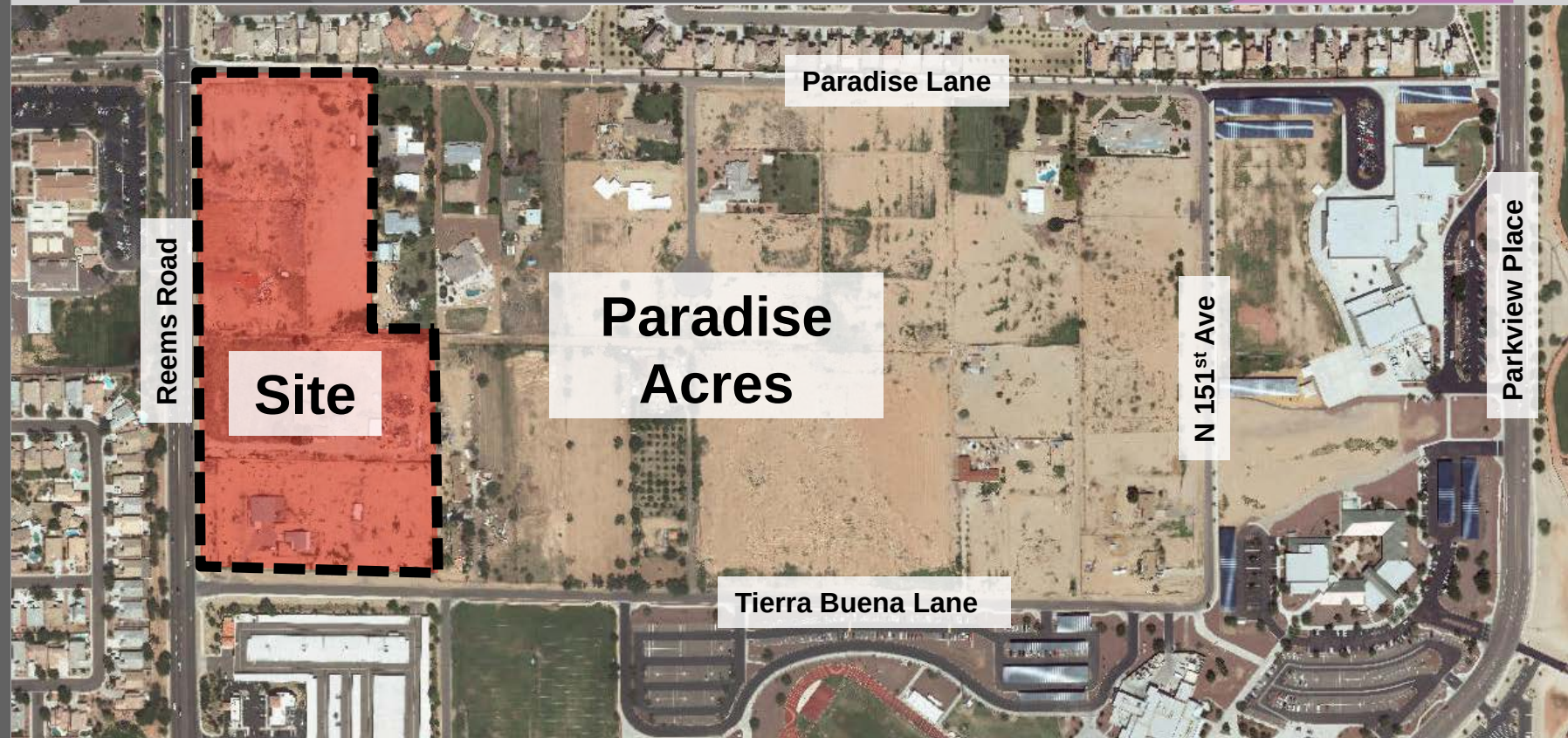
PARADISE ACRES

Rezoning with PUD Overlay – April 20, 2017

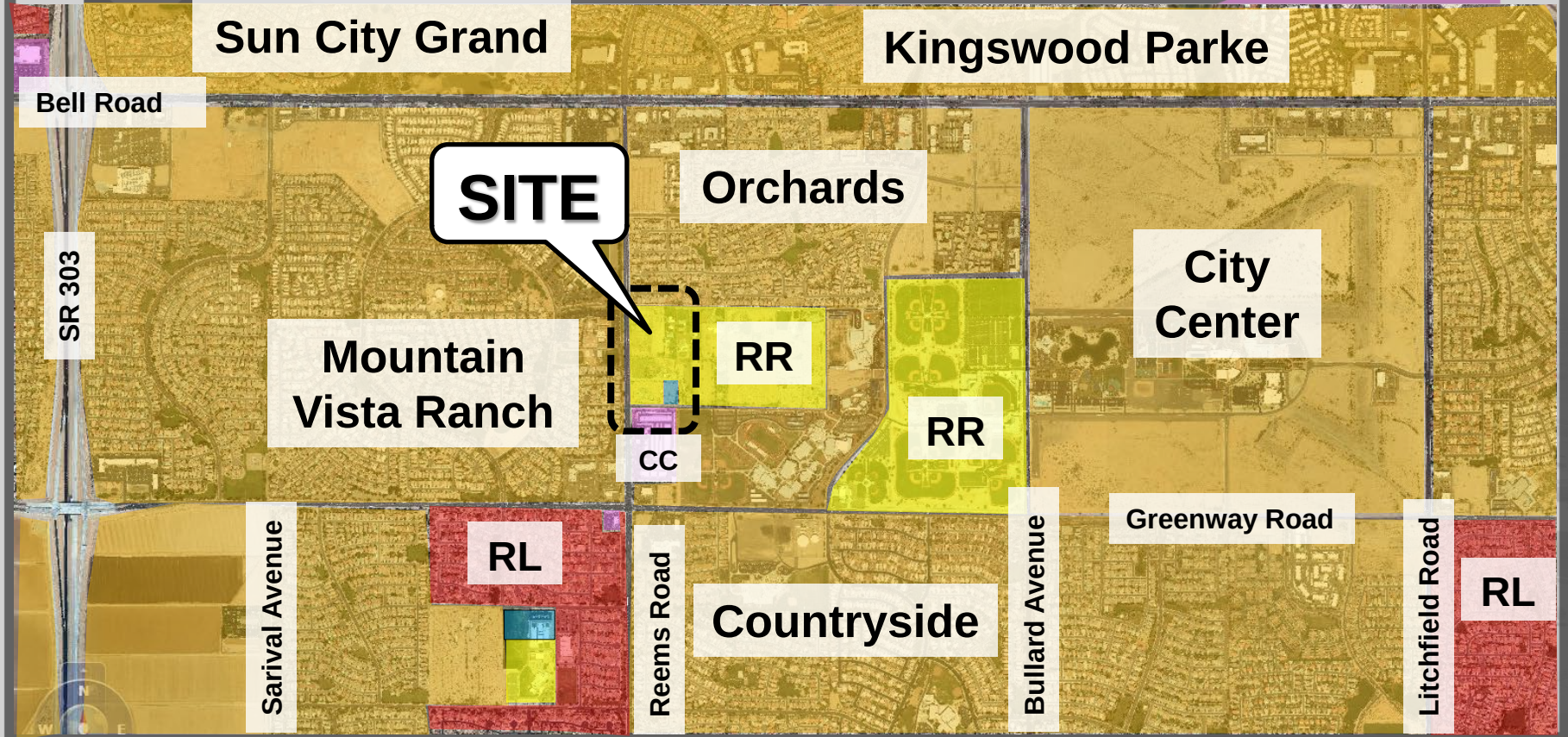
VICINITY MAP



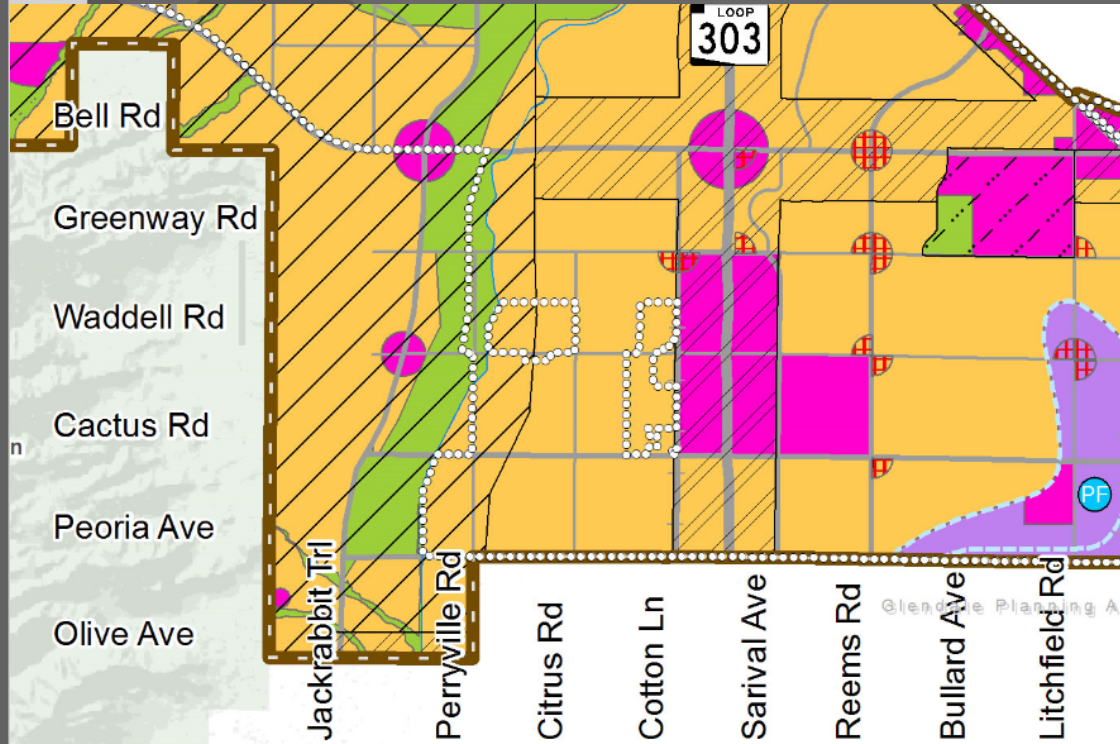
LOCATION MAP



ADJACENT ZONING



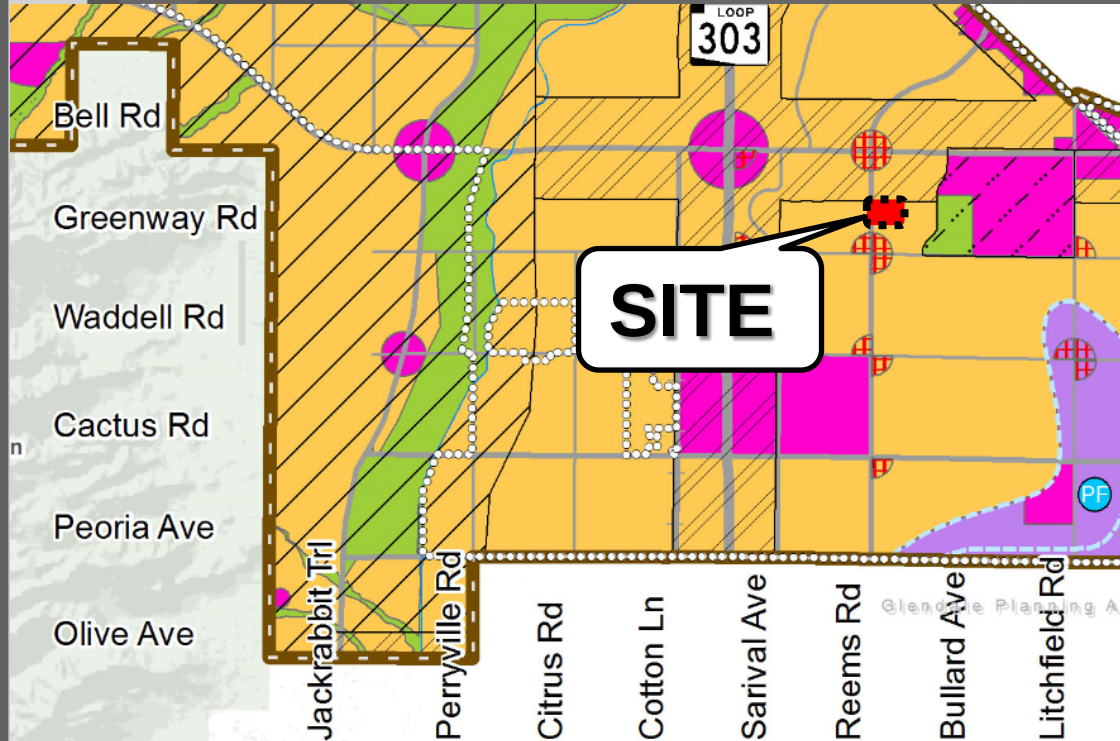
GENERAL PLAN



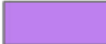
Character Areas

- Neighborhood**
 - Rural
 - Suburban
 - Urban
- Commerce & Office**
 - Mixed Use: Residential
 - Mixed Use: Commercial
 - Regional Commercial
 - Commercial Office
- Employment**
 - Business Park
 - Industrial
- Open Space**

GENERAL PLAN

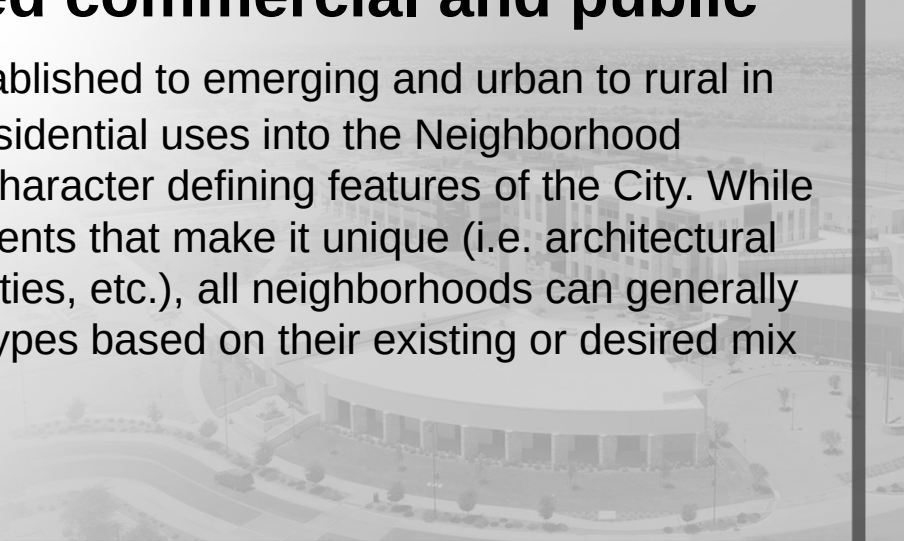


Character Areas

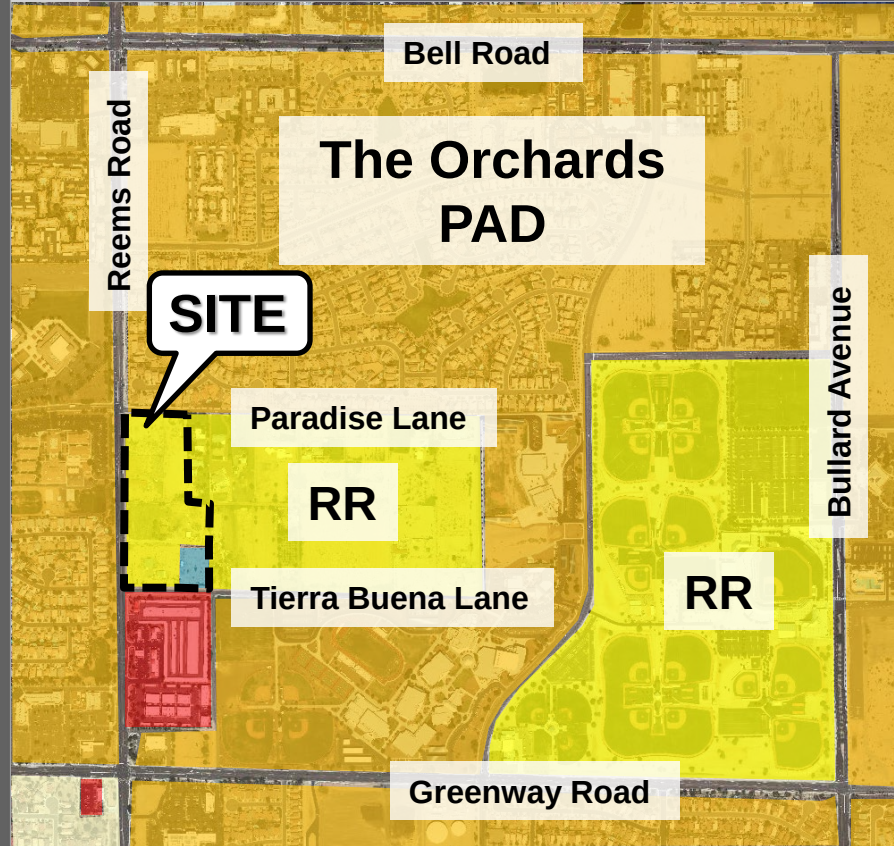
-  **Neighborhood**
 - Rural
 - Suburban
 - Urban
-  **Commerce & Office**
 - Mixed Use: Residential
 - Mixed Use: Commercial
 - Regional Commercial
 - Commercial Office
-  **Employment**
 - Business Park
 - Industrial
-  **Open Space**



GENERAL PLAN

- Covering the largest geographic planning area, the **Neighborhood Land Use Character Area** represents the various residential neighborhoods within Surprise. While neighborhoods are predominantly residential areas they can also be **supported by locally oriented commercial and public facility uses**, and can range from established to emerging and urban to rural in nature. The combination of the majority of residential uses into the Neighborhood Character Area makes this one of the most character defining features of the City. While each neighborhood can have particular elements that make it unique (i.e. architectural style, streetscape design, recreational amenities, etc.), all neighborhoods can generally be classified into three basic Development Types based on their existing or desired mix of uses, building type, and density.
- 

EXISTING ZONING



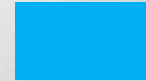
RR
Rural Residential



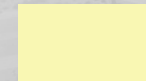
PAD
**Planned Area
Development**



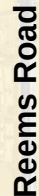
CC
Community Commercial



MR
**Medium Density
Residential**



RL
Low Density Residential



-



PUD REQUIREMENTS

Uses:

- Animal Hospitals, Clinic, and Boarding Facilities (CUP)
 - Arts and Craft Studios
 - Assisted Living Center
 - Athletic or Fitness Club, Commercial Recreation Facilities - Indoor
 - Banks – Without Drive Through Facilities
 - Barber/Beauty Shops
 - Funeral Home, Mortuary (CUP)
 - Galleries and/or Museums
 - Medical Clinic or Laboratory
- 



PUD REQUIREMENTS

Uses:

- Medical Office
 - Medical Outpatient Facility
 - Office
 - Photo Studios
 - Places of Worship
 - Printing or Copy Shops
 - Tailors
 - Travel Agencies
 - Utility Equipment Infrastructure
 - Wireless Communication Systems
- 



PUD REQUIREMENTS

Design Standards

- 24 Feet of Landscape Area
 - Eight (8) foot Decorative Wall
- 



SUMMARY

- Long History of Speculative Development





SUMMARY

- Long History of Speculative Development
 - City Council Direction to Provide a Comprehensive Solution
- 



SUMMARY

- Long History of Speculative Development
 - City Council Direction to Provide a Comprehensive Solution
 - Citizen Review on March 8, 2017
- 



SURPRISE
ARIZONA

**QUESTIONS OR
COMMENTS?**

Thank You



CITY OF SURPRISE
Planning and Zoning Commission

April 20, 2017 @ 6:00:00 PM

Back Print

Board Meeting Date:	April 20, 2017	Contact Person:	Sergio Angulo - Community Development
Submitting Department:	CD Boards and Commissions	District:	5
Staff Recommendations:	Approve		

Consent	Regular	Public Hearing	x	Report/Discussion
---------	---------	----------------	---	-------------------

Agenda Wording:

Consideration and action on the Conditional Use Permit to allow for a new Mini-Warehouse facility in Sierra Verde Parcel 11 generally located generally north of Waddell Road and west of Litchfield Road.

Motion:

I move to approve/deny the Conditional Use Permit to allow for a new Mini-Warehouse facility in Sierra Verde Parcel 11 generally located generally north of Waddell Road and west of Litchfield Road.

Background:

On November 15, 2016 1784 Capital Holdings submitted a request for a Conditional Use Permit to allow for a new Mini-Warehouse facility in Sierra Verde Parcel 11 generally located generally north of Waddell Road and west of Litchfield Road.

Financial Impact Statement:

All activity related to ongoing development of the City of Surprise has an economic and fiscal impact on the city and the region.

ATTACHMENTS:

Click to download

- ☐ [00 - FS16-512-Sierra Verde Self Storage-Conditional Use Permit-Staff Report](#)
- ☐ [01 - FS16-512 - Sierra Verde Self Storage - Conditional Use Permit - Vicinity Maps](#)
- ☐ [02 - FS16-512 - Sierra Verde Self Storage - Conditional Use Permit - Phasing Plan](#)
- ☐ [03 - FS16-512 - Sierra Verde Self Storage - Conditional Use Permit - Site Plan](#)
- ☐ [04 - FS16-512 - Sierra Verde Self Storage - Conditional Use Permit - Landscape Plan](#)
- ☐ [05 - FS16-512 - Sierra Verde Self Storage - Conditional Use Permit - Elevations](#)
- ☐ [06 - FS16-512 - Sierra Verde Self Storage - Conditional Use Permit - Luke AFB Comments](#)
- ☐ [07 - FS16-512 - Sierra Verde Self Storage - Conditional Use Permit - ADOT Comments](#)

- ☐ [08 - FS16-512 - Sierra Verde Self Storage - Conditional Use Permit - MWD Comments](#)
- ☐ [09 - FS16-512 - Sierra Verde Self Storage - Conditional Use Permit - Public Engagement Form](#)
- ☐ [10 - FS16-512 - Sierra Verde Self Storage - Conditional Use Permit - Presentation](#)

External Attachment Links:

Meeting Requirements:

Powerpoint x Video x White Board x Other x

Presentation Speaker Names (spelling and titles for TV captions):

Sergio Angulo, Planner

Conditional Use Permit

REPORT TO THE PLANNING AND ZONING COMMISSION

1	Case:	FS16-512
2		
3	Project Name:	Sierra Verde Self Storage
4		
5	Council District:	5 – PALM
6		
7	Meeting Date:	April 20, 2017
8		
9	Planner:	Sergio Angulo
10		
11		
12	Owner:	Levine Investments LP
13		
14	Applicant:	1784 Capital Holdings
15		
16	Request:	Conditional Use Permit for a Mini-Warehouse facility.
17		
18	Site Location:	Generally north of Waddell Road and west of Litchfield Road.
19		
20	Site Size:	4.8 Acres (approx.)
21		
22	General Plan Conformance:	The proposal is consistent with the Surprise General Plan 2035 as
23		proposed under case FS16-512.
24		
25	Support/Opposition:	Surprise residents from the vicinity attended the Citizen Review
26		Meeting. Some were in support and some in opposition.
27		
28	Staff Recommendation:	Staff recommends the Commission move to approve case FS16-512,
29		subject to stipulations 'A' - 'C'.

30 **Existing Land Zoning:**



PAD (Single Family Residential)	PAD (Employment)	RL – 5 (Single Family Residential)
PAD (Single Family Residential)	PAD (Employment)	RL – 5 (Single Family Residential)
PAD (Single Family Residential)	PAD (Commercial)	CC (Community Commercial)

31 **History:**

32

33 **February 25, 1999:** The subject parcel was annexed into the City.

34

35 **August 7, 2003:** The Mayor and City Council approved the rezone of the subject parcel from R1-43
36 to PAD.

37

38 **August 25, 2016:** Staff met with the applicant to discuss the project during a regularly scheduled
39 Concept Review meeting under CR16-351.

40

41 **November 22, 2016:** The applicant filed a request for a Conditional Use Permit approval for a new
42 Mini-Warehouse facility.

43

44 **December 28, 2016:** The applicant held a Citizen Review Meeting which was properly advertised.

45 **Citizen Outreach**

46
47 As mentioned above, the applicant held a Citizen Review Meeting on December 28, 2016 in the
48 Residence Inn located at 16418 N. Bullard Avenue. Surprise residents from the vicinity attended to
49 ask questions about the projects and voice their concerns. The major concerns were in regards to
50 the use and how that will impact the surrounding property values. Others questioned the need for
51 another storage facility along Litchfield Road. Some were in support, given the range of uses that
52 are permitted on the site; a Mini-Warehouse facility will be less intense.

53
54 **Project Description:**

55
56 1784 Capital Holdings requests approval of a Conditional Use Permit to allow for a new Mini
57 Warehouse facility in a portion of Parcel 11 of the Sierra Verde PAD generally located north of
58 Waddell Road and west of Litchfield Road. The proposed facility consists of 850 storage units and 59
59 covered parking units for Recreational Vehicles.

60
61 The PAD permits uses that are compatible with military airport operations. These land uses includes
62 permitted uses under Title 17 in commercial, business park and light industrial zones. Title 17 Mini-
63 Warehouses as Conditionally Permitted in C-3 zoning districts, but requires an analysis of any
64 proposed Conditionally Permitted Use to be based on the use specific standards listed under
65 section 17.28.090.C.19. of Title 17. These standards include the following:

- 66
67 1. Minimum site size shall be one acre.
68 2. On-site circulation, drives and parking:
69 a. Each mini-warehouse site shall provide a minimum of two exits.
70 b. All one-way driveways shall provide for one ten-foot parking lane and one fifteen-
71 foot travel lane. Traffic direction and parking shall be designated by signing or
72 painting.
73 c. All two-lane driveways shall provide for one ten-foot parking lane and two twelve-
74 foot travel lanes.
75 d. The parking lanes may be eliminated when the driveway does not serve storage
76 cubicles.
77 e. At least one parking space for each ten storage cubicles equally distributed
78 throughout the storage area shall be provided.
79 f. All driveways, parking, loading, and circulation areas shall be paved with concrete,
80 asphalt or asphaltic concrete.
81 3. Fencing and screening:
82 a. Fencing shall be required around the perimeter of the property and constructed of
83 decorative concrete block or chain link fence with slats, as approved by the planning
84 and zoning commission.
85 b. All outdoor storage shall be limited to recreational vehicles and shall be screened
86 from view from surrounding properties
87 4. Setbacks: Any side of a building providing doorways to storage areas shall be set back from
88 the property line not less than twenty-five feet side and rear yard setbacks, otherwise may

89 be zero provided the building is of the same material and structure as the fencing. If not of
90 the same material, the rear yard setback shall be at least fifteen feet.

91 5. Masonry trash enclosures shall be installed subject to the approval of the planning and
92 zoning commission.

93 6. No auctions, commercial sales, garage sales or similar activities shall be conducted on the
94 premises.
95

96 This Conditional Use Permit application has been reviewed against those standards. Staff finds that
97 this Conditional Use Permit application conforms to the requirements set under this section of Title
98 17.
99

100 The site proposes two (2) access points; one (1) on the east side from Litchfield Road and one (1)
101 exit only drive on the west from 140th Drive. The applicant also proposes two (2) future access
102 drives to the development to the north, one (1) on the northeast and the other on the northwest of
103 the property. Access to the storage units and Recreational Vehicle parking is gated and will be
104 monitored 24-hours a day by security cameras.
105

106 The facility consists of five (5) buildings which will be built in two (2) phases. Building A (the main
107 building) is proposed to face Litchfield Road, Building B to face 140th Drive; these two will be built in
108 the first phase. Buildings C, D, and E are proposed be located along the south of the property and
109 will also serve as the perimeter fence; these will be built as part of the second phase. Building A will
110 be a three-story building and will consist of an office and climate-controlled storage units. The total
111 proposed building area is 119,957 square feet.
112

113 Forty (40) Recreational Vehicle covered parking spaces will be located at the center of property and
114 nineteen (19) are proposed to be located along the north of the property. Regular parking stalls are
115 proposed in the front of Building A for the public, and also inside the facility for customers. The
116 trash enclosure is proposed to be inside the facility and will be fully screened from public view.
117

118 The proposed landscape meets the requirements of the SUDC and of the Sierra Verde PAD. On-site
119 the applicant is proposing 17% of landscape coverage, which meets the 15% minimum
120 requirement. The landscape palette along Litchfield Road and 140th Drive will stay consistent with
121 the existing landscape along the right-of-way. Additionally, a screening wall and landscaping along
122 Litchfield Road will help screen the parking spaces on the east side of the property.
123

124 The proposed building color and material palette is similar to what was used for the Fry's located
125 south of the subject site. The proposed exterior design will complement the existing architecture on
126 the adjacent property to the south, and most importantly, the buildings facing Litchfield Road and
127 140th Drive are enhanced so that they do not resemble a storage facility.
128

129 The applicant also included a lighting photometric study with the application which meets the
130 lighting requirements of the SUDC.

This Conditional Use Permit application is in conjunction with a related Final Plat to reconfigure three (3) lots within Parcel 11 of Sierra Verde. This Final Plat is being processed under the same case number. The City Council will take action on the Final Plat on May 2, 2017.

Summary:

Staff believes the proposed Conditional Use Permit and Site Plan meet the requirements of the Sierra Verde PAD, SUDC, and the General Plan.

Findings:

- The proposed Conditional Use Permit and Site Plan are consistent with the Surprise General Plan 2035.
- The proposed Conditional Use Permit and Site Plan meet the provisions of the Sierra Verde PAD and the SUDC as applicable.

Recommendation:

Based on the findings noted above, staff recommends the Commission move to **approve** case FS16-512, subject to stipulations 'A' - 'C' as outlined below:

- A. This Conditional Use Permit is valid for one (1) year after approval by the Planning and Zoning Commission. This Conditional Use permit shall expire on the one (1) year anniversary of approval, unless construction commences prior to that date.
- B. This Conditional Use Permit is considered Not Approved until which time the accompanying Final Plat under the same case number, FS16-512, is approved by the Mayor and City Council.
- C. Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the provisions of Article XIV of the Surprise Unified Development Code.

However, should the Commission wish to recommend **denial** of the request, the Commission should make its own findings and base its decision on those alternative findings.

Attachments:

- 01 Vicinity Maps
- 02 Phasing Plan
- 03 Site Plan
- 04 Landscape Plan
- 05 Elevations
- 06 Luke AFB Comments
- 07 ADOT Comments
- 08 MWD Comments

VICINITY MAP



VICINITY MAP





SURPRISE
ARIZONA

FS16-512

**Sierra Verde Self Storage
Conditional Use Permit**

Planning & Zoning Commission

April 20, 2017

VICINITY MAP

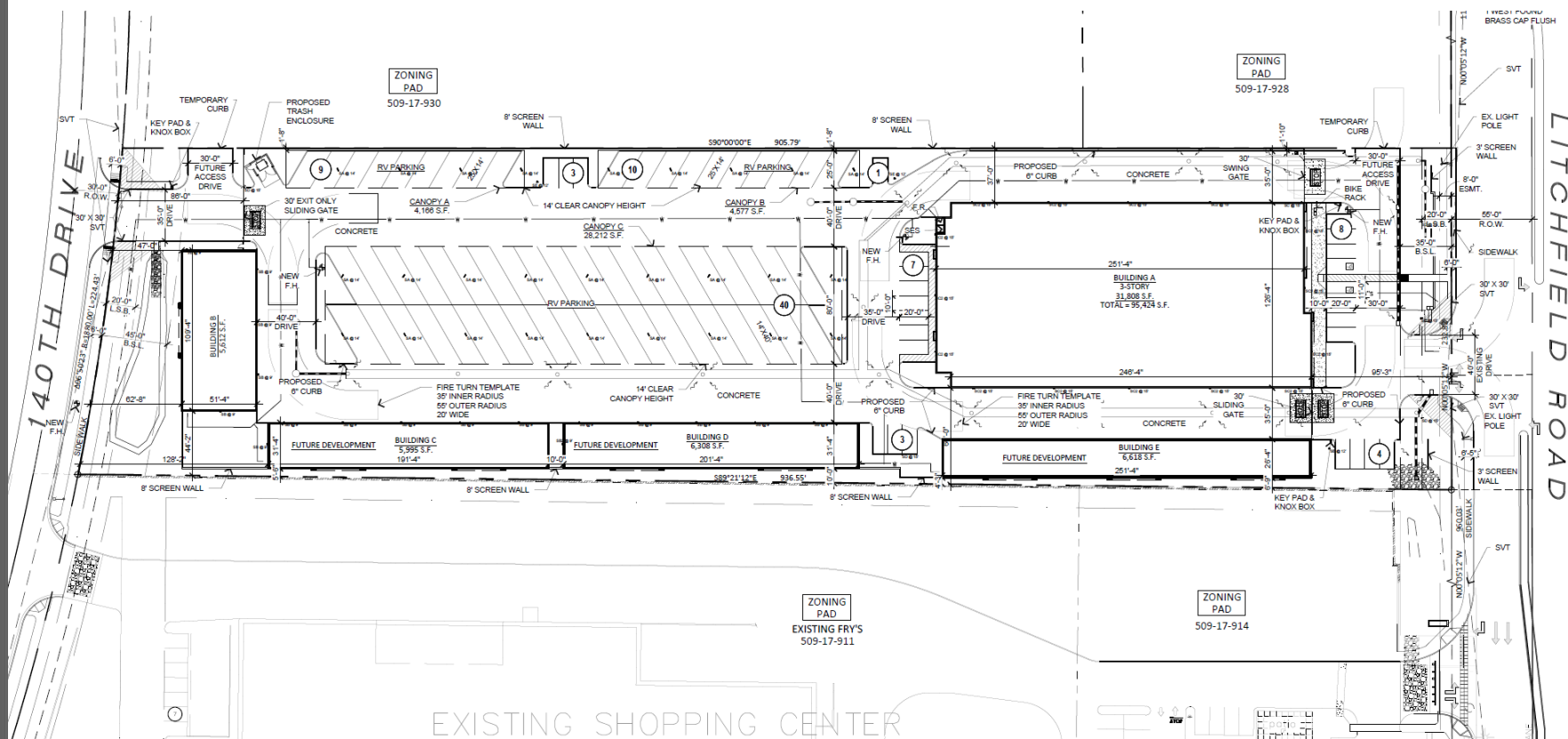


VICINITY MAP

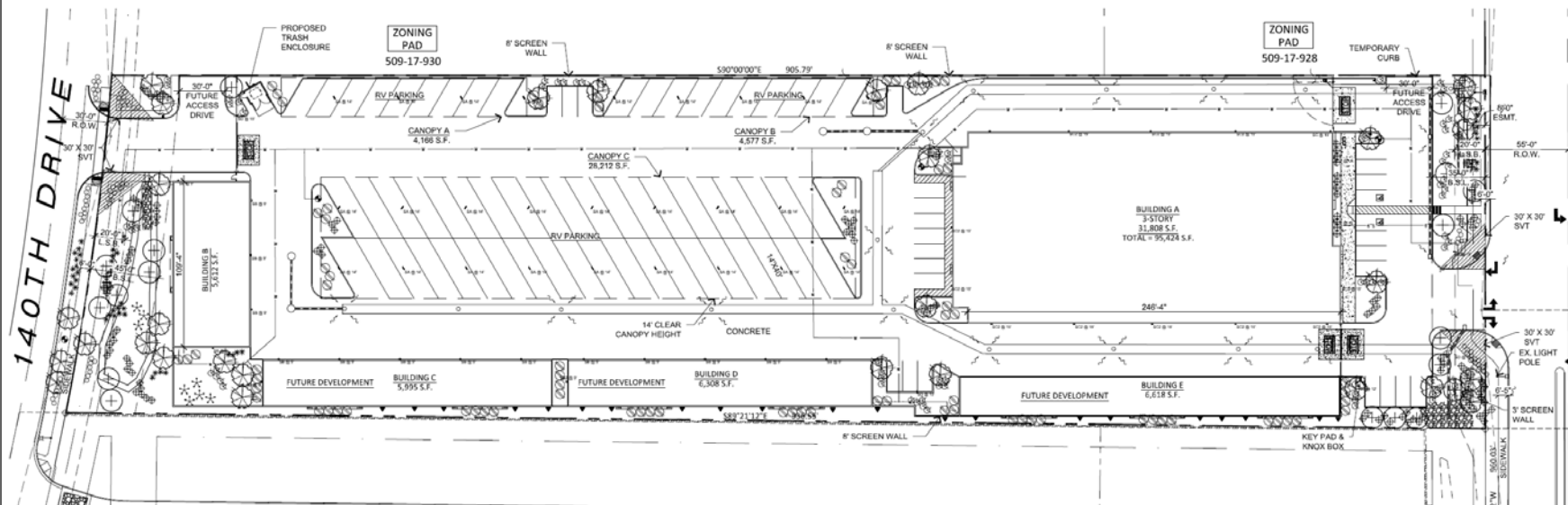


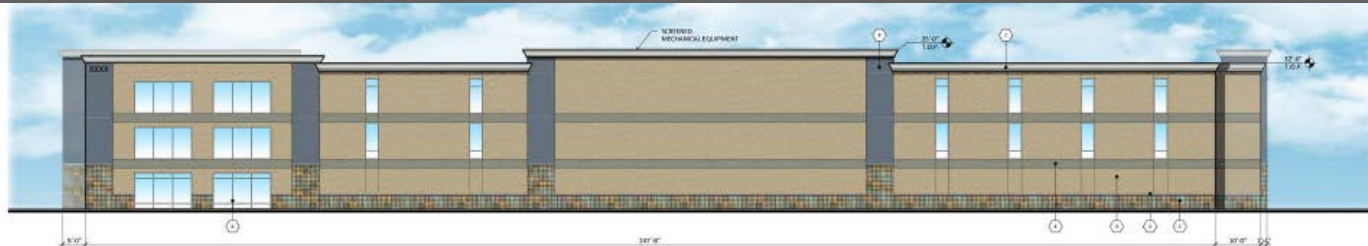
SURROUNDING ZONING





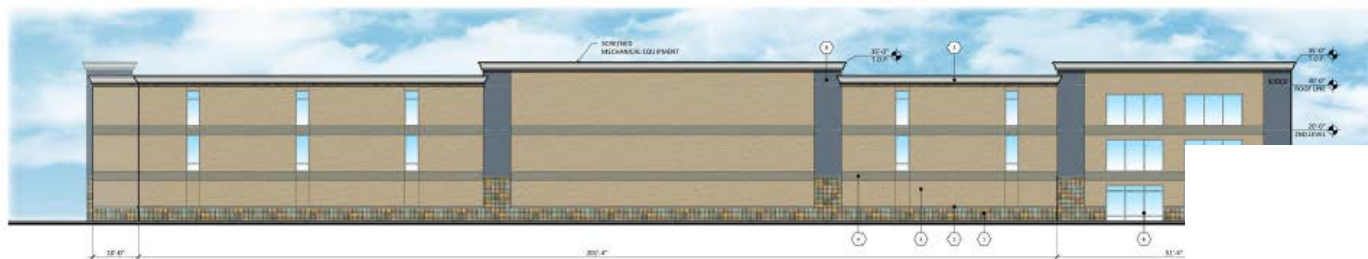
140TH DRIVE





NORTH ELEVATION (BUILDING A)

SCALE: 3/32" = 1'-0"



SOUTH ELEVATION (BUILDING A)

SCALE: 3/32" = 1'-0"



EAST ELEVATION (BUILDING A)

SCALE: 3/32" = 1'-0"



WEST ELEVATION (BUILDING A)

SCALE: 3/32" = 1'-0"



EAST ELEVATION (BUILDING B)

SCALE: 1/8" = 1'-0"



WEST ELEVATION (BUILDING B)

SCALE: 1/8" = 1'-0"



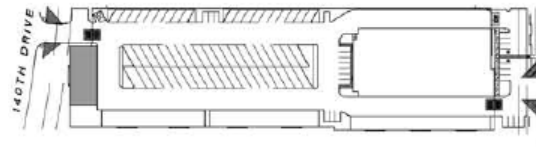
NORTH ELEVATION (BUILDING B)

SCALE: 1/8" = 1'-0"



SOUTH ELEVATION (BUILDING B)

SCALE: 1/8" = 1'-0"





NORTH ELEVATION (BUILDING C)

SCALE: 1/8" = 1'-0"



SOUTH ELEVATION (BUILDING C)

SCALE: 1/8" = 1'-0"



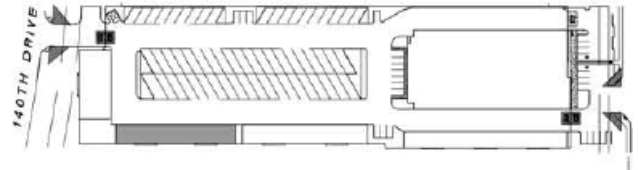
EAST ELEVATION (BUILDING C)

SCALE: 1/8" = 1'-0"



WEST ELEVATION (BUILDING C)

SCALE: 1/8" = 1'-0"





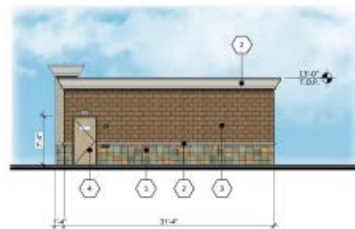
NORTH ELEVATION (BUILDING D)

SCALE: 1/8" = 1'-0"



SOUTH ELEVATION (BUILDING D)

SCALE: 1/8" = 1'-0"



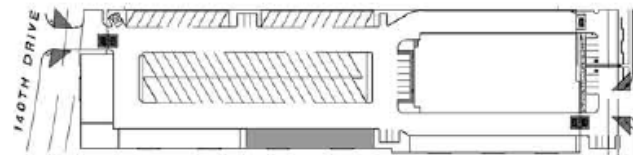
EAST ELEVATION (BUILDING D)

SCALE: 1/8" = 1'-0"



WEST ELEVATION (BUILDING D)

SCALE: 1/8" = 1'-0"





NORTH ELEVATION (BUILDING E)

SCALE: 1/8" = 1'-0"



SOUTH ELEVATION (BUILDING E)

SCALE: 1/8" = 1'-0"



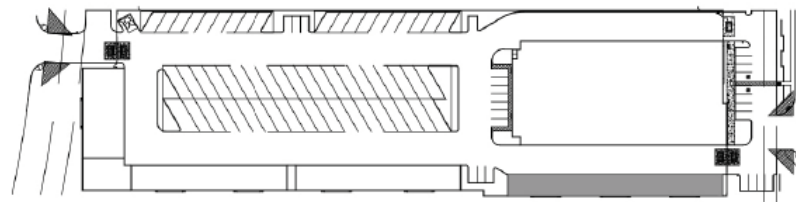
EAST ELEVATION (BUILDING E)

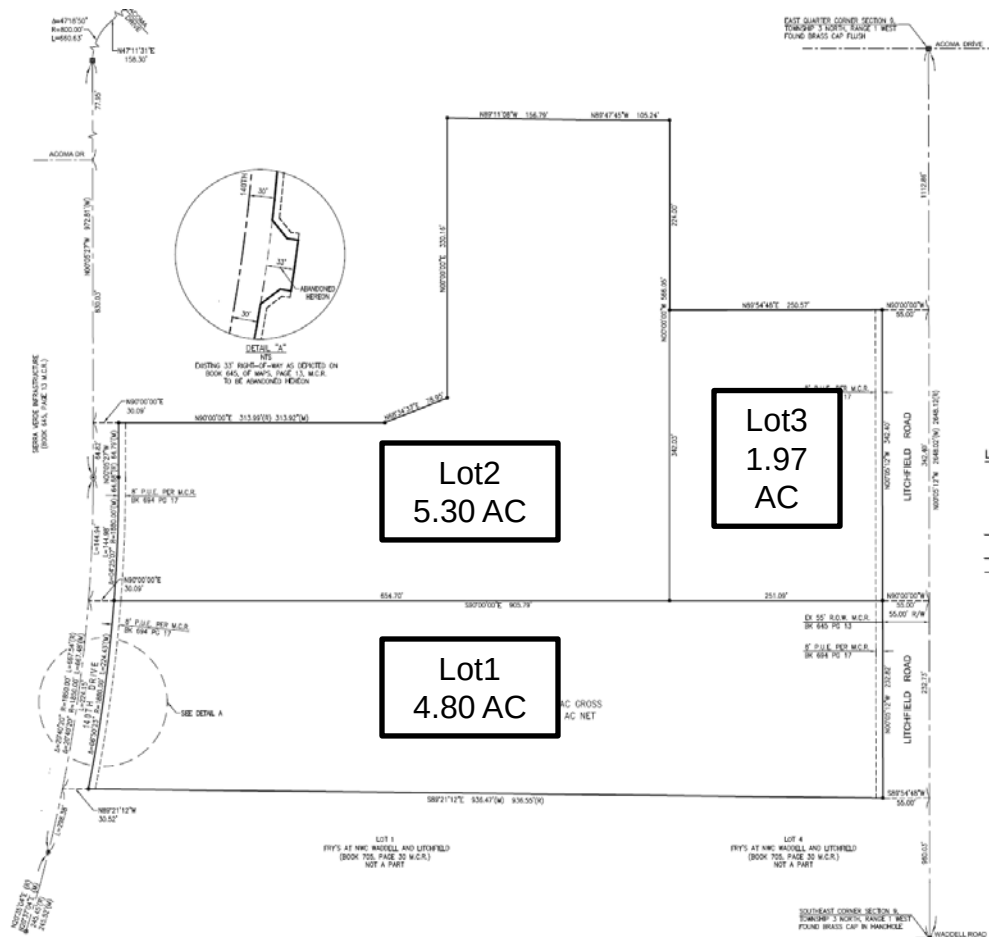
SCALE: 1/8" = 1'-0"



WEST ELEVATION (BUILDING E)

SCALE: 1/8" = 1'-0"



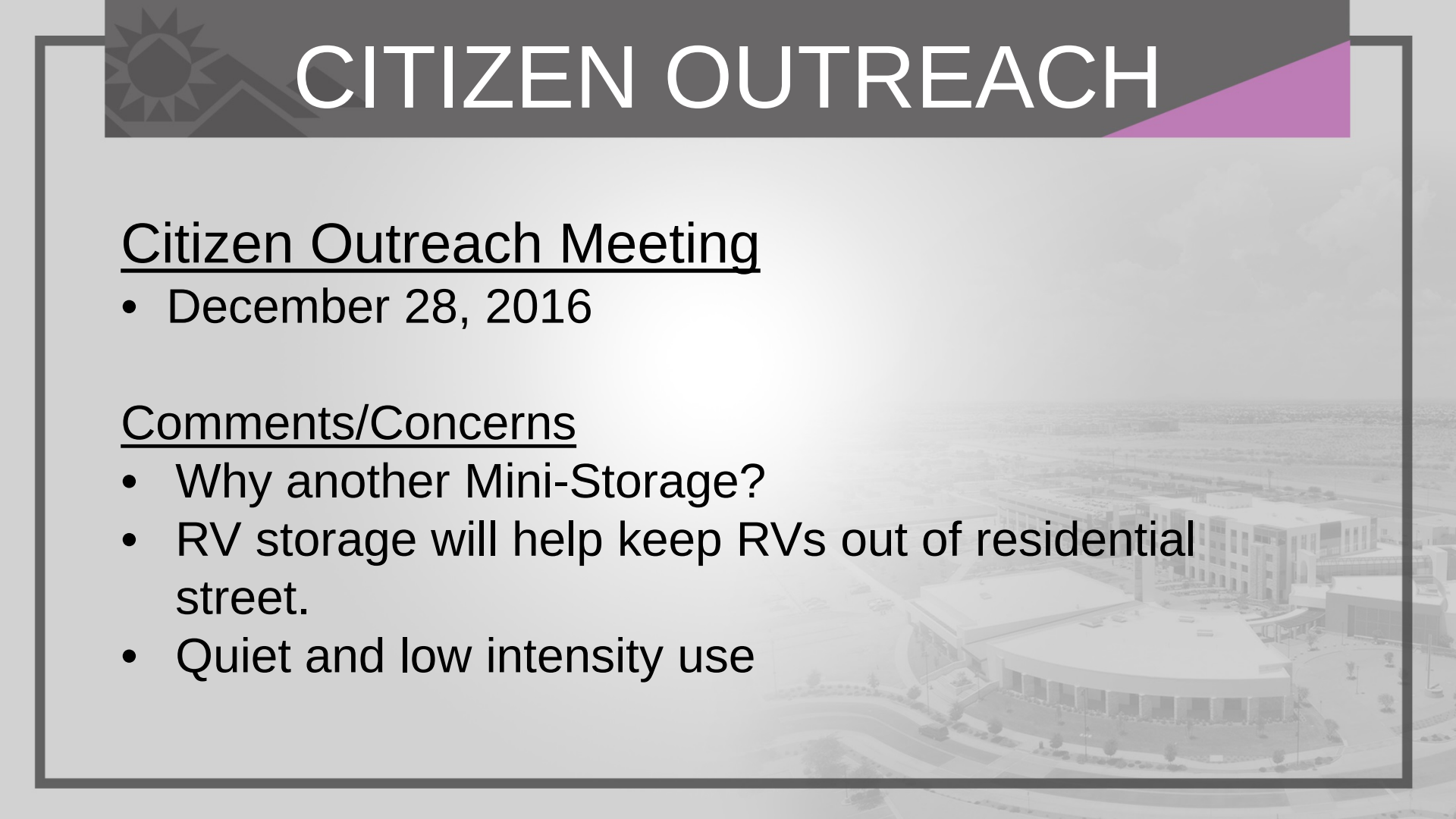


LEGEND

- * FOUND BRASS CAP OR AS NOTED.
 ○ FOUND 1/2" NAIL AT PROPERTY CORNER OR AS NOTED, N & E OF CORNER.
 * SET 1/2" NAIL BORN B&B CAP, L.S. 25000 OR AS NOTED, TO BE SET AT COMPLETION OF MAJOR GRADING.
 _____ PROPERTY LINE LOT CORNER SET 1/2" NAIL CAP 1825000 (UNLESS OTHERWISE NOTED)
 _____ SUBSEQUENT BOUNDARY LINE
 _____ EASE
 PUE PUBLIC UTILITY EASEMENT
 R/W RIGHT-OF-WAY



CITIZEN OUTREACH



Citizen Outreach Meeting

- December 28, 2016

Comments/Concerns

- Why another Mini-Storage?
- RV storage will help keep RVs out of residential street.
- Quiet and low intensity use

STAFF RECOMMENDATION

Staff Recommendation:

- Approval subject to Stipulations 'A' – 'C'





SURPRISE

ARIZONA

**QUESTIONS OR
COMMENTS?**

Thank You

PROJECT DIRECTORY

DEVELOPER:
1784 CAPITAL HOLDINGS
7373 NORTH SCOTTSDALE ROAD, SUITE B270
SCOTTSDALE, ARIZONA 85253
CONTACT: KELLY MCKONE
PHONE: (602) 885-2552
E-MAIL: kmckone@1784holdings.com

ARCHITECT:
ROBERT KUBICEK ARCHITECTS & ASSOCIATES
2233 EAST THOMAS ROAD
PHOENIX, ARIZONA 85016
CONTACT: ROBERT KUBICEK
PHONE: (602) 955-3900
FAX: (602) 955-0496
E-MAIL: rkubicek@rkaa.com

SITE DATA

EXISTING ZONING: PAD
GROSS SITE AREA: 5.24 ACRES (228,403 S.F.)
NET SITE AREA: 4.80 ACRES (209,254 S.F.)
APN: 509-17-930, 509-17-928, 509-17-929

PROPOSED USE: SELF-SERVICE STORAGE FACILITY
BUILDING HEIGHT: 35'

BUILDING AREA: PHASE 1
BUILDING A (3-STORY): 95,424 S.F.
BUILDING B: 5,612 S.F.
BUILDING AREA: PHASE 2
BUILDING C: 5,995 S.F.
BUILDING D: 6,308 S.F.
BUILDING E: 6,618 S.F.

TOTAL BUILDING AREA: 119,957 S.F.

CANOPY A: 4,166 S.F.
CANOPY B: 4,577 S.F.
CANOPY C: 28,212 S.F.

SITE COVERAGE: (93,296 S.F./209,254 S.F.) 45%
MIN. 15% LANDSCAPE: (34,631 S.F./209,254 S.F.) 17%

TOTAL PARKING REQUIRED: 26 SPACES

BUILDING S.F. (119,957 S.F.)
WAREHOUSING: MINI STORAGE
@ 1/35 STORAGE SPACES = 850 UNITS/35 = 24 SPACES
MANAGER'S OFFICE = 2 SPACES

BICYCLE SPACES
WAREHOUSING: MINI STORAGE
@ 1/20 VEHICLE SPACES = 2 SPACES REQUIRED
6 SPACES PROVIDED

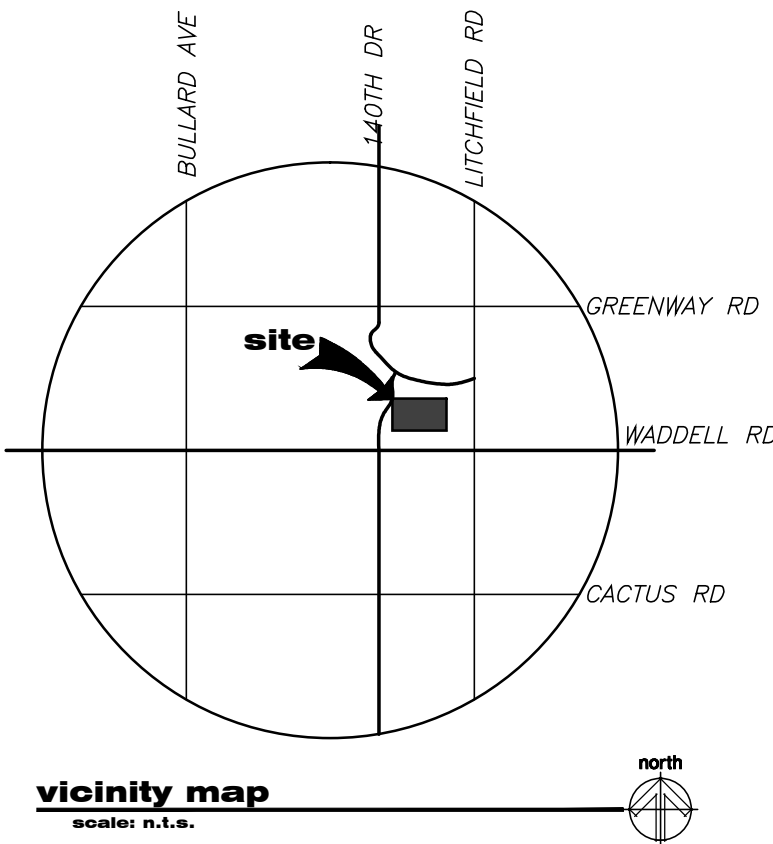
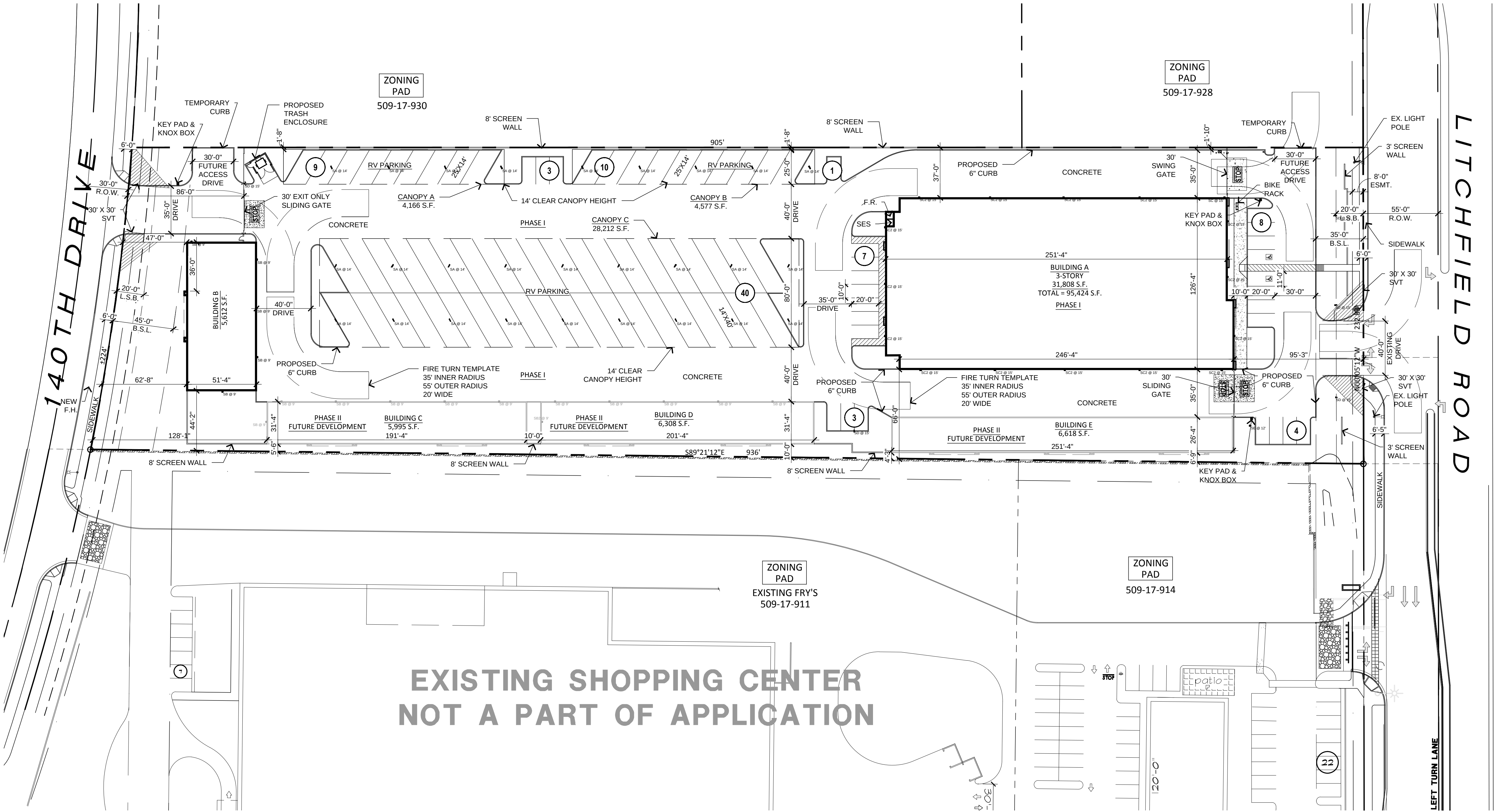
TOTAL PARKING PROVIDED (INCLUDING RV PARKING): 85 SPACES

ACCESSIBLE SPACES REQUIRED: 2 SPACES
ACCESSIBLE SPACES PROVIDED: 2 SPACES

NOTES

- ALL SIGNAGE TO BE ADDRESSED UNDER SEPARATE PERMIT
- ALL LANDSCAPING SHALL BE INSTALLED IN PHASE 1

DEVELOPMENT STANDARDS		
DESCRIPTION	CODE	PROPOSED
NORTH BUILDING SETBACK (SIDE)	0' MIN (TO CANOPY)	1'-8"
EAST BUILDING SETBACK (FRONT YARD)	35' MIN ADJACENT TO ROAD	95'-3"
SOUTH BUILDING SETBACK (SIDE YARD)	0' MIN (FRY'S SHOPPING CENTER SIDE)	4'-3"
WEST BUILDING SETBACK (REAR YARD)	45' ADJACENT TO ROAD (BUILDING B)	47'-0"
FRONT LANDSCAPE SETBACK	20'-0"	20'-0"
REAR LANDSCAPE SETBACK	20'-0"	20'-0"

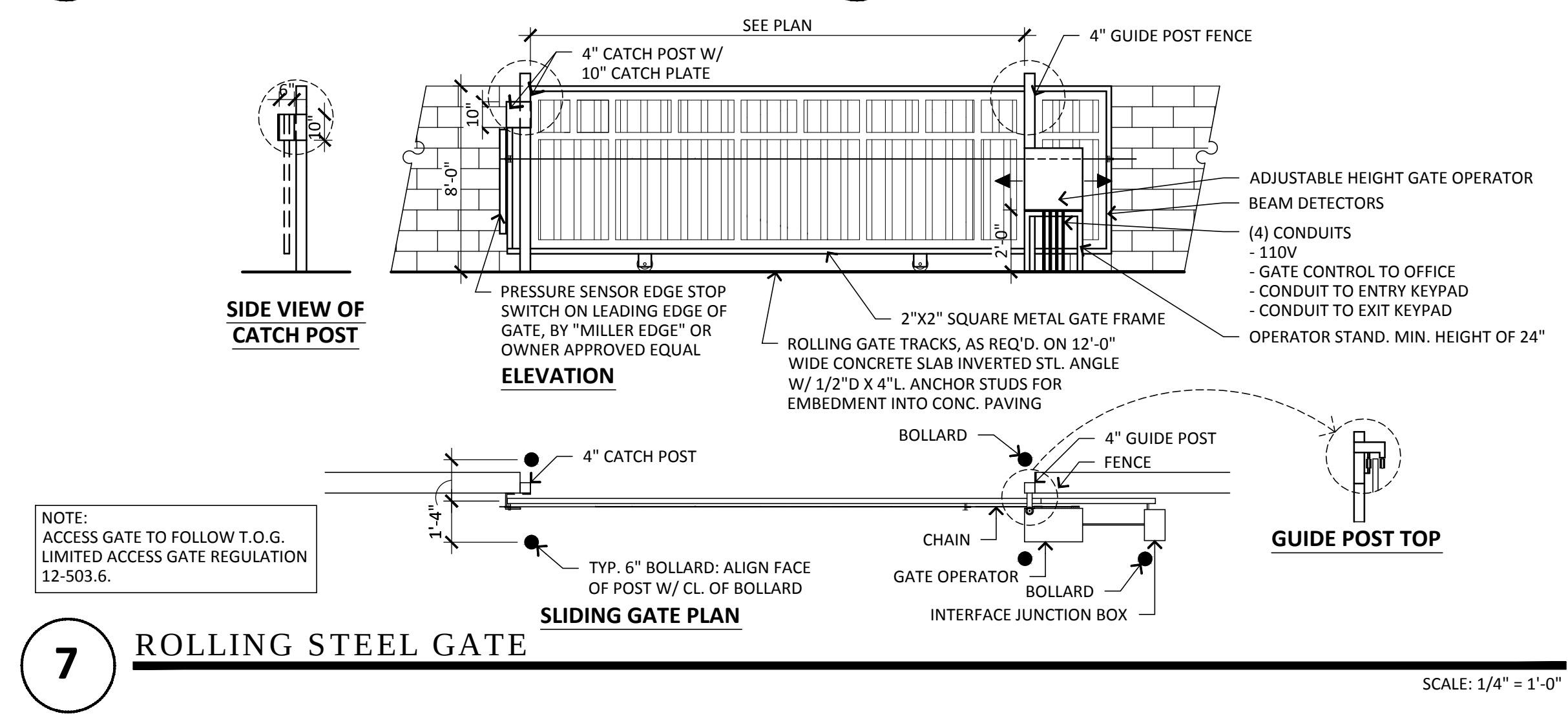
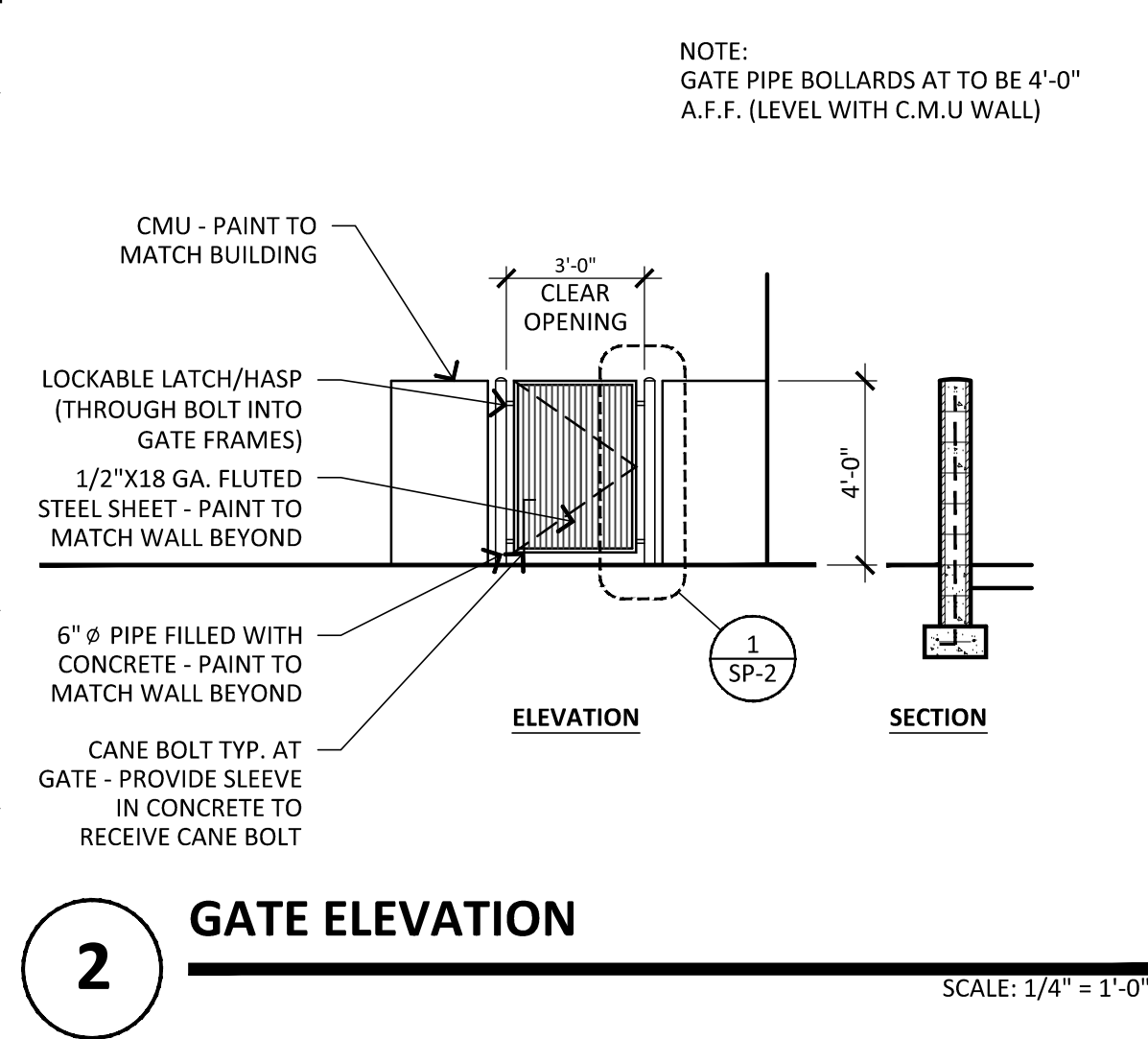
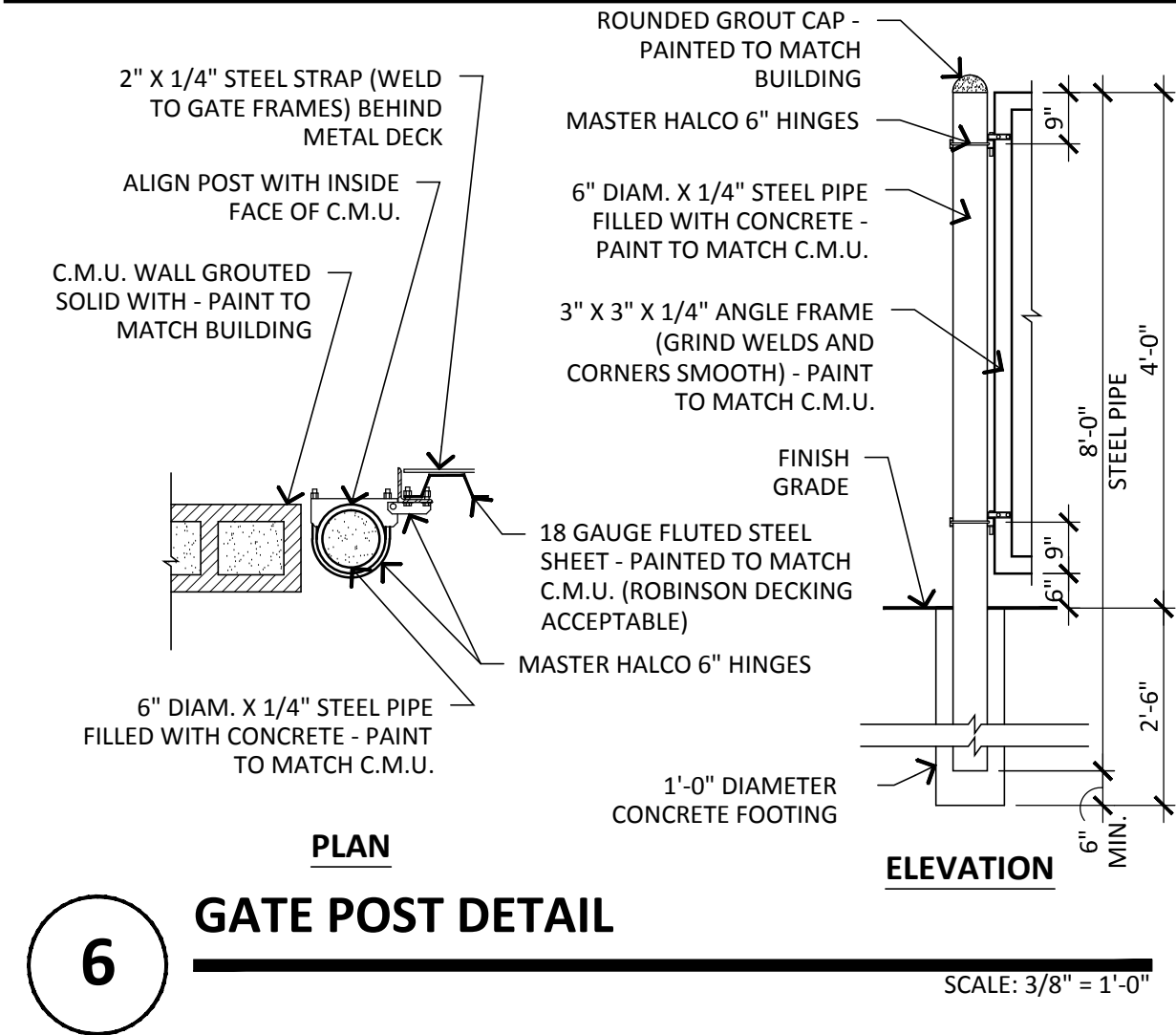
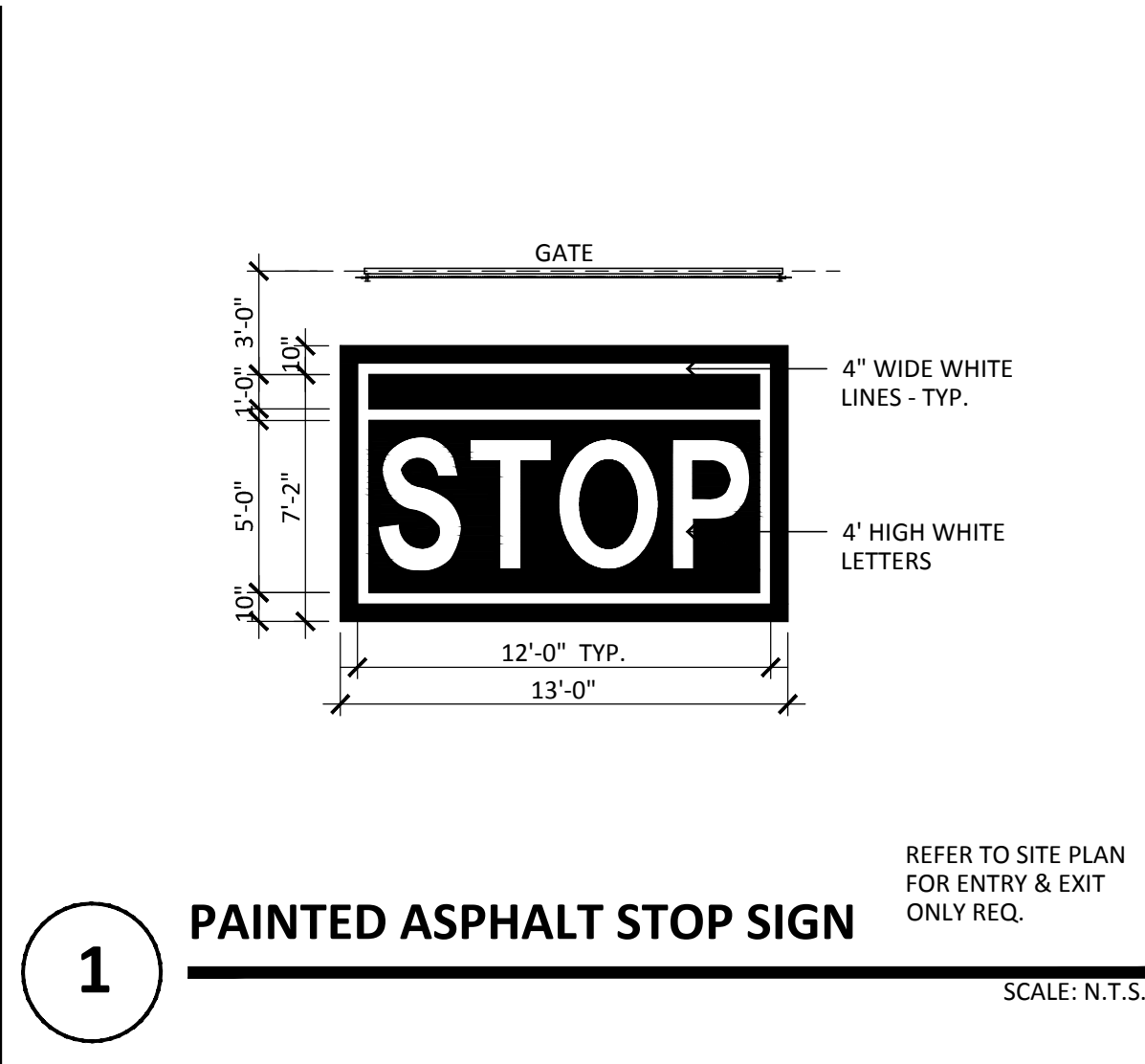
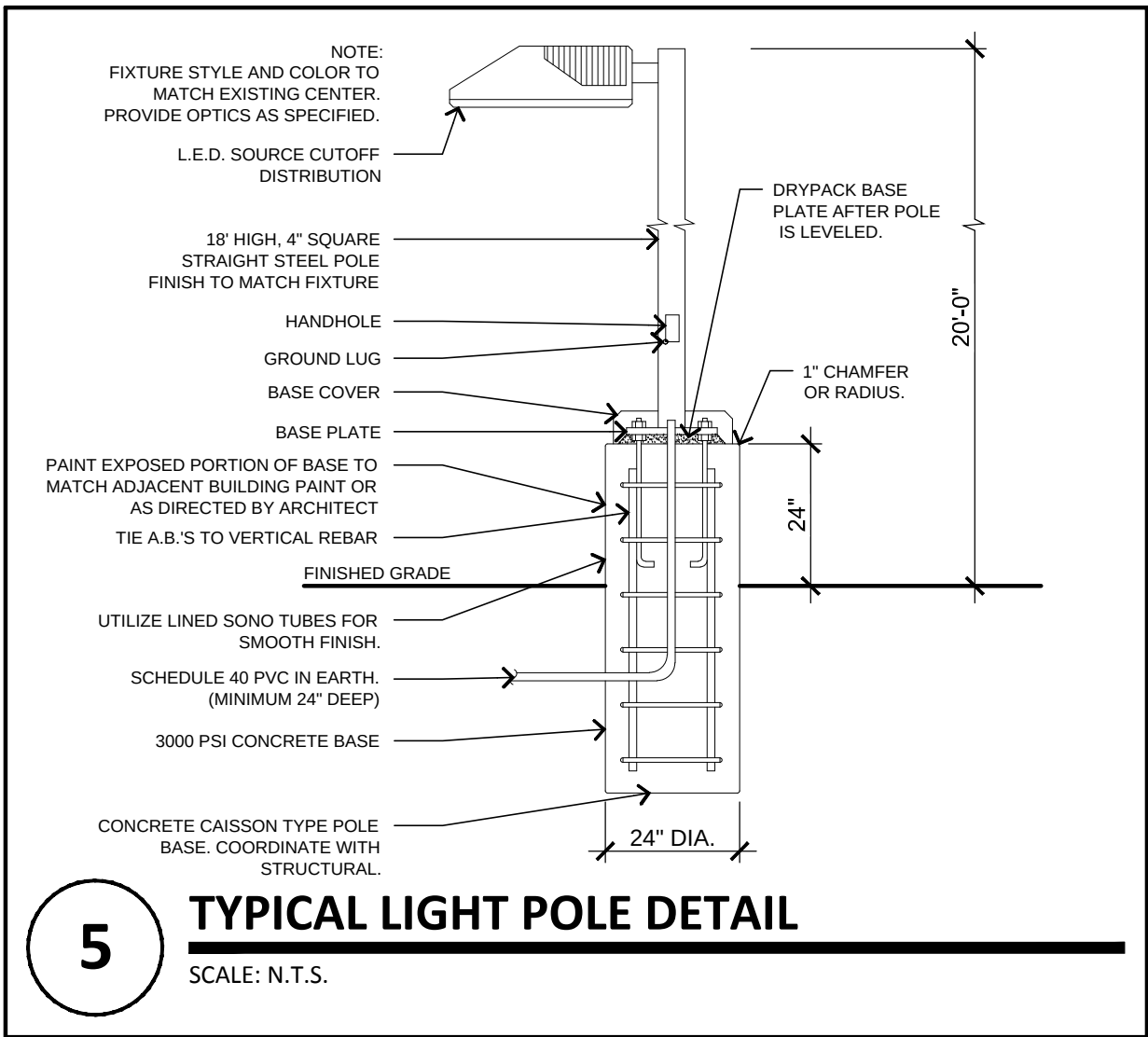


PHASEING PLAN
SCALE: 1" = 40'-0"

SIERRA VERDE SELF-STORAGE
NWC WADDELL ROAD & LITCHFIELD ROAD
SURPRISE, ARIZONA
DATE: 01-31-2017



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NOTES

1. BICYCLE RACK HOLDS 6 BICYCLES

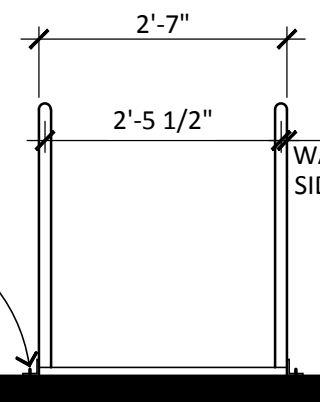
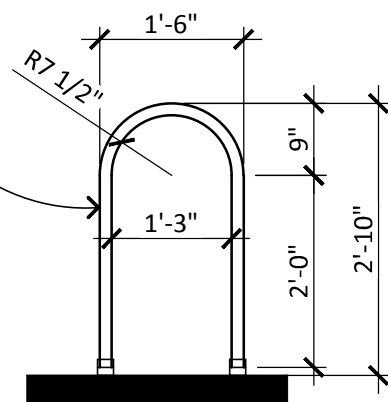
2. FINISH TO BE WEATHER RESISTANT,
BAKED-ON POWDER POLYMER
COATING

3. ANCHOR BACK TO CONCRETE WITH
3/8" DIA. X 2-1/2" WEDGE ANCHORS (4
REQUIRED) OR SET TUBING 12"
BELOW GRADE IN 24" DEEP X 6" WIDE
CONCRETE FOOTING

UPRIGHT SUPPORTS
1-1/2" O.D. STEEL
TUBING, 11 GAUGE
WELD TO BASE

1/8" X 2" X 2" X 0'-2"
ANGLE ANCHOR
BRACKETS WITH 1/2"
DIA. HOLE, WELD TO
BASE (4 REQUIRED)

2'-0" MIN. CLEARANCE FROM
WALLS OR OBSTRUCTIONS ON BOTH
SIDES AND BACK. FRONT TO HAVE A
6'-0" MIN. CLEAR AREA



1/8" X 2" X 2" X 2" ANGLE
ANCHOR BRACKETS WITH
1/2" DIA. HOLE, WELD TO
BASE (4 REQUIRED)

1'-3 1/2"

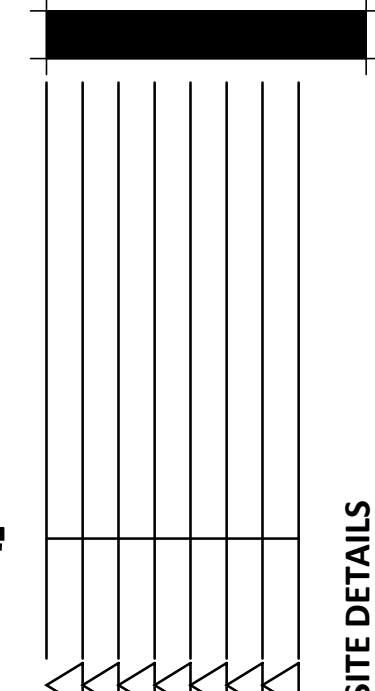
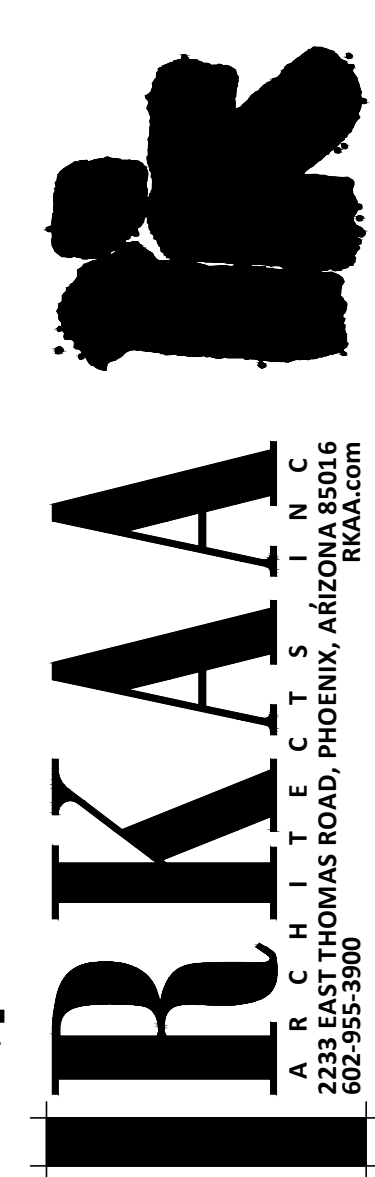
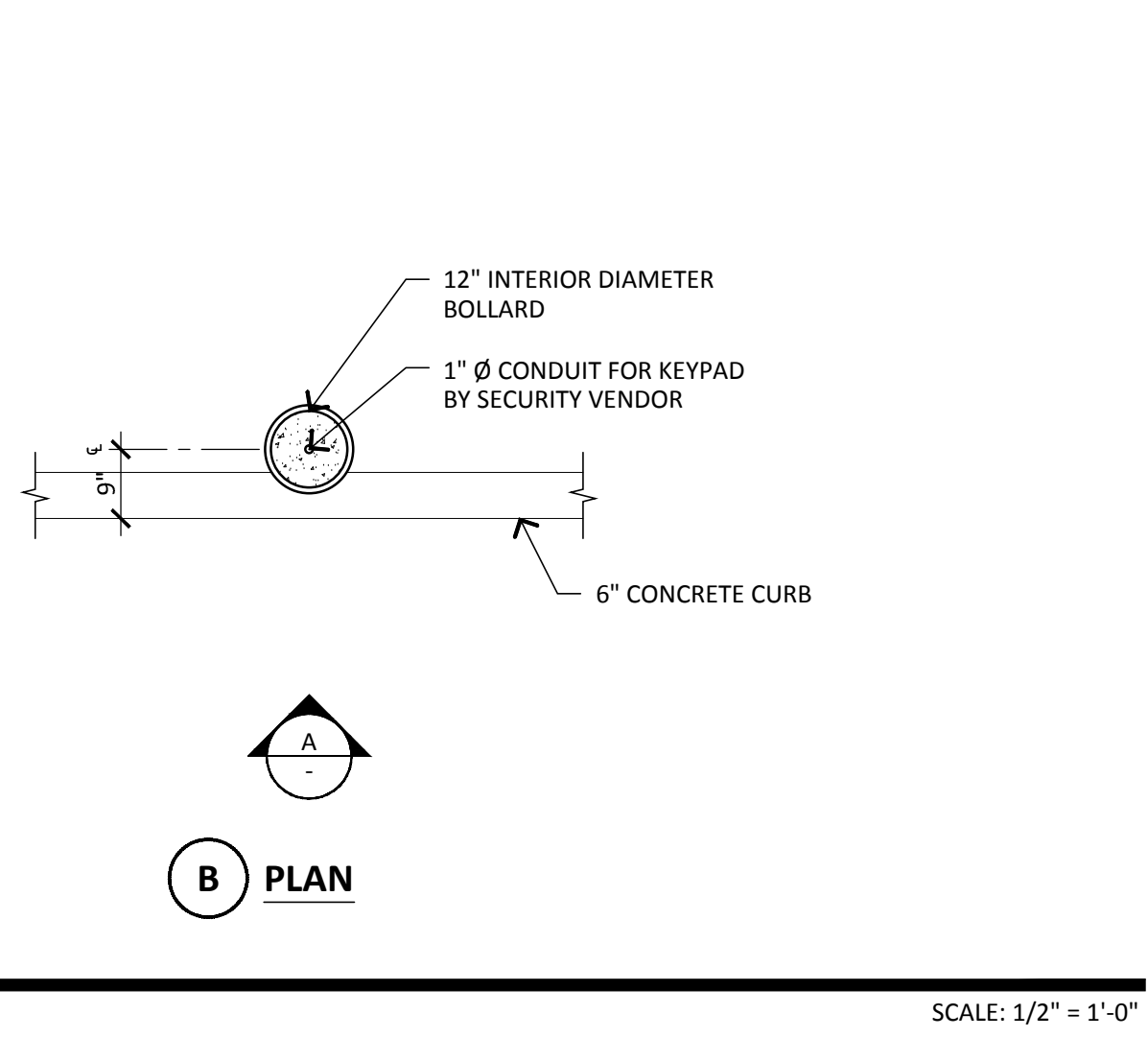
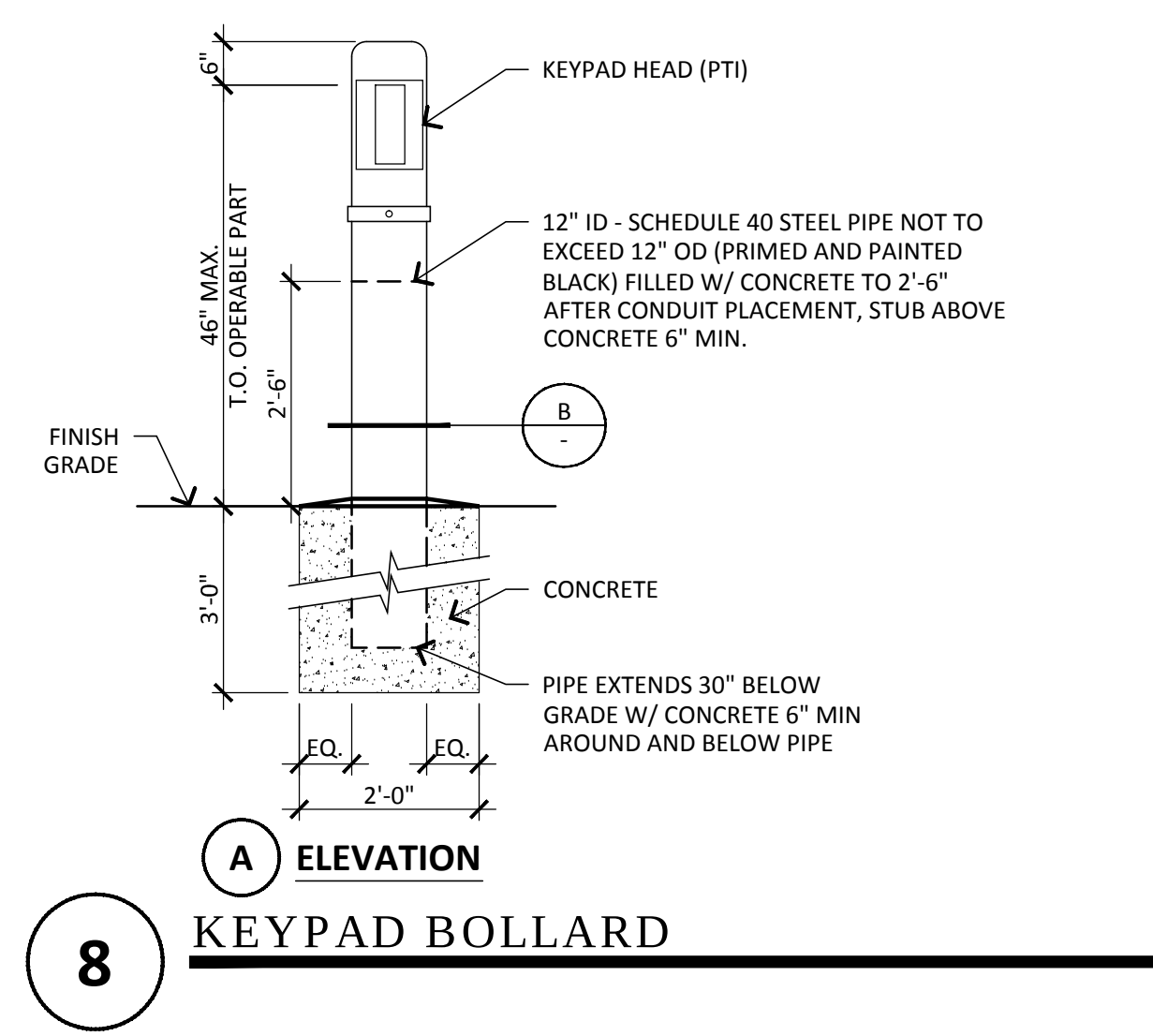
1'-5 1/2"

16

BICYCLE RACK

02

SCALE: 1/2" = 1'-0"



NOTICE OF ALTERNATE BILLING OR PAYMENT CYCLE:
THIS CONTRACT MAY ALLOW THE OWNER TO REQUIRE
THE SUBMISSION OF BILLING OR ESTIMATES IN
BILLING CYCLES OTHER THAN THIRTY DAYS. THIS
CONTRACT MAY ALLOW OWNER TO MAKE PAYMENT
ON THE BASIS OF A LATER DATE. THE OWNER'S
CERTIFICATION AND APPROVAL OF BILLING AND
ESTIMATES, A WRITTEN DESCRIPTION OF SUCH CYCLE
BILLING CYCLE APPLICABLE TO THE PROJECT IS
AVAILABLE FROM OWNER OR DESIGNATED AGENT.

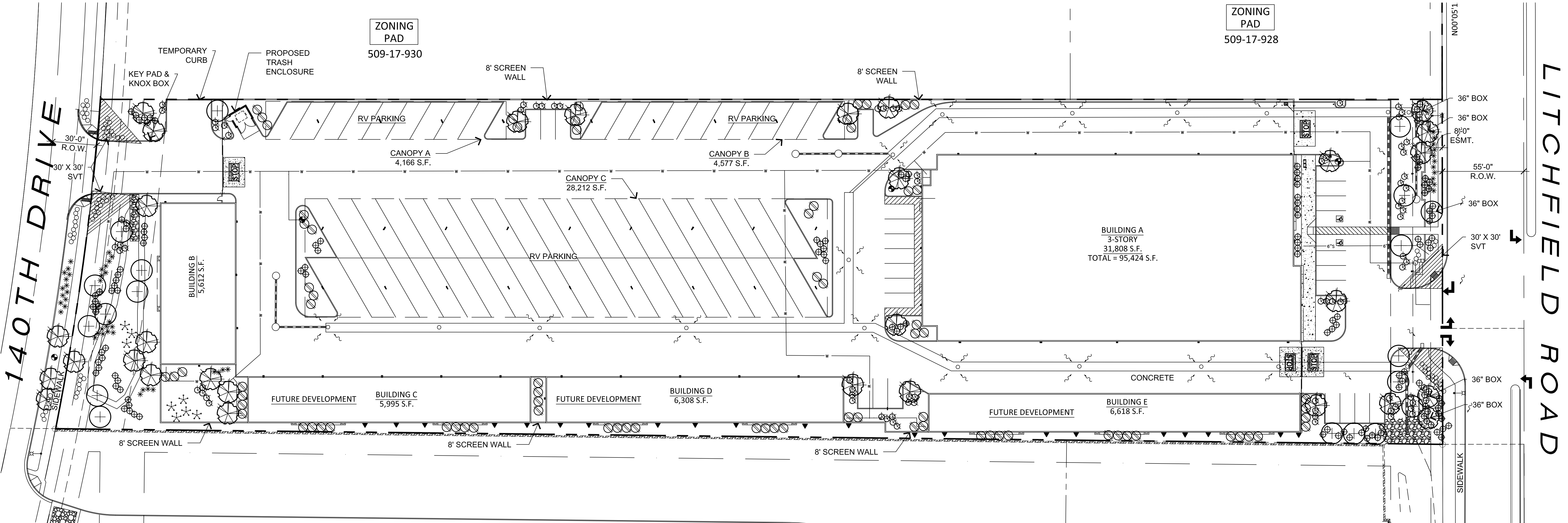
NAME
ADDRESS
CITY
CONTACT NAME
PHONE

SIERRA VERDE SELF-STORAGE
NWC WADDELL ROAD & LITCHFIELD ROAD
SURPRISE, ARIZONA

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design by: EF
drawn by: BJH
checked by: RWK

SP-3
project #: 16133.50



SURPRISE NOTES:

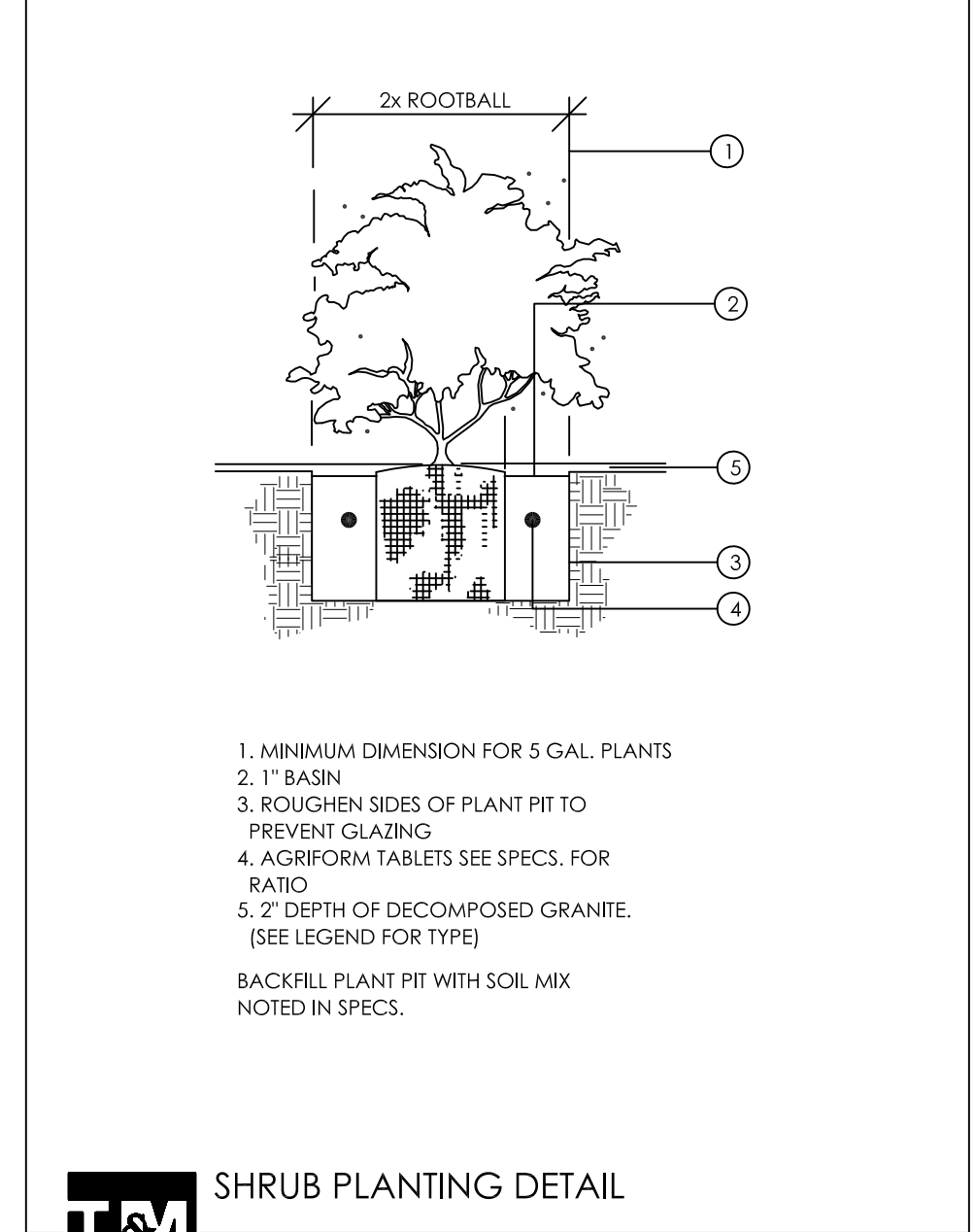
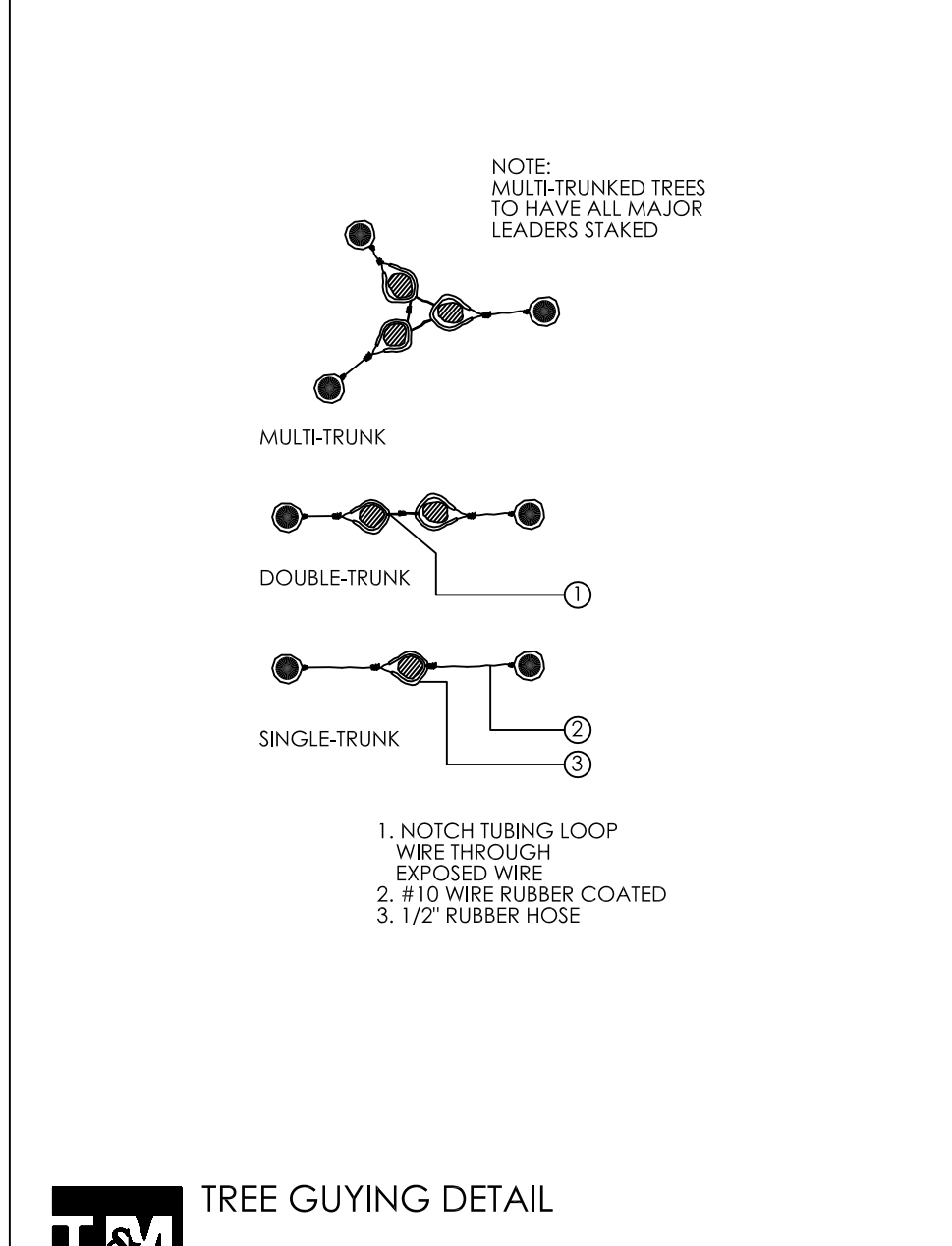
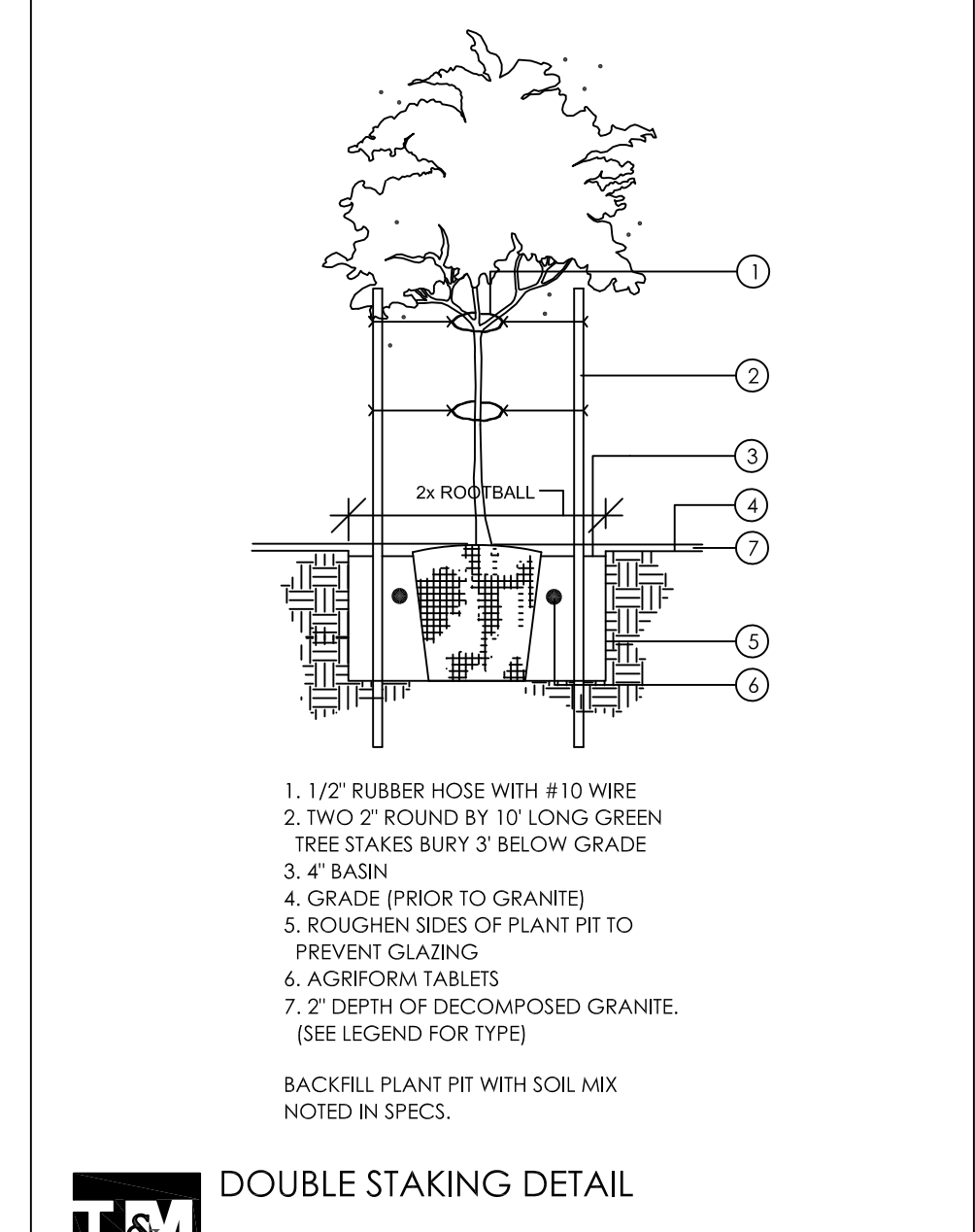
- ALL CHANGES ARE TO BE APPROVED BY THE CITY OF SURPRISE COMMUNITY DEVELOPMENT DEPARTMENT
- SIGNS REQUIRE A SEPARATE PERMIT
- ALL UTILITY BOXES AND STRUCTURES ARE TO BE SCREENED FROM VIEW.
- PLANT MATERIAL IS NOT TO BE LOCATED WITH-IN 3' RADIUS OF FIRE HYDRANTS AND FIRE DEPARTMENT CONNECTIONS
- TREES WITHIN 10' OF PAVED AREAS AND WALLS REQUIRE A DEEP ROOT BARRIER SYSTEM.
- ALL PLANT MATERIAL SIZES ARE BE CONSISTENT WITH ANA STANDARDS.
- ALL PLANT MATERIALS LOCATED WITHIN VISIBILITY TRIANGLES ARE TO BE MAINTAINED NO HIGHER THAN 2 FEET HIGH, AND HANG NO LOWER THAN 7 FEET FROM GROUND ELEVATION.
- NO PLANT MATERIAL WILL OBSTRUCT ANY TRAFFIC CONTROL SIGNS OR ENCROACH INTO ANY SIGHT VISIBILITY TRIANGLES AS DEFINED IN THE CITY OF SURPRISE ENGINEERING STANDARDS DETAIL 4-02.
- TREES WITH THORNS WILL NOT BE LOCATED WITHIN TEN FEET OF ANY PARKING SPACE OR PEDESTRIAN ROUTE.
- TREES WITHIN PARKING AREA WILL BE CONSISTENT WITH THE TREE LIST PROVIDED IN SECTION 122-136 (2) K. OF THE CITY OF SURPRISE MUNICIPAL STANDARDS.
- *TREES SPECIES WITHIN CITY RIGHTS-OF-WAY BE CONSISTENT WITH SECTION 8.1.2 OF THE CITY OF SURPRISE ENGINEERING STANDARDS.

LOW WATER USAGE PLANT MATERIAL:

100% OFF ALL PLANTS UTILIZED ON LEGEND ARE FROM THE ARIZONA DEPARTMENT OF WATER RESOURCES LOW WATER USE LIST.

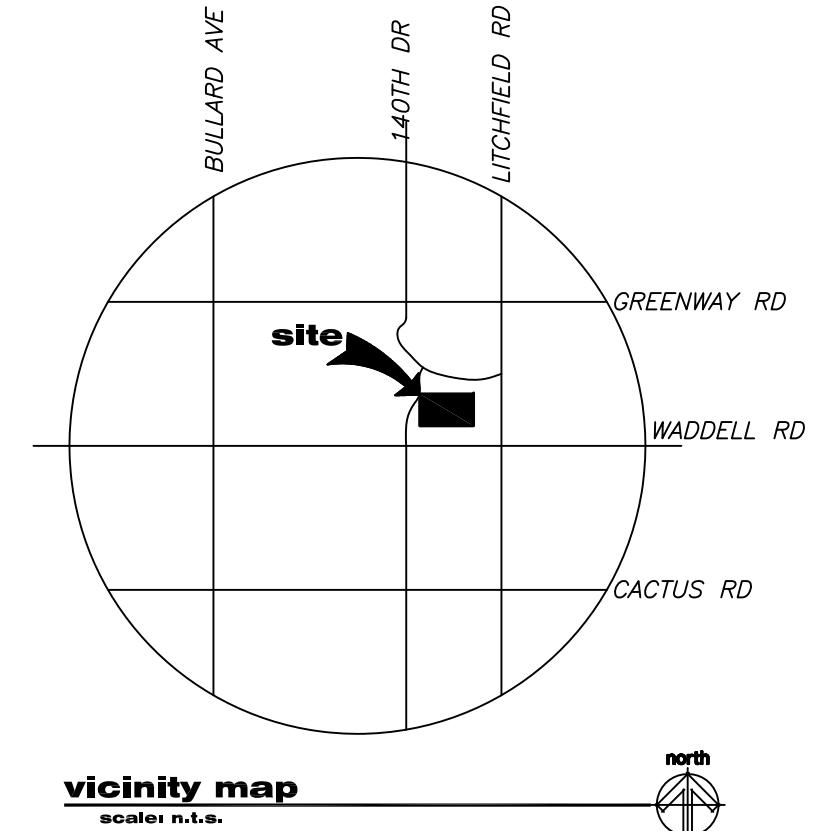
LANDSCAPE LEGEND

- QUERCUS VIRGINIANA
LIVE OAK
24" BOX (MATCHING)
[36" BOX ALONG LITCHFIELD]
- ULMUS PARVIFOLIA
CHINESE ELM
24" BOX
[36" BOX ALONG LITCHFIELD]
- RUPELLIA PENINSULARIS
BAJA RUELLIA
5 GALLON
- CAESALPINIA MEXICANA
MEXICAN BIRD OF PARADISE
5 GALLON
- TECOMA 'ORANGE JUBILEE'
ORANGE JUBILEE
5 GALLON
- HESPERALOE PARVIFLORA
RED YUCCA
5 GALLON
- DASYLIRION WHEELERII
DESERT SPOON
5 GALLON
- LANTANA MONTEVIDENSIS
'GOLD MOUND'
1 GALLON
- ALOE 'BLUE ELF'
BLUE ELF ALOE
1 GALLON
- BOUGAINVILLEA 'BARBARA KARST'
BOUGAINVILLEA
5 GALLON
- GRANITE IS TO MATCH ADJACENT DEVELOPMENTS TO THE SOUTH (ON BOTH 140TH DR. AND LITCHFIELD) 2' DEPTH IN ALL LANDSCAPE AREAS

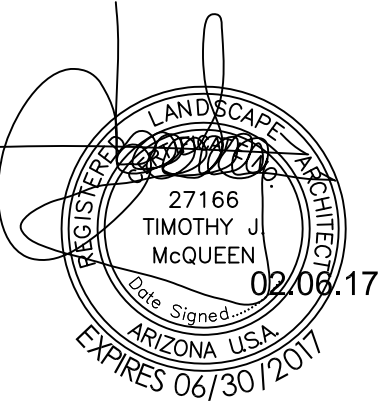


SITE DATA

EXISTING ZONING:	PAD
GROSS SITE AREA:	5.24 ACRES (228,403 S.F.)
NET SITE AREA:	4.80 ACRES (209,254 S.F.)
APN:	509-17-930, 509-17-928, 509-17-929
PROPOSED USE:	SELF-SERVICE STORAGE FACILITY
BUILDING HEIGHT:	35'
SITE COVERAGE:	(94,597 S.F./209,254 S.F.) 46%
MIN. 15% LANDSCAPE:	(32,492 S.F./209,254 S.F.) 16%

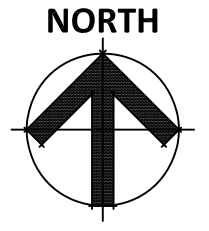


T.J. McQUEEN & ASSOCIATES, INC.
LANDSCAPE ARCHITECTURE
URBAN DESIGN
SITE PLANNING
8433 East Cholla St., Suite 101
Scottsdale, Arizona 85260
P. (602) 265-0320 F. (602) 266-6619
EMAIL: timmcqueen@tjmla.net



LANDSCAPE PLAN

SCALE: 1" = 30'-0"

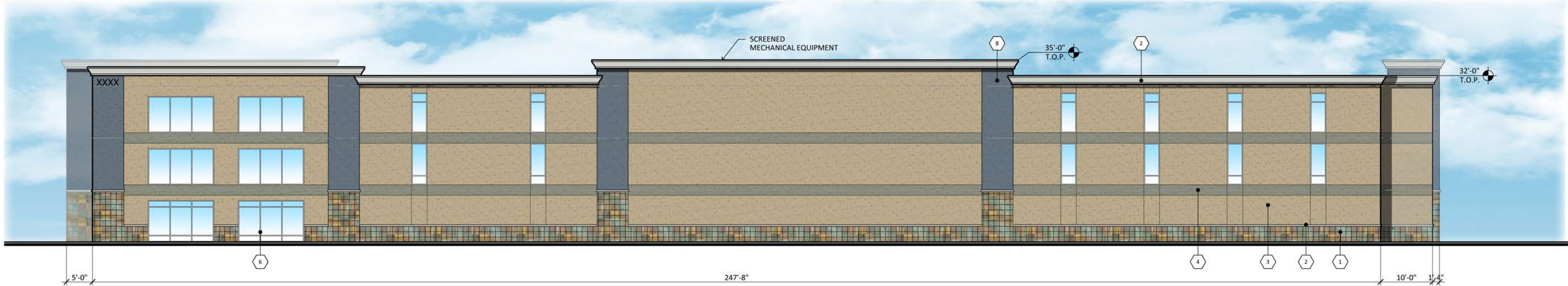


PROPOSED SELF-STORAGE
NWC WADDELL ROAD & LITCHFIELD ROAD
SURPRISE, ARIZONA
DATE: 02-06-2017

La.01



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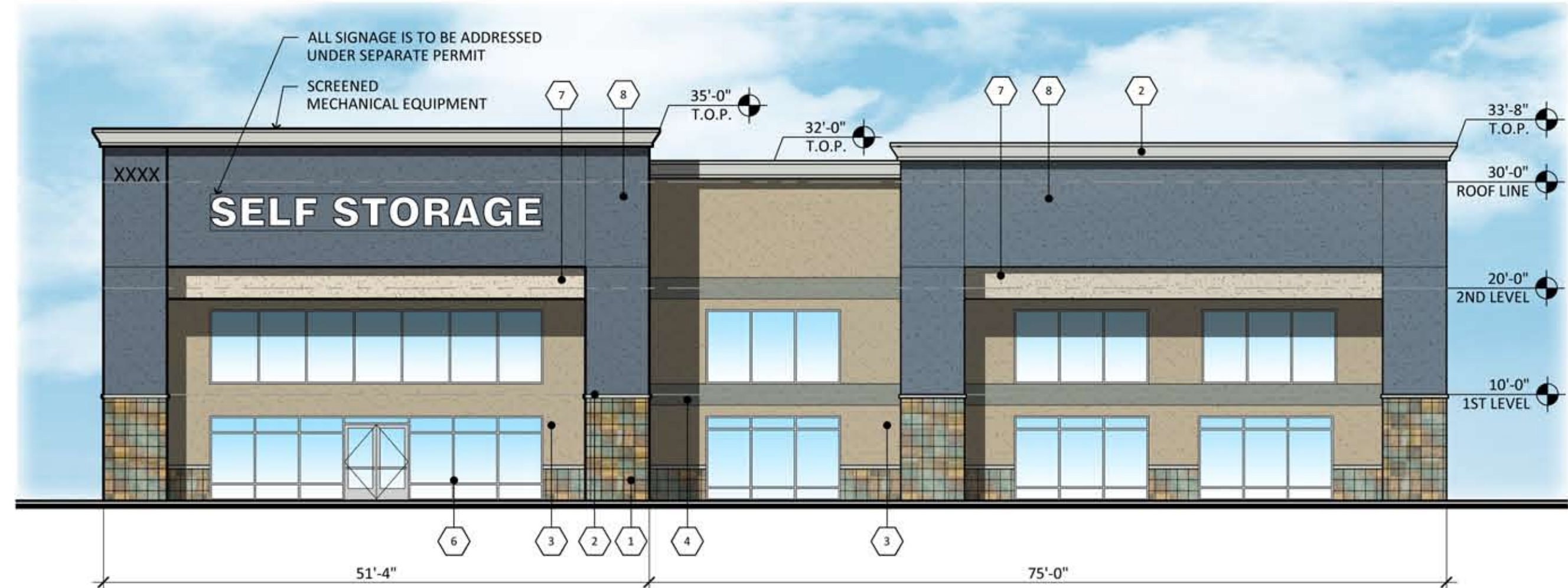
NORTH ELEVATION (BUILDING A)

SCALE: 3/32" = 1'-0"



SOUTH ELEVATION (BUILDING A)

SCALE: 3/32" = 1'-0"



EAST ELEVATION (BUILDING A)

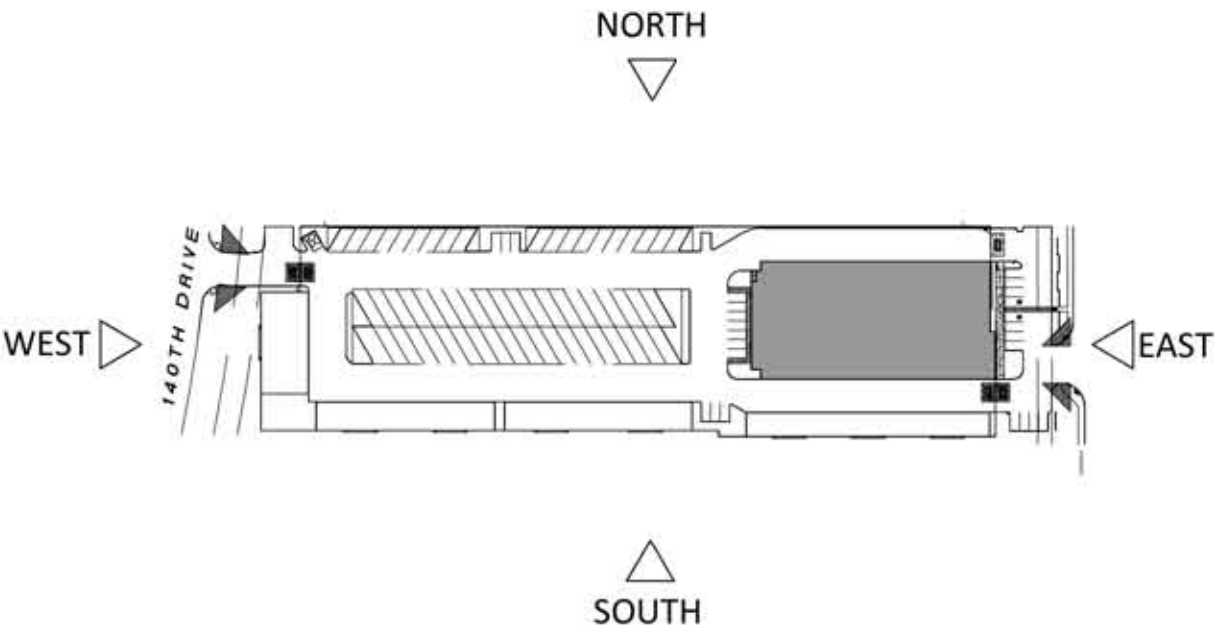
SCALE: 3/32" = 1'-0"



WEST ELEVATION (BUILDING A)

SCALE: 3/32" = 1'-0"

#	MATERIALS
1	SLATE TILE ARIZONA TILE EARTH
2	PARAPET/TRIM DUNN EDWARDS DE6227 MUSLIN
3	STUCCO FINE FINISH DUNN EDWARDS DE6193 BAMBOO SCREEN
4	STUCCO FINE FINISH DUNN EDWARDS DE6278 STONE CREEK
5	METAL AWNING BERRIDGE COLONIAL RED
6	ANODIZED ALUMINUM STOREFRONT KAWNEER CLEAR
7	STUCCO FINE FINISH DUNN EDWARDS DE6191 EXCLUSIVE IVORY
8	STUCCO FINE FINISH DUNN EDWARDS DEC799 WHARF VIEW
9	PAINTED METAL DOOR DUNN EDWARDS DE6193 BAMBOO SCREEN



KEY MAP

SCALE: N.T.S.

PROPOSED SELF-STORAGE
NWC WADDELL ROAD & LITCHFIELD ROAD
SURPRISE, ARIZONA
DATE: 1-31-2017



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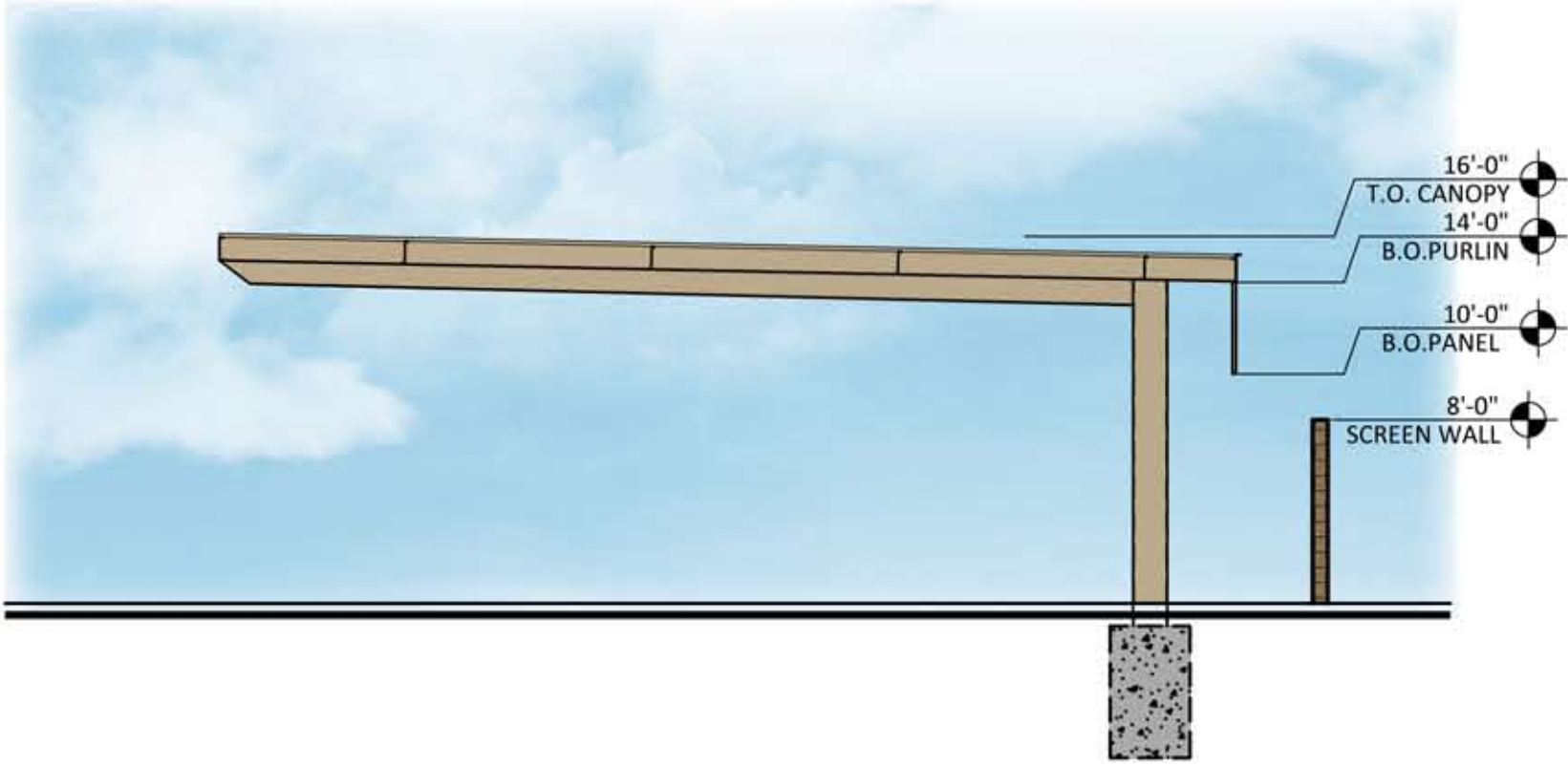
#16133.50

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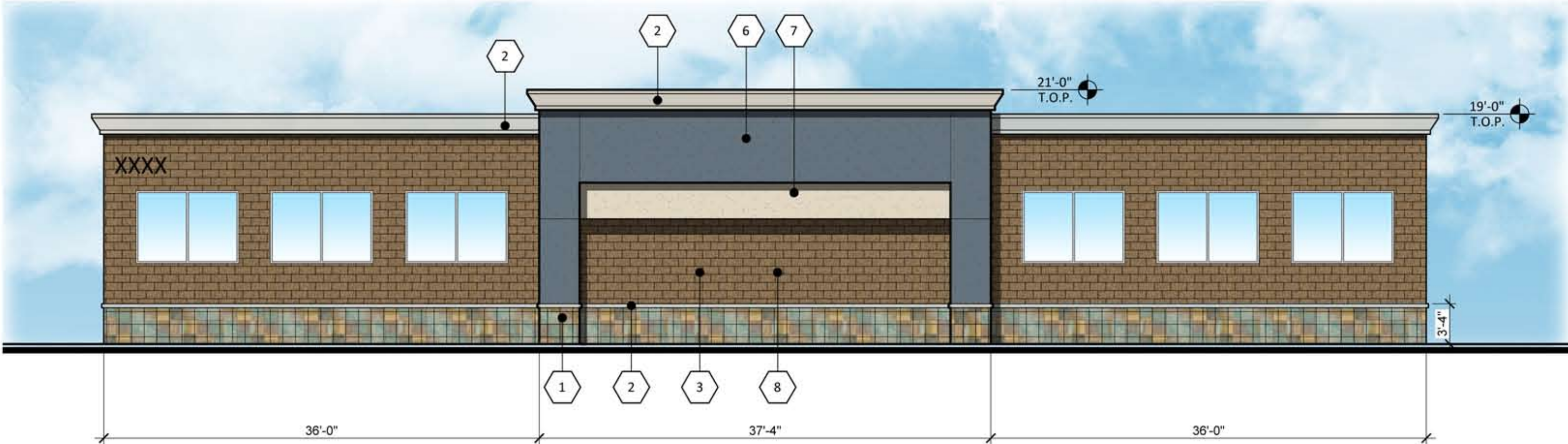
EAST ELEVATION (BUILDING B)

SCALE: 1/8" = 1'-0"



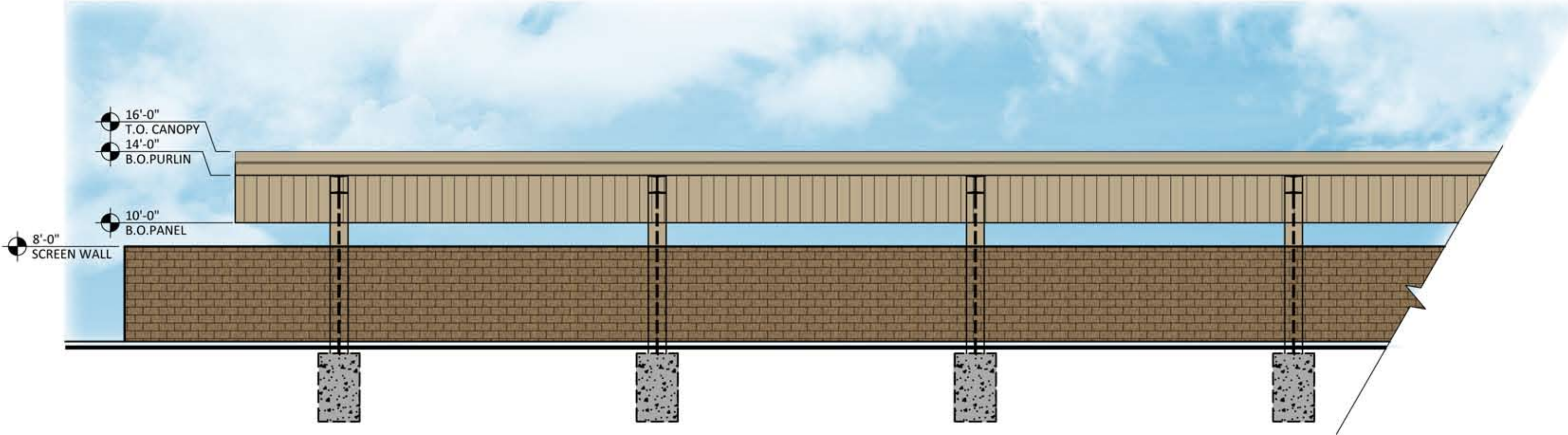
EAST ELEVATION (CANOPY A,B,C,D)

SCALE: 1/8" = 1'-0"



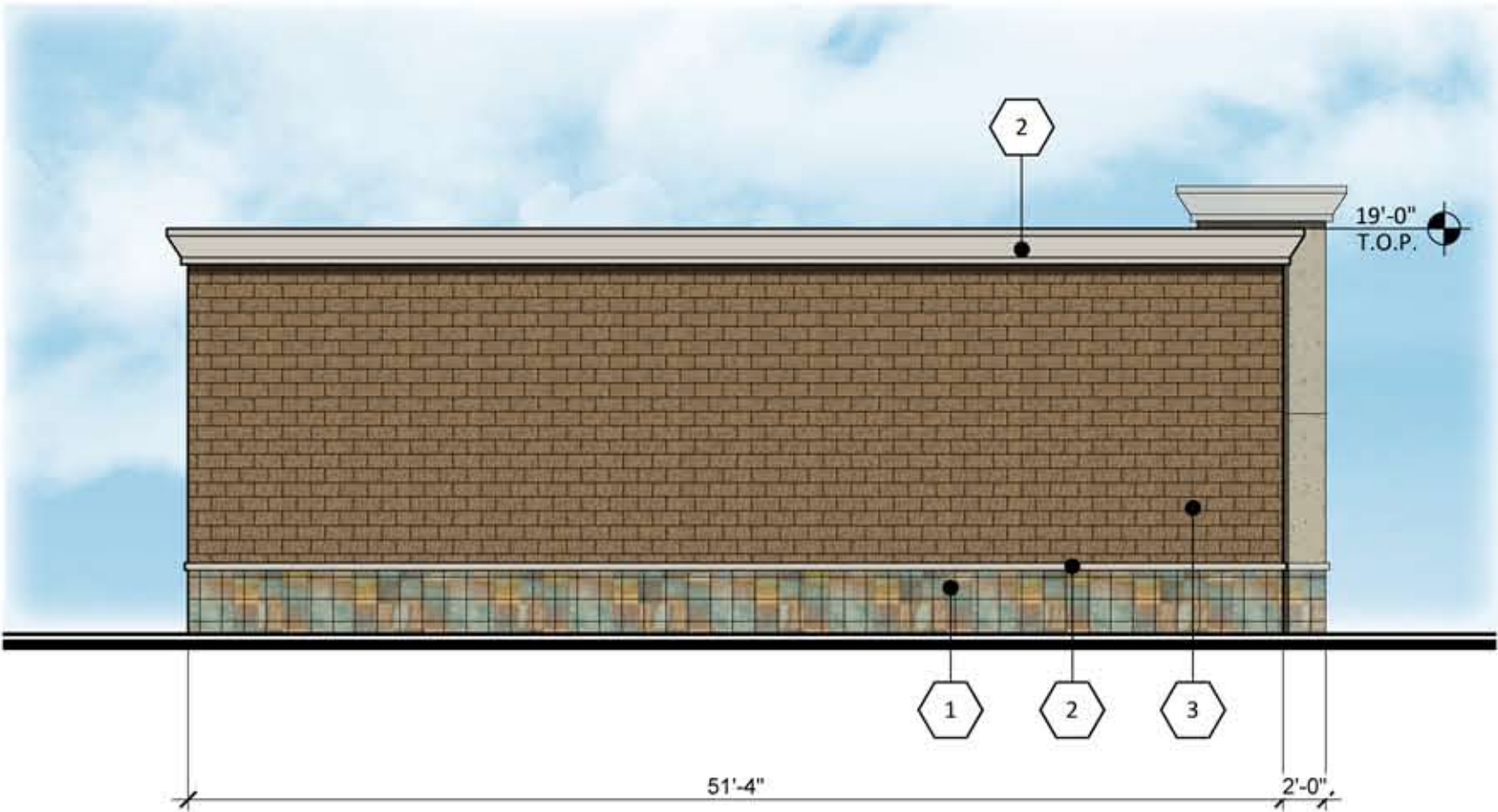
WEST ELEVATION (BUILDING B)

SCALE: 1/8" = 1'-0"



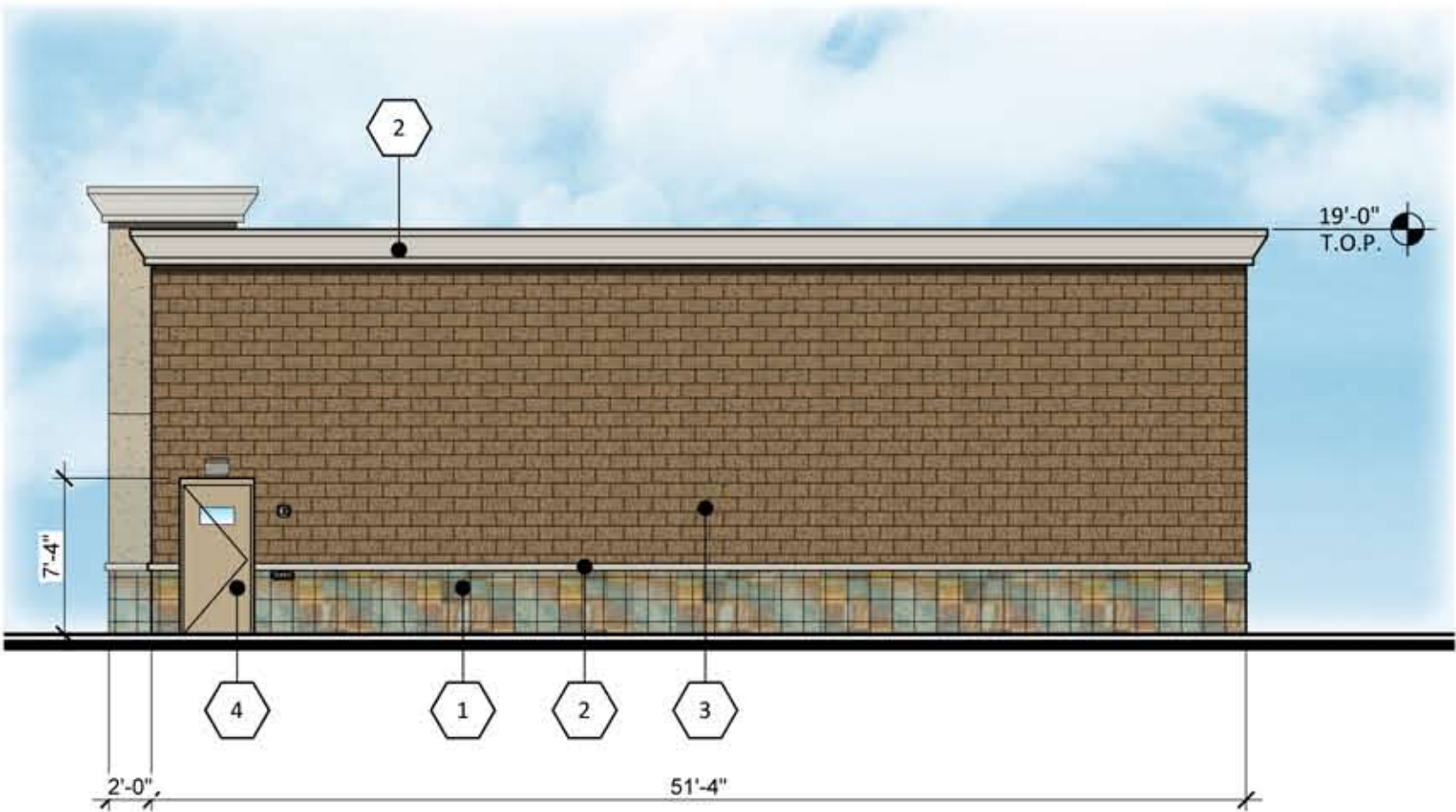
NORTH ELEVATION (CANOPY A,B,C,D)

SCALE: 1/8" = 1'-0"



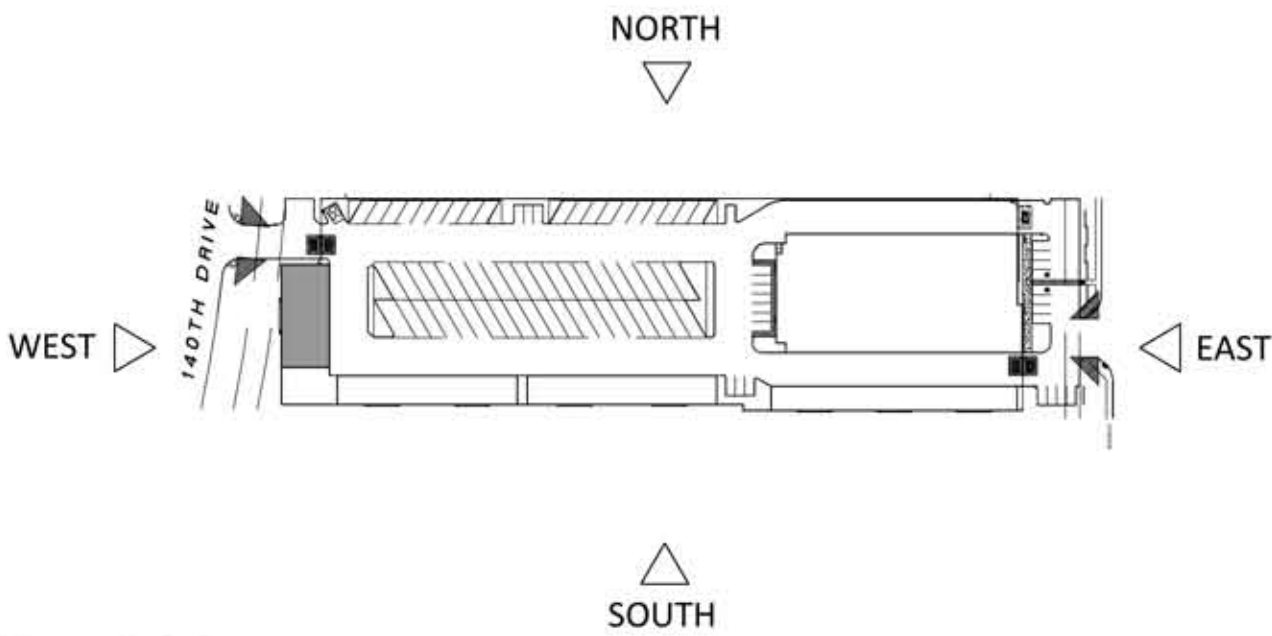
NORTH ELEVATION (BUILDING B)

SCALE: 1/8" = 1'-0"



SOUTH ELEVATION (BUILDING B)

SCALE: 1/8" = 1'-0"



KEY MAP

SCALE: N.T.S.

#	MATERIALS
1	SLATE TILE ARIZONA TILE EARTH
2	PARAPET/TRIM DUNN EDWARDS DE6227 MUSLIN
3	SUPERLITE BLOCK SMOOTH FACE TIERRA BROWN
4	METAL DOOR PAINTED TO MATCH DUNN EDWARDS DE6193 BAMBOO SCREEN
5	JANUS ROLL-UP DOOR CEDAR RED
6	STUCCO FINE FINISH DUNN EDWARDS DEC799 WHARF VIEW
7	SMOOTH STUCCO FINE FINISH DUNN EDWARDS DE6191 EXCLUSIVE IVORY
8	CUSTOM BUILDING PRODUCTS GROUT SOLUTIONS #156 FAWN

PROPOSED SELF-STORAGE
NWC WADDELL ROAD & LITCHFIELD ROAD
SURPRISE, ARIZONA
DATE: 1-31-2017



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NORTH ELEVATION (BUILDING C)

SCALE: 1/8" = 1'-0"



SOUTH ELEVATION (BUILDING C)

SCALE: 1/8" = 1'-0"



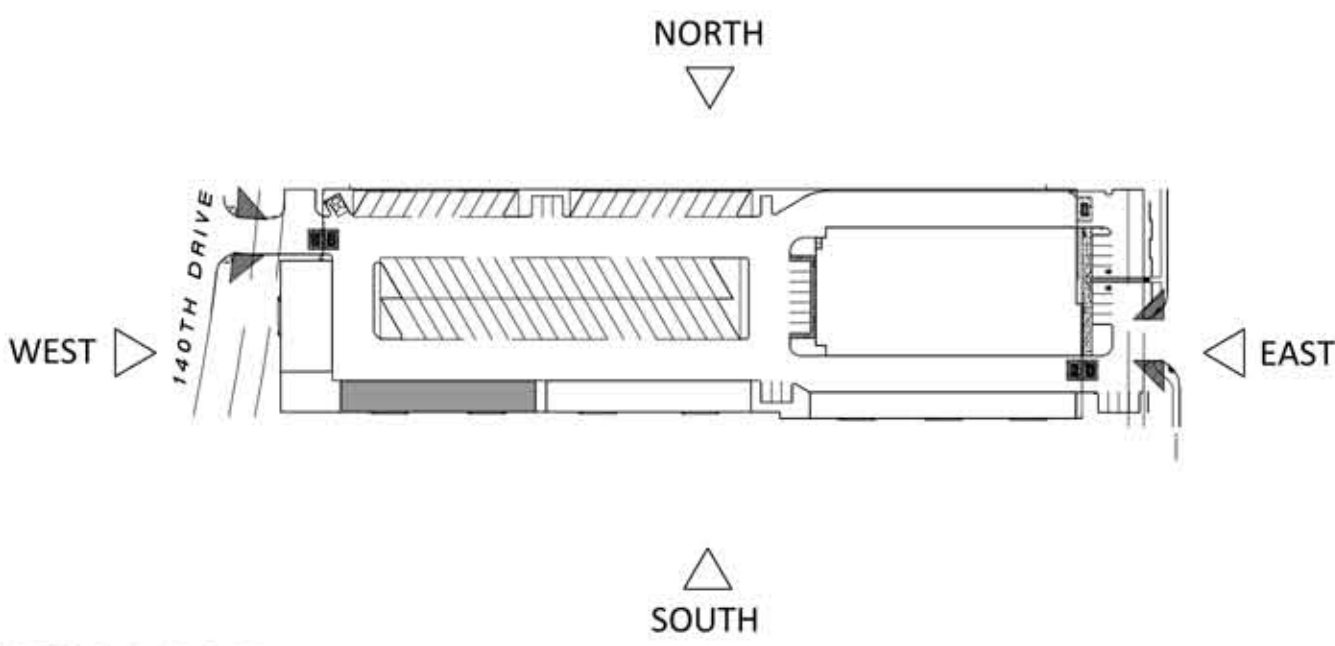
EAST ELEVATION (BUILDING C)

SCALE: 1/8" = 1'-0"



WEST ELEVATION (BUILDING C)

SCALE: 1/8" = 1'-0"



KEY MAP

SCALE: N.T.S.

#	MATERIALS
1	SLATE TILE ARIZONA TILE EARTH
2	PARAPET/TRIM DUNN EDWARDS DE6227 MUSLIN
3	SUPERLITE BLOCK SMOOTH FACE TIERRA BROWN
4	METAL DOOR PAINTED TO MATCH DUNN EDWARDS DE6193 BAMBOO SCREEN
5	JANUS ROLL-UP DOOR CEDAR RED
6	STUCCO FINE FINISH DUNN EDWARDS DE6193 BAMBOO SCREEN
7	SMOOTH STUCCO FINE FINISH DUNN EDWARDS DE6191 EXCLUSIVE IVORY
8	CUSTOM BUILDING PRODUCTS GROUT SOLUTIONS #156 FAWN

PROPOSED SELF-STORAGE
NWC WADDELL ROAD & LITCHFIELD ROAD
SURPRISE, ARIZONA
DATE: 1-31-2017



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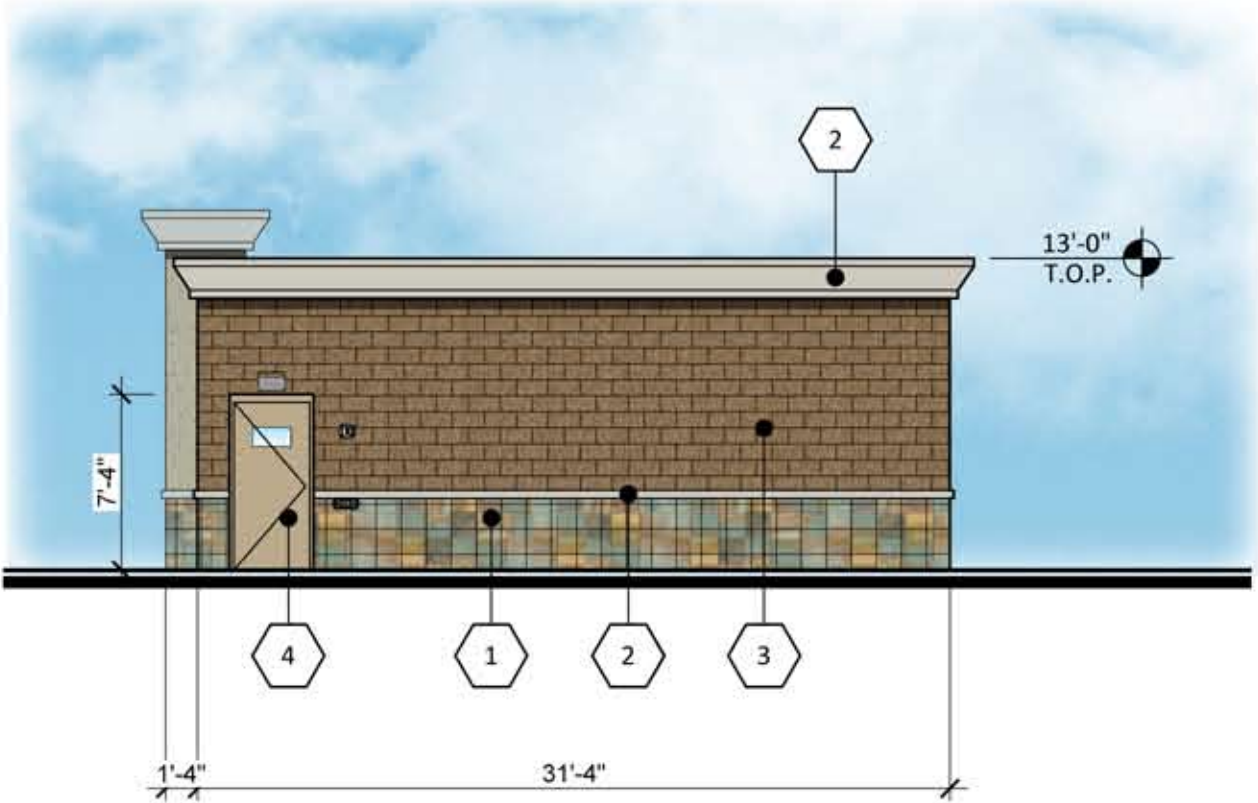


NORTH ELEVATION (BUILDING D)
SCALE: 1/8" = 1'-0"

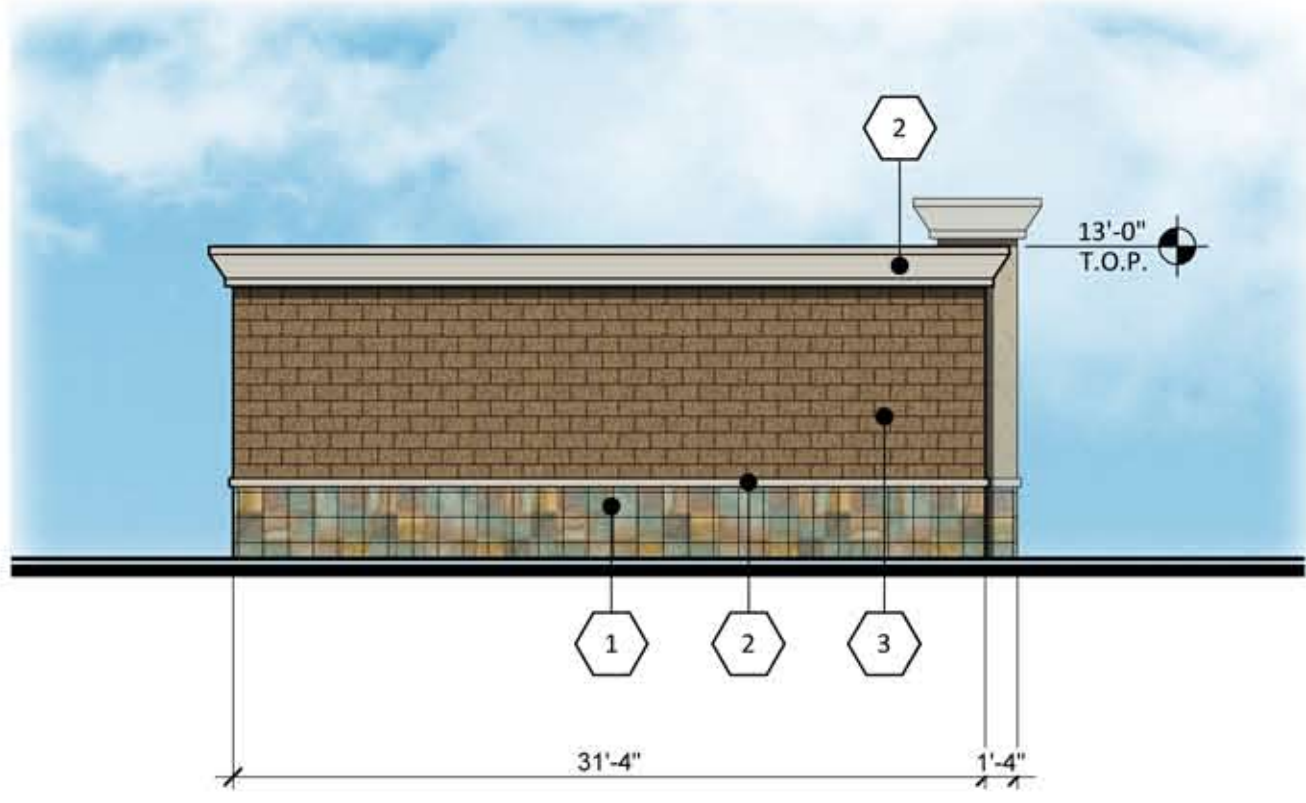
#	MATERIALS
1	SLATE TILE ARIZONA TILE EARTH
2	PARAPET/TRIM DUNN EDWARDS DE6227 MUSLIN
3	SUPERLITE BLOCK SMOOTH FACE TIERRA BROWN
4	METAL DOOR PAINTED TO MATCH DUNN EDWARDS DE6193 BAMBOO SCREEN
5	JANUS ROLL-UP DOOR CEDAR RED
6	STUCCO FINE FINISH DUNN EDWARDS DE6193 BAMBOO SCREEN
7	SMOOTH STUCCO FINE FINISH DUNN EDWARDS DE6191 EXCLUSIVE IVORY
8	CUSTOM BUILDING PRODUCTS GROUT SOLUTIONS #156 FAWN



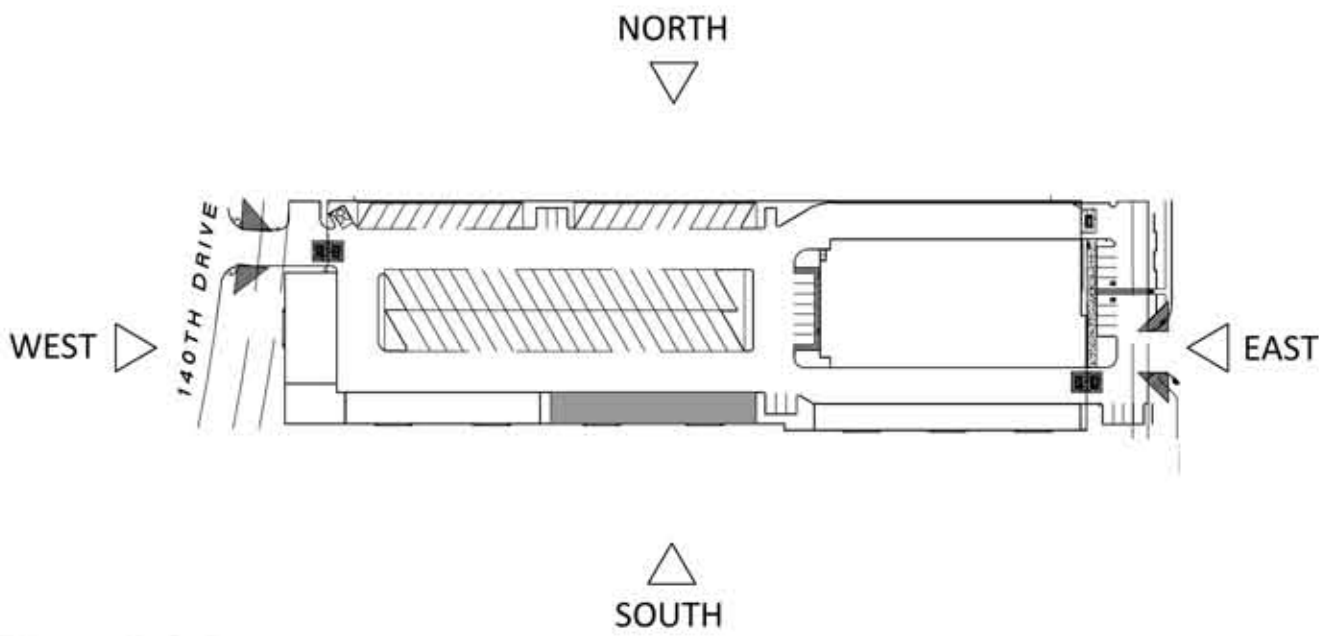
SOUTH ELEVATION (BUILDING D)
SCALE: 1/8" = 1'-0"



EAST ELEVATION (BUILDING D)
SCALE: 1/8" = 1'-0"



WEST ELEVATION (BUILDING D)
SCALE: 1/8" = 1'-0"



KEY MAP
SCALE: N.T.S.

PROPOSED SELF-STORAGE
NWC WADDELL ROAD & LITCHFIELD ROAD
SURPRISE, ARIZONA
DATE: 1-31-2017



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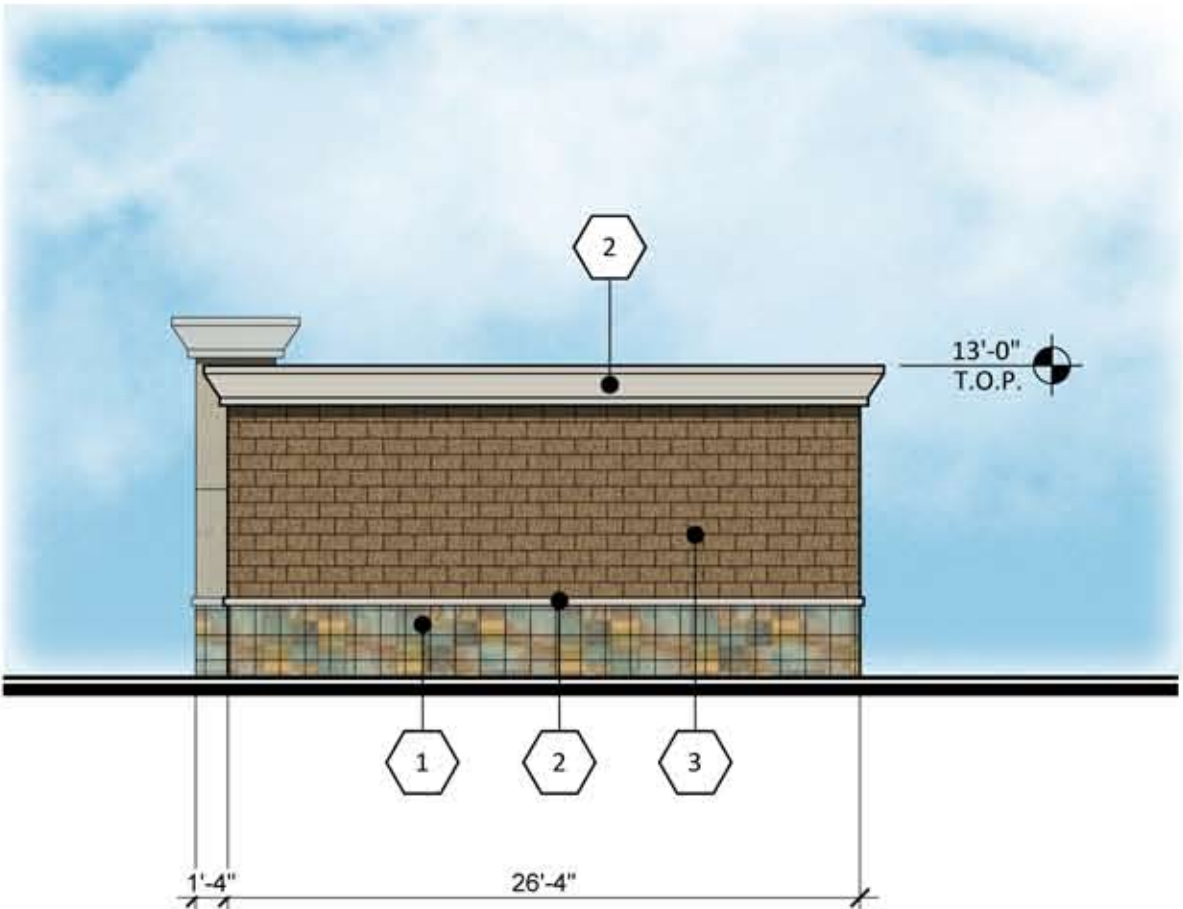
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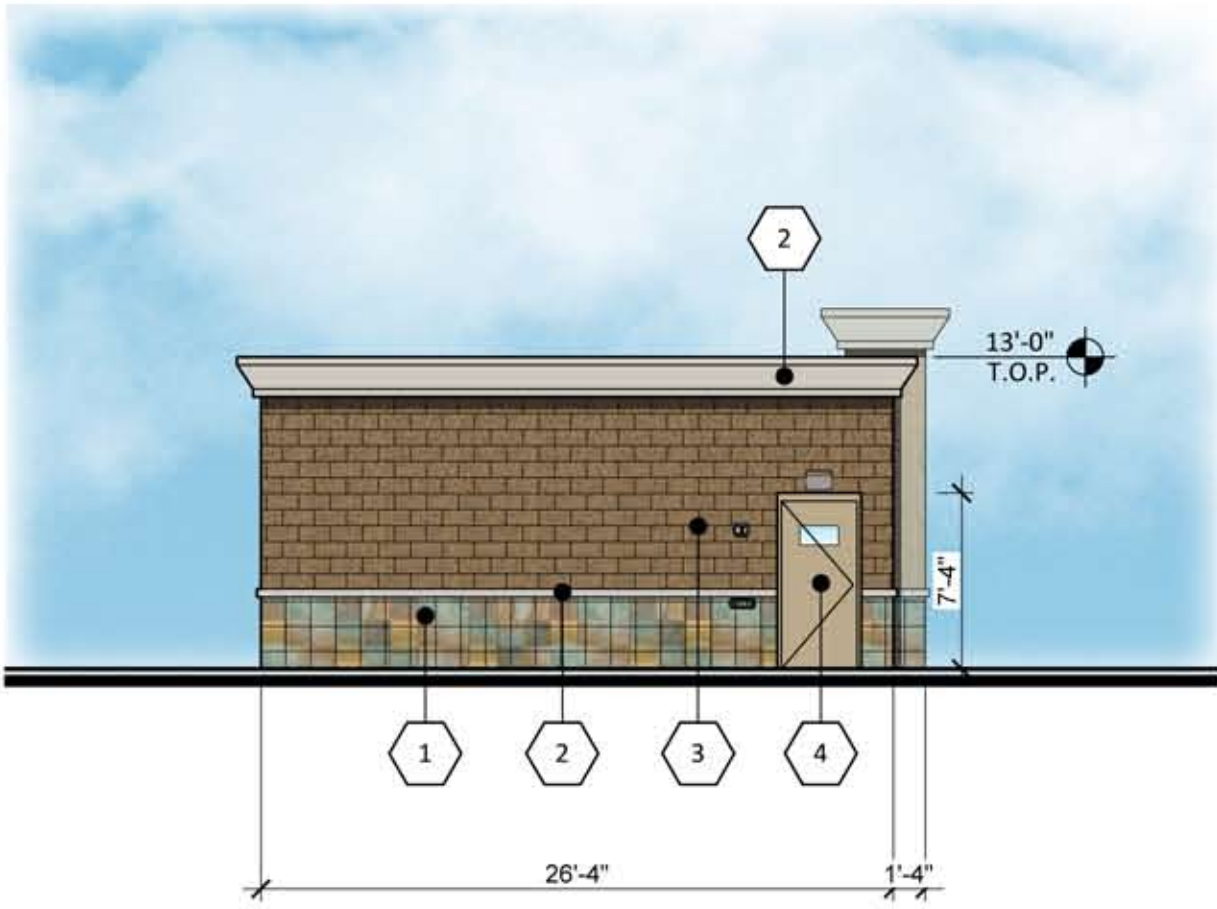
NORTH ELEVATION (BUILDING E)
SCALE: 1/8" = 1'-0"



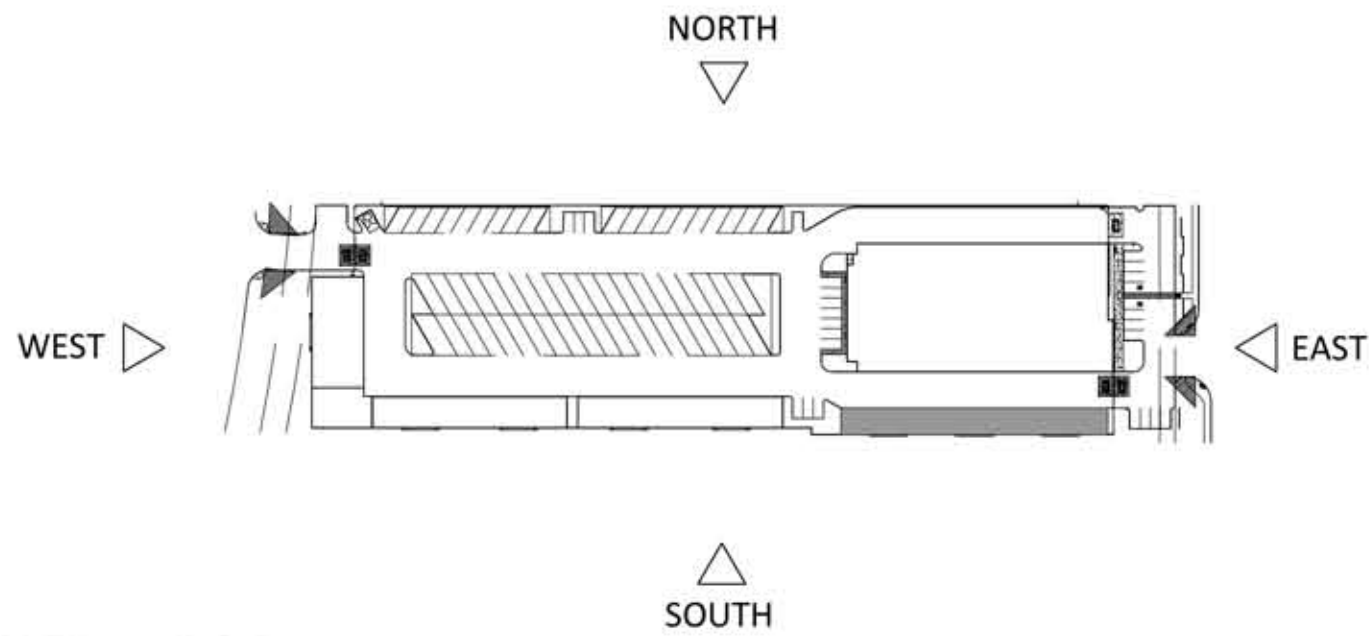
SOUTH ELEVATION (BUILDING E)
SCALE: 1/8" = 1'-0"



EAST ELEVATION (BUILDING E)
SCALE: 1/8" = 1'-0"



WEST ELEVATION (BUILDING E)
SCALE: 1/8" = 1'-0"



#	MATERIALS
1	SLATE TILE ARIZONA TILE EARTH
2	PARAPET/TRIM DUNN EDWARDS DE6227 MUSLIN
3	SUPERLITE BLOCK SMOOTH FACE TIERRA BROWN
4	METAL DOOR PAINTED TO MATCH DUNN EDWARDS DE6193 BAMBOO SCREEN
5	JANUS ROLL-UP DOOR CEDAR RED
6	STUCCO FINE FINISH DUNN EDWARDS DE6193 BAMBOO SCREEN
7	SMOOTH STUCCO FINE FINISH DUNN EDWARDS DE6191 EXCLUSIVE IVORY
8	CUSTOM BUILDING PRODUCTS GROUT SOLUTIONS #156 FAWN

PROPOSED SELF-STORAGE
NWC WADDELL ROAD & LITCHFIELD ROAD
SURPRISE, ARIZONA
DATE: 1-31-2017



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**DEPARTMENT OF THE AIR FORCE
AIR EDUCATION AND TRAINING COMMAND**

22 November 2016

Mr. James R. Mitchell
Director, Community Initiatives Team
56th Fighter Wing
14185 West Falcon Street
Luke AFB AZ 85309-1629

Ms. Heather Donaldson
Planning Project Coordinator
City of Surprise Planning Department
16000 N. Civic Center Plaza
Surprise AZ 85374

Re: FS16-512; Sierra Verde Self-Storage

Dear Ms. Donaldson

Thank you for the opportunity to comment on the Final Plat and Conditional Use Permit Application for the Sierra Verde Self-Storage. This project is located on 5.24 acres at the northwest corner of Litchfield and Waddell Roads in Surprise AZ. The proposal includes approximately 122,116 square feet of storage space including climate-controlled interior units (97,320 square feet), exterior access units (24,796 square feet) and recreational vehicle parking (59 covered spaces). The site is inside the 1988 JLUS 65 Ldn, "high noise or accident potential zone" as identified by A.R.S. § 28-8461 and inside the "territory in the vicinity of a military airport" also defined by A.R.S. § 28-8461.

As described, this self-storage facility will not negatively impact Luke AFB's current mission. Since the facility will be located inside the "territory in the vicinity of a military airport," it will be subjected to approximately 165 over flights per day, as low as 1,500 feet above the ground. We recommend you review the sound attenuation requirements found in A.R.S. § 28-8482. In addition, a strong notification program on the part of the applicant would be essential to inform potential tenants about Luke AFB operations.

If you have any questions, please contact my Community Planner, Ms. Barbara Plante at (623) 856-9981.

Sincerely

JAMES R. MITCHELL

cc:

Colonel David G. Shoemaker, Vice Commander, 56th Fighter Wing
Ms. Cindy L. Calderon, GS-13, General and Environmental Law Attorney, 56th Fighter Wing

From: [Vanessa Nunez](#)
To: [Heather Donaldson](#)
Cc: [Bob Patoni](#); [Richard Erickson](#)
Subject: RE: CR16-351 - Sierra Verde Self-Storage - Concept Meeting
Date: Wednesday, August 24, 2016 2:22:48 PM
Attachments: [Picture \(Device Independent Bitmap\) 1.jpg](#)

RE: CR16-351
Sierra Verde Self-Storage
N of NWC Litchfield Rd & Waddell Rd

Attn: Heather Donaldson

Thank you for your Conditional Use Permit and Final Plat notices for the above-referenced development.
After review, the development location is more than 1/4 mile from any ADOT proposed or existing highway facilities. As such, ADOT has no comment.

Please feel free to contact Bob Patoni at BPatoni@azdot.gov should you have any further questions. We appreciate the opportunity to review and comment. Thank you.

Vanessa Nuñez
Administrative Assistant II
ADOT Right of Way
205 South 17th Avenue
MD 612E, Room 302
Phoenix, Arizona 85007-3212
602.712.7184
www.azdot.gov



-----Original Appointment-----

From: Vanessa Nunez **On Behalf Of** Heather Donaldson
Sent: Monday, August 15, 2016 7:39 AM
To: Bob Patoni
Subject: FW: CR16-351 - Sierra Verde Self-Storage - Concept Meeting
When: Thursday, August 25, 2016 10:15 AM-11:00 AM (UTC-07:00) Arizona.
Where: #Conference Room - CH 1F N1-150 Lobby; CH Visitor Badge

Red Letter – US60
Please respond accordingly, thank you.

-----Original Appointment-----

From: Heather Donaldson [<mailto:Heather.Donaldson@surpriseaz.gov>]

Sent: Friday, August 12, 2016 4:07 PM

To: Heather Donaldson; Armando Lopez; Brenden Espie; Chris Boyd; Christine Nunez; Cindy Coen; Dana Owsiany; Daniel Shaffer; Donna Bronski; Eric Fitzer; Ethan Borrero; Fred Stevens; Hobart Wingard; James Stewart; Jamie Sullivan; Jeffrey Rallo; Joe Garza; Jonathan Klidas; Joshua Mike; Karl Zook; Kristin Tytler; LariBeth Kirkendall; Lloyd Abrams; London Lacy; Lorraine Nevarez; Maolin Zheng; Martin Lucero; Marvin Rose; Michael Boule; Mike Gent; Nuning Lemka; Peter Pervi; Reina Odeh; Renee Fugiel; Robert Kuhfuss; Ron Dry; Sergio Angulo; Sophie Cole; Stephen Chang; Terry Lowe; Warren Bert

Cc: Angie - Nadaburg; Barbara Plante - Luke; Ben - Nadaburg; Brad Finke - EPCOR; Chris Cain - MWD; Corey Rosipko - Cox; Debbie Trasancos - MWD; Denise Lacey; Donna Miller; Eric Hitchcock; Jack Eaton; Jorge Gastelum - El Mirage; Judy Lopez - Beardsley Water Company; Kerre - Nadaburg; Leslie - MWD; Mark A. Coronado; Paul Jackson; Redletter; Richard Hammitt; Rick Stephen ; Theresa Tysiak - USPS; Timothy Klarkowski; Vern Wolfley - MAG; Yvonne Aguirre

Subject: CR16-351 - Sierra Verde Self-Storage - Concept Meeting

When: Thursday, August 25, 2016 10:15 AM-11:00 AM (UTC-07:00) Arizona.

Where: #Conference Room - CH 1F N1-150 Lobby; CH Visitor Badge

CR16-351

Sierra Verde Self-Storage

North of the NW corner of Litchfield Road and Waddell Road

509-17-929

509-17-930 – Southern 232.75 feet

509-17-028 – Southern 154.53 feet

Conditional Use Permit and Final Plat

City Hall offices open at 8 a.m. and close at 5 p.m. Monday through Friday. More info at www.surpriseaz.gov.

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12 Aug 2016 23:07:34 -0000 << File: app_001.pdf >> << File: 57160808 concept review request narrative.pdf >> << File: 16133.5 SP-1 (08-11-16).pdf >> << File: context plan.pdf >> <> << File: Aerial Map.pdf >>

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From: [Debbie Trasancos](#)
To: [Heather Donaldson](#)
Cc: [Chris Cain](#); [Leslie Jarrell](#)
Subject: RE: FS16-512 - Sierra Verde Self Storage Electronic Submittal
Date: Thursday, November 17, 2016 6:20:07 AM

Heather,

Thank you for providing the Electronic Submittal for Sierra Verde Self Storage (FS16-512).

Maricopa Water District (MWD) has reviewed this submittal and determined this lies outside the current boundaries of MWD.

Thanks again,

Debbie Trasancos
Property & Contracts Specialist
Maricopa Water District
14825 W. Grand Ave.
Surprise, AZ 85374
623/546-8266
fax 623/584-2536
debbiet@mwdaz.com

From: Heather Donaldson [mailto:Heather.Donaldson@surpriseaz.gov]
Sent: Wednesday, November 16, 2016 4:02 PM
To: 'Barbara Plante - Luke' <barbara.plante@us.af.mil>; Chris Cain <ChrisC@mwdaz.com>; Christina Betz <Christina.Betz@surpriseaz.gov>; Debbie Trasancos <DebbieT@mwdaz.com>; 'Denise Lacey' <deniselacey@mail.maricopa.gov>; Donna Miller <Donna.Miller@surpriseaz.gov>; Leslie Jarrell <LeslieJ@mwdaz.com>; Mark A. Coronado <Mark.Coronado@surpriseaz.gov>; 'Paul Jackson' <paul.j.jackson@usps.gov>; 'Project Coordinator' <redletter@azdot.gov>; 'Theresa Tysiak - USPS' <theresa.a.tysiak@usps.gov>; Timothy Klarkowski <Timothy.Klarkowski@surpriseaz.gov>; 'Vern Wolfley - MAG' <vwolfley@azmag.gov>
Cc: Jamie Sullivan <Jamie.Sullivan@surpriseaz.gov>
Subject: FS16-512 - Sierra Verde Self Storage Electronic Submittal

Good Afternoon,

Attached please find the submittal documents for the above referenced project. Please do not hesitate to contact me if you have any questions or need further clarification.

Thank you, and I hope you have a wonderful day!

Heather Donaldson
Planning Project Coordinator
City of Surprise | Community Development

16000 N. Civic Center Plaza | Surprise AZ | 85374

www.surpriseaz.gov

623.222.3133 t

623.222.3001 f

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16 Nov 2016 23:02:00 -0000

PUBLIC ENGAGEMENT FORM

PROJECT TITLE: FS16-512 Sierra Verde Self Storage

OVERALL PUBLIC INVOLVEMENT LEVEL:

The applicant held a Citizen Review meeting on December 28, 2016 at the Reside Inn, informational mailers were sent to properties within 300 feet of the project, and advertisements were posted in a local newspaper. Neighboring residents attended to express their concerns and some to show support.

IDENTIFY STAKEHOLDERS:

Property owners in the immediate area.

OBJECTIVES:

This Conditional Use Permit will allow the builder to construct a new Mini-Warehouse facility with RV storage.

PUBLIC ENGAGEMENT STRATEGIES & TOOLS:

Public Engagement & Project timeline:

Public outreach time frame (when to when) December 28, 2016 6:00pm - 7:00pm

Future Council Work Session/Meetings target dates N/A

Election dates (if applicable) N/A

Project start/completion dates N/A

Communication Tools and Technique options: (which do you plan to use?)

- ☐ Press releases
- ☒ Public meetings (video/photos, poster boards, fact sheet(s) *do you need Spanish version?)
- ☒ Presentations to boards and commissions, other interested community partners/stakeholders
- ☐ Third-party consultant/moderator (pending budget)
- ☐ Survey (online/paper/both?)
- ☐ Social media
- ☐ Surprise 11
- ☐ Notify Me email/ Council newsletters (opt-in audience)
- ☒ Paid advertising (pending budget)
- ☐ Surprise Progress (mailed quarterly and tied to print deadlines)
- ☐ Booth at city events
- ☒ Paid mailings (pending budget)
- ☐ Creation of a subcommittee/task force
- ☐ Youth/adult activities, registration, or orientation (HOA Academy)
- ☐ Website updates



CITY OF SURPRISE
Planning and Zoning Commission

April 20, 2017 @ 6:00:00 PM

Back Print

Board Meeting Date:	April 20, 2017	Contact Person:	Eric Fitzer - Community Development
Submitting Department:	CD Boards and Commissions	District:	Internal
Staff Recommendations:	No Action		

Consent	Regular	Public Hearing	Report/Discussion
---------	---------	----------------	-------------------

Agenda Wording:

Discussion and direction pertaining to future agenda items.

Motion:

Background:

Financial Impact Statement:

No Financial Impact

ATTACHMENTS:

[Click to download](#)

No Attachments Available

External Attachment Links:

Meeting Requirements:

Powerpoint x Video x White Board x Other x

Presentation Speaker Names (spelling and titles for TV captions):