



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

Thursday, January 18, 2018 @ 6:00 PM
 Amended items 2, 3 and 4 on 1/17/2018 at 1:40 PM

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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:

*#1 District Internal Consideration and action pertaining to approval of the January 4, 2018 Planning and Zoning Commission Minutes.

None
 Lorraine
 Nevarez -
 Community
 Development

REGULAR AGENDA ITEM - PUBLIC HEARING:

			STAFF RECOMMENDATION/ PRESENTED BY
ITEM #	DISTRICT #	ITEM DESCRIPTION	
#2	District Citywide	<u>Consideration and action regarding the acceptance of either Exhibit A or Exhibit B as it pertains to Class I Temporary Signs and to incorporate said Exhibit into the draft sign code.</u>	Approve Robert Kufuss - Community Development
#3	District Citywide	<u>Consideration and action regarding the acceptance of either Exhibit C or Exhibit D as it pertains to Class II Temporary Signs and to incorporate said Exhibit into the draft sign code.</u>	Approve Robert Kuhfuss - Community Development
#4	District Citywide	<u>Consideration and action regarding a Text Amendment to Chapter 113 of the Surprise Municipal Code regarding signs.</u>	Approve Robert Kuhfuss - Community Development
OTHER BUSINESS:			
#5	District Internal	<u>Discussion and direction pertaining to future agenda items.</u>	No Action Eric Fitzer - Community Development

EXECUTIVE SESSION:

			STAFF RECOMMENDATION/ PRESENTED BY
ITEM #	DISTRICT #	ITEM DESCRIPTION	
#6	District Internal	<u>ARS 38-431.03(A)(3) - discussion or consultation for legal advice regarding standards of review, conflicts of interest, and scope of comments.</u>	None Ellen Van Riper - Deputy City Attorney

ADJOURNMENT:

 SHERRY ANN AGUILAR, CITY CLERK, CMC

POSTED: January 17, 2018 at 1:40 PM

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

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

- discussion or consultation for legal advice with the city's attorneys (A.R.S. §38-431.03 (A)(3)).

Confidentiality Requirements: Pursuant to A.R.S. §38-431.03(C)(D), any person receiving executive session information pursuant to A.R.S. §38-431.02 shall not disclose that information except to the Attorney General or County Attorney or by agreement of the Commission, or as otherwise ordered by a court of competent jurisdiction.

The Commission may vote to hold an executive session for the purpose of obtaining legal advice from the Commission's attorney on any matter listed on the agenda pursuant to A.R.S. § 38-431.03 (A)(3).

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

January 18, 2018 @ 6:00:00 PM

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Board Meeting Date:	January 18, 2018	Contact Person:	Lorraine Nevarez - Community Development
Submitting Department:	CD Boards and Commissions	District:	Internal
Staff Recommendations:	None		

Consent	x	Regular	Public Hearing	Report/Discussion
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Agenda Wording:

Consideration and action pertaining to approval of the January 4, 2018 Planning and Zoning Commission Minutes.

Motion:

I move to approve the consent agenda as presented.

Background:

Financial Impact Statement:

No Financial Impact

ATTACHMENTS:

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☐ [Minutes - January 4, 2018](#)

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

January 4, 2018 / 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 January 4, 2018.

A. ROLL CALL

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

STAFF PRESENT:

Community Development Director Eric Fitzer, Deputy City Attorney Ellen Van Riper, Planner Hobart Wingard, Planner Robert Kuhfuss and Planning and Zoning Commission Secretary Lorraine Nevarez.

COUNCIL MEMBERS PRESENT:

None.

B. PLEDGE OF ALLEGIANCE

C. CURRENT EVENTS REPORT

None.

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:

Item 1 – Internal – Consideration and action approving the December 21, 2017 Planning and Zoning Commission Minutes.

Commissioner Bash made a motion to approve the December 21, 2017 Planning and Zoning Commission minutes. Commissioner Keating seconded the motion. Motion passes with 7 votes in favor.

REGULAR AGENDA ITEMS REQUIRING A PUBLIC HEARING:

Item 2 – District 1 – Consideration and action recommending approval to the Mayor and city council of a Preliminary Plat for Austin Ranch East, generally located on the southwestern corner of Pinnacle Peak Road and 175th Avenue within the Austin Ranch Planned Area Development (PAD).

Hobart Wingard, Planner, presented item 2 to the Commission.

The Commission discussed item 2:

- Roadways
- Widening Deer Valley RD
- Trail System connectivity

Chair Chapman opened the call to the public.

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

Commissioner Cultum made a motion to recommend approval to the Mayor and City Council a Preliminary Plat for Austin Ranch East, generally located on the southwestern corner of Pinnacle Peak Road and 175th Avenue within the Austin Ranch Planned Area Development (PAD), subject to stipulations 'A' through 'C' as listed in the Staff Report. Commissioner Norberg seconded the motion. Motion passes with 7 votes in favor.

REGULAR AGENDA ITEMS NOT REQUIRING A PUBLIC HEARING:

Item 3 – District 6 – Consideration and action approving a Site Plan for Skyway Commons 1, generally located on the southwestern corner of Dysart and Rioglass Solar Roads.

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

The Commission discussed item 3:

- Traffic study

Vice Chair Rosenbaum made a motion to approve a Site Plan for Skyway Commons 1, generally located on the southwestern corner of Dysart and Rioglass Solar Roads. Commissioner Smith seconded the motion. Motion passes 7 votes in favor.

Item 4 – District 6 – Consideration and action approving a Site Plan for Christ's Church of the Valley, generally located on the southwestern corner of Reems Road and Cholla Street in the Rancho Gabriella Planned Area Development (PAD).

Hobart Wingard, Planner, presented item 4 to the Commission.

The Commission discussed item 4:

- Traffic/Safety concerns
- Possible improvements on Bullard
- Zoning of PAD
- Sign Ordinance

- Fencing

Commissioner Norberg made a motion to approve an Amended Site Plan for Christ's Church of the Valley, generally located on the southwestern corner of Reems Road and Cholla Street in the Rancho Gabriella Planned Area Development (PAD). Commissioner Bash seconded the motion. Motion passes 6 votes in favor, 1 against (Commissioner Cultum).

Item 5 – District 2 – Presentation and action approving a Site Plan for Southwest Kidney Institute located on the western corner of Reems Road and Mountain View Boulevard within the Sun City Grand Planned Area Development (PAD).

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

The Commission had no comments.

Commissioner Cultum made a motion to approve a Site Plan for Southwest Kidney Institute located on the western corner of Reems Road and Mountain View Boulevard within the Sun City Grand Planned Area Development (PAD), subject to stipulations 'A' through 'C' as listed in the Staff Report. Commissioner Smith seconded the motion. Motion passes 7 votes in favor.

Item 6 – District 2 – Presentation and action approving a Site Plan for the Colonnade Assisted Living and Memory Care located west of western corner of Grand Avenue and Yorkshire Drive within the Sun City Grand Planned Area Development (PAD).

Hobart Wingard, Planner, presented item 6 to the Commission.

The Commission discussed item 6:

- Pedestrian access
- Parking
- Public safety
- Date of construction

Chair Chapman opened call to the public.

Jean Bonde shared that this facility is needed. She requests the process be expedited to get this facility built. There are many residents that need these services.

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

Commissioner Smith made a motion to approve a Site Plan for the Colonnade Assisted Living and Memory Care located west of the western corner of Grand Avenue and Yorkshire Drive within the Sun City Grand Planned Area Development (PAD). Commissioner Bash seconded the motion. Motion passes 6 votes in favor, 1 against (Commissioner Cultum).

Item 7 – Citywide – Presentation and discussion regarding a proposed Text Amendment to Chapter 113 of the Surprise Municipal Code regarding Signs.

Robert Kuhfuss, Planner, presented item 7 to the Commission.

The Commission discussed item 7:

- Section 113-08 General Provisions
- Section 113-09 Sign Classification and Types
- Placement of Class I and Class II Temporary Signs

- Section 113-09. A.6-Banner Signs
- Model Home Complex Signs
- Building Wall signs
- Monument Signs
- Prasada Signage
- Freeway Monument Signs
- Sign Illumination
- Enforcement

Chair Chapman while not a Public Hearing, called upon the public for their input.

Liz Recchia, West Maricopa Association of Realtors, shared WeMAR suggestions regarding the proposed version alternatives to the sign code. WeMAR also had language clarification requests regarding public access of right-of-way, temporary sign placement, criminal violation language removed, business registry. WeMAR appreciates staff's willingness to incorporate the many suggestions provided by others business and agencies.

James Carpentier, International Sign Association and Arizona Sign Association, discussed possible language changes regarding sign illumination, wall signs, electronic messages, and monument signs.

Donavaughn Howe would like clarification on model home signage, specifically regarding flags and banners.

Chlimita Frazer, sign designer, expressed her concerns regarding monument signs for shopping centers.

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

OTHER BUSINESS:

Item 8 – INTERNAL - Discussion pertaining to future agenda items.

None.

ADJOURNMENT:

Hearing no further business, Chair Chapman adjourned the Planning and Zoning Commission meeting at 9:29 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

January 18, 2018 @ 6:00:00 PM

Back Print

Board Meeting Date:	January 18, 2018	Contact Person:	Robert Kufuss - Community Development
Submitting Department:	CD Boards and Commissions	District:	Citywide
Staff Recommendations:	Approve		

Consent	Regular	Public Hearing	x	Report/Discussion
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Agenda Wording:

Consideration and action regarding the acceptance of either Exhibit A or Exhibit B as it pertains to Class I Temporary Signs and to incorporate said Exhibit into the draft sign code.

Motion:

- 1 I move to accept Exhibit [A or B] and incorporate said exhibit into the draft sign code.
- 1 I move to accept Exhibit [A or B] as revised to include [insert state nature of revision], and incorporate said exhibit as revised into the draft sign code
- 1 I move to continue this item to a date-certain of [insert date].

Background:

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

This item is associated with Item 3 of this agenda, but is being taken separately for clarity of record. The staff report and other attachments are available under Item 3.

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

- ☐ [FS15-311 Sign Code Update - RFLS 5115 - Version 2, Exhibit A, Section 113-09.A.2, Alternative 1](#)
- ☐ [FS15-311 Sign Code Update - RFLS 5115 - Version 3, Exhibit B, Section 113-09.A.2, Alternative 2](#)

External Attachment Links:

Meeting Requirements:

Powerpoint x Video x White Board x Other x

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

Robert H. Kuhfuss, AICP

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

CITY OF SURPRISE PLANNING CASE FS15-311

EXHIBIT A

VERSION 2, FINAL DRAFT

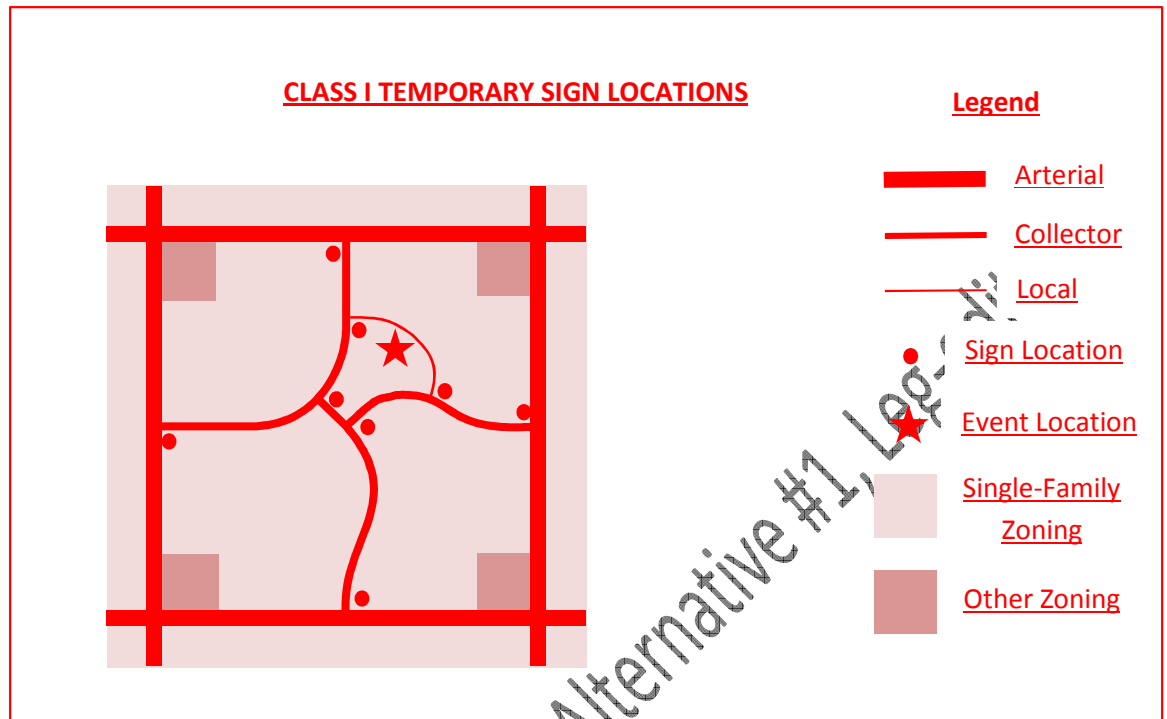
Changes from Version 1 Draft in **red font**. New language underlined. Deleted language in ~~strike-through~~.

The text that follows is Alternative #1 of Section 113-09.A.2

Public Review Version 2, 113-09.A.2 Alternative #1, Leg-edit

2. ***Class I Temporary Signs (Small A-Frame Signs):*** *Class I Temporary Signs*, as defined herein, are allowed subject to the General Requirements as stated above plus the following:

- a) 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. *Class I Temporary Signs* are only allowed in conjunction with a *Lawful Temporary Event* being held on land zoned for single-family residential uses.
- b) *Class I Temporary Signs* may be placed in the following locations when in association with a *Lawful Temporary Event* occurring on land zoned for single-family residential uses.
 - i) One (1) *Class I Temporary Sign* at the site of the *Lawful Temporary Event*.
 - ii) One (1) *Class I Temporary Sign* at each local street intersection or collector street intersection leading from the site of the *Lawful Temporary Event* to the adjacent arterial street grid.
 - iii) One (1) *Class I Temporary Sign* at the point where the local street or collector street intersects with the arterial street.
 - iv) In no circumstance shall a street other than a local or collector street be located between a *Class I Temporary Sign* and the *Lawful Temporary Event* served by the *sign*.



- bc) ~~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. When allowed, Class I Temporary Signs may be located within the street right-of-way, but not within any median, vehicle or bicycle travel lane, or sidewalk, nor within any sight visibility triangle as outlined in Standard Details 4-01 and 4-02 of the Surprise Engineering Development Standards.~~
- ed) 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.
- de) The *sign* may be weighted or ballasted; however, no such *sign* may be affixed to the ground or to any permanent *structure*.
- ef) ~~The sign may be displayed only during the business hours of the business or temporary event served by the sign. Class I Temporary Signs may be placed one (1) hour before the start of the Lawful Temporary Event and shall be removed not more than one (1) hour after the end of the Lawful Temporary Event.~~
- g) If the Lawful Temporary Event being served by the Class I Temporary Sign requires a Temporary Use Permit, the locations of the Class I Temporary Signs shall be included with the application materials.

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

CITY OF SURPRISE PLANNING CASE FS15-311

EXHIBIT B

VERSION 3, FINAL DRAFT

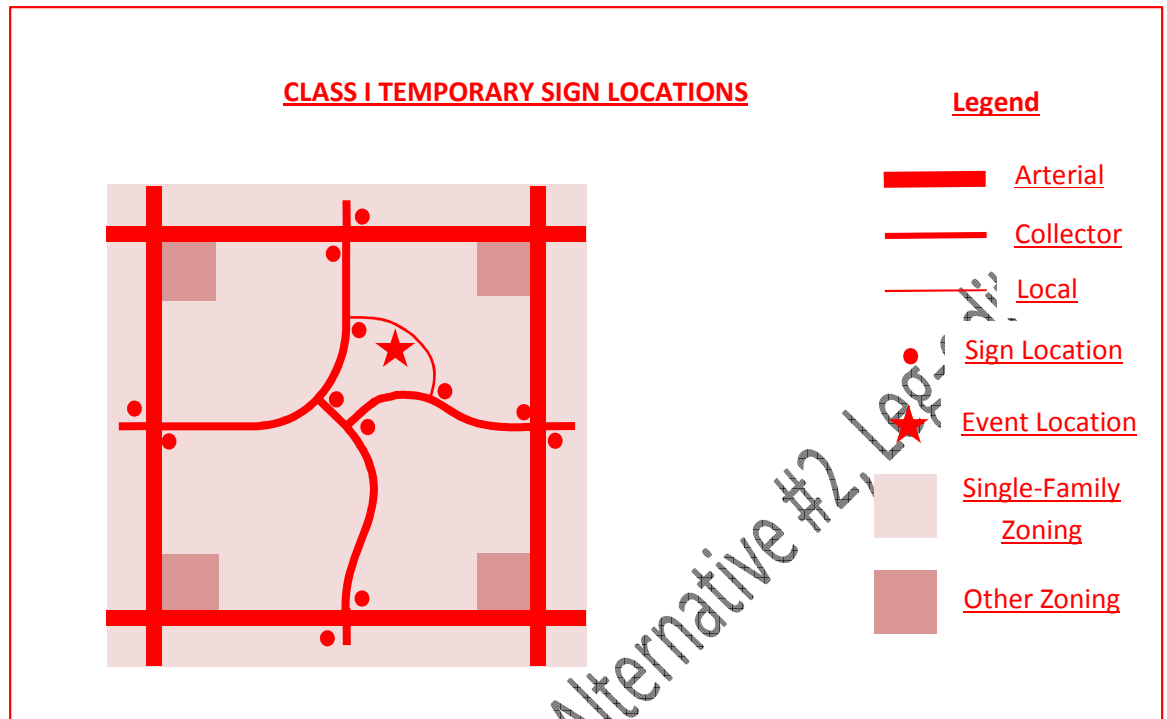
Changes from Version 1 Draft in **red font**. New language underlined. Deleted language in ~~strike-through~~.

Changes from Version 2 Draft in **blue font**. New language underlined. Deleted language in ~~strike-through~~.

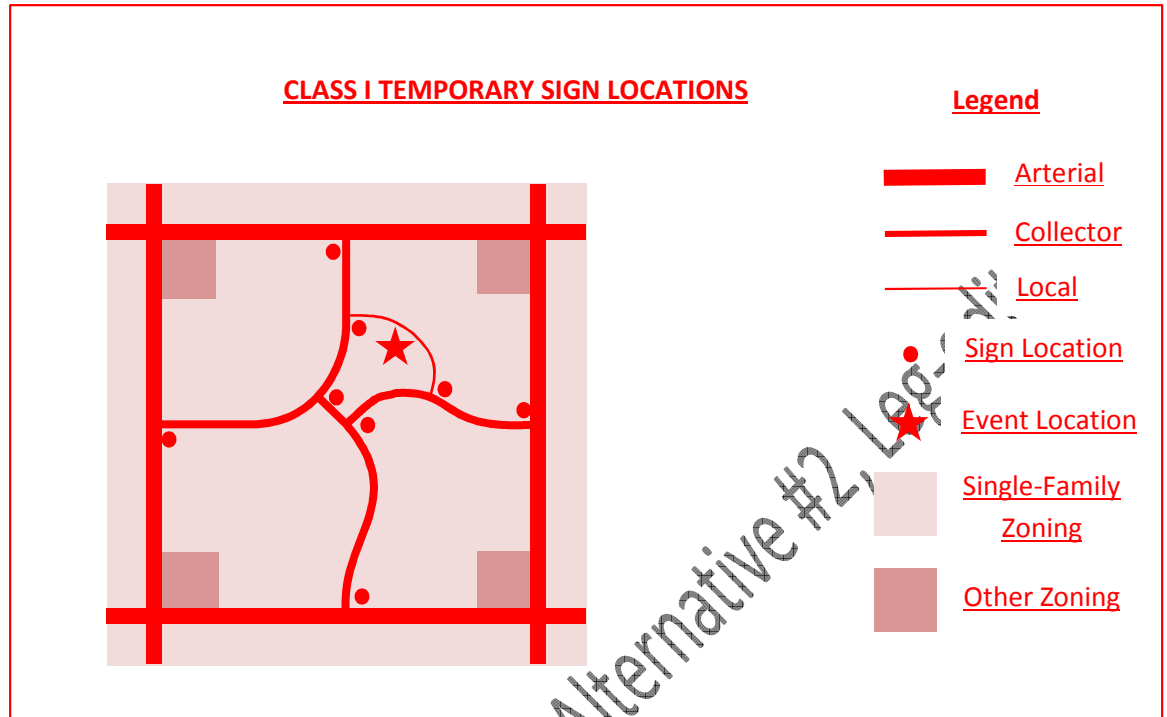
The text that follows is Alternative #2 of Section 113-09.A.2

2. ***Class I Temporary Signs (Small A-Frame Signs):*** *Class I Temporary Signs*, as defined herein, are allowed subject to the General Requirements as stated above plus the following:

- a) 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. *Class I Temporary Signs* are only allowed in conjunction with a *Lawful Temporary Event* being held on land zoned for single-family residential uses.
- b) *Class I Temporary Signs* may be placed in the following locations when in association with a *Lawful Temporary Event* occurring on land zoned for single-family residential uses.
 - i) One (1) *Class I Temporary Sign* at the site of the *Lawful Temporary Event*.
 - ii) One (1) *Class I Temporary Sign* at each local or collector street intersection leading from the site of the *Lawful Temporary Event* to the adjacent arterial street grid.
 - iii) Two (2) *Class I Temporary Sign* at the point where the local or collector street intersects with the arterial street. One (1) of these *signs* may be located on the opposite side of the arterial street intersection from where the *Lawful Temporary Event* is occurring, provided said *sign* is no further than 100 feet from the intersection.



- bc) ~~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. When allowed, Class I Temporary Signs may be located within the street right-of-way, but not within any median, vehicle or bicycle travel lane, or sidewalk, nor within any sight visibility triangle as outlined in Standard Details 4-01 and 4-02 of the Surprise Engineering Development Standards.~~
- ed) 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.
- de) The *sign* may be weighted or ballasted; however, no such *sign* may be affixed to the ground or to any permanent *structure*.
- ef) ~~The sign may be displayed only during the business hours of the business or temporary event served by the sign. Class I Temporary Signs may be placed one (1) hour before the start of the Lawful Temporary Event and shall be removed not more than one (1) hour after the end of the Lawful Temporary Event.~~
- g) If the Lawful Temporary Event being served by the Class I Temporary Sign requires a Temporary Use Permit, the locations of the Class I Temporary Signs shall be included with the application materials.



- bc) ~~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. When allowed, Class I Temporary Signs may be located within the street right-of-way, but not within any median, vehicle or bicycle travel lane, or sidewalk, nor within any sight visibility triangle as outlined in Standard Details 4-01 and 4-02 of the Surprise Engineering Development Standards.~~
- ed) 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.
- de) The *sign* may be weighted or ballasted; however, no such *sign* may be affixed to the ground or to any permanent *structure*.
- ef) ~~The sign may be displayed only during the business hours of the business or temporary event served by the sign. Class I Temporary Signs may be placed one (1) hour before the start of the Lawful Temporary Event and shall be removed not more than one (1) hour after the end of the Lawful Temporary Event.~~
- g) If the Lawful Temporary Event being served by the Class I Temporary Sign requires a Temporary Use Permit, the locations of the Class I Temporary Signs shall be included with the application materials.



CITY OF SURPRISE
Planning and Zoning Commission

January 18, 2018 @ 6:00:00 PM

Back Print

Board Meeting Date:	January 18, 2018	Contact Person:	Robert Kuhfuss - Community Development
Submitting Department:	CD Boards and Commissions	District:	Citywide
Staff Recommendations:	Approve		

Consent	Regular	Public Hearing	x	Report/Discussion
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Agenda Wording:

Consideration and action regarding the acceptance of either Exhibit C or Exhibit D as it pertains to Class II Temporary Signs and to incorporate said Exhibit into the draft sign code.

Motion:

- 1 I move to accept Exhibit [C or D] and incorporate said exhibit into the draft sign code.
- 1 I move to accept Exhibit [C or D] as revised to include [insert state nature of revision], and incorporate said exhibit as revised into the draft sign code
- 1 I move to continue this item to a date-certain of [insert date].

Background:

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

This item is associated with Item 3 of this agenda, but is being taken separately for clarity of record. The staff report and other attachments are available under Item 3.

Financial Impact Statement:

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ATTACHMENTS:

Click to download

- ☐ [FS15-311 Sign Code Update, RFLS 5115 - Version 2, Exhibit C, Section 113-09.A.3, Alternative 1](#)
- ☐ [FS15-311 Sign Code Update, RFLS 5115 - Version 2, Exhibit D, Section 113.09.A.3, Alternative 2](#)

External Attachment Links:

Meeting Requirements:

Powerpoint x Video x White Board x Other x

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

Robert H. Kuhfuss, AICP

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

CITY OF SURPRISE PLANNING CASE FS15-311

EXHIBIT C

VERSION 3, FINAL DRAFT

Changes from Version 1 Draft in **red font**. New language underlined. Deleted language in ~~strike-through~~.

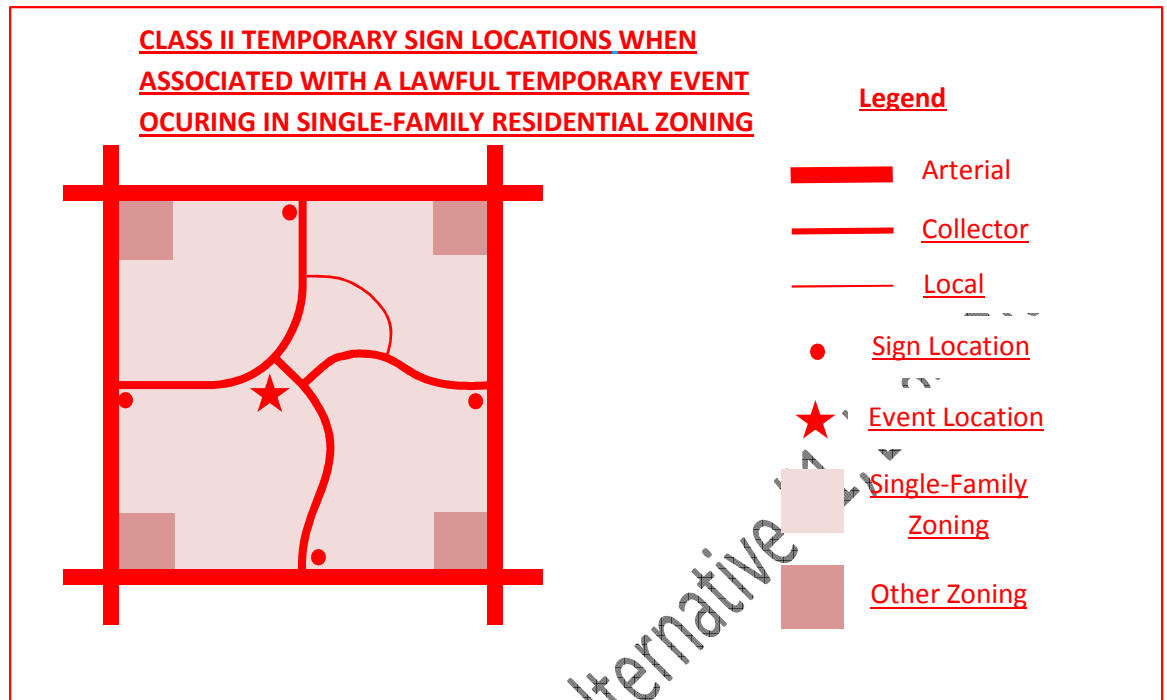
Changes from Version 2 Draft in **blue font**. New language underlined. Deleted language in ~~strike-through~~.

The text that follows is Alternative #1 of Section 113-09.A.3

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

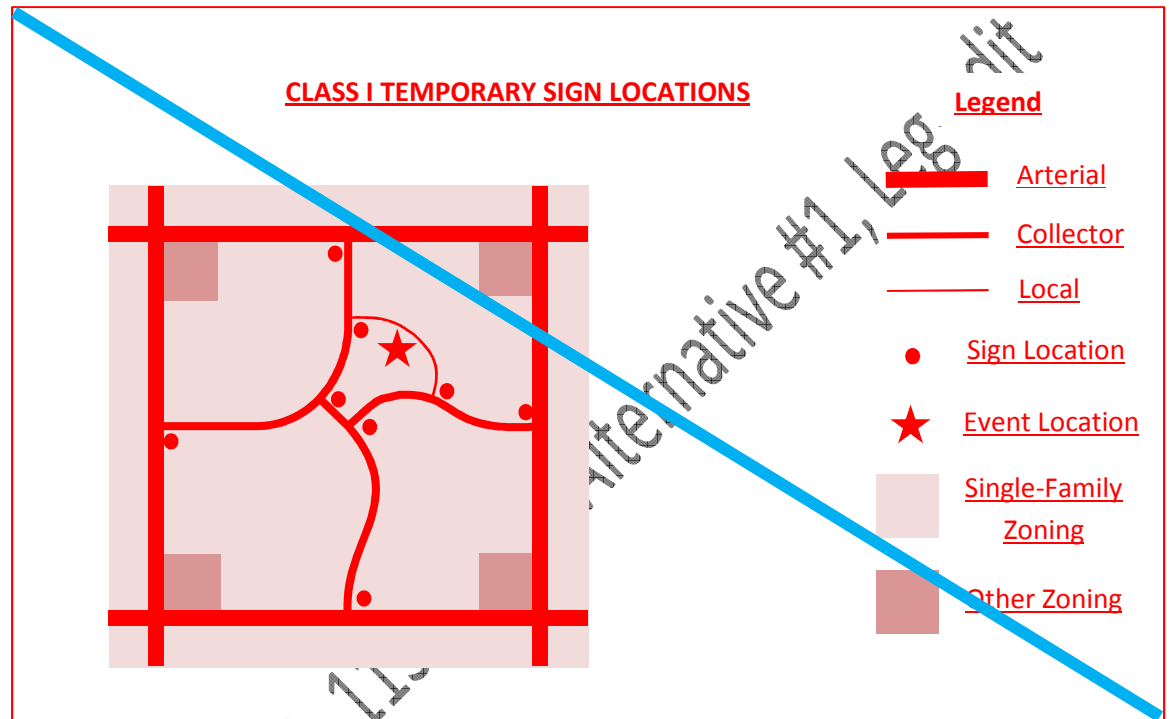
Class II Temporary Signs, as defined herein, are allowed subject to the General Requirements as stated above plus the following:

- a) 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. Class II Temporary Signs are only allowed in conjunction with a lawful commercial use including Cottage Industries, but not Home Occupations, or in conjunction with a Lawful Temporary Event being held on land zoned for single-family residential uses.
- 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. When a Class II Temporary Sign is being utilized in conjunction with a lawful commercial use, one (1) such sign may be located within 15' of the doorway of the customer entrance to the building in which the lawful commercial use is occurring.
- c) When a Class II Temporary Sign is being utilized in conjunction with a Lawful Temporary Event located on land zoned for single-family residential uses, the following locational requirements apply:
 - i) One (1) Class II Temporary Sign may be placed at the site of the Lawful Temporary Event,
 - ii) One (1) Class II Temporary Sign may be placed at the point where the local street or collector street intersects with the arterial street grid.
 - iii) In no circumstance shall a street other than a local street or collector street be located between a Class II Temporary Sign and the Lawful Temporary Event served by the sign.



- ed) 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. When allowed, Class II Temporary Signs may be located within the street right-of-way, but not within any median, vehicle or bicycle travel lane, or sidewalk, nor within any sight visibility triangle as outlined in Standard Details 4-01 and 4-02 of the Surprise Engineering Development Standards.
- de) The sign shall be placed within 15' of the customer entrance of the business served by the sign. 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.
- ef) The sign shall not be located within any landscape area. The sign may be weighted or ballasted; however, no such sign may be affixed to the ground or to any permanent structure.
- fg) The sign may be weighted or ballasted; however, no such sign shall be affixed to the ground or to any structure or object. Class II Temporary Signs associated with a Lawful Temporary Event located on land zoned for single-family residential uses may be placed between the hours of 4:00 PM Friday to 11:00 PM Sunday. Otherwise, Class II Temporary Signs may be displayed during the business hours of the business served by the Class II Temporary Sign.

- gh) ~~The sign may be displayed only during the business hours of the business or temporary event served by the sign. If the Lawful Temporary Event being served by the Class II Temporary Sign requires a Temporary Use Permit, the locations of the Class II Temporary Signs shall be included with the application materials.~~



- bc) ~~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. When allowed, Class II Temporary Signs may be located within the street right-of-way, but not within any median, vehicle or bicycle travel lane, or sidewalk, nor within any sight visibility triangle as outlined in Standard Details 4-01 and 4-02 of the Surprise Engineering Development Standards.~~

- ed) 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.

- de) The sign may be weighted or ballasted; however, no such sign may be affixed to the ground or to any permanent structure.

- ef) ~~The sign may be displayed only during the business hours of the business or temporary event served by the sign. Class II Temporary Signs may be placed one (1) hour before the start of the~~

Lawful Temporary Event and shall be removed not more than one (1) hour after the end of the Lawful Temporary Event.

- g) If the *Lawful Temporary Event* being served by the *Class II Temporary Sign* requires a Temporary Use Permit, the locations of the *Class I Temporary Signs* shall be included with the application materials.

Public Review Version 3, 113-09.A.3 Alternative #1, Leg-edit

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

CITY OF SURPRISE PLANNING CASE FS15-311

EXHIBIT D

VERSION 3, FINAL DRAFT

Changes from Version 1 Draft in **red font**. New language underlined. Deleted language in ~~strike-through~~.

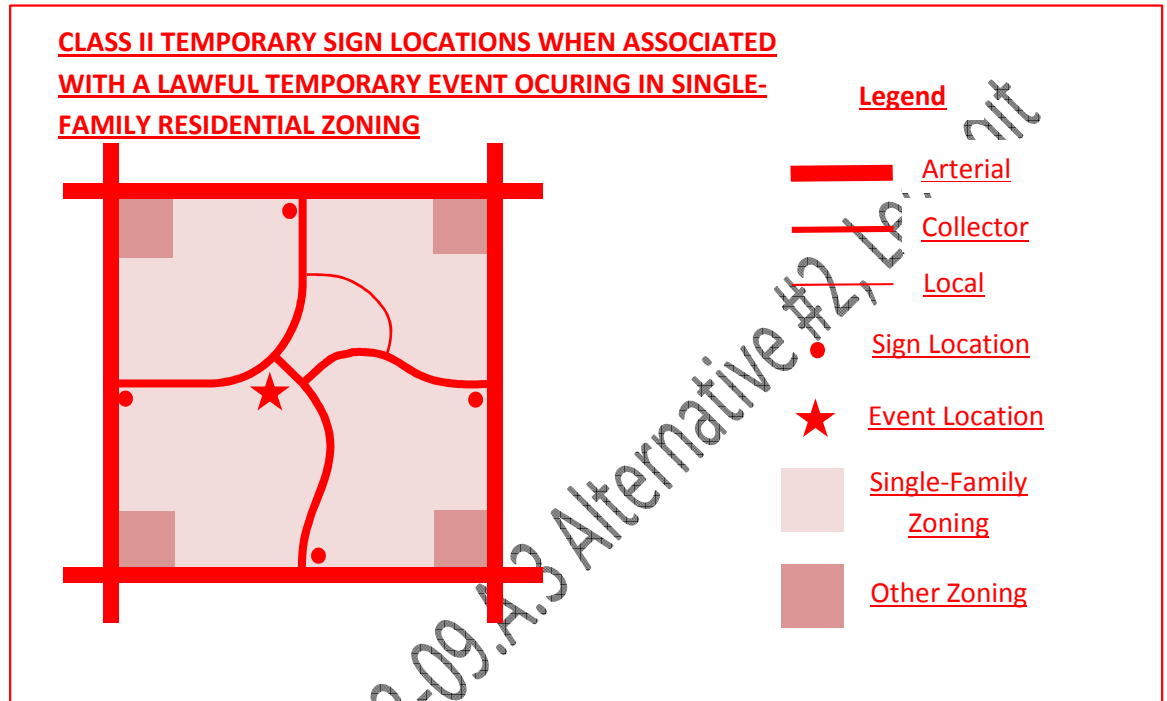
Changes from Version 2 Draft in **blue font**. New language underlined. Deleted language in ~~strike-through~~.

The text that follows is Alternative #2 of Section 113-09.A.3

3. ***Class II Temporary Signs (Large A-Frame Signs and Pedestal Signs):***
Class II Temporary Signs, as defined herein, are allowed subject to the General Requirements as stated above plus the following:

- a) 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. *Class II Temporary Signs* are only allowed in conjunction with a lawful commercial use including *Cottage Industries*, but not *Home Occupations*, or in conjunction with a *Lawful Temporary Event* being held on land zoned for single-family residential uses.
- 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. When a *Class II Temporary Sign* is being utilized in conjunction with a lawful commercial use, one (1) such *sign* may be located within 15' of the doorway of the customer entrance to the *building* in which the lawful commercial use is occurring.
- c) In addition to the *Class II Temporary Sign* permitted under 113-09.A.3.b above, properties zoned for commercial uses may utilize one (1) *Class II Temporary Sign* per 200 linear feet of street frontage. Said *signs* may be placed adjacent to, but not within any right-of-way, median, vehicle or bicycle travel lane, or sidewalk, or within any sight visibility triangle as outlined in Standard Details 4-01 and 4-02 of the Surprise Engineering Development Standards.
- d) When a *Class II Temporary Sign* is being utilized in conjunction with a *Lawful Temporary Event* located on land zoned for single-family residential uses, the following locational requirements apply:
 - i) One (1) *Class II Temporary Sign* may be placed at the site of the *Lawful Temporary Event*.
 - ii) One (1) *Class II Temporary Sign* may be placed at the point where the local street or collector street intersects with the arterial street grid.

- iii) In no circumstance shall a street other than a local street or collector street be located between a *Class II Temporary Sign* and the *Lawful Temporary Event* served by the sign.



- ee) 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. Unless associated with a *Lawfull Temporary Event*, no *Class II Temporary Sign* may be located within the public right-of-way. In no case shall any *Class II Temporary Sign* be located within any median, vehicle or bicycle travel lane, or sidewalk, or within any sight visibility triangle as outlined in Standard Details 4-01 and 4-02 of the Surprise Engineering Development Standards.
- ef) The *sign* shall be placed within 15' of the customer entrance of the business served by the *sign*. 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.
- eg) The *sign* shall not be located within any landscape area. The *sign* may be weighted or ballasted; however, no such *sign* may be affixed to the ground or to any permanent *structure*.
- fh) The *sign* may be weighted or ballasted; however, no such *sign* shall be affixed to the ground or to any *structure* or object. *Class II Temporary Signs* associated with a *Lawful Temporary Event*

located on land zoned for single-family residential uses may be placed between the hours of 4:00 PM Friday to 11:00 PM Sunday. Otherwise, *Class II Temporary Signs* may be displayed during the business hours of the business served by the *Class II Temporary Sign*.

- gi) The *sign* may be displayed only during the business hours of the business or temporary event served by the *sign*. If the *Lawful Temporary Event* being served by the *Class II Temporary Sign* requires a Temporary Use Permit, the locations of the *Class II Temporary Signs* shall be included with the application materials.

Public Review Version 3, 113-09.A.3 Alternative #2, Legend



CITY OF SURPRISE
Planning and Zoning Commission

January 18, 2018 @ 6:00:00 PM

Back Print

Board Meeting Date:	January 18, 2018	Contact Person:	Robert Kuhfuss - Community Development
Submitting Department:	CD Boards and Commissions	District:	Citywide
Staff Recommendations:	Approve		

Consent	Regular	Public Hearing	x	Report/Discussion
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Agenda Wording:

Consideration and action regarding a Text Amendment to Chapter 113 of the Surprise Municipal Code regarding signs.

Motion:

- 1 I move to recommend approval of Version 3 of the proposed Text Amendment to Chapter 113 of the Surprise Municipal Code regarding signs to the City Council, as amended by and including Exhibits [A or B and C or D].
- 1 I move to recommend approval of Version 3 of the proposed Text Amendment to Chapter 113 of the Surprise Municipal Code regarding signs to the City Council, as amended by and including Exhibits [A or B and C or D], and further amending to include [state nature of revision].
- 1 I move to continue this item to a date-certain of [insert date].

Background:

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

This item is associated with Items 1 and 2 of this agenda, but is being taken separately for clarity of record.

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**

- ☐ [FS15-311 Sign Code Update - RFLS #5115 - Staff Report](#)
- ☐ [FS15-311 Sign Code Update - RFLS #5115 - Public Review Version 3 final draft](#)
- ☐ [FS15-311 Sign Code Update, RFLS #5115 - Written Comments as of July 12, 2017 - part 1](#)
- ☐ [FS15-311 Sign Code Update, RFLS #5115 - Written Comments as of July 12, 2017 - part 2](#)
- ☐ [FS15-311 Sign Code Update, RFLS #5115 - Written Comments as of July 13, 2017 through September19, 2017 - redacted](#)
- ☐ [FS15-311 Sign Code Update, RFLS #5115 - Written Comments September 20, 2017 through January 12, 2018](#)
- ☐ [FS15-311 Sign Code Update, RFLS #5115 - Presentation](#)
- ☐ [FS15-311 Sign Code Update, RFLS #5115 - Proposed Text Amendment to chapter 113 - excerpts](#)
- ☐ [FS15-311 Sign Code Update, RFLS #5115 - Public Engagement Formn for Sign code Update](#)

External Attachment Links:

Meeting Requirements:

Powerpoint x Video x White Board x Other x

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

Robert H. Kuhfuss, AICP

TEXT AMENDMENT

REPORT TO THE PLANNING AND ZONING COMMISSION

Case: FS15-311

Project Name: Sign Code Update

Council District: All

Meeting Date: January 18, 2018

Planner: Robert H. Kuhfuss, AICP

Applicant: City of Surprise

Request: Text Amendment to Chapter 113 of the Surprise Municipal Code regarding Signs

Location: City Wide

Support/Opposition: Staff has received several items of input

Recommendation: As this is a public hearing, the Commission will be taking action on a number of issues as discussed in the staff report. **Staff recommends the Commission take the following actions in the following order:**

- 1) Vote to accept either Exhibit A or Exhibit B regarding Class I Temporary Signs;
- 2) Vote to accept either Exhibit C or Exhibit D regarding Class II Temporary Signs;
- 3) Vote to recommend approval of the proposed sign code, as amended by the Exhibits accepted by the Commission above.

43 **PROJECT DESCRIPTION:**

44
45 The Surprise Community Development Department seeks an amendment to Chapter 113 of the
46 Surprise Municipal Code regarding signs. This effort is associated with the larger zoning code
47 update, which is in progress; however, with the recent U.S. Supreme Court decision regarding
48 Reed v. Town of Gilbert, staff wishes to move forward with the sign code update in order to
49 ensure the city's compliance with the 1st Amendment and applicable case law.
50

51 **BACKGROUND:**

52
53 **April 16, 2015:** Staff introduced the sign code re-write in a general manner to the Planning and
54 Zoning Commission as a discussion item.
55

56 **April 21, 2015:** Staff introduced the sign code re-write in a general manner to the City Council
57 as a discussion item.
58

59 **May 2015:** U.S. Supreme Court ruling on Reed v. Gilbert.
60

61 **September 1, 2015:** Staff presented an update to the City Council regarding the Reed case.
62

63 **February 2017:** Draft sign code released to the public for review and comment.
64

65 **March 7, 2017:** Staff presented an update to the City Council as a general discussion item.
66

67 **March 8, 2017 through March 29, 2017:** Staff held a series of citizen outreach meetings to
68 discuss the draft sign code.
69

70 **April 20, 2017:** Staff presented the 1st draft language to the Planning and Zoning Commission.
71

72 **July 6, 2017:** Focused discussion with Planning and Zoning Commission regarding Methods of
73 Measurement, Wall Signs and Freestanding Signs.
74

75 **July 20, 2017:** Focused discussion with Planning and Zoning Commission regarding Billboards,
76 Freeway Signs, and Electronic Messaging.
77

78 **August 3, 2017:** Focused discussion with Planning and Zoning Commission regarding
79 Temporary Signs.
80

81 **August 31, 2017:** Staff attended a webinar summarizing relevant events that have occurred
82 since the Supreme Court's ruling on Reed v. Gilbert.
83

84 **September 5, 2017:** The City Council approved a new city-wide Temporary Sign Policy under
85 Resolution 2017-98.

September 7, 2017: This date was initially slated for a summary of revisions and open discussion with the Planning and Zoning Commission; however, emerging case law post-Reed requires staff to step back in order to ensure the draft code is in concert with that emerging case law. As a result, the discussion originally intended for this date has been postponed to a date to be determined.

October 5, 2017: Staff presented an interim report to the Commission. Topics covered included a newly adopted Temporary Sign Policy, a proposed Model Home Complex Sign Policy, Residential Subdivision Signs, Methods of Measurement, Building Wall Signs, Class I and Class II Monument Signs, Class V and Class VI Monument Signs, Billboards, and Freeway Monument Signs.

January 4, 2018: The Commission reviewed the revisions proposed as of January 4, 2018, and asked for further clarification and revisions, which are discussed below.

January 16, 2018: The City Council is scheduled to review the revisions proposed as of January 4, 2017. The outcome of that discussion is unknown as of the writing of this report.

OUTREACH:

Staff compiled a list of potential interested parties, which includes 140 individual names as of the writing of this report. Staff also conducted four (4) 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 both verbally and written.

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

Staff also met separately with representatives of WeMAR as well as the Home Builder's Association of Central Arizona (HBACA). Since the August 3, 2017 Commission meeting, staff received copious emails from members of the real estate industry expressing concerns over temporary signage relating to open houses. WeMAR issued three (3) letters expressing their concerns and comments.

In addition, staff met the Surprise Regional Chamber of Commerce in an effort to better engage the business community, and presented to the Surprise Regional Chamber of Commerce on July 27, 2017 on the subject of the Surprise Sign Code Update.

Staff also met with representatives from two separate billboard companies who expressed an interest in seeing permissive language relating to billboards in the draft code. Proposed language was provided to these individuals for review and comment. One individual expressed a desire to allow billboards along the western leg of Loop 303, in addition to the corridors identified in the draft.

Staff advertised the January 18, 2018 public hearing in accordance with state statute and the SUDC. Notices were mailed via 1st Class Mail to those members of the public who provided addresses to staff for that purpose.

DISCUSSION:

The project timeline is as follows (subject to change):

- **January 18, 2018** – Planning and Zoning Commission Public Hearing
- **February 6, 2018** – City Council Public Hearing
- **March 8, 2018** – Effective Date

Based on the comments received from stakeholders, and the direction from the Commission, staff revised the language of the draft code going into the January 4, 2018 Commission meeting. The following proposed changes are based on the discussion that occurred on that date. Staff also made minor revisions to correct scrivener's errors, which are not discussed.

Section 113-02 – Applicability:

The intent of the language as originally proposed by staff was to give precedent to any existing sign programs, while allowing for additional signage per code where an existing sign program might be silent. Going into the January 4, 2018 Commission meeting, staff revised the Applicability Statement to allow the more permissive of either an existing sign program or the new sign code to apply; however, in retrospect, staff is concerned that said language will result in unintended consequences which staff wishes to avoid. Staff therefore recommends the Applicability Statement be revised back to its original language. Version 3 has been so revised.

Section 113-08.B – Sign Quality, Construction, and Aesthetics:

Version 2 included language relating to the use of raceway cabinets such to limit their use to surfaces that are difficult to effectively repair such as masonry or metal. Based on recommendation from the International Sign Association, staff revised the language in Version 3 to simply state that where raceway cabinets are utilized, they must be painted to match the surface onto which they are mounted.

Version 2 also included language prohibiting the use “angle iron, bracing, guy wires or similar features”. The intent of this language was to foster quality signage; however, as noted by WeMAR, such elements may be the intent of the sign designer and could actually enhance the architectural character of the site. Staff, therefore, recommends that such elements be limited to those signs that are approved by the Commission through a Comprehensive Sign Program or Conditional Use Permit as appropriate. Version 3 has been so revised.

Section 113-09 – Sign Classification and Types:

Class I Temporary Signs

Section 113-09.A deals with Temporary Signs. Section 113-09.A.2 specifically addresses Class I Temporary Signs, which has been the topic of considerable discussion. Staff prepared two alternatives regarding Class I Temporary Signs leading into the January 4, 2018 Commission meeting. The first alternative (labeled Exhibit A in the attachments), essentially prohibits the placement of this class of sign in a manner where an arterial street would be located between the sign and the Lawful Temporary Event the sign serves. This exhibit remains effectively unchanged since the January 4, 2018 meeting except for the cover page.

The second alternative regarding Section 113-09.A.2, (labeled Exhibit B in the attachments), would allow an additional Class I Temporary Sign on the “opposite” side of the arterial street from where the Lawful Temporary Event is occurring. There was also considerable discussion during the January 4, 2018 Commission meeting regarding Alternative 2 as to whether or not this additional sign should be located within a specified distance from the arterial intersection. To address the latter, staff revised Exhibit B (see Version 3) to set the maximum distance between the sign and the intersection to 100 feet. Staff is in the process of conferring with Transportation regarding this issue and the Commission may wish to increase or decrease this distance based on that outcome.

Class II Temporary Signs

Section 113-09.A.3 specifically addresses Class II Temporary Signs. This type of signage was also the topic of considerable discussion. Again, leading into the January 4, 2018 Commission meeting, staff prepared two alternatives regarding Class II Temporary Signs. The first alternative (labeled Exhibit C in the attachments), limits the placement of this class of sign to within 15 feet of the business entrance door of the business it serves. This Exhibit remains unchanged, except to address a typographical error (see Version 3).

The second alternative relating to Section 113-09.A.3, (labeled Exhibit D in the attachments), would also allow Class II Temporary Signs to be located along commercial frontage, provided they are separated from one another by not less than 200 feet. Discussion during the January 4, 2018 Commission meeting on this topic centered about whether 200 feet is an appropriate distance. Staff is in the process of evaluating this distance and intends to speak to the matter at the January 18, 2018 Commission hearing, but suggests no changes at this time regarding this distance. Staff has revised Exhibit D relative to certain typographical errors (see Version 3).

Model Home Complex Signs and Active Single-Family Residential Subdivision Signs

During the January 4, 2018 Commission meeting, a member of the sign industry serving new home builders expressed concerns that the number and location of attention flags allowed for either a Model Home Complex or Active Single-Family Residential Subdivision is unclear. Staff notes that in order to maintain content-neutrality, the term “attention flag” is absent from the text of the draft code; however, to accommodate this type of flag, flagpoles of a certain height are allowed within specified locations. Staff believes that Sections 113-09.A.10 and 113.09.A.11 are fairly explicit as to the time, place and manner restrictions placed on these types of flagpoles and suggests no changes in that regard. The same individual suggested that banners be allowed in conjunction with a residential subdivision. Staff notes that Section 113-09.A.10 allows a banner sign to be located on the trap fence of a Model Home Complex; however, no such language is included in Section 113.09.A.11 as staff believes the allowances expressed in this Section provide for reasonable and adequate signage.

Class V and Class VI Monument Signs

Section 113-09.C.4 addresses Class V Monument Signs, while Section 113-09.C.5 addresses Class VI Monument Signs. During the January 4, 2018 Commission meeting, considerable discussion occurred regarding the separation distance between said signs and the amount of sign copy allowed for each type of sign.

Regarding Class V Monument Signs, staff revised Section 113-09.C.4 to decrease the separation distance from 300 feet to 150 feet, and to increase the sign area from twenty-four (24) to thirty-two (32) square feet; however, since staff wishes to keep the bottom edge of the sign copy area of a Class V Monument Sign at 4’ above the edge of pavement in order to maintain visibility, the maximum sign width of six (6) feet was deleted. Also, as presented in Version 2, the separation distance discussed above inadvertently only applies to Class V Monument Signs located on the same property. The Version 2 language does not limit the spacing between a Class V Monument Sign and a Class VI Monument Sign located on the same property. Staff added language in Version 3 to address this issue.

Similarly, regarding Class VI Monument Signs, staff revised Section 113-09.C.5 to decrease the separation distance from 600 feet to 300 feet and to reduce the lot width threshold under which a Class VI Monument Sign would not be allowed from 600 feet to 300 feet. Staff also revised this section to establish a 150' separation distance between Class V Monument Signs and Class VI Monument Signs located on the same property.

Staff is in the process of preparing visual graphics that will help to express the relative effects of these changes. The Commission will have the opportunity to discuss these issues further and to incorporate any additional revisions into the motion.

In addition, language relating to the sign area of a Class VI Monument Sign was inadvertently removed from Version 2. Staff revised this section to essentially provide that sign area associated with a Class VI Monument Sign would be capped at 36 square feet, but may increase 12 square feet for every 1' increase in height up to a maximum sign area of 120 square feet.

Billboards

Billboard Signs are addressed under Section 113-09.C.8. Two members of the billboard industry provided written comment (see attached) requesting revisions regarding maximum height, sign area, and spacing. The Commission discussed these topics during the January 4, 2018 Commission meeting and was comfortable with increasing the sign area of a small billboard from 300 square feet to 381.6 square feet in order to accommodate the standard 10.6' x 36' EMC. Staff has made the appropriate revisions to Version 3 in this regard. Staff also revised Section 113-09.C.8.b to clarify the eastern limit of the Loop 303 Corridor as requested by one of the industry members.

Further discussion amongst the Commission revealed varied opinions as to whether to allow larger sign faces for billboards (i.e. 14' x 48'), and/or taller sign heights (i.e. 60' or 70' versus 30' as proposed) in certain areas or not at all. Additional discussion involved the potential spacing between billboard signs. These questions are summarized as follows:

- Should 14' x 46' sign faces be allowed along the Loop 303 Corridor?
- Should the maximum height of billboard signs located along the Loop 303 Corridor be increased from 30' to 60' or 70'?
- Should spacing between billboard signs along the Loop 303 Corridor be decreased from ½ mile to 1/4 mile or 1/3 mile or less?

Staff has not made any revisions regarding these matters, but is in the process of creating graphics that will assist the Commission in visualizing these differences. If the Commission wishes to deviate from what is proposed under the Version 3 draft, the Commission's motion may include language directing staff to make the desired changes. Staff will then revise the language based on the Commission's recommendation and forward to the City Council.

295 **Freeway Monument Signs**

296
297 The Commission seemed comfortable with the draft language as it pertains to Freeway Monument
298 Signs, but also seeks additional graphics to aid in visualization. Staff is in the process of creating
299 these graphics. No changes to the draft language are proposed, except to remove a potential
300 conflict created by Section 113-09.C.9.b.v as applied to Loop 303 and Greenway Road location and
301 the approved Prasada Sign Package allows as follows:

- 302
303 v. Spacing between *freeway monument signs* shall be not less than 750 feet,
304 unless separated by a freeway or arterial-right of-way.
305

306 **Section 113-10 – Sign Illumination:**

307
308 Section 113-10.B addresses lighting in scenic corridor areas as defined by the General Plan.
309 WeMAR offered comments regarding the use of muted colors and the effect that may have on
310 business trademarks, in addition to what may be considered arbitrary language as it pertains to
311 reduced lighting intensities. The ISA echoes the latter and recommends that a specific standard be
312 identified. To that end, staff revised Version 3 language such that signs located within the scenic
313 areas are limited to internal illumination with the negative space limited to opaque materials. This
314 will greatly reduce the ambient lighting in sensitive areas, while removing concerns over
315 trademarks. Staff notes that as the development standards for scenic lands are created as part of
316 the SUDC re-write, this issue may be reconsidered.

317
318 The ISA also expressed concerns over the 1,320 foot separation requirement identified in Section
319 113-10.D as it pertains to multi-story buildings in proximity of residential and suggests that said
320 distance be reduced to 200 feet. The original intent of this Section, as presented under Version 1,
321 was to reduce the impacts of sign lighting associated with buildings greater than five stories in
322 height; however, this Section was revised in Version 2 in conjunction with similar revisions to
323 Section 113-09.B.1 regarding the height of the building. Staff is reticent to reduce the separation
324 requirement as suggested by the ISA due to potential impacts of wall signs located on tall buildings
325 relative to adjacent residential; however, Section 113-10.C as currently written sets the separation
326 distance at 100 feet for all other illuminated signage. Staff, therefore, recommends the height
327 threshold in 113-10.D be reset to five (5) stories, while striking reference to Section 113-09.B.1.
328 Version 3 has been so revised.

329
330 **Section 113-11 – Electronic Messaging Centers:**

331
332 Section 113-11.A sets up two categories of EMC, as further defined in Section 113-06. The ISA
333 previously recommended that a single category of EMC be utilized; however, staff wishes to retain
334 two levels of EMC in order to address situations where electronic reader boards might be used such
335 as gas pricing. Staff recommends that the Draft 2 language remain intact.
336

Section 113-11.B.4 provides that when EMCs are allowed, up to 30% of the sign area may be utilized by an EMC. The ISA recommends this figure be increased to 50% of the allowed sign area. Staff is comfortable with retaining the 30% threshold due to concerns expressed by the City Council regarding lighting intensity and recommends no changes in that regard. Should the Commission wish to increase this percentage, the Commission may include this change in the motion.

Section 113-16 – Nonconforming Signs:

Section 113-16.B.2 establishes a 90 day threshold for nonconformity. WeMAR expressed concerns over this timeframe; however, this is consistent with existing language elsewhere in the Surprise Municipal Code. Staff wishes to not create a conflict within the code, and points out that existing case law regarding the extension of nonconforming uses is established. Staff recommends no changes to this provision.

FINDINGS:

- The proposed changes represent an improvement to the Surprise Municipal Code
- The proposed changes are consistent with state statute
- The proposed changes are compliant with applicable case law regarding signs and 1st Amendment

RECOMMENDATION:

Staff recommends the Commission take the following actions in the following order:

- 1) Vote to accept either Exhibit A or Exhibit B regarding Class I Temporary Signs;
- 2) Vote to accept either Exhibit C or Exhibit D regarding Class II Temporary Signs;
- 3) Vote to recommend approval of the proposed sign code, as amended by the Exhibits accepted by the Commission above.

ATTACHMENTS:

- 01 – Chapter 113, Public Review Version 3 (except Sections 113-09.A.2 and 113-09.A.3), revised sections only included in packet
- 02 – Sign Code Update Public Review Version 2, Exhibit A, Section 113-09.A.2 Alternative #1
- 03 – Sign Code Update Public Review Version 3, Exhibit B, Section 113-09.A.2 Alternative #2
- 04 – Sign Code Update Public Review Version 3, Exhibit C, Section 113-09.A.3 Alternative #1
- 05 – Sign Code Update Public Review Version 3, Exhibit D, Section 113-09.A.3 Alternative #2
- 06 – Sign Code Written Comments as of July 12, 2017
- 07 – Sign Code Written Comments July 13, 2017 through September 19, 2017
- 08 – Sign Code Written Comments September 20, 2017 through January 12, 2018

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

CITY OF SURPRISE PLANNING CASE FS15-311

VERSION 3, FINAL DRAFT

Changes from Version 1 Draft in **red font**. New language underlined. Deleted language in ~~strike-through~~.

Changes from Version 2 Draft in **blue font**. New language underlined. Deleted language in ~~strike-through~~.

Public Review Version 3, Leg-edit

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Public Review Version 3, Leg-edit

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Section 113-01 – Title; Findings; ~~and~~ Purpose; Intent; and Limitations:

- 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~~:** The City of Surprise finds that while signs are essential to commerce and wayfinding. Signs may also obstruct views, distract motorists, displace alternative uses for land, contribute to blight, and pose other problems that legitimately call for regulation. A sign placed on land or on a building for the purpose of identification, protection, or directing persons to a use conducted therein must be deemed to be an integral but accessory and subordinate part of the principal use of the land or building.~~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~~Purpose:** The purpose of this Chapter is to safeguard the public interest from the negative impacts of signs thus ensuring the protection of property values, the character of neighborhoods, the creation of a convenient, attractive and harmonious community, while encouraging economic prosperity.~~, 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.~~

CD. **Limitations**Intent: The City of Surprise intends to allow adequate communication through signage while encouraging aesthetic quality in the design, location and size of all *signs* by:

1. Allowing adequate signage for business identification while meeting public and private objectives by establishing limitations on *signs* in order to ensure they are appropriate to the land, *building* or use to which they are appurtenant and are adequate for their intended purpose while balancing individual and community interests identified Subsection C herein. 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. Promoting the free flow of traffic, while protecting pedestrians and motorists from injury and property damage that may be caused by cluttered, distracting and illegible signage. These regulations distinguish between portions of the City designed for primarily vehicular access and portions of the City designed for primarily pedestrian access. 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. Promoting the use of *signs* that are well designed, of appropriate scale, structurally sound, and integrated with surrounding *buildings* and landscape in order to meet the community's desire for quality development. 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.
4. Protecting property values, the local economy, and the quality of life through regulations that are intended to preserve and enhance the appearance of the streetscape that affects the image of the city.
5. Maintaining acceptable outdoor lighting levels through regulations that are intended to enhance the livability of the community while respecting the natural habitat for animals and the desire for dark skies in environmentally sensitive areas.
6. Providing for adequate wayfinding through and within the city through regulations that are intended to aid motorists and pedestrians in navigating to local businesses and other points of interest safely.
7. Promoting the health, safety, morals, and general welfare of the citizens of the City of Surprise.

DE. 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 the federal government, the State of Arizona, the City of Surprise, or any other political subdivision of the state. 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. 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.

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.~~ Whenever the language of this Chapter is in conflict with an approved PAD or CSP, the more permissive 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 – Substitution

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

Section 113-045 – Rules of Interpretation

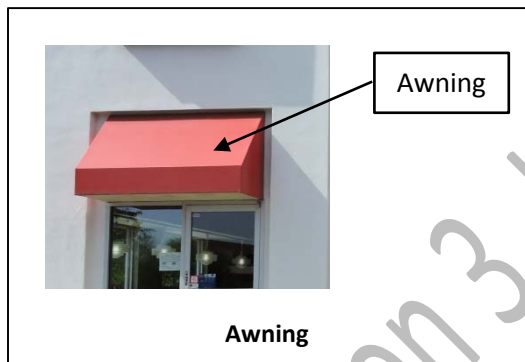
- A. Words or phrases within this Chapter which are expressed using *italics* shall assume the meaning as ascribed in Section 113-0506 of this Chapter. Words or phrases not expressed in italics shall assume the common meaning of the word or phrase unless such word or phrase is otherwise included in Section 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 113-056 – Definitions. For purposes of administering Chapter 113, the following definitions apply:

Active Single-Family Residential Subdivision: A subdivision consisting of single-family lots that are for sale to the public by a homebuilder.

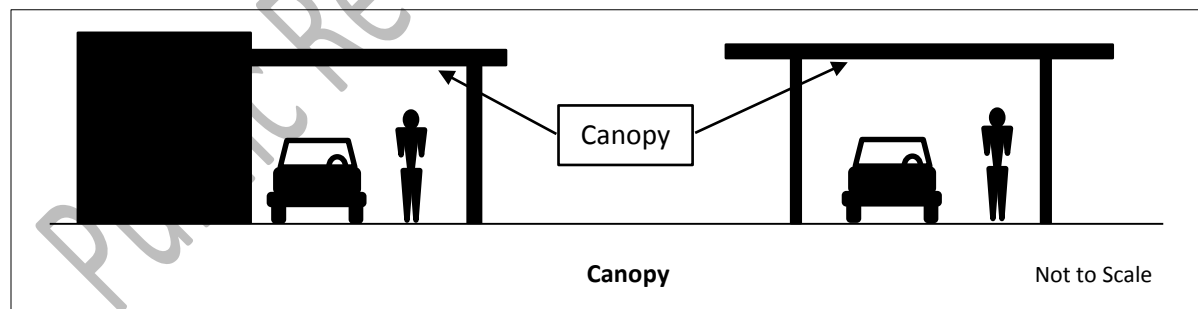
Awning: An architectural projection, typically made of cloth or metal, which projects from and is supported by the walls of a *building* and is intended to provide shade or shelter above a window or door.



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*.

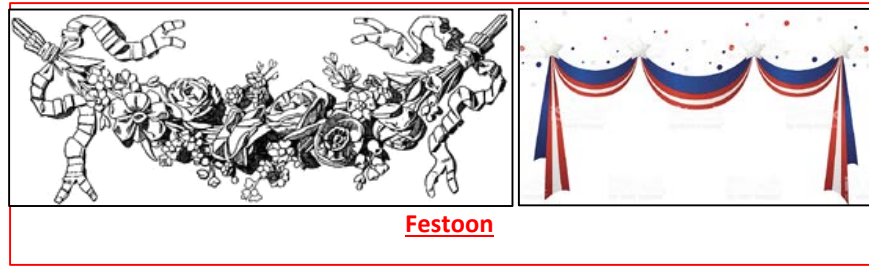
Electronic Messaging Center (EMC): A *sign* that utilizes computer-generated messages or some other electronic means of *changeable copy*. These *signs* include displays using incandescent lamps, LEDs, LCDs or a flipper matrix.

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*.

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



Home Occupation: A use of land that is in accordance with Section 122-86 of the Surprise Municipal Code.

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. For purposes of this Chapter, the following uses are also considered Lawful Temporary Events: Real estate open houses occurring within lands zoned for residential uses; and, religious institutions where religious services or religious events are held on lands zoned for residential uses, but where the primary use established for said land is that of a public school, private school, or charter school, or other community facility, or public meeting hall.

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

Logo, Primary City of Surprise: The official *logo* of the City of Surprise.

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

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

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

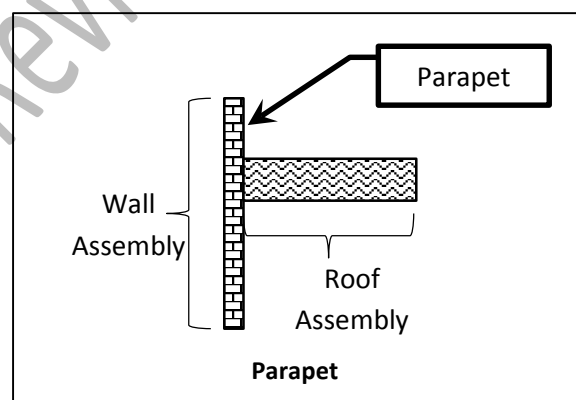


Message, Commercial: Speech that identifies, advertises, or directs attention to a business or is intended to induce a purchase of a good, property, or service, including, without limitation, any speech naming a brand of good or service and any speech that is not a noncommercial message.

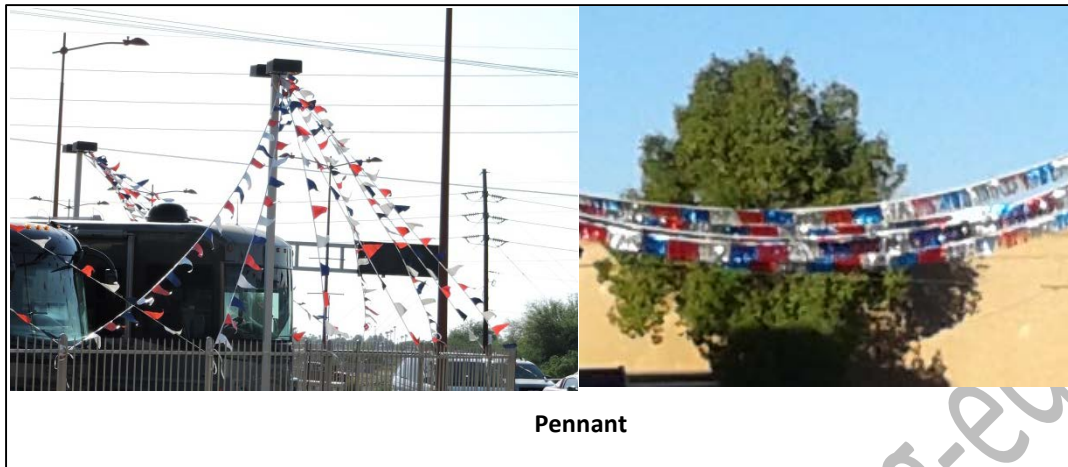
Message, Non-commercial: Speech that in no way identifies, advertises, or directs attention to a business or is intended to induce a purchase of a good, property, or service, including, but not limited to, religious, political, and ideological speech.

Model Home Complex: A use of land that is in accordance with Section 122-92 of the Surprise Municipal Code.

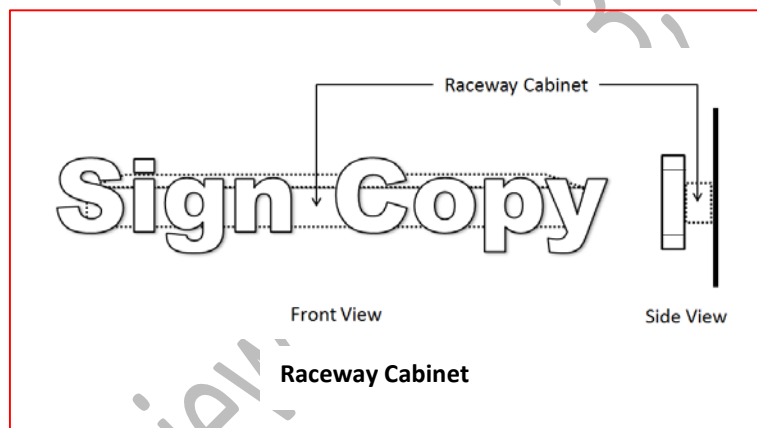
Parapet: That portion of a *building's* exterior wall which projects above the *roof* of the *building*.



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



Raceway cabinet: An aluminum channel box not more than eight (8) inches in depth used to mount signage to a wall or other structure.



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

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

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

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*.

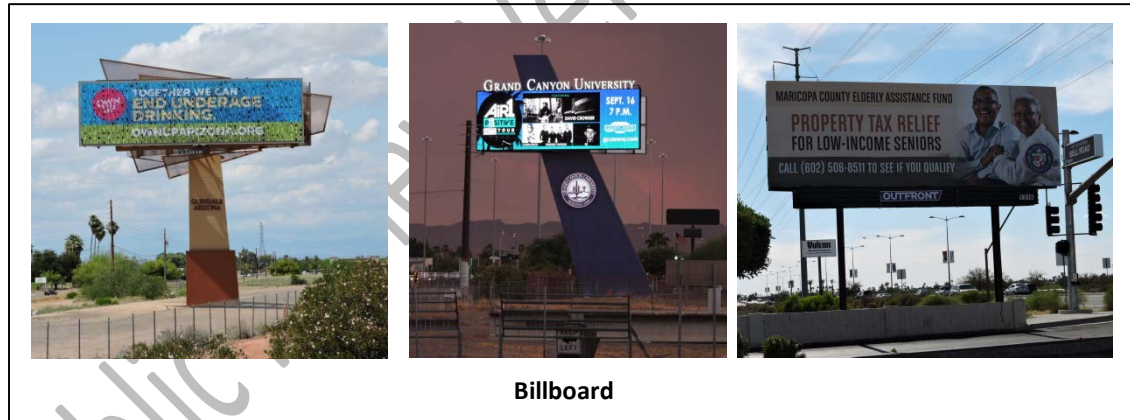


Sign, backlit: A *sign* typically utilizing opaque graphics, in which the light source is concealed or contained within the graphic thereby causing the graphic to become visible against the illuminated surface onto which the graphic is mounted.

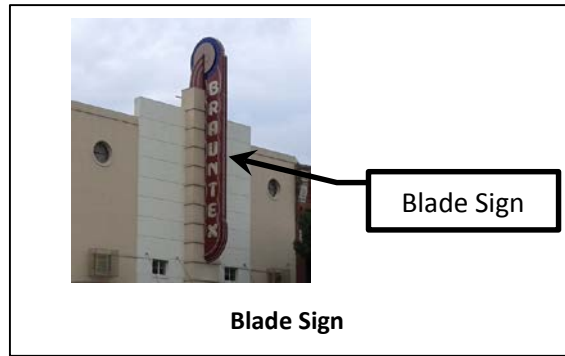
Sign, Banner: A *sign* consisting of fabric, paper, or other lightweight pliable material, either enclosed or not enclosed in a rigid frame, and secured or mounted to minimize movement in the wind, but not including *inflatable signs*.



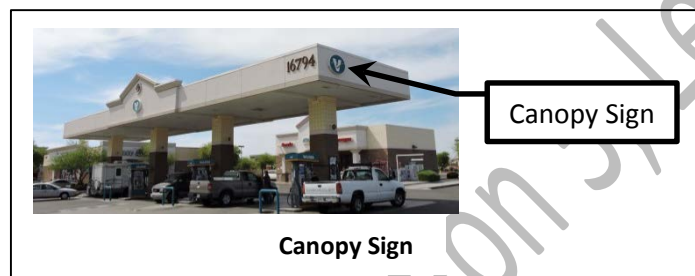
Sign, Billboard: A *sign* that advertises a business, commodity, service, entertainment, product or attraction which is sold, offered or existing elsewhere than on the property where the *sign* is located or which takes on the physical characteristics historically associated with such *signs*.



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

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

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

Sign, Hanging: See "*Shingle Sign*".

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

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



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

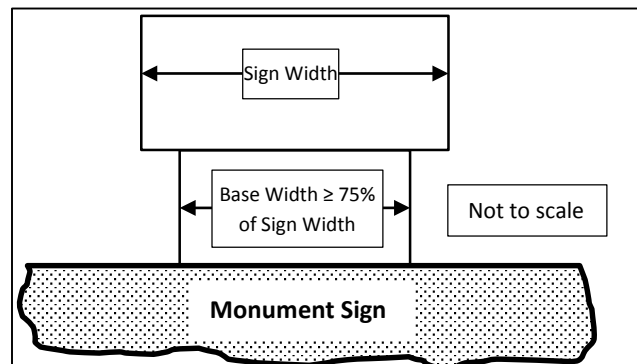
Sign, Light Pole Banner: A fabric *sign* suspended between two horizontal supports, which are attached to a light pole for the purpose of supporting the *sign*.



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

Sign, Model Home Complex: Any *sign* or *flag* that is approved for use in a *Model Home Complex*.

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



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



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



Sign, Monument, Class III: Commonly referred to as a “directional sign”, a Class III Monument Sign is a *monument sign* typically associated with a multi-family, commercial or industrial driveway or drive aisle.



Sign, Monument, Class IV: Commonly referred to as a “directory sign”, a Class IV Monument Sign is a *monument sign* typically associated with a pedestrian promenade or parking lot drive aisle.



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

Sign, Monument, Class VI: A *monument sign* associated with a Parkway, Major Arterial, or Minor Arterial, as defined by the Surprise Engineering Design Standards, or Grand Avenue, and provides the primary source of signage for the property served by the *sign*.

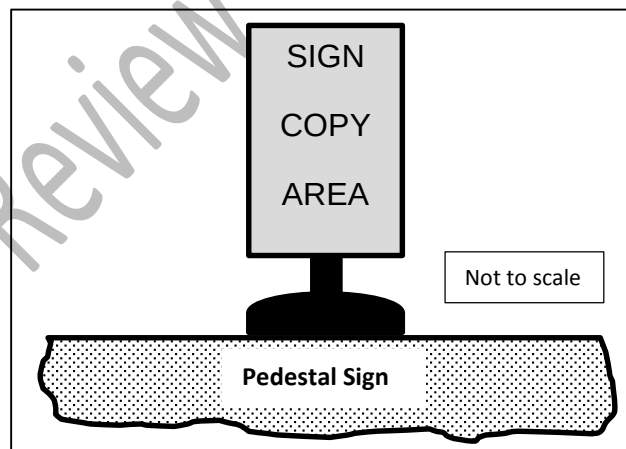
Sign, non-conforming: A *sign* that does not conform to the requirements of this Chapter.

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

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

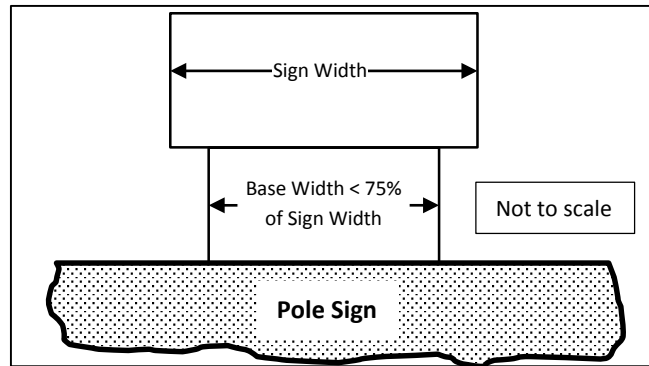
Sign panel: The surface on which *sign copy* is depicted.

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



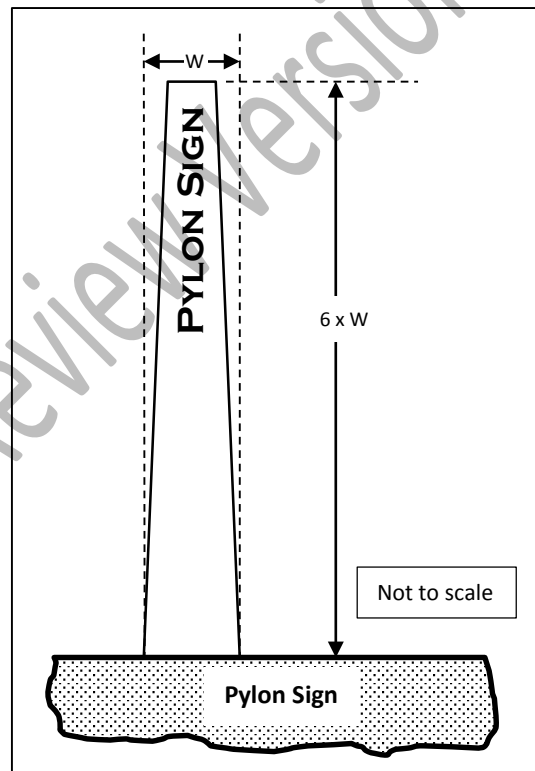
Sign, permanent: A *sign* that due to its physical characteristics and method of attachment is intended for permanent display.

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



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

Sign, Pylon: 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

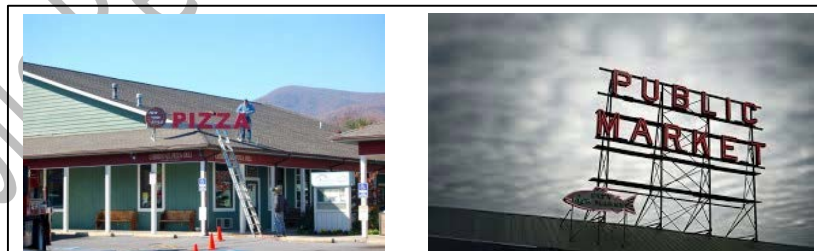
Sign, Residential Subdivision: Any sign that is approved for use in association with an Active Single-Family Residential Subdivision.

Sign, Roadway Arch: A sign mounted to a structure that spans a roadway or commercial driveway in which the structure is intended for that sole purpose.



Roadway Arch Sign

Sign, Roof: A building-mounted sign that is attached to or extends above the roof of a building.



Roof Sign

Sign, Sandwich: A type of A-Frame sign designed to be worn by a person.

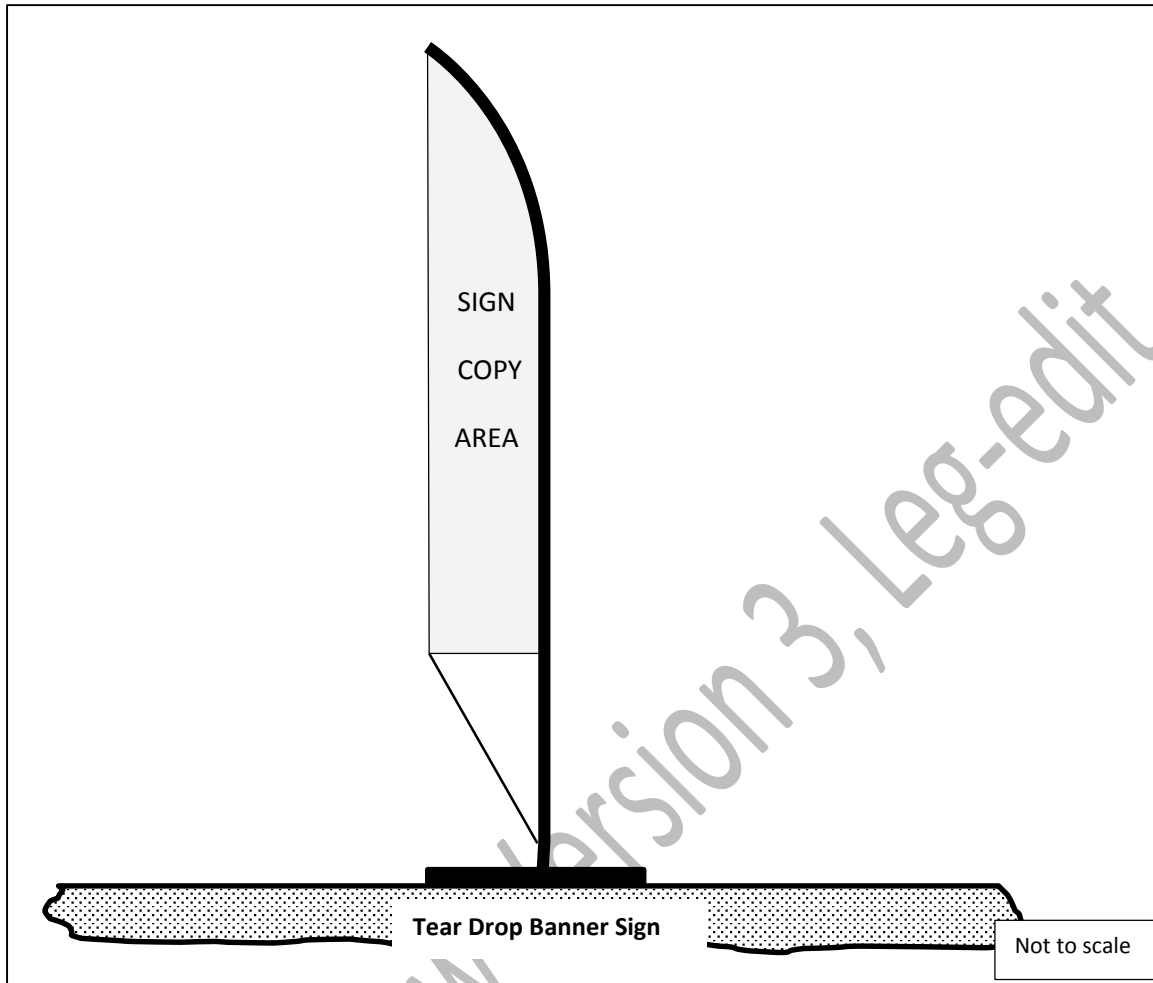
Sign, Shingle: A sign suspended from, and located entirely under a covered porch, walkway, canopy or awning.



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~~, or park bench, ~~parkway, street, or right of way~~.

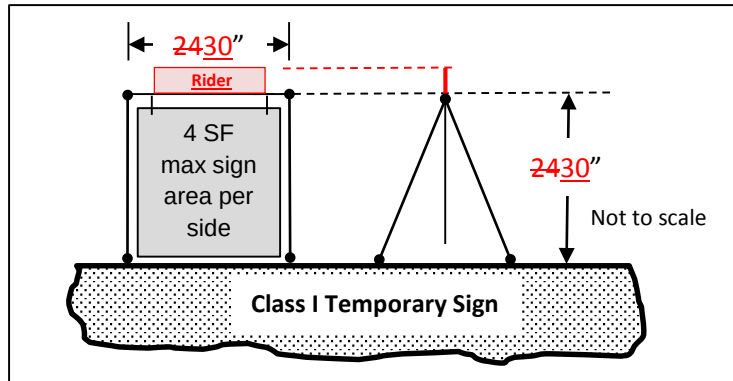
Sign structure: The supports and framework of a *sign*.

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.

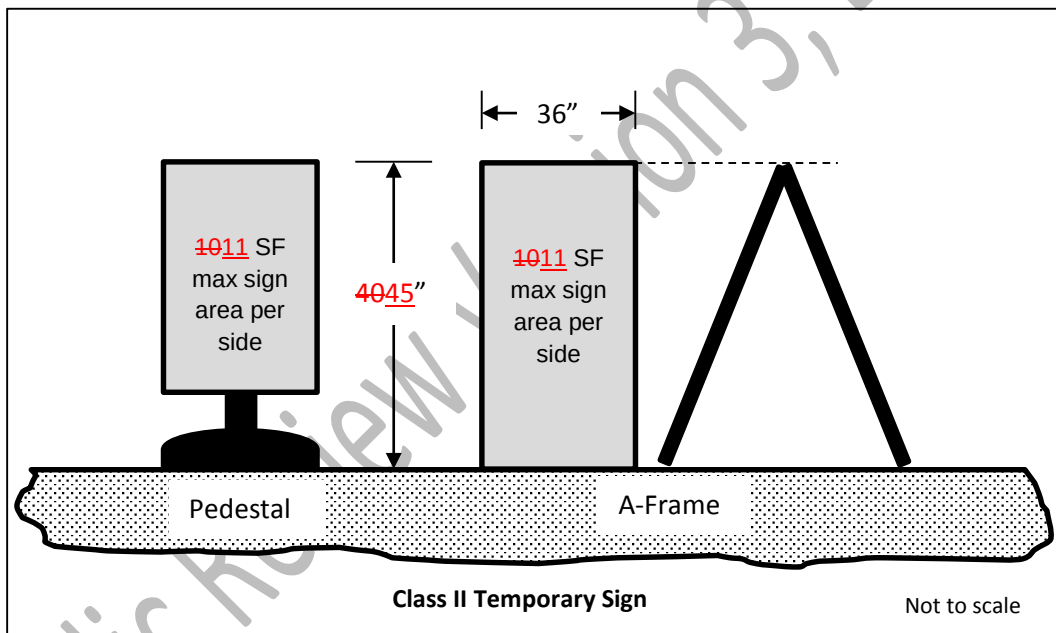


Sign, temporary: A *sign* that due to its physical characteristics and method of attachment is not intended for permanent display. See also “*sign, permanent*”.

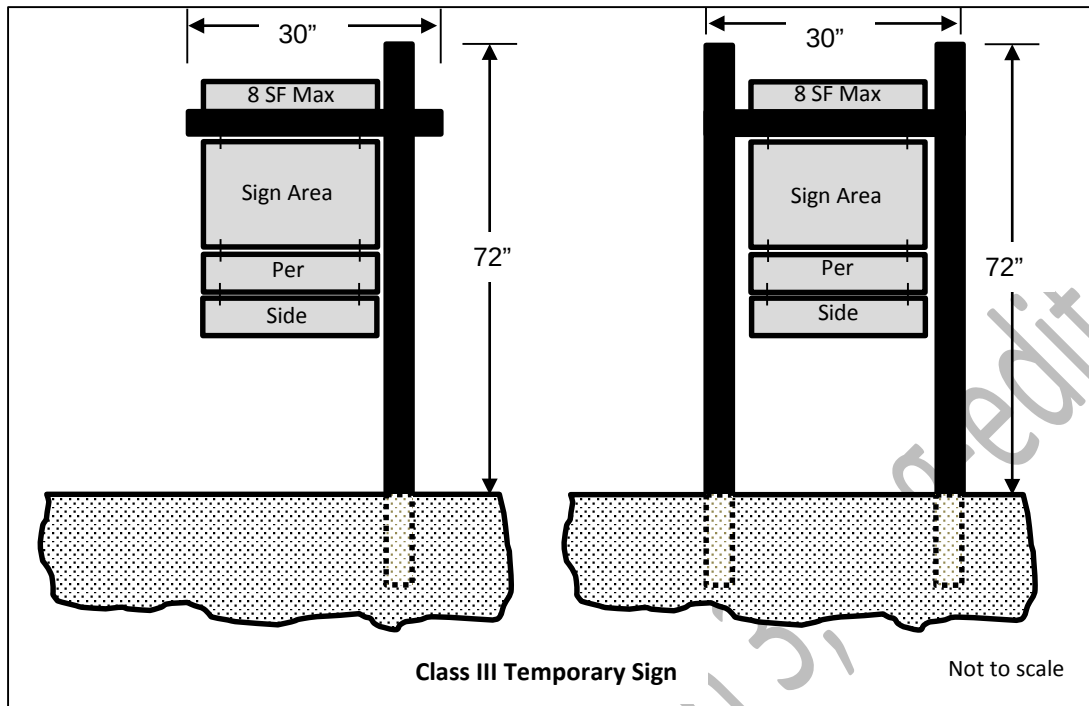
Sign, Temporary, Class I (Small A-Frame Sign): A *temporary, portable sign* generally in the shape of the letter “A” in which the overall height of the *sign structure* does not exceed ~~twenty-four (24)~~ thirty (30) inches, the overall width of the *sign structure* does not exceed ~~twenty-four (24)~~ thirty (30) inches and which does not exceed eight (8) square feet of aggregate *sign area*. Riders not exceeding six (6) inches in height and twenty-four (24) inches in length which are attached to the top of the A-Frame shall not be included in the overall height measurement or sign area measurement.



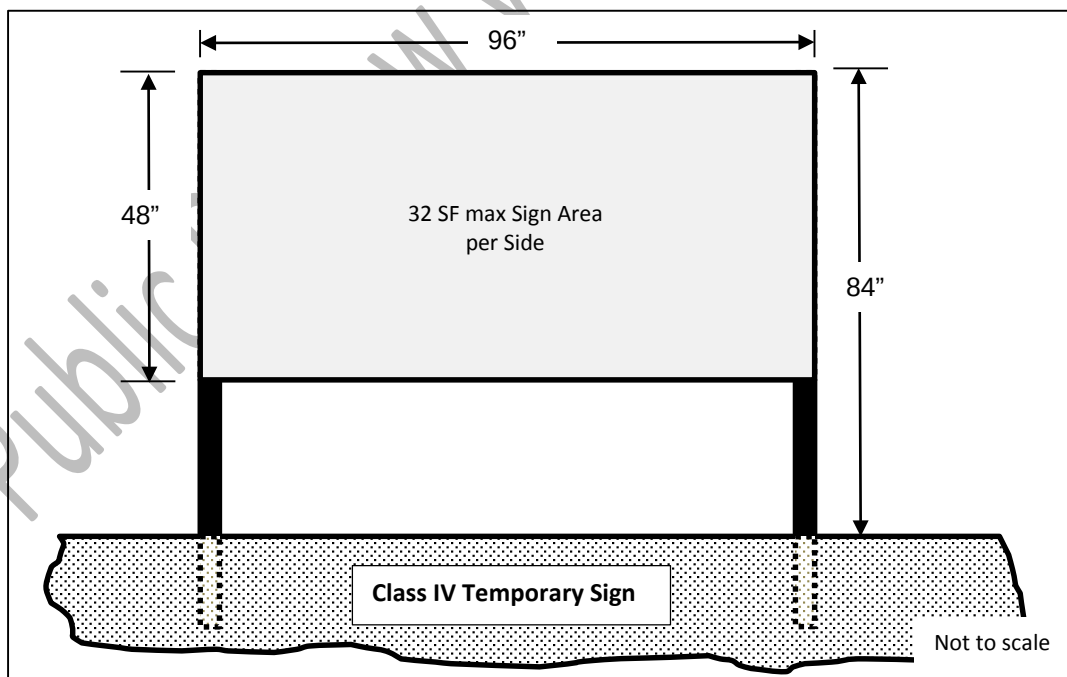
Sign, Temporary, Class II (A-Frame Sign and Pedestal Sign): A temporary, portable sign in which the overall height of the sign structure does not exceed forty (~~40~~45) inches, the overall width of the sign structure does not exceed thirty-six (36) inches and which does not exceed twenty (~~20~~22) 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.

Speech, Commercial: (see *Message, Commercial*).

Speech, Non-commercial: (see *Message, Non-commercial*).

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.

Section 113-067 – Permitted and Prohibited Signs

- A. **Permitted Signs by Zoning District** – Only those *sign* types and classes that are specifically listed in Table 113-067.A for each zoning district may be allowed, subject to the provisions outlined elsewhere in this Chapter.

TABLE 113-067.A – PERMITTED SIGNS (P=Permitted, shaded cell = Not Permitted, C = Conditional Use Permit)												
Code Reference	Sign Type	Location										PF
		Public Rights-of-Way	Private Rights-of-Way	Single-Family	Multi-Family	Mixed-Use	Commercial and Industrial	SHD-RO	SHD-CO	Open Space		
TEMPORARY SIGNS												
113-089.A.2	Class I Temporary Signs (Small A-Frame Signs)			P	P	P	P	P	P	P	P	P
113-089.A.3	Class II Temporary Signs (Large A-Frame Signs)			P	P	P	P	P	P	P	P	P
113-089.A.4	Class III Temporary Signs (Small Post Signs)			P	P	P	P	P	P			P
113-089.A.5	Class IV Temporary Signs (Large Post Signs)			P	P	P	P	P	P			P
113-089.A.6	Banner Signs and Festoons			P	P	P	P	P	P			P
113-089.A.7	Light Pole Banner Signs	P	P		P	P	P	P	P			P
113-089.A.8	Teardrop Banner Signs			P	P	P	P	P	P	P	P	P
113-089.A.9	Sign Walkers	P	P	P	P	P	P	P	P	P	P	P
113-09.A.10	Model Home Complex Signs			P				P				
113-09.A.11	Residential Subdivision Signs			P				P				
BUILDING MOUNTED SIGNS												
113-089.B.1	Building Wall Signs			P	P	P	P		P			P
113-089.B.2	Blade Signs			P	P	P	P		P			P
113-089.B.3	Canopy Signs				P	P			P			P
113-089.B.4	Marquee Signs						P					P
113-089.B.5	Awning Signs						P		P			P
113-089.B.6	Hanging Signs					P	P	P	P	P		P
113-089.B.7	Window Signs and Sunscreens			P	P	P	P	P	P			P
FREESTANDING GROUND SIGNS												
113-089.C.1	Class I Monument Signs (Menu Signs)						P		P			
113-089.C.1	Class II Monument Signs (Preview Signs)						P		P			
113-089.C.2	Class III Monument Signs (Directional Signs)	P	P	P	P	P	P	P	P	P	P	P
113-089.C.3	Class IV Monument Signs (Directory Signs)				P	P	P		P			
113-089.C.4	Class V Monument Signs (Minor Monument Signs)			P	P	P	P		P			P
113-089.C.5	Class VI Monument Signs (Major Monument Signs)				P	P	P		P			P
113-089.C.6	Roadway Arch Signs	P	P				P		P			
113-089.C.7	Subdivision Perimeter Wall Signs			P	P	P	P					P
113-09.C.8	Billboard Signs						C					
113-09.C.9	Freeway Monument Signs						C					
OTHER SIGNAGE												
113-1011	Level 1 Electronic Messaging			P	P	P	P	P	P	P		P
113-1011	Level 2 Electronic Messaging				P	P	P	P	P	P		P
113-1112	Reader Panels			P	P	P	P	P	P	P		P
113-1213	Address Identification			P	P	P	P	P	P	P	P	P
113-1314	Flags and Flagpoles			P	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 113-0809.A.2.b and 113-0809.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, and Median Signs*;
 2. *Animated Signs*, flashing, blinking, or rotating *signs*, festoons, *Inflatable Signs* including latex or Mylar balloons, permanent *Banner Signs*, *Pennants*, searchlights, streamers, *signs* other than *Class 1 Monument Signs* that emit audible sound, and any clearly similar features;
 3. *Vehicle Signs* when the *vehicle* is placed in a location not approved for vehicular parking or storage;
 4. *Signs* containing any words or symbols that would cause confusion because of their resemblance to highway traffic control or direction signals;
 5. Merchandise, equipment, products or other items which are not available for purchase, but are intended to attract attention, or for identification or advertising purposes;
 6. *Signs* located on trees, utility poles, public benches, or any other form of public property, or within any public right-of-way, unless explicitly permitted by these regulations;
 7. *Signs* containing vulgar or profane messages, hate speech, or language intended to incite violence.
 8. *Signs* greater than 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.~~

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

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. and the requirements of Sections 113-10, 113-11 and 113-12 herein.

H. **Violation** – Any *sign* that is not in compliance with this Section is in violation of this ordinance.

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Section 113-~~0708~~ – General Provisions

A. Permitting Requirements:

1. **Permits Required:** With the exception of those *sign* types listed in 113-~~0708~~.A.3 below, a construction 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~~, and Aesthetics:

1. *Signs* shall be designed in compliance with the applicable construction codes adopted by the City and in effect at the time of construction.
2. ~~*Raceway cabinets may only be utilized when mounting a building wall sign to a building surface that is generally difficult to repair such as, but not limited to, stone or brick masonry. Raceway cabinets shall not be utilized in conjunction with surface materials that are generally easy to repair such*~~

as, but not limited to, stucco or Engineered Insulated Finishing Systems (EIFS). Where raceway cabinets are utilized, said raceway cabinets shall be painted to match the color of the surface onto which it is mounted.

2.3. Whenever a *permenant sign* is removed, the surface onto which the *sign* was mounted shall be repaired as closely as practicable to a new-like condition.

2.4. Unless specifically approved by the Planning and Zoning Commission through a Comprehensive Sign Program or Conditional Use Permit as applicable, sSupporting elements for all *signs* shall appear to be free of any angle iron, bracing, guy wires or similar features.

3.5. When electrical service is provided to any *sign*, all components of said service are to be entirely concealed or, when necessary, painted to match the surface of the structure upon which they are mounted.

4.6. All permanent signs permitted by this Chapter shall be constructed of durable material capable of withstanding continuous exposure to the elements and conditions of the urban environment.

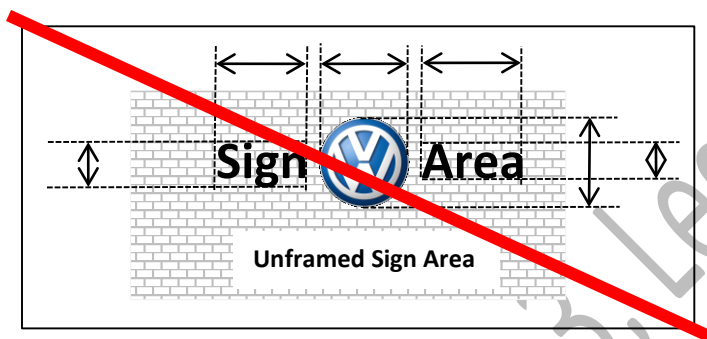
C. Sign Maintenance:

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

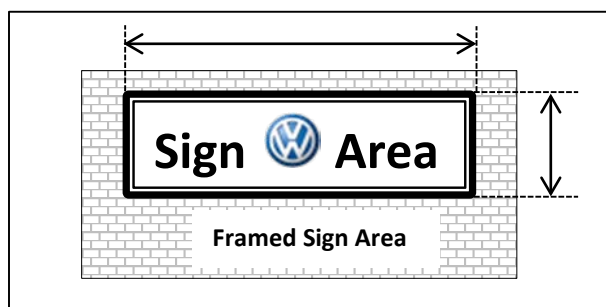
D. **Methods of Measurements:**

1. **Sign Area:**

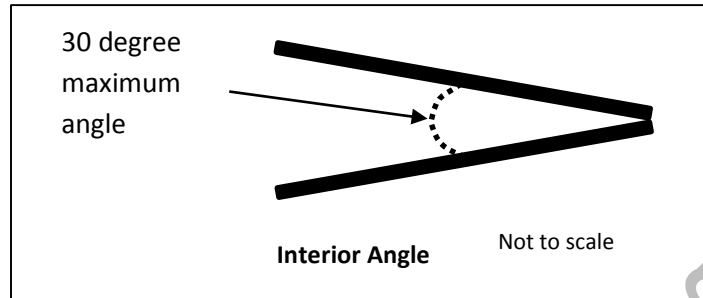
- a) **Unframed Signs:** Where the individual letters, logos and graphics of a *sign* are mounted directly to a wall or *sign structure*, the *sign area* is determined by calculating the smallest rectangle or combination of rectangles containing *sign copy*.



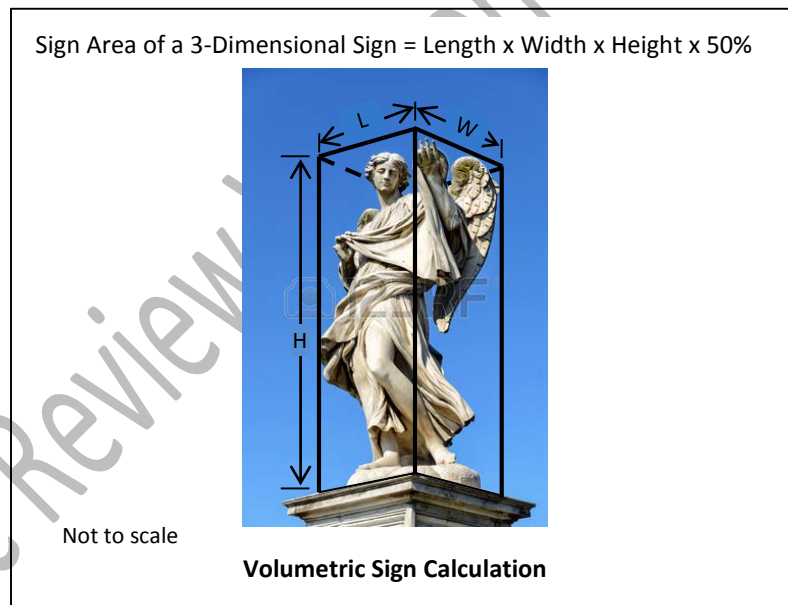
- b) **Framed Signs:** Where the individual letters, logos and graphics are integral to a *sign panel*, or are framed in by an architectural element or contrasting color apart from the color of the wall or *sign structure*, the *sign area* shall be the area of the panel or frame.



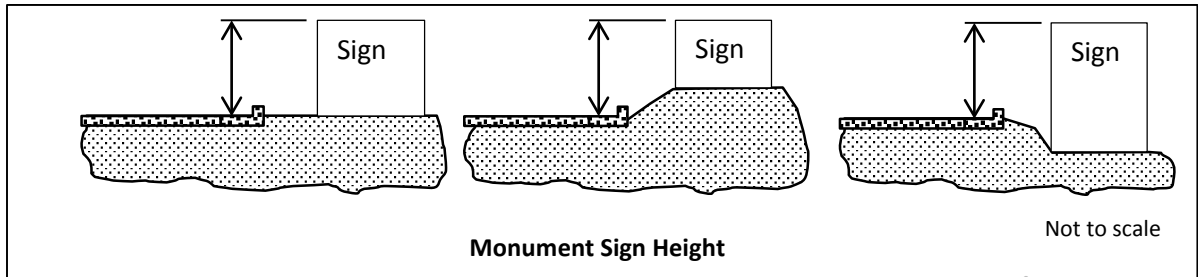
- c. **Double-Sided Signs:** Only one side of a double-sided freestanding ground sign shall be used to calculate the sign area, provided the interior angle between sign faces is not greater than 30 degrees. This provision does not apply to A-Frame Signs.



- d. **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:** All linear measurements and calculations shall be accurate to the closest inch. All area measurements and calculations shall be accurate to the closest square inch. All volumetric measurements and calculations shall be accurate to the closest cubic inch. When any requirement of Chapter 113 results in a fractional calculation, that fraction shall be rounded up to the nearest whole number.

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Section 113-0809 – Sign Classifications and Types

The following *sign* classifications and types as defined in Section 113-0506 are permitted in the City of Surprise as outlined in Table 113-0607. 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.

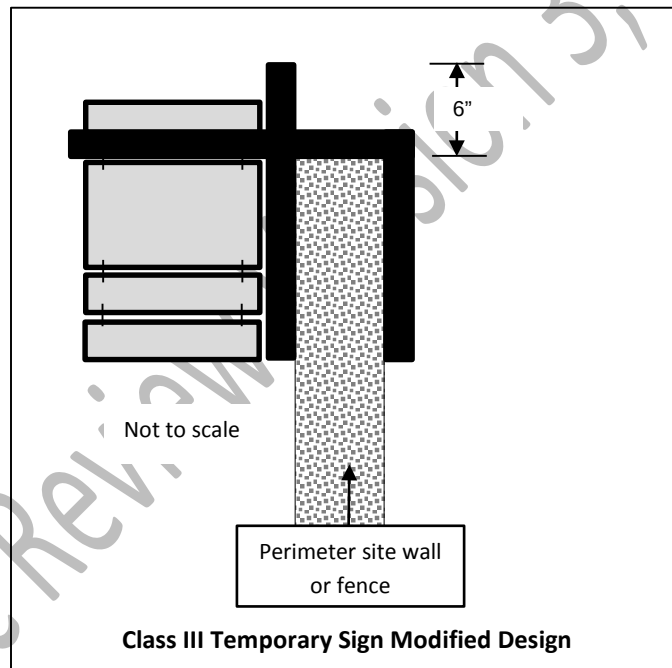
Editor's Note: Section 113-09.A.2 regarding Class I Temporary Signs (Small A-Frame Signs) is being presented as two possible alternatives. Please see attached Exhibit A for Alternative #1 language and attached Exhibit B for Alternative #2 language. The Commission will choose which alternative is to be incorporated into the final draft, or will request changes.

Editor's Note: Section 113-09.A.3 regarding Class II Temporary Signs (Large A-Frame Signs and Pedestal Signs) is being presented as two possible alternatives. Please see attached Exhibit C for Alternative #1 language and attached Exhibit D for Alternative #2 language. The Commission will choose which alternative is to be incorporated into the final draft, or will request changes.

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) Class II Temporary Signs shall not be located within the street right-of-way, median, vehicle or bicycle travel lane, or sidewalk, nor within any sight visibility triangle as outlined in Standard Details 4-01 and 4-02 of the Surprise Engineering Development Standards.
- ed) 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.
- de) 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, except that Class IV Temporary Signs associated with a public hearing shall not be counted towards this total.

- 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. Class III Temporary Signs shall not be located within the street right-of-way, median, vehicle or bicycle travel lane, or sidewalk, nor within any sight visibility triangle as outlined in Standard Details 4-01 and 4-02 of the Surprise Engineering Development Standards.~~
- c) The maximum number of *sign panels* per *sign structure* shall not exceed two (2).

6. **Banner Signs and Festoons:**

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

ii. 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.

iii. Any number of Festoons may be placed on a building provided the Festoon contains no advertising copy, the aggregate length does not exceed twenty (20) lineal feet, and the aggregate area does not exceed 100 square feet.

d) **Construction Sites and Temporary Construction Yards:** Banner Signs are allowed in conjunction with active construction sites and temporary construction yards regardless of zoning, subject to the following: 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.

i. One (1) or more Banner Signs may be affixed to the perimeter fence surrounding a construction site or temporary construction yard, provided said Banner Signs do not extend above the height of the perimeter fence.

ii. Individual Banner Signs shall not exceed ten (10) feet in length. Where multiple Banner Signs are utilized in lieu of screening material on a fence surrounding a construction site or temporary construction yard, said signs shall be spaced not less than one (1) foot apart unless the Banner Sign is fabricated of material with not less than 50% visual transparency, in which case this provision shall not apply.

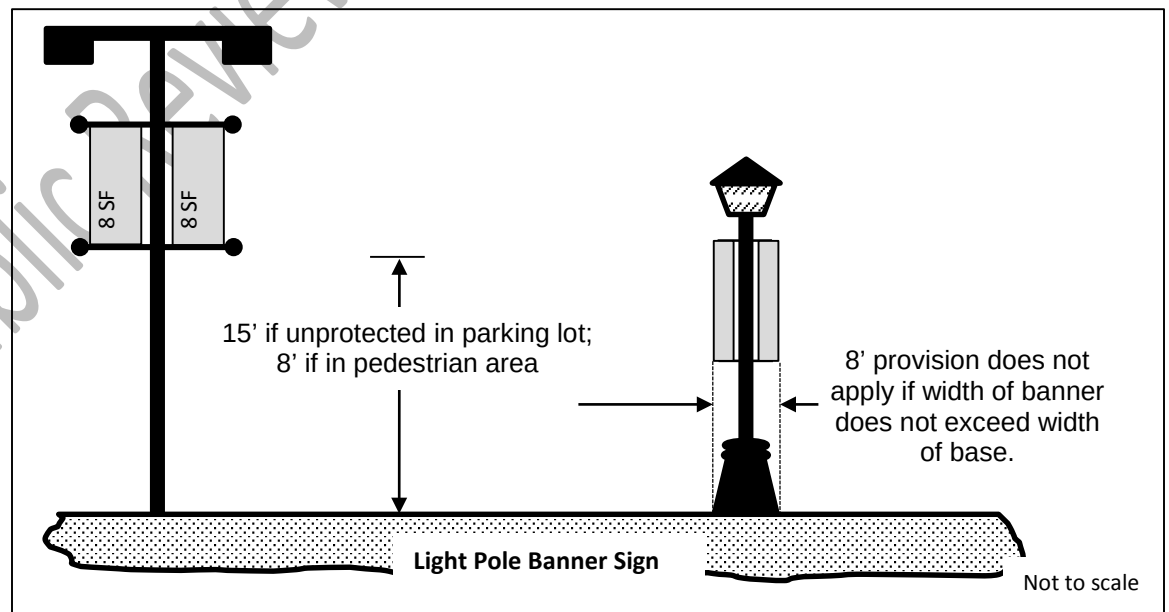
~~e) Banner Signs shall be equipped with ventilation flaps.~~

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.

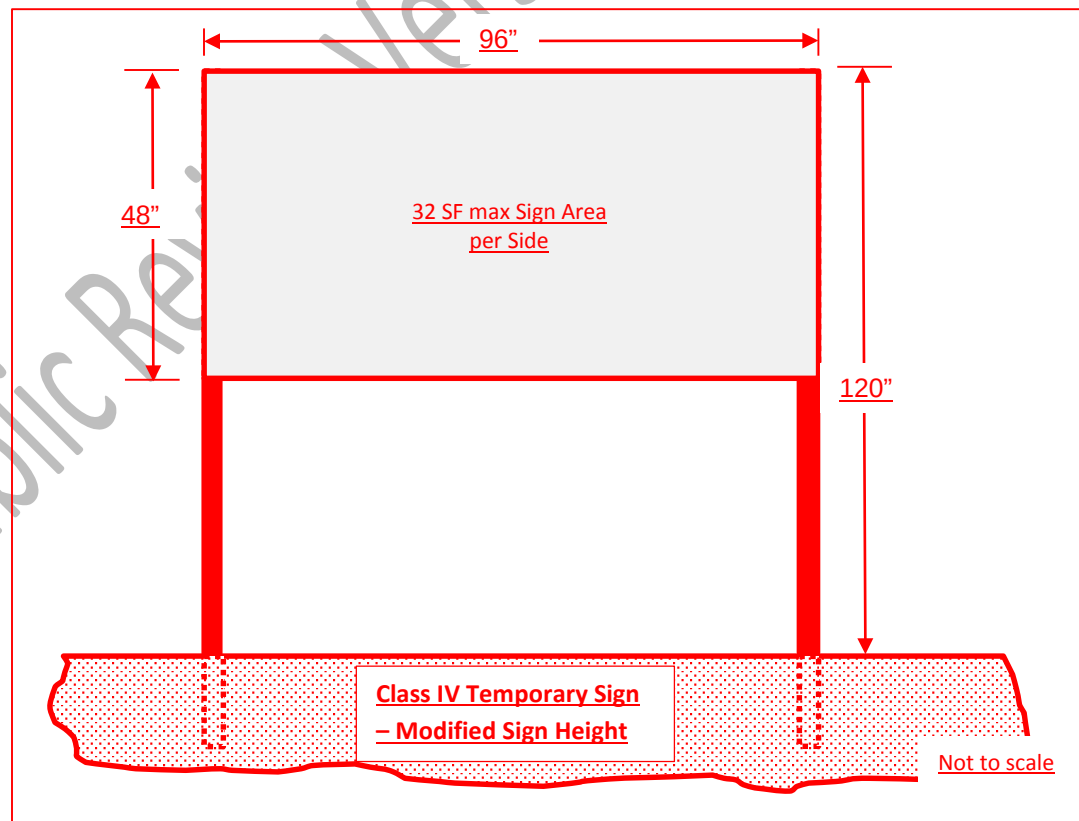
9. ***Sign Walkers:*** *Sign Walkers* are permitted to operate within the City of Surprise subject to the following restrictions:

- 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*.

10. **Model Home Complex Signs:** In addition to other *signs* that are permitted in association with a single-family residence, a *Model Home Complex* may employ the following:

- a) One (1) *Class III Temporary Sign* meeting the requirements of Section 113-09.A.4 herein for each lot located within the boundaries of an approved *Model Home Complex*. Such signs shall not be illuminated except by ambient lighting.
- b) One (1) *Class IV Temporary Sign* meeting the requirements of Section 113-09.A.5 herein may be located within the boundaries of the approved *Model Home Complex*; however, if the *Model Home Complex* is located adjacent to a Collector or Arterial Street, the overall height of the *Class IV Temporary Sign* allowed under this Paragraph may be increased to ~~ten (10) feet~~ 120 inches, provided the *sign* is designed to withstand windloads as required by the building codes in effect at the time the sign is erected. A *Class IV Temporary Sign* permitted under this Paragraph may be *externally illuminated* as outlined in Section 113-10.



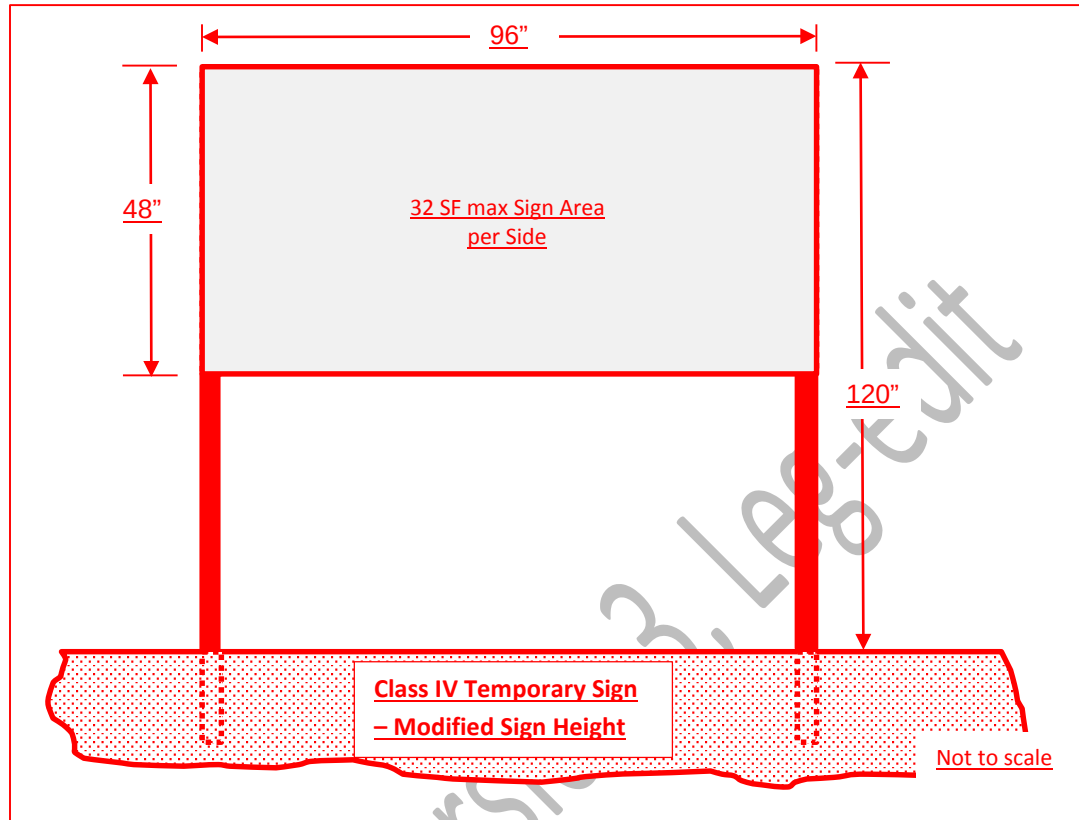
- c) One (1) flagpole not exceeding a height of 45' may be erected within the boundaries of the Model Home Complex provided said flagpole is located within the building envelope or within the required front yard of the lot in which it is placed, but not located within any required side or required rear yard. A maximum of two (2) flags may be displayed from said flagpole. The flag and flagpole permitted under this Paragraph may be *externally illuminated* in accordance with Section 122-145 of the Surprise Municipal Code.
- d) Two (2) flagpoles not exceeding a height of twenty (20) feet may be erected for each lot located within the boundaries of the approved Model Home Complex. A maximum of one (1) flag may be displayed from each flagpole. Flagpoles permitted under this Section may be erected along the perimeter of the Model Home Complex. Flagpoles permitted under this Paragraph shall not be illuminated except by ambient lighting.
- e) Four (4) additional *Teardrop Banner Signs* meeting the requirements of Section 113-09.A.8 herein for each lot located within the boundaries of an approved *Model Home Complex*, except that Paragraphs 113-08.A.8.c, 113-08.A.d and 113-08.A.e shall not apply. *Teardrop Banner Signs* permitted under this Paragraph shall not be illuminated except by ambient lighting.
- f) One (1) *Banner Sign* not exceeding three (3) feet in height and five (5) feet in length may be attached to the trap fence. Said *Banner Sign* shall be equipped with ventilation flaps. *Banner Signs* permitted under this Paragraph shall not be illuminated except by ambient lighting.
- g) One (1) *Awning Sign* or *Canopy Sign* provided the awning or canopy is limited to the customer entrance to the sales office associated with the approved *Model Home Complex*. *Awning Signs* or *canopy signs* permitted under this Paragraph shall not be illuminated except by ambient lighting.
- h) One (1) *Building Wall Sign* not exceeding four (4) square feet may be affixed to the front elevation of the Model Home Sales Office facing the street from which the Model Home Complex takes access. Said sign may be *externally illuminated* or back-lit in accordance with Section 113-10.
- h) Information regarding *Model Home Signs* shall be included with the Model Home Complex application packet to be reviewed and approved with the Model Home Complex. In circumstances where

Model Home Complexes in existence as of the effective date of this Ordinance are to be retrofitted for purposes of implementing signage permitted under this Section, an amendment to the approved Model Home Complex is required.

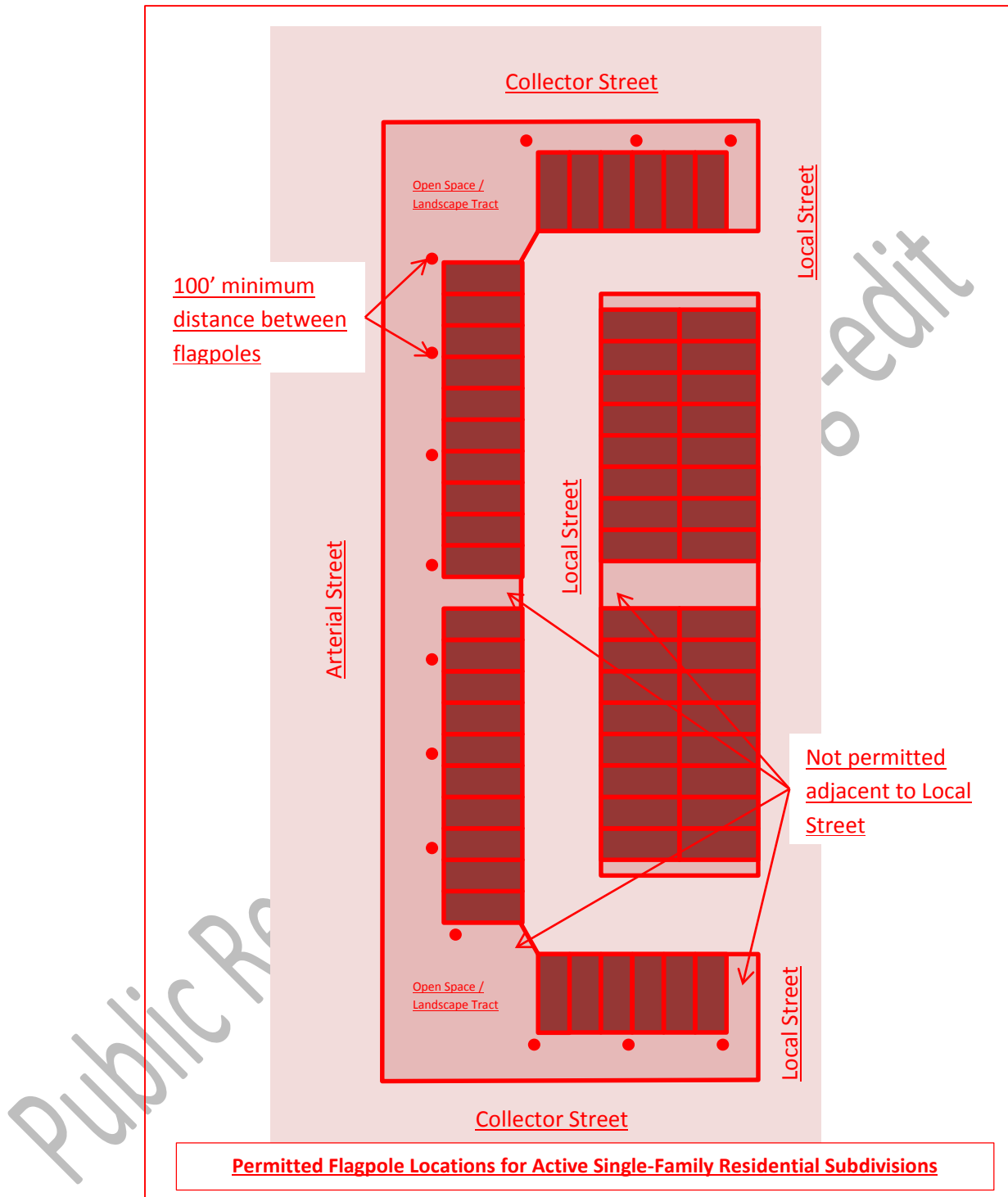
- i) All *Model Home Signs* permitted under this Section shall be removed upon the conversion of the Model Homes to a residential use in accordance with Section 122-92(h) of the Surprise Municipal Code.

11. **Active Single-Family Residential Subdivision Signs:** In addition to other *signs* that may be permitted in association with a *Model Home Complex*, the following *Signs* are permitted within the boundaries of an *Active Single-Family Residential Subdivision*:

- a) One (1) *Class IV Temporary Sign* meeting the requirements of Section 113-09.A.5 herein may be located within the boundaries of an *Active Single-Family Residential Subdivision*, provided such *sign* is located adjacent to a Collector Street or Arterial Street. The overall height of the *Class IV Temporary Sign* allowed under this Paragraph may be increased to ~~ten (10) feet~~ 120 inches, provided the *sign* is designed to withstand windloads as required by the building codes in effect at the time the *sign* is erected. A *Class IV Temporary Sign* permitted under this Paragraph may be *externally illuminated* as outlined in Section 113-10.



- c. Where an Active Single-Family Residential Subdivision includes an open space tract or landscape tract located adjacent to a Collector Street or Arterial street, a series of flagpoles not exceeding 20 feet in height may be erected within said tract provided said flagpoles are spaced no closer than 100 feet apart; however, flagpoles permitted under this Paragraph may not be located adjacent to any Local Street regardless of the location of the tract relative to the Local Street. Further, flagpoles permitted under this Paragraph may not be illuminated except by ambient lighting.



- c) All Active Single-Family Residential Subdivision Signs shall be removed upon the close of escrow of the last lot in the subdivision or upon cessation of use, whichever comes first.

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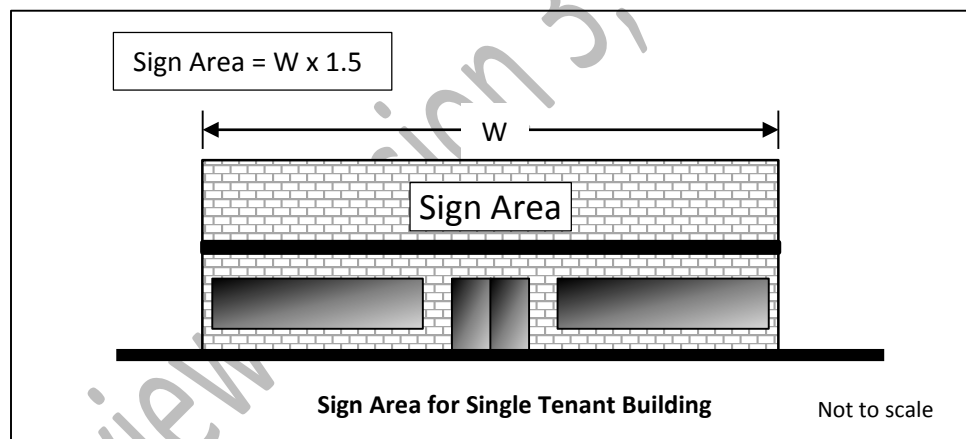
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- B. **Building-Mounted Signs:** Building-mounted signs may only be placed on building elevations which face a street or primary parking lot. For purposes of this Section, parking areas adjacent to service bays, access drives located behind a building, or alley ways are not considered primary parking areas.

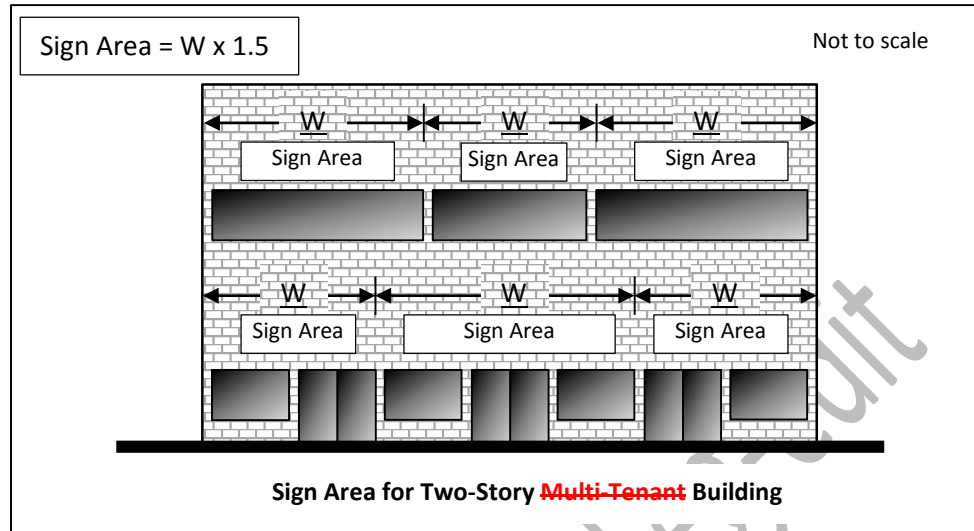
1. **Building Wall Signs:**

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

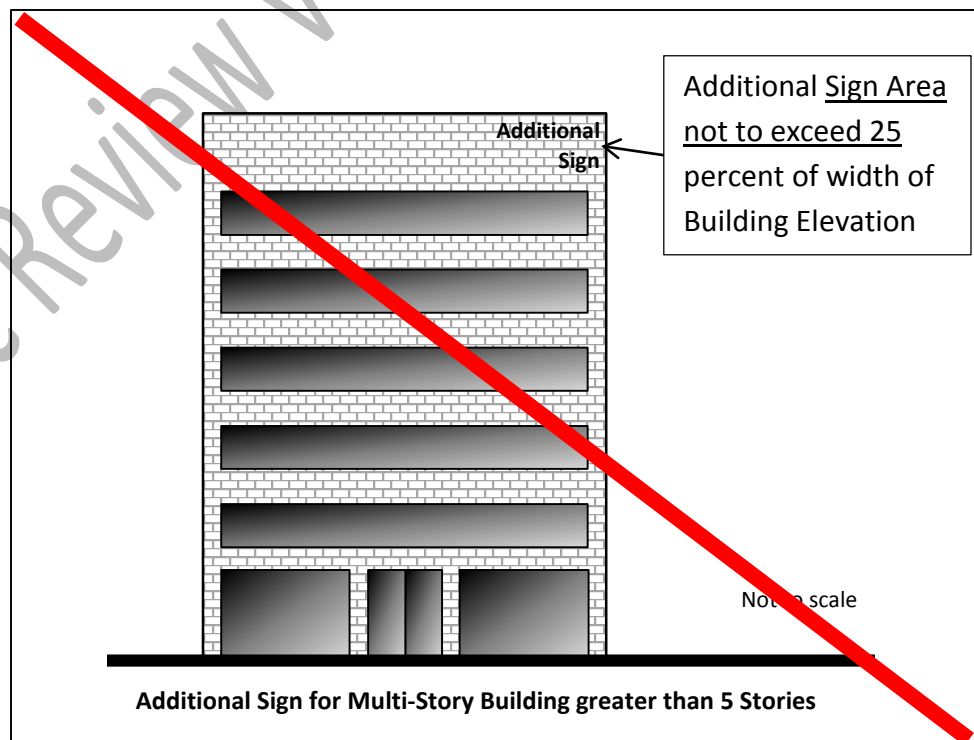
- a) For single story, single-tenant *buildings*, any number of *Building Wall Signs* may be affixed to any *building* elevation, provided the aggregate *sign area* does not exceed one and one-half (1.5) square foot per one (1) linear foot of *building* elevation on which the *sign* is mounted.

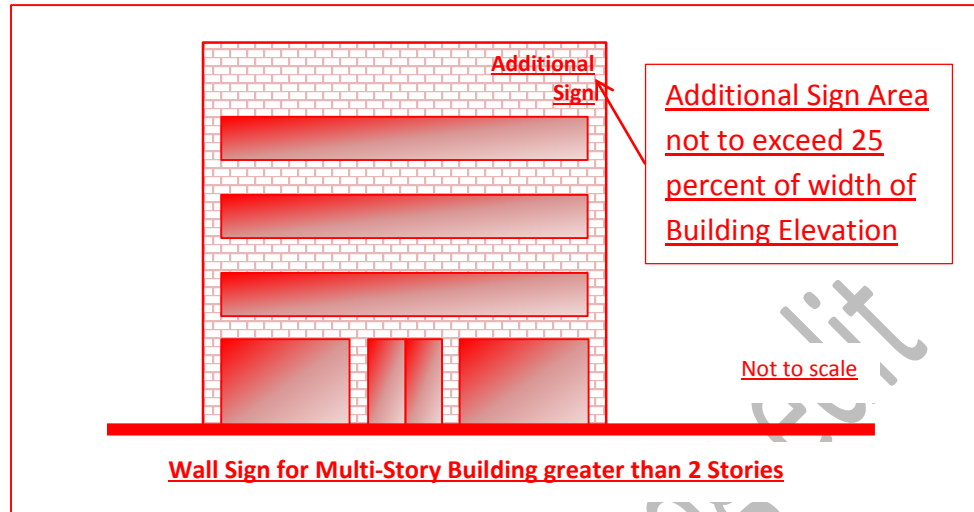


- b) For two-story office *buildings* or two-story mixed-use *buildings*, each tenant who possesses leased tenant frontage on the exterior wall of the building may affix any combination of *Building Wall Signs* provided the aggregate *sign area* does not exceed one and one-half (1.5) square foot per 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)~~ two (2) stories 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.





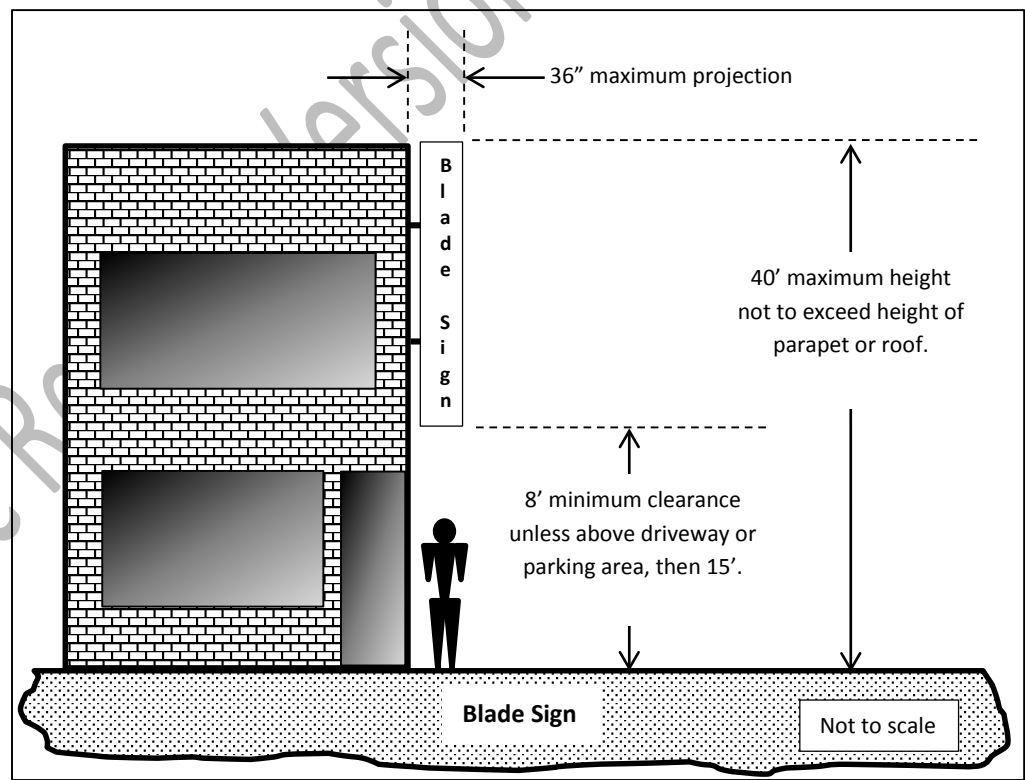
- d) The *sign area* of any *Building Wall Sign* serving an arterial street may be increased by twenty-five (25) percent when the *building* is setback at least 600 feet from the public right-of-way and may be further increased an additional twenty-five (25) percent for each additional 200 feet of setback, 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~~10.

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

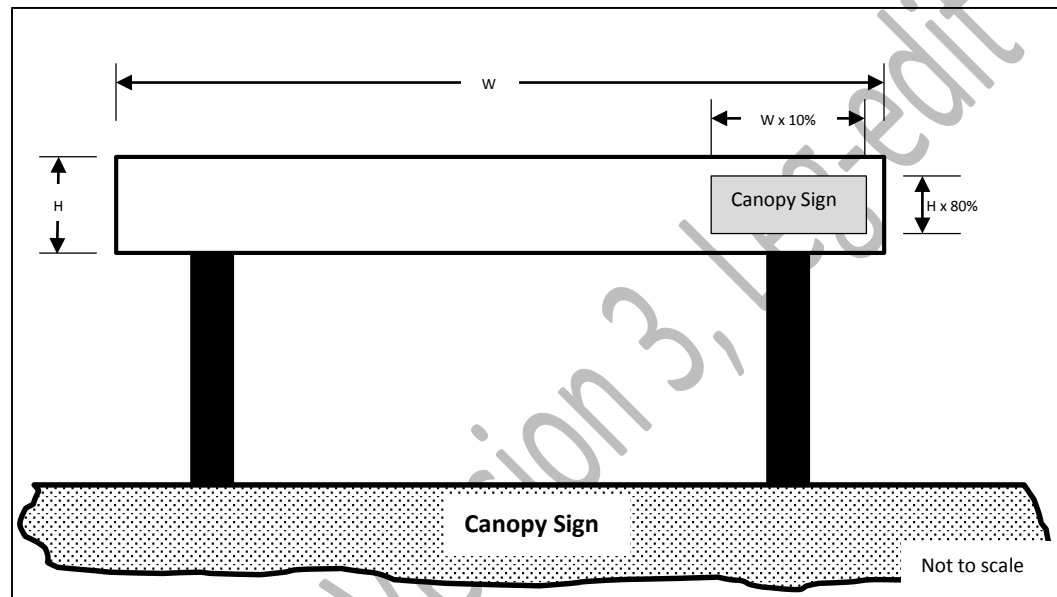
sign is placed. When a *Blade Sign* extends any distance over a parking lot or vehicular area, the bottom of the *sign* shall not be any closer than fifteen (15) feet above the paving surface over which the *sign* is placed.

- 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~~10.



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~~11.

4. **Marquee Signs:**

- a) The *Marquee Sign* shall be affixed to the face plane of the marquee and shall not extend above the uppermost or lowermost limits of the marquee.
- b) The *Marquee Sign* shall not exceed 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~~11.

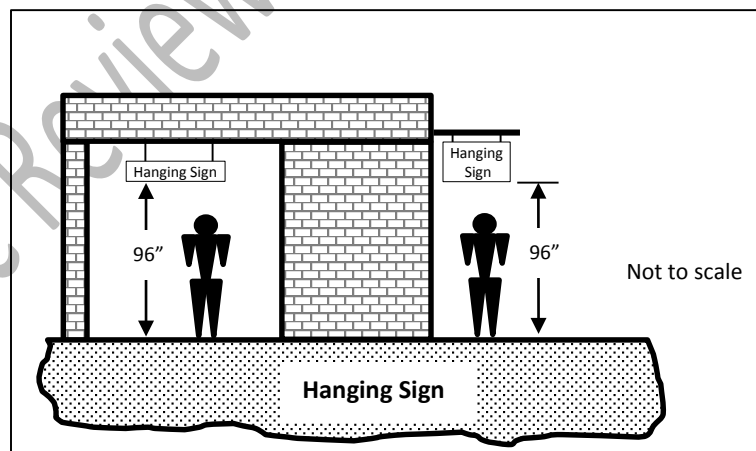
5. ***Awning Signs:***

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

6. ***Hanging Signs:***

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

- a) Not more than one (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~~10.



7. ***Window Signs and Sunscreens:***

- a) *Window Signs* are allowed provided the combined *sign area* for all *window signs* affixed to a particular window does not exceed 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 Ground Signs

1. Class I Monument Signs (Menu Signs) and Class II Monument Signs (Preview Signs) for Drive-through Businesses:

Drive-through businesses may utilize one (1) Class I Monument Sign and one (1) Class II ~~Freestanding Monument~~ Sign per drive-through lane subject to the following:

- a) The bottom of the *sign copy* of a *Class I Monument Sign* or *Class II Monument Sign* shall not be less than two (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)~~ eight (8) 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)~~ fifty (50) square feet.
- d) A *Class I Monument Sign* shall not be audible from any residential zoning district or residential use, hotel or motel room, or patient room of an overnight medical facility.
- e) No *Class I Monument Sign* or *Class II ~~Freestanding Monument~~ Sign* may be located within 100 feet of a residential zoning district or use.
- f) *Class I Monument Signs* and *Class II Monument Signs* may be *internally illuminated* in accordance with the requirements set forth in Section 113.~~09~~10.
- g) *Level 2 Electronic Messaging* is permitted, subject to the provisions outlined in Section 113-~~10~~11.

2. Class III Monument Signs (Directional Signs):

Class III Monument Signs are permitted along the street frontage in conjunction with a driveway serving any multi-family residential, commercial or industrial development, subject to the following:

- a) The *Class III Monument Sign* shall not exceed 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* as outlined in Section 113.10 provided the source of *external illumination* is not visible.

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

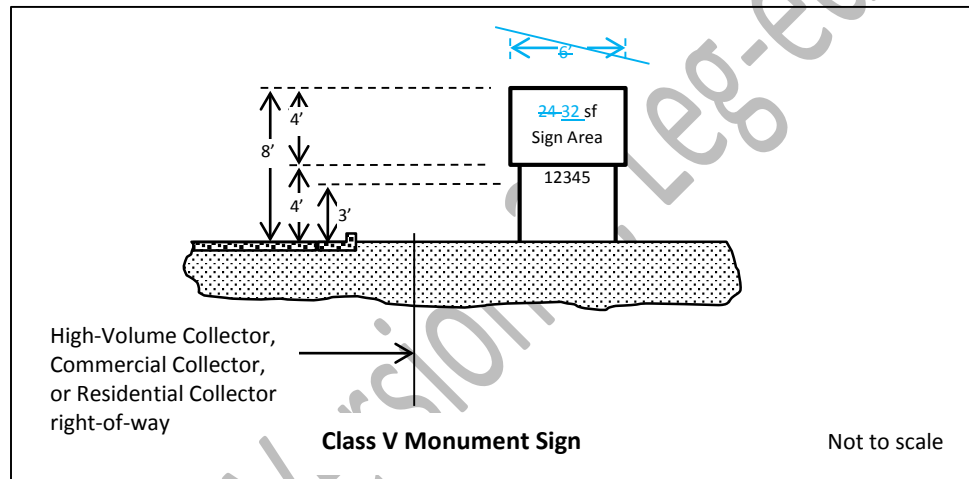
Class IV Monument Signs are permitted within the interior of any multi-family residential, commercial or industrial development, subject to the following:

- a) The *Class IV Monument Sign* shall not exceed six (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 113-0910 provided the source of *external illumination* is not visible.

4. ***Class V Monument Signs* *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 300-150 feet of collector or arterial street frontage or portion thereof, regardless of the presence or location of driveway, provided sight distance requirements are met ~~driveway entrance providing access from the street to the business or complex served by the sign. The minimum spacing between individual~~ *Class V Monument Signs, or between a Class V Monument Sign and a Class VI Monument Signs, located on the same property shall be not less than 300-150 feet measured radially.*

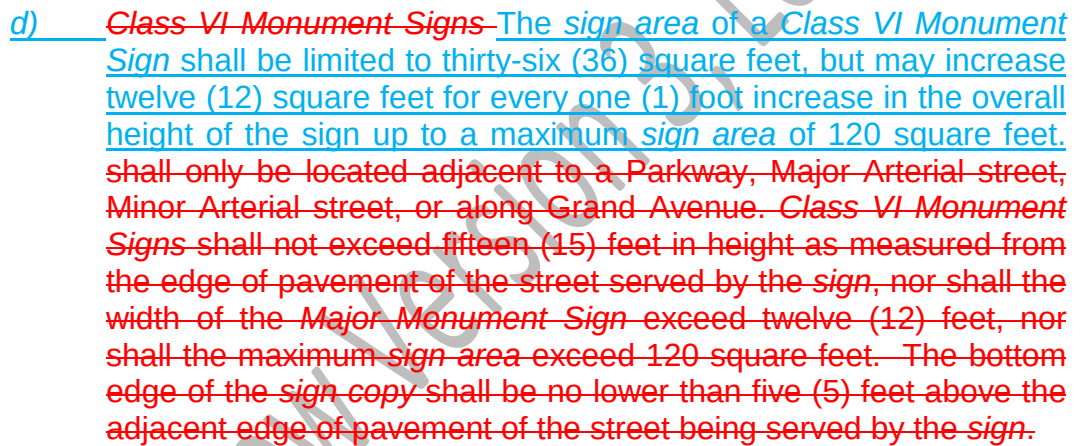
- c) ~~When allowed, Class V Monument Signs shall only be located adjacent to a High Volume Collector street, Residential Collector street, or Commercial Collector street.~~ The height of the Class V Monument Sign shall not exceed eight (8) feet as measured from the edge of pavement of the street being 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 ~~24-32~~ 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 113-1~~23~~.
- 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~~10.
- 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~~11.

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

- a) *Class VI Monument Signs* are permitted in conjunction with non-residential uses in a non-residential zone or that portion of a Planned Area Development where the land use plan of the PAD specifically calls out non-residential uses, 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) *Class VI Monument Signs* shall only be located adjacent to a Parkway, Major Arterial street, Minor Arterial street, or along Grand Avenue. When allowed, one (1) *Class VI Monument Sign* meeting the requirements outlined below is permitted for every 600-300 feet of said roadway or portion thereof, regardless of the presence or location of driveway, provided sight distance requirements are met driveway entrance providing access from the street to the business or complex served by the *sign*. The minimum spacing between individual *Class VI Monument Signs* located on the same property shall be not less than 600-300 feet measured radially. The minimum spacing between Class V Monument Signs and Class VI Monument Signs located on the same proeprty shall not be less than 150 feet measured radially. Properties with less than 600-300 feet of Parkway, Major Arterial street, Minor Arterial street, or Grand Avenue frontage shall not be permmted any *Class VI Monument Sign*.
- c) If a *Class VI Monument Sign* is located within 80 feet of a property having single-family residential zoning, the height of the *Class VI Monument Sign* shall not exceed eight (8) feet; however, the height of a *Class VI Monument Sign* may increase one and one-half (1.5) foot for every additional ten (10) feet of horizontal distance the *sign* is located away from a property having single-family residential zoning up to a maximum height of seventeen (17) feet, provided however that any height in excess of fifteen (15) feet shall be limited to architectural embellishments.



- de) 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~~13.
- ef) A *Class VI Monument Sign* shall be located within a landscape area not less than the maximum sign area allowed for that sign-~~120 square feet~~.
- fg) *Class VI Monument Signs* shall be setback not less than two (2) feet from the right-of-way line. Further, 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, unless the property owner signs a waiver acknowledging the prior rights of the utility companies to occupy said easement.
- gh) *Class VI Monument Signs* may be *internally illuminated, back-lit or externally illuminated* in accordance with the requirements set forth in Section 113.~~09~~10.
- hi) *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~~11.

6. ***Roadway Arch Signs:***

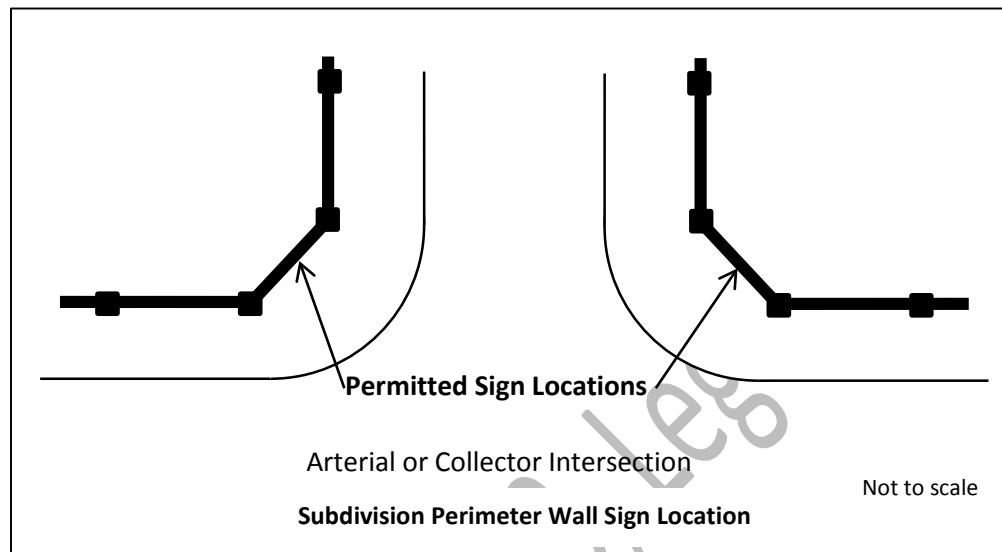
Roadway Arch Signs may be erected within any commercial or industrial development subject to the following:

- a) *Roadway Arch Signs* shall maintain a vehicular clearance of not less than ~~fifteen (15)~~-eighteen (18) feet;
- b) *Roadway Arch Signs* shall not interfere with pedestrian or vehicular movement.
- c) *Roadway Arch Signs* may be *internally illuminated, or back-lit* in accordance with the requirements set forth in Section 113-~~09~~10 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.

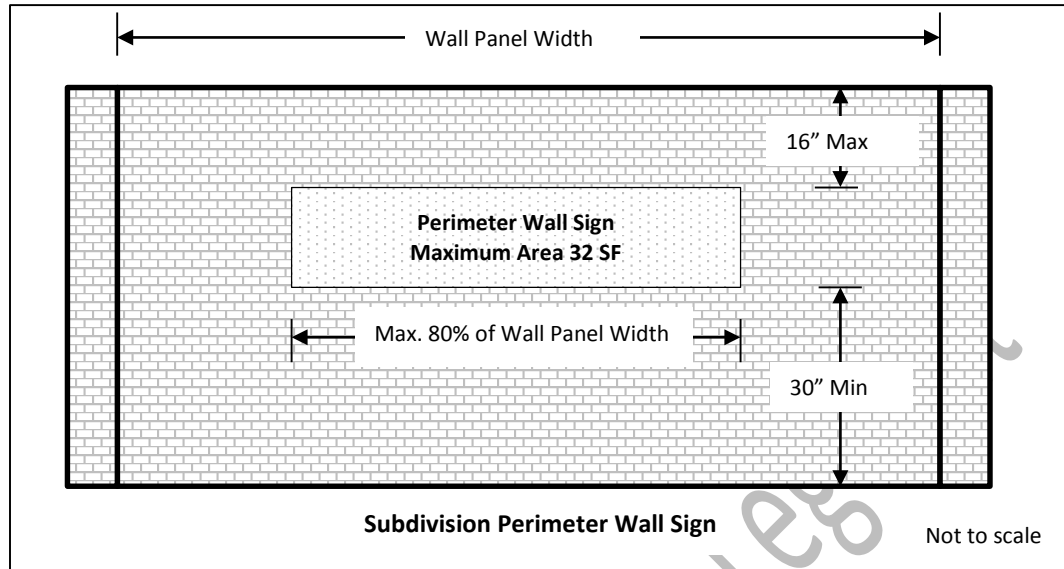
7. ***Subdivision Perimeter Wall Signs:***

- 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~~ 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 113-0910.



8. Billboard Signs: *Billboard Signs may be permitted as outlined in this Section:*

a) **U.S. 60 Corridor:** *Billboard Signs may be located within that portion of the **U.S. 60 Corridor** between the eastern line of Section 03, Township 03 North, Range 01 West (Dysart Road) and the north/south mid-section line of Section 03, Township 04 North, Range 02 West, subject to prior approval of a Conditional Use Permit in accordance with Section 122-154 of the Surprise Unified Development Code. All billboard signs located within the aforementioned corridor are subject to the provisions in Paragraph 113-09.C.8.c through f and the following:*

i. *No billboard sign shall be located within 2,640 feet of the intersection of U.S. 60 and State Route 303, specifically defined as a point located at Longitude 112°24'13"W by Latitude 33°40'49"N.*

ii. *No billboard sign shall be located within 1,320 feet of the intersection of U.S. 60 and Bell Road, specifically defined as a point located at Longitude 112°21'02"W by Latitude 33°38'19"N.*

b) **State Route 303 Corridor:** *Billboard Signs may be located within that portion of the **State Route 303 Corridor** between a specific point located at Longitude 112°21'1335"W by Latitude 33°41'48"N and the West-East line of Section 16-9, Township 04 North, Range 01 West, subject to prior approval of a Conditional Use Permit in accordance with Section 122-154 of the Surprise Unified Development Code. All billboard signs located within the*

aforementioned corridor are subject to the provisions in Paragraph 113-09.C.8.c through f and the following:

i. No *billboard sign* shall be located within 2,640 feet of the intersection of U.S. 60 and State Route 303, specifically defined as a point located at Longitude 112°24'13"W by Latitude 33°40'49"N.

ii. *Billboard signs* located within the State Route 303 corridor as defined above may serve eastbound and/or westbound traffic, but shall only be located north of the freeway right-of-way.

c) **Additional Locational Requirements:** The following additional locational requirements apply for all *billboard signs* regardless of the corridor in which it is located:

i. *Billboard signs* may only be approved in the CN, CC, CR, BP, IP, PF or ILM zoning districts, or if located within a Planned Area Development (PAD), that portion of the PAD in which the approved land use plan specifically calls out commercial, industrial or employment uses.

ii. Notwithstanding the Union Pacific Railroad right-of-way, no *billboard sign* shall be located within 300 feet of a property zoned for Residential uses, or any open space tract that is associated with a residential development.

iii. *Billboard signs* shall not be located closer than twenty (20) feet from the U.S. 60 or State Route 303 right-of-way line and not further than 200 feet from said right-of-way line.

vi. No *billboard sign* shall be approved within 660 feet of any *Freeway Monument Sign* existing at the time of Conditional Use Permit application for the *billboard sign* in question.

v. No *billboard sign* shall be approved within 2,640 of any *billboard sign* approved or existing at the time of Conditional Use Permit application for the *billboard sign* in question.

d) **Dimensional Requirements:** The following dimensional requirements apply for all *billboard signs* regardless of the corridor in which it is located:

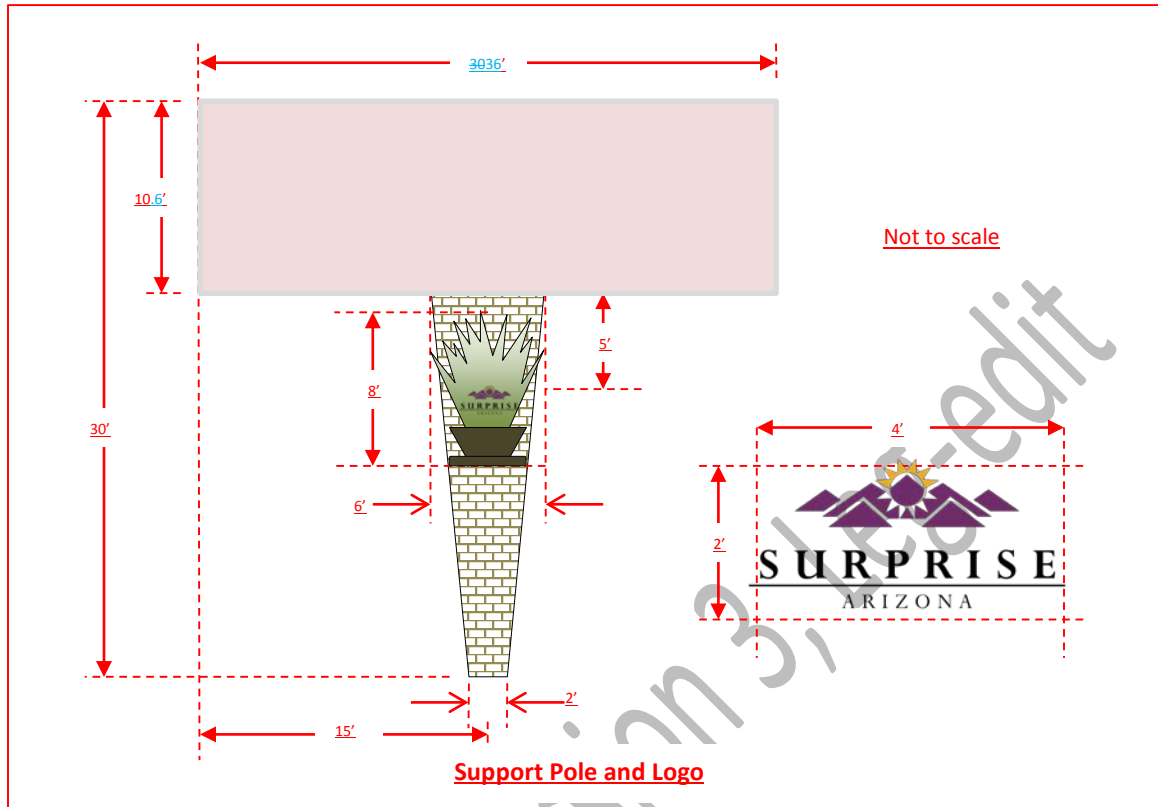
i. The overall height of a *billboard sign* shall not exceed thirty (30) feet as measured from the adjacent roadway to the top

of the sign structure, exclusive of architectural embellishments as permitted in this Section.

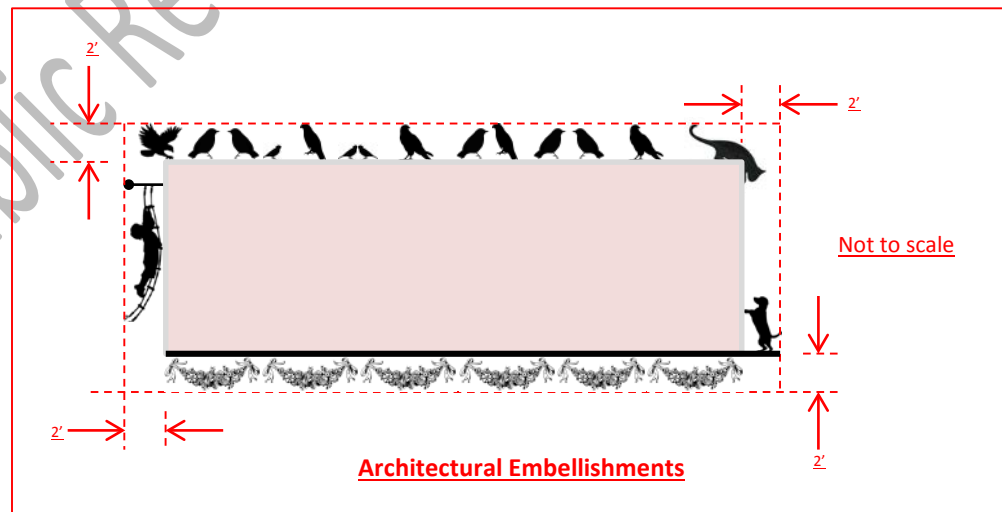
- ii. The overall dimensions of the sign panel associated with a billboard sign shall not exceed thirty-six (306) feet in width and ten (10.6) feet in height for a total sign area not to exceed 300-381.6 square feet, exclusive of architectural embellishments as permitted in this Section.

e) **Design Requirements:** The following design requirements apply for all billboard signs regardless of the corridor in which it is located:

- i. Billboard Signs may incorporate Level 2 Electronic Messaging Centers as outlined Section 113-11 herein, except that Electronic Messaging Centers used in billboard applications may occupy up to 100% of the allowable sign area of the billboard, exclusive of architectural embellishments as may be permitted or required herein, and provided such Electronic Messaging Centers are turned off between 11:00 PM and dawn.
- ii. Billboard Signs shall be supported by a single pole or column, which shall be dimensionally centered beneath the sign panel and shall incorporate a pole cover comprised of stone, brick or other architecturally compatible material that conceals the structural component of the pole or column. Unless an alternative design is approved by the Planning and Zoning Commission, the pole cover shall be of a trapezoidal shape, with a base width equal to one-third (1/3) the width of the top of the pole cover.
- iii. Unless an alternative design is approved by the Planning and Zoning Commission, the supporting pole or column shall also include additional architectural embellishments that incorporate the official Primary City of Surprise Logo superimposed onto a stylized agave image. The logo shall be approximately two (2) feet tall by four (4) feet wide. The stylized agave image shall be eight (8) feet high by six (6) feet wide. The vertical center of the arrangement shall be five (5) feet below the lower edge of the sign panel.



- iv. Artistic or architectural embellishments up to thirty (30) square feet may be attached to the perimeter of the sign panel, provided said embellishments do not extend more than two (2) feet in any direction beyond the face of the sign and do not otherwise obstruct the architectural embellishments as may be required under Paragraph 113-09.C.8.e)iii above.



f. Any Conditional Use Permit approval is hereby conditioned upon the applicant obtaining a valid construction permit for the *billboard sign* approved under said Conditional Use Permit. The applicant shall obtain Certificate of Completion from the City of Surprise within six (6) months of approval of the Conditional Use Permit by the Planning and Zoning Commission. Failure to obtain a Certificate of Completion within the designated time allotment shall render the Conditional Use Permit null and void; however, the City Manager or designee may grant a one-time extension for a period not to exceed six (6) months when in the opinion of the City Manager or designee the circumstances warrant such.

9. **Freeway Monument Signs:** Freeway Monument Signs may be permitted as outlined in this Section:

a) **State Route 303 Corridor:** Freeway monument signs may be located within the following portions of the **State Route 303 Corridor**, subject to prior approval of a Conditional Use Permit in accordance with Section 122-154 of the Surprise Unified Development Code:

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

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

ii. **State Route 303 and Bell Road:** An area of land generally located at the intersection of State Route 303 and Bell Road, being situated in the north half of Section 1, Township 3 North, Range 2 West and the south half of Section 36, Township 4 North Range 2 West of the Gila and Salt River

Base and Meridian, Maricopa County, Arizona described as follows:

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

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

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

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

BEGINNING at the North Quarter Corner of said Section 24; thence easterly along the north line of said northeast quarter a distance of 850 feet to the beginning of a non-tangent curve the center of which is said North Quarter Corner; thence clockwise along the arc of said curve approximately 1340 feet to a point on the west line of said northeast

quarter; thence departing said curve, northerly along said west line a distance of 850 feet to the POINT OF BEGINNING.

v. All freeway monument signs located within the aforementioned locations are subject to the provisions in Paragraph 113-09.C.9.b through e.

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

i. Freeway monument signs may only be approved on lands zoned for Commercial or Industrial uses.

ii. No freeway monument sign shall be located within 300 feet of a property zoned for Residential uses, or any open space tract that is associated with a residential development.

iii. Freeway monument signs shall not be located closer than twenty (20) feet from the adjacent right-of-way.

iv. No freeway monument sign shall be approved within 660 feet of any billboard sign approved or existing at the time of Conditional Use Permit application for the freeway monument sign in question.

v. Spacing between freeway monument signs shall be not less than 750 feet, unless separated by a freeway or arterial-right of-way.

vi. Freeway monument signs shall not be allowed within a natural or manmade watercourse;

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

i. The overall height of a freeway monument sign shall not exceed sixty-five (65) feet as measured from the finished grade of the site where the freeway monument sign is located to the highest point of the sign structure.

ii. Freeway monument signs shall be allowed an extra three (3) feet in height for architectural embellishments.

iii. The sign area of a freeway monument sign shall not exceed 650 square feet.

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

i. Freeway monument signs may incorporate Level 2 Electronic Messaging Centers as outlined Section 113-11 herein, except that Electronic Messaging Centers used in freeway monument sign applications may occupy up to 50% of the allowable sign area of the sign, exclusive of architectural embellishments as required herein, and provided such Electronic Messaging Centers are turned off between 11:00 PM and dawn.

ii. Freeway monument signs shall incorporate architectural features of the commercial development on which the sign is located; however, such embellishments shall not include any sign copy.

iii. Freeway monument signs shall require a landscaped area equal to four square feet of landscaping for each square foot of sign area and shall be located around the base of the sign; Freeway monument signs may be illuminated by externally-illuminated indirect or internal lighting;

e. Any Conditional Use Permit approval is hereby conditioned upon the applicant obtaining a valid construction permit for the freeway monument sign approved under said Conditional Use Permit. The applicant shall obtain Certificate of Completion from the City of Surprise within six (6) months of approval of the Conditional Use Permit by the Planning and Zoning Commission. Failure to obtain a Certificate of Completion within the designated time allotment shall render the Conditional Use Permit null and void; however, the City Manager or designee may grant a one-time extension for a period not to exceed six (6) months when in the opinion of the City Manager or designee the circumstances warrant such.

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Section 113-~~0910~~ – 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~~ located within the Scenic Lands Development Sub Area as depicted in the Surprise General Plan 2035, ~~the city may require the use of muted colors unless specific colors are included in a federally registered trademark that has been registered with a federal or state agency.~~ The city may also require reduced lighting intensities for those signs located within environmentally sensitive areas the Scenic Lands Development Sub Area sign lighting shall be limited to internal illumination only, with the negative space between and around the individual characters of the sign copy limited to opaque materials.
- 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 building greater than ~~five (5)~~ two (2) five (5) stories ~~or a multi-story mixed use building greater than five (5) stories as outlined in Section 113-0809.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-~~1011~~ – 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-~~0506~~.

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-~~1011~~.B below.

TABLE 113- 1011 .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.
2. **EMC Illumination Limits:** The difference between the “off” and “solid-message” measurements using the Illumination Measurement Criteria outlined in Section 113-~~1011~~.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 not more than thirty (30) percent of the allowable sign area of a particular sign, but shall in no case exceed the maximum allowable sign area for a particular sign except that:
- a) When *Electronic Messaging Centers* are utilized in conjunction with a *Billboard Sign*, the sign area of the *Electronic Messaging Center* may encompass 100% of the allowable sign area as outlined in Paragraph 113-09.8.d)ii.
 - b) When *Electronic Messaging Centers* are utilized in conjunction with a *Freeway Monument Sign*, the sign area of the *Electronic Messaging Center* may encompass 50% of the allowable sign area as outlined in Paragraph 113-09.9.c)iii.
5. **Certification:** Prior to the issuance of a permit relating to an *Electronic Messaging Center*, the applicant shall provide a written certification from the owner of the sign attesting that said owner has read and understands the provisions of this Section, agrees to abide by said Section, and agrees to cooperate with City of Surprise staff with regards to any nighttime testing that may be necessary should the 0.3 foot-candle limitation be at question~~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-~~1112~~ – 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-~~0910~~; 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-~~1213~~ – 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-~~1314~~ – 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**

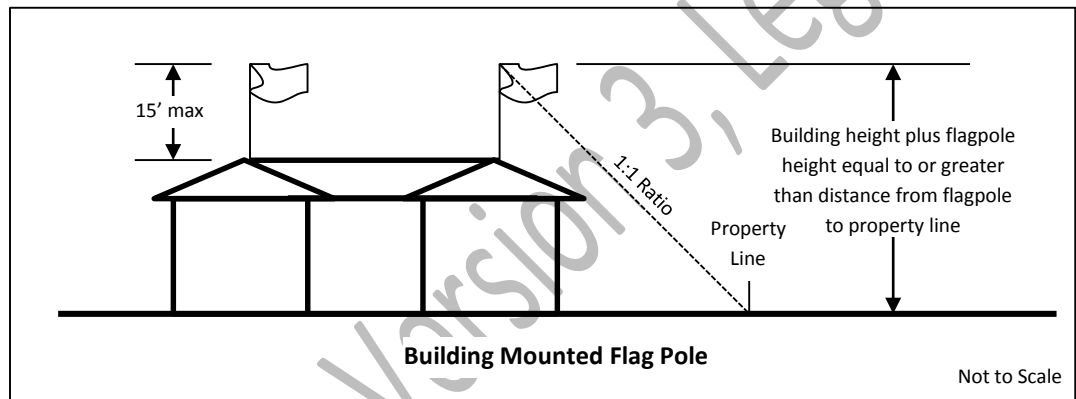
1. Not more than one (1) freestanding flagpole per single-family lot ~~or parcel~~ of record is allowed except that when associated with an HOA-maintained open space tract, then three (3) such flagpoles are allowed.
2. A freestanding flagpole associated with a single-family residence may ~~only~~ be located within any portion of the building envelope, or within the required front or required rear yard, but not within a required side 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~~ Model Home Complex in which case the flagpole height may be increased to 45 ~~feet~~.
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.
5. Additional Flags are permitted within Model Home Complexes in accordance with Section 113-09.A.10 and Active Single-Family Residential Subdivisions as outlined in Section 113-09.11.

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-~~1415~~ – 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-~~0607~~.A.
- C. A Comprehensive Sign Program may not introduce a *sign* type that is specifically prohibited in Section 113-~~0607~~.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-~~1516~~ – Nonconforming Signs

A. General Provisions:

1. *Nonconforming signs* shall be maintained in good condition pursuant to Section 113-~~0708~~.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-~~1516~~.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-~~1516~~.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:

- ~~1.~~ a) ~~The use of the property or building on which the *nonconforming sign* is located has been abandoned for more than 90 consecutive days. The City determines and notifies the property owner that the use of the property or *building* upon which the *nonconforming sign* is located has ceased or been abandoned for more than 90 consecutive days, and the owner fails to provide the City with acceptable documentation or other information demonstrating that the use has not ceased or been abandoned;~~ or,

~~2. b) The se regulations, or amendment to these regulations, which made the *sign* non-conforming has been in effect for ~~ten (10)~~ twenty (20) 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~~17 – Enforcement

A. General Provisions:

1. The City Manager or designee is hereby authorized and directed to enforce all provisions of this Chapter in conformance with the regulations and procedures specified herein.
2. Any violation of this Chapter constitutes a public nuisance and may result in the issuance of either a civil citation or criminal citation by the City as set forth in Article VI of the Surprise Municipal Code.
2. Each day a violation of any provision of this Chapter or the failure to perform any act or duty required by this Chapter continues shall constitute a separate violation or offense.
3. When two (2) or more persons have liability to the City or are responsible for a violation of this Chapter, their responsibility shall be joint and several.
4. The re-erection of any *sign* or substantially similar *sign* on the same premises after a Notice of Violation has been issued shall be deemed a continuance of the original 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~~ stating a date certain by which 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.

7. The period of notice for permanent signs shall be thirty (30) days.

- 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 First Class Mail or 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.

- AD. 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 violation. Penalties for violations are as outlined in Article VI of the Surprise Municipal Code. Imposition of a fine or penalty assessment shall not relieve the owner of the responsibility for abatement of the violation(s) or excuse him/her from liability for any and all costs incurred by the City for abatement. In no event shall the owner of premises where the violation has occurred be held criminally responsible for a temporary sign violation of this Chapter committed by a tenant in possession of the premises or other third party.

DE. 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 113-0809.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, provided a City of Surprise employee who is authorized to do so has made an attempt to contact the individual whose name appears on the *Temporary Sign* at the address or phone number printed on said *sign*.

6. All actual costs incurred by the City of Surprise in the removal or repair of said sign shall be paid by the owner of the sign or the owner of the premises where the sign is located. Action for recovery may be brought by the Surprise City Attorney upon proper certification to him/her by the City Manager or authorized agent.

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Section 113-18 – Appeals

A. Decisions by the Zoning Administrator:

1. The denial of a *sign* permit or any written interpretation of a *sign* regulation made by the Zoning Administrator, pursuant to his/her legal authority, may be appealed to the Board of Adjustment pursuant to Section 2-302 of the Surprise Municipal Code, except as modified by the provisions of this Section 113-18. The appeal shall specify the grounds for appeal and shall be submitted in writing with the Community Development Department within fifteen (15) calendar days of the date the decision was issued. If a timely appeal is not filed, the Zoning Administrator's decision shall become final.
2. Challenges to the constitutionality of any provision of this Chapter regulating *signs* shall only be processed pursuant to Section 113-18.B below.
3. The Board of Adjustment may affirm, reverse, or modify the decision of the Zoning Administrator, which decision will be final, unless the Board's decision is timely appealed by any person aggrieved to the City Council within fifteen (15) calendar days of the decision. Appeals shall be filed in writing with the office of the City Clerk and shall specify the grounds for the appeal. The appeal shall be placed on the next available agenda for review and decision by the City Council. The appeal shall be decided based on the record of the Board of Adjustment proceedings and the issues limited to those presented to and decided by the Board of Adjustment.
4. Any person aggrieved by the decision of the City Council may appeal the decision of the City Council to Superior Court within 30 calendar days, as provided by state law.

B. Constitutional Issues Involving Application of Sign Regulations:

1. When an appeal raises an issue(s) involving the application of Federal or Arizona constitutional law in the issuance or denial of a *sign* permit, the revocation of a *sign* permit, or an order to alter or remove a *sign*, the constitutional issue(s) shall be referred to a hearing officer appointed by the City for hearing and decision.
2. The appeal shall be in writing and shall include the following information:

- a. The name and address of the applicant.
- b. The ordinance, code provision, or other City document or policy statement that is alleged to be unconstitutional.
- c. Any relevant facts and supporting documents.
- d. The names and addresses of any witnesses.
3. The Zoning Administrator shall forward the appeal and all supporting documents to the hearing officer within ten (10) working days of receipt with a copy to the applicant.
4. The Zoning Administrator may prepare and include with the transmittal to the hearing officer a written statement of the City's response to the appeal accompanied by any supporting documents, names of witnesses, and any other matters considered relevant.
5. Upon receipt of the appeal, the hearing officer shall contact the Zoning Administrator and the applicant acknowledging receipt and scheduling a time for the appeal to be heard not later than 30 days after receipt. The applicant shall be given at least ten (10) day notice of the time when the appeal will be heard unless he/she agrees to a shorter time period.
6. The applicant shall bear the burden to establish that the subject ordinance, code provision, or other City document or policy statement is unconstitutional.
7. The hearing officer shall decide the appeal and issue a written decision setting forth findings of fact and conclusions of law within five (5) working days after the appeal is heard.
8. The decision shall be transmitted to the Zoning Administrator and the applicant at the address provided by the applicant.
9. If the hearing officer finds that the subject ordinance, code provision, or other City document or policy is unconstitutional, in whole or in part, the City shall issue within 30 days of the hearing officer's decision a written notice to the applicant stating that it will either (1) repeal or otherwise amend the challenged ordinance, code provision, or other document or policy to cure the constitutional deficiency or (2) take no action.
10. Any person aggrieved by the City's response to the hearing officer's decision may file, at any time within 30 calendar days thereafter, a complaint in a court of competent jurisdiction to review the City's response based on the record of the appeal to the hearing officer.

~~Chapter 113—SIGNS¹¹~~

~~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.

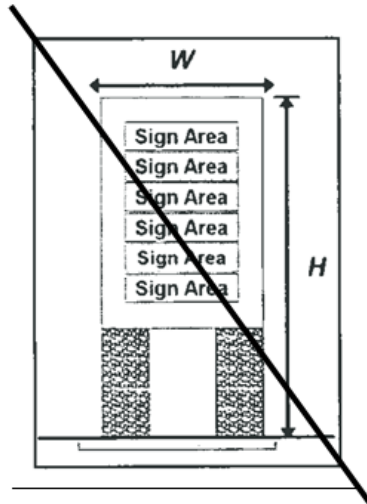
Portable sign: Any sign not affixed to a structure or ground-mounted on a site that does not meet the definition of sandwich sign.

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.~~

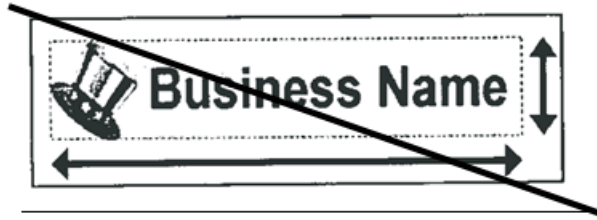
- ~~(h) Signs attached to masonry, concrete or steel shall be safely and securely fastened thereto by means of metal anchors, bolts, or approved expansion screws of sufficient size and anchorage to support safely the loads applied.~~
- ~~(i) All sign supports shall be an integral part of the sign design. 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 includes Logo

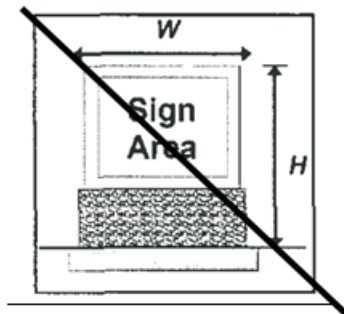
- c. ~~Sign copy mounted, affixed, or painted on an illuminated surface, or illuminated element of a building or structure, is measured as the entire illuminated surface or illuminated element which contains sign copy. Such elements may include, but are not limited to, lit canopy fascia signs, spanner 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.~~

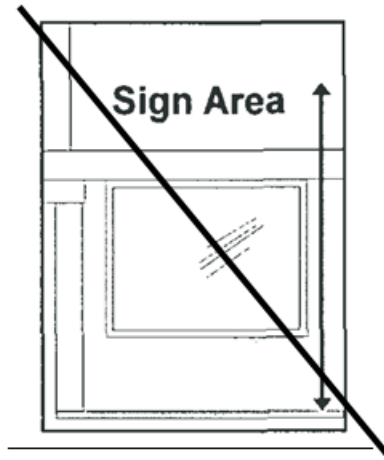
~~Sec. 113-105. Sign height.~~

~~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.

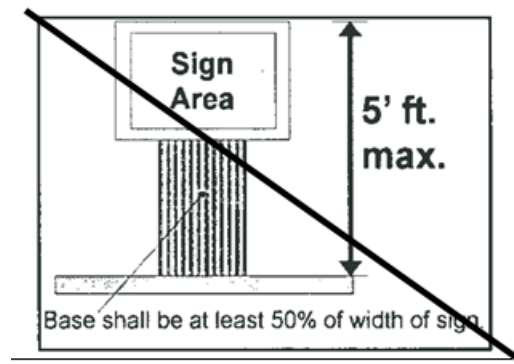
c. ~~Aggregate sign area allowed.~~

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.~~

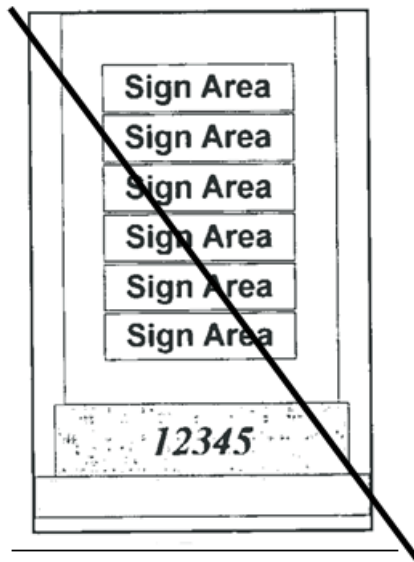
~~(1) Generally.~~

- 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.~~

FS15-311, Surprise Sign Code Update

Written comments as of July 12, 2017

From: [REDACTED]
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 -

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

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.~~ PERMISSION FROM THE PROPERTY OWNER HAS BEEN RECEIVED.
- (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.

(Ord. No. 09-04, § 1(Exh. A), 1-22-09)

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.

From: [REDACTED]
To: [Robert Kuhfuss](mailto:Robert.Kuhfuss@surpriseaz.gov)
Subject: RE: Pottery Place Signage
Date: Wednesday, April 29, 2015 8:09:05 PM

Hello Robert, thanks for the invite but will be out of country at that date. But please keep me on your list for future meetings. Thanks, [REDACTED]

From: Robert.Kuhfuss@surpriseaz.gov
To: [REDACTED]
CC: Hobart.Wingard@surpriseaz.gov
Subject: RE: [REDACTED]
Date: Mon, 27 Apr 2015 22:21:51 +0000

[REDACTED]

We have not put together any draft language at this time, but you are welcome to participate in the process. As it stands, I will be presenting to the City Council at a workshop session on May 19th at 4:00 PM for the purpose of gathering their opinions on signage in general. That discussion will inform my work from there. The meeting will occur in the City Council Chambers at 16000 Civic Center Plaza at the City Hall Complex. You will be able to access the agenda at <http://surpriseaz.gov/index.aspx?NID=166> when the time comes.

Hope this is helpful.

Thanks

Robert H. Kuhfuss, AICP
Planner II
City of Surprise Community Development
16000 North Civic Center Plaza
Surprise, AZ 85374-7470
O: 623-222-3137 | F: 623-222-3001
robert.kuhfuss@surpriseaz.gov

From: Hobart Wingard
Sent: Thursday, April 23, 2015 8:02 AM
To: [REDACTED]
Cc: Robert Kuhfuss
Subject: RE: [REDACTED]

Good morning [REDACTED]

Good morning Bart, I don't quite understand why one business on hwy 60 on one side of town could build the windmill and not another on the other side of town? If you get time maybe call me or e-mail me with their reasoning. Nevertheless, I know how busy you are and want you to know how much myself and Mike (our general contractor) sincerely appreciate

all your help thru this entire process. Thanks again, Bill Klein Pottery Place

From: Hobart.Wingard@surpriseaz.gov

To: [REDACTED]

CC: Deborah.Perry@surpriseaz.gov; Jamie.Sullivan@surpriseaz.gov

Subject: [REDACTED]

Date: Tue, 21 Apr 2015 20:48:29 +0000

Good afternoon [REDACTED]

Staff was able to discuss you proposal to have signage similar to Moon Valley Nursery on your site on Grand Avenue. It was determined that signage of this scale would not be supported. The code presently allows for signage up to ten (10) feet in height.

Thank you,
Bart

Hobart Wingard
Planner II
City of Surprise
623.222.3156

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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21 Apr 2015 19:31:38 -0000

From: [Eric Fitzer](#)
To: [Robert Kuhfuss](#)
Cc: [Lloyd Abrams](#)
Subject: FW: Sign renderings
Date: Thursday, November 12, 2015 10:54:48 AM
Attachments: [AZ 202 Pylon 14x48 LED trees.pdf](#)
[Chandler Mach up.pdf](#)
[indian sign comp 102811.pdf](#)
[sign rendering.pdf](#)
[Tolleson Mach Up.jpg](#)
[Peoria billboard mock ups.pdf](#)
[Buckeye Structure & Materials.pdf](#)
[Buckeye Structure & Materials night.pdf](#)

FYI

From: [REDACTED]
Sent: Thursday, November 12, 2015 10:08 AM
To: Rick Buss
Cc: Eric Fitzer; [REDACTED]
Subject: Sign renderings

Rick,

It was a pleasure meeting with you and Eric the other day, we really appreciate the time you gave us. We welcome the opportunity to lend our expertise to the City of Surprise as you work to develop a comprehensive sign code. Between the two of us Rob and I have over 70 years experience in all facets of the Outdoor Advertising Industry and will help you in any way that we can.

I have attached a number of renderings of some recent projects that we've been involved with, feel free to use them as you move forward.

Your mention of city owned monument signs has intrigued Rob and he has some ideas that he would like to share with you when you have some time to sit down and discuss in greater detail. In the mean time if you would put us on the list of interested parties and keep us abreast of future meetings and agendas I would greatly appreciate it.

Should you have any additional needs please don't hesitate to call.

Best regards,

[REDACTED]

[REDACTED]

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CROSSROADS
@
TOLLESON

Sit. Stay. Shop.

Good boy!



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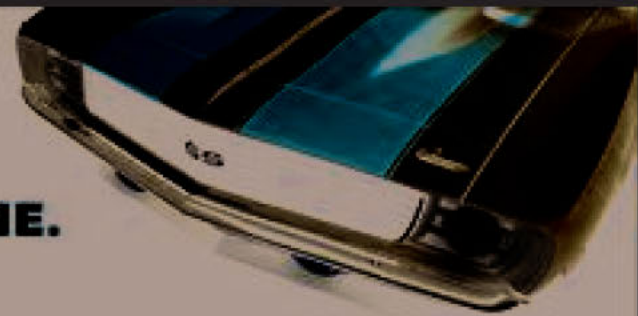
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**IT WAS THE ROAR
OF YOUR ENGINE,
NOT THE RING
OF YOUR CELL PHONE.**

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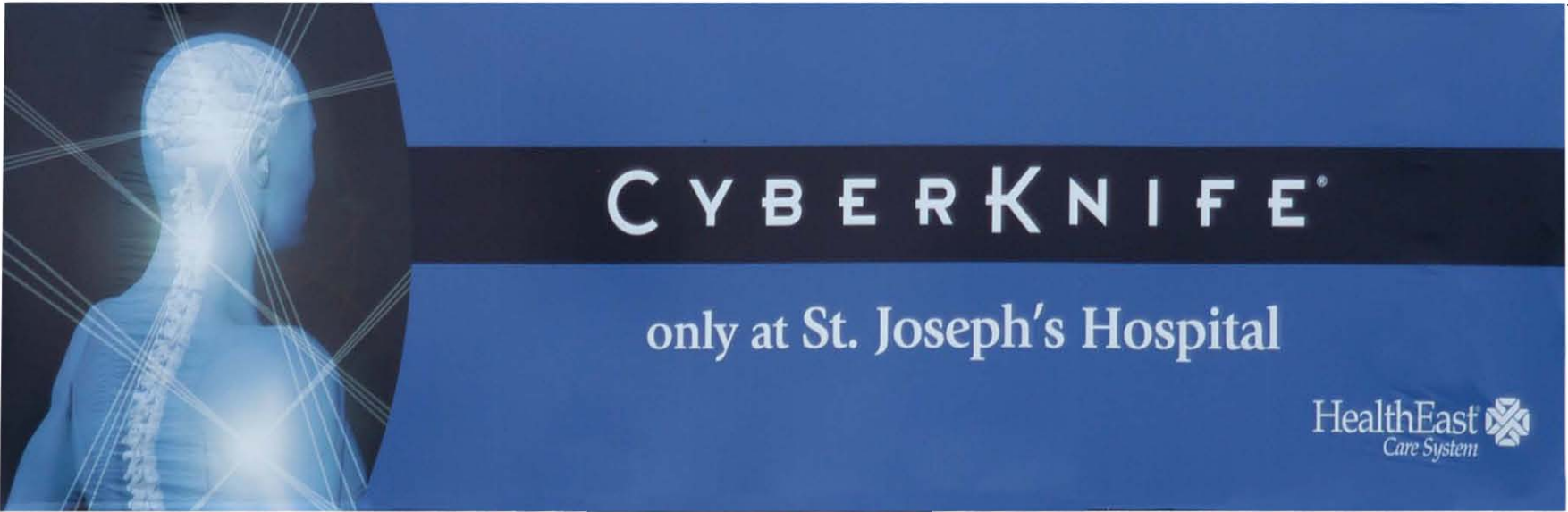


PEORIA

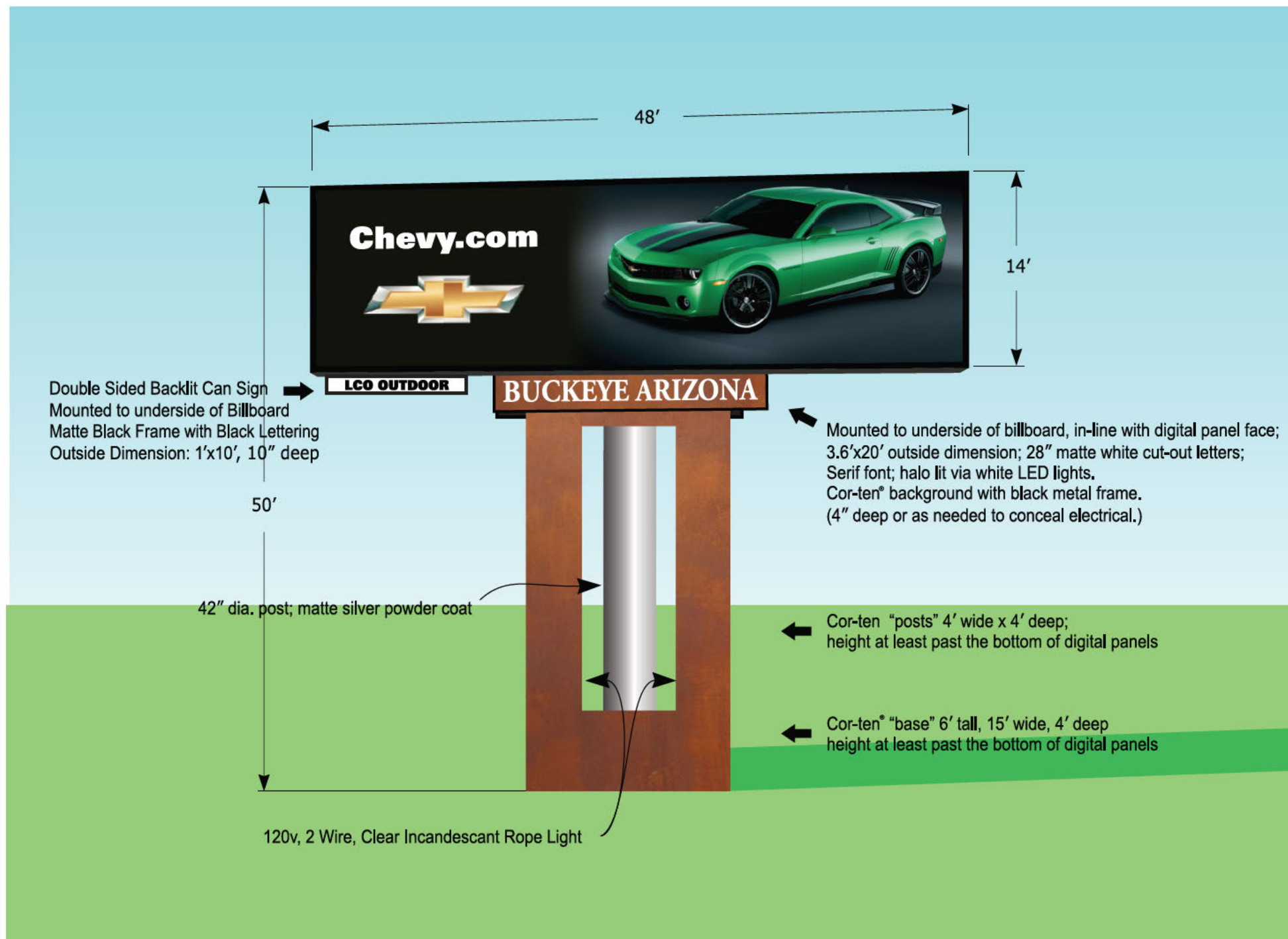


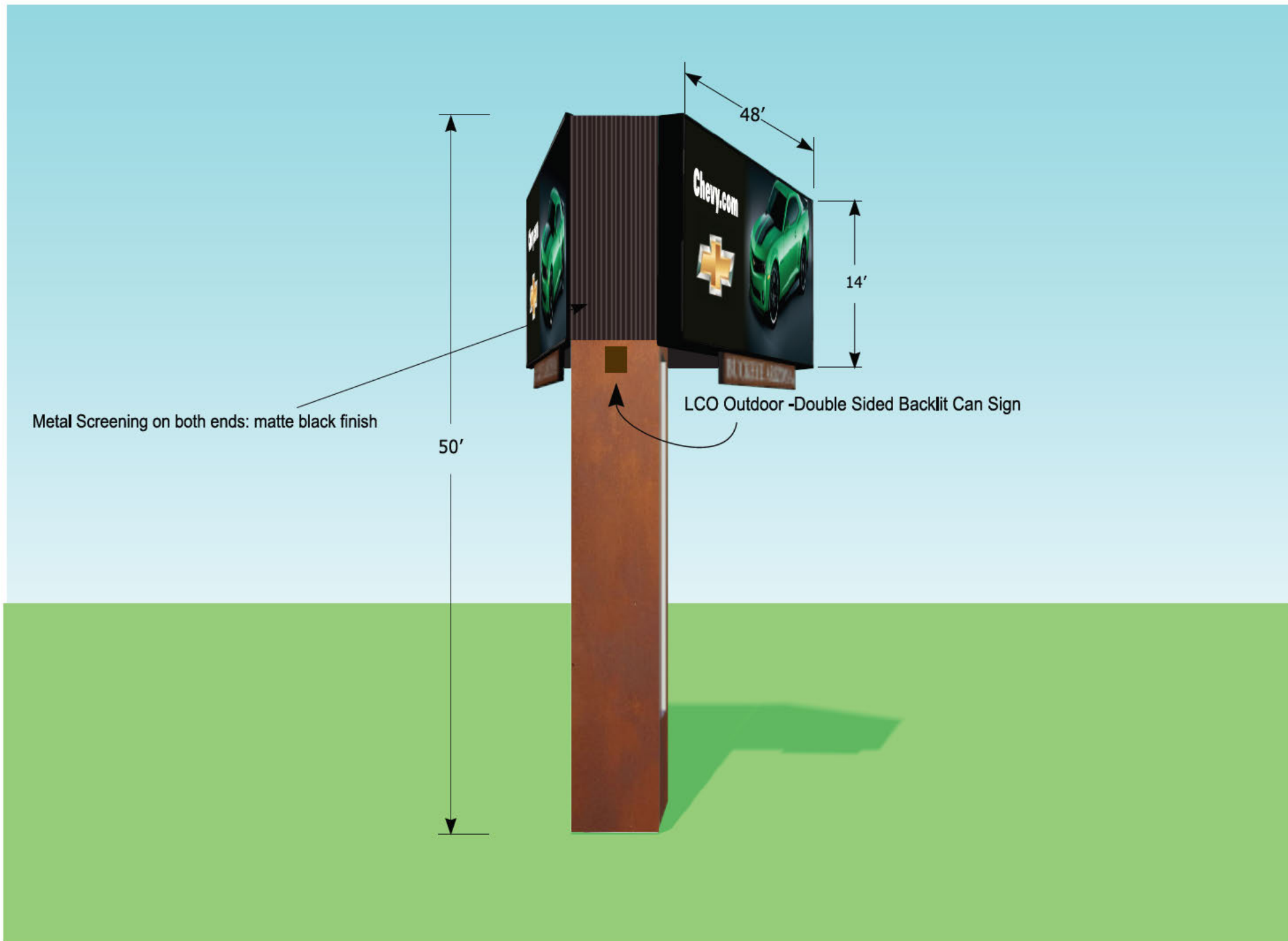
PEORIA

PEORIA EIGHTY THREE



50'





48'

14'

50'

Metal Screening on both ends: matte black finish

LCO Outdoor -Double Sided Backlit Can Sign



Double Sided Backlit Can Sign
Mounted to underside of Billboard
Matte Black Frame with Black Lettering
Outside Dimension: 1'x10', 10" deep

LCO OUTDOOR

BUCKEYE ARIZONA

Mounted to underside of billboard, in-line with digital panel face;
3.6'x20' outside dimension; 28" matte white cut-out letters;
Serif font; halo lit via white LED lights.
Cor-ten® background with black metal frame.
(4" deep or as needed to conceal electrical.)

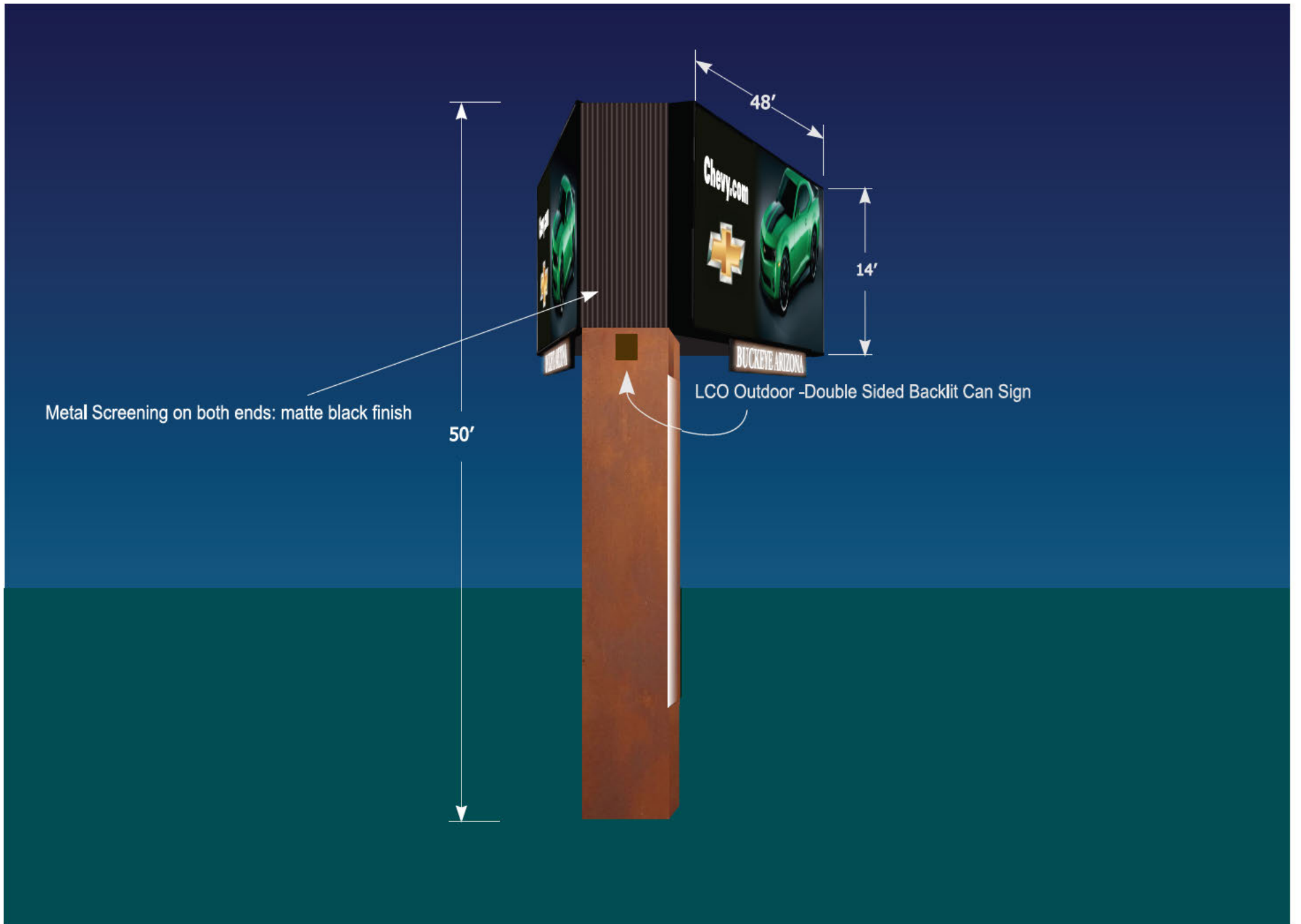
50'

42" dia. post; matte silver powder coat

Cor-ten "posts" 4' wide x 4' deep;
height at least past the bottom of digital panels

Cor-ten "base" 6' tall, 15' wide, 4' deep
height at least past the bottom of digital panels

120v, 2 Wire, Clear Incandescent Rope Light





Unplug.

DiscoverTheForest.org



LCO

48'



Double Sided Backlit Can Sign
Mounted to underside of Billboard
Matte Black Fram with Silver Lettering
Outside Dimension: 1'x10', 10" deep

LCO OUTDOOR

BUCKEYE ARIZONA

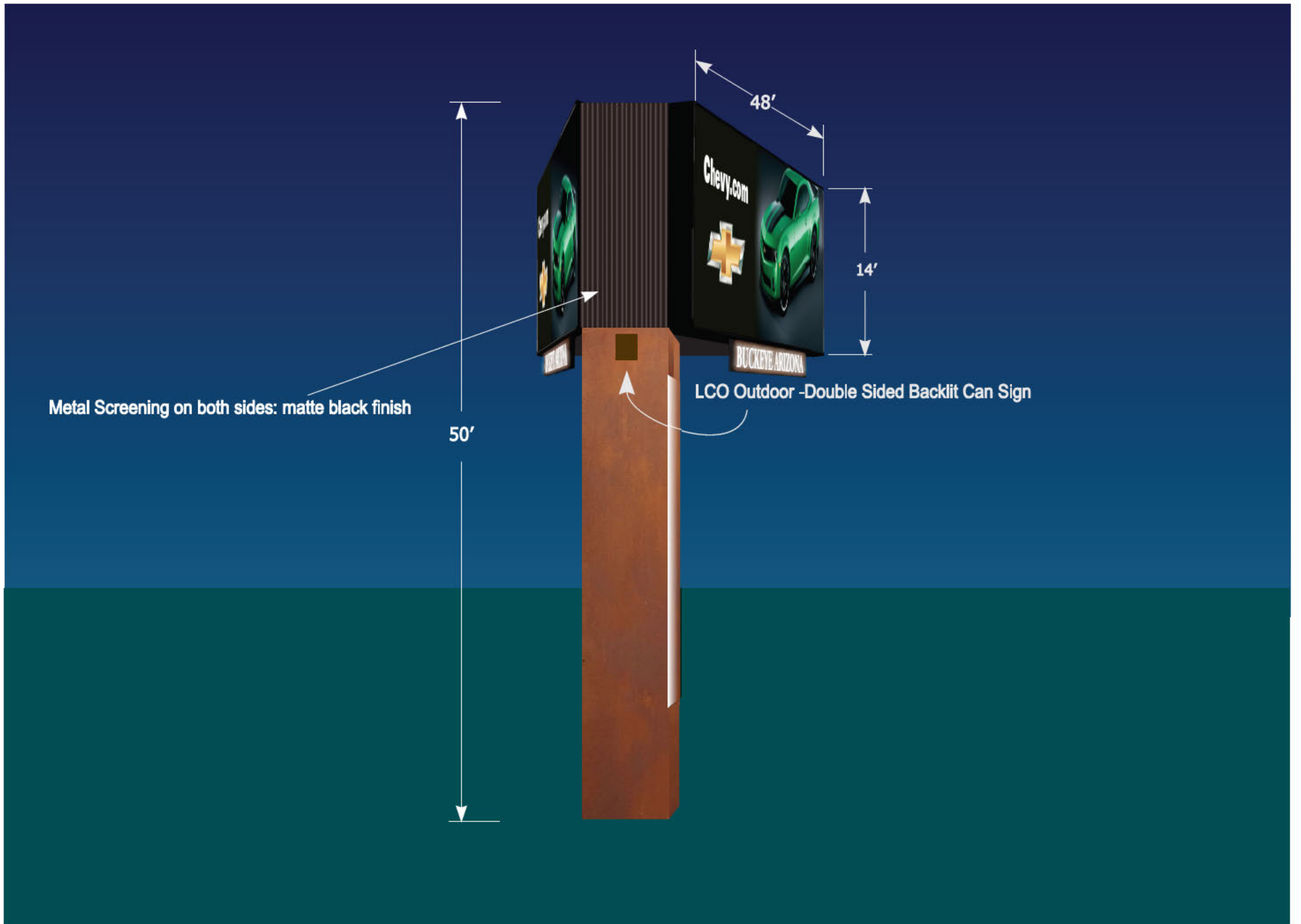
Mounted to underside of billboard, in-line with digital panel face;
3.6'x20' outside dimension; 28" matte white cut-out letters;
Serif font; halo lit via white LED lights.
Cor-ten® background with black metal frame.
(4" deep or as needed to conceal electrical.)

42" dia. post; matte silver powder coat
or other low/no maintenance finish.

Cor-ten "posts" 4' wide x 4' deep;
height at least past the bottom of digital panels

Cor-ten® "base" 6' tall, 15' wide, 4' deep
height at least past the bottom of digital panels

120v, 2 Wire, Clear Incandescent Rope Light



From: Robert Kuhfuss
To: [REDACTED]
Subject: RE: sign amendment
Date: Thursday, February 23, 2017 1:30:00 PM

[REDACTED],

We ran a Text Amendment last year striking all reference to political signs from our code. That issue is covered under state statute.

Assuming you are referring to “snipe” signs, the currently proposed language would prohibit that type of sign in the median.

Hope that answers your questions.

Thanks

Robert H. Kuhfuss, AICP, MPA
City of Surprise Community Development Department
16000 North Civic Center Plaza
Surprise, AZ 85374-7470
O: 623-222-3137 | F: 623-222-3001
robert.kuhfuss@surpriseaz.gov

From: [REDACTED]
Sent: Thursday, February 23, 2017 10:52 AM
To: Robert Kuhfuss
Subject: RE: sign amendment

How would these changes affect political signs? Signs in the medians?

TIA

[REDACTED]

At 11:48 AM 2/21/2017, Robert Kuhfuss wrote:

[REDACTED],

Sorry about that. We had not quite posted the document. You can find it now at
<https://www.surpriseaz.gov/Calendar.aspx?EID=6986&day=8&month=3&year=2017&calType=0>

Thank you.

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

O: 623-222-3137 | F: 623-222-3001

robert.kuhfuss@surpriseaz.gov

From: [REDACTED]

Sent: Friday, February 17, 2017 5:50 PM

To: Robert Kuhfuss

Subject: RE: sign amendment

Yep, I saw that -- I was/am asking for a copy of the proposed test as stated in the public notice.

[REDACTED]

At 04:06 PM 2/17/2017, Robert Kuhfuss wrote:

We've scheduled a series of stakeholder meetings starting March 8th at 6:00 PM. Notice will go out next week.

We are also taking this to City Council as a work session item on March 7th.

Robert H. Kuhfuss, AICP, MPA
City of Surprise Community Development Department
16000 North Civic Center Plaza
Surprise, AZ 85374-7470
O: 623-222-3137 | F: 623-222-3001
robert.kuhfuss@surpriseaz.gov

From: [REDACTED]

Sent: Friday, February 17, 2017 10:50 AM

To: Robert Kuhfuss

Subject: sign amendment

Please send info on this issue. Address below or email is fine.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Protons have mass? I didn't even know they were Catholic.

"Do What's Right. Do it right. Do it right Now!!"

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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17 Feb 2017 23:06:34 -0000

From: Robert Kuhfuss
To: [REDACTED]
Subject: RE: City of Surprise Sign Code Update Outreach Meetings
Date: Friday, February 24, 2017 8:20:00 AM
Attachments: [image002.jpg](#)

[REDACTED]

Thank you for your question. The intent was to accommodate gas stations, drug stores, schools, churches, etc. that commonly use this type of signage in lieu of the old fashioned reader boards with the plastic inserts. It is unlikely that someone is going to sit with their finger on the button manually scrolling through a series of messages, but the price of gas could change during the course of the day.

We were restrictive in our language since there seems to be some reticence regarding EMCs. I would certainly welcome any input you might have.

I'm also wondering if there might even be an opportunity for a nighttime EMC demonstration before our Planning Commission and City Council. The demonstration would highlight lighting levels, measurements, etc. The days are starting to get longer so if that is a possibility, we'd need to put something together fairly quickly.

Thank you again and please let me know your thoughts.

Robert H. Kuhfuss, AICP, MPA
City of Surprise Community Development Department
16000 North Civic Center Plaza
Surprise, AZ 85374-7470
O: 623-222-3137 | F: 623-222-3001
robert.kuhfuss@surpriseaz.gov

From: [REDACTED]
Sent: Friday, February 24, 2017 7:20 AM
To: Robert Kuhfuss
Subject: RE: City of Surprise Sign Code Update Outreach Meetings

Robert,
I have a question regarding the definition of Level 1 EMC. The definition refers to message changing "manually" and does not mention how often the messages could change (as compared to Level 2 which mentions the signs may be changed automatically every 8 sec). Do you have any insight as to why the definition is written this way?

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.

Thank you,



From: Robert Kuhfuss [<mailto:Robert.Kuhfuss@surpriseaz.gov>]

Sent: Tuesday, February 21, 2017 1:13 PM

To: Robert Kuhfuss <Robert.Kuhfuss@surpriseaz.gov>

Subject: City of Surprise Sign Code Update Outreach Meetings

Hello all,

As you are likely aware, the City of Surprise is re-writing its Sign Code in its entirety. We are scheduling a series of stakeholder meetings throughout the month of March, 2017. Each of these meetings will be held at **6:00 PM** at the date and location outlined below:

Day	Date	Location	Address
Wednesday	March 8, 2017	Surprise Regional Library	16089 North Bullard Avenue, Surprise, AZ 85074
Wednesday	March 15, 2017	Surprise Community Room	16000 North Civic Center Plaza, Surprise, AZ 85074
Wednesday	March 22, 2017	Surprise Community Room	16000 North Civic Center Plaza, Surprise, AZ 85074
Wednesday	March 29, 2017	Surprise Regional Library	16089 North Bullard Avenue, Surprise, AZ 85074

The proposed text may be found at <https://www.surpriseaz.gov/Calendar.aspx?EID=6986&day=8&month=3&year=2017&calType=0>.

You are welcome to attend any or all of these meetings, and you may submit written comments to me at the address noted below. For more information, please contact me at the location listed below. We look forward to hearing from you.

Please also be advised that we will be presenting this matter to the City Council during their work session of Tuesday, March 7, 2017, at 4:00 PM, if you are interested in attending.

Thank you.

Robert H. Kuhfuss, AICP, MPA
City of Surprise Community Development Department
16000 North Civic Center Plaza
Surprise, AZ 85374-7470
O: 623-222-3137 | F: 623-222-3001
robert.kuhfuss@surpriseaz.gov

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21 Feb 2017 19:13:11 -0000

From: [REDACTED]
To: [Robert Kuhfuss](#)
Cc: [Lloyd Abrams](#); [Joshua Mike](#)
Subject: Signage meeting
Date: Monday, March 13, 2017 8:37:37 PM

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

[REDACTED]



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,



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

Thank you,
Webmaster

From: [REDACTED]
To: [Robert Kuhfuss](#)
Cc: [REDACTED]
Subject: Comments on the Draft Surprise Code
Date: Friday, March 31, 2017 9:22:36 AM
Attachments: [image001.gif](#)
[image002.jpg](#)
[image003.jpg](#)
[image004.jpg](#)
[image005.jpg](#)
[ASA ISA comments draft Surprise Sign Code 3-29-17.docx](#)

Hello Bob,

Here are the ASA/ISA comments on the proposed code. We look forward to discussing the proposed code later today.

Best regards,

[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] NEW

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.

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* 



2017-03-02 18:06:43

We recommend that multiple geometric be utilized versus the smallest rectangle. this will encourage creative designs since irregular shapes will not be penalized. See attached model code page 28 for additional images and details.

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) sq. ft. for this sign type.
- d) A *Class I Monument Sign* shall not be audible from a residential zoning district or residential use, hotel or motel 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 roadway in conjunction with a driveway serving any multiple 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 paved surface of the roadway served by the *sign*;

jcarpentier
2017-03-02 21:22:39

We recommend that freeway signs be allowed with similar standards that are in the existing code.

Monument Sign and Freestanding Sign per drive-through lane subject to the

2017-03-02 18:29:06

We recommend that 40 sq. ft. be allowed for this sign type

Freestanding Sign may be located within 100 feet of a residential zoning district or use.

2017-03-30 18:49:10

We recommend that the sign type not be identified by content. The city will need to review the content to determine compliance with this sign type.

thirty (30) inches in height as measured from the adjacent paved surface of the

- 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 family residential, commercial or industrial development following:

- a) The *Class IV Monument Sign* shall not exceed six (6) feet in height as measured from the adjacent pavement surface 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 on a 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 the street being served by the *sign*, nor shall the *Class V Monument Sign* exceed six (6) feet in width, nor shall the *sign area* exceed 24 square feet. The bottom of the *sign* shall be no lower than four (4) feet above the pavement of the street being served by the *sign*.

jcarpentier
2017-03-02 18:32:18

We recommend that the sign type not be identified by content. The city will need to review the content to determine compliance with this sign type.

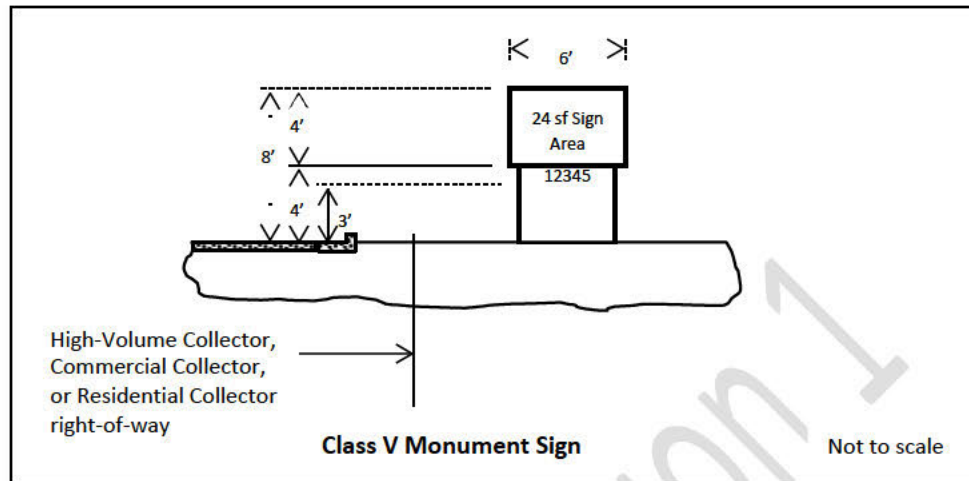
six (6) feet in height
face of the roadway

2017-03-30 18:47:58

also a ratio allowance?
feet, or Commercial
Monument Sign shall
the edge of pavement
shall the width of the

jcarpentier
2017-03-30 18:48:17

Additional width will be needed to fit the additional sign area. Also suggest that additional ratio be allowed to foster creativity.
square footage of 40 sq. ft.
to be safely viewed



- 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 an Easement is present, in which case the sign shall be setback 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 at the entrance providing access from the street to a complex served by the sign.

2017-03-02 19:25:44

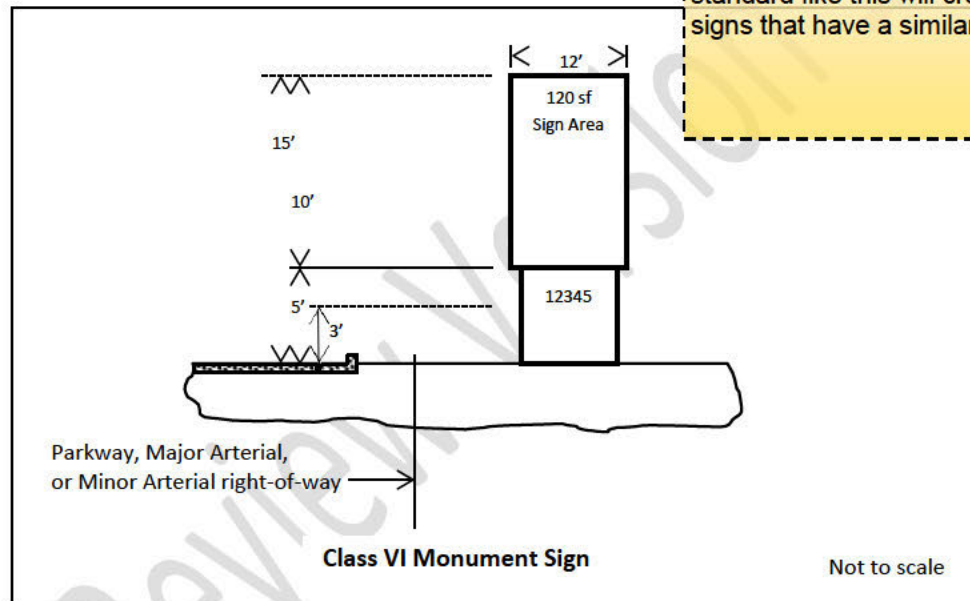
the landscape material shall be of the type that does not to exceed 3' in height so as to maintain visibility of the sign copy and address.

illuminated, back-lit or externally illuminated in accordance with the requirements set forth in Section 113.09.

2017-03-02 19:24:35

and/or every 300'

- 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 area exceed 120 square feet. The bottom edge of the sign shall be lower than five (5) feet above the adjacent edge 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 10 feet from the right-of-way line except that in the presence of a Utility Easement is present, in which case the setback shall be 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 development subject to the following:

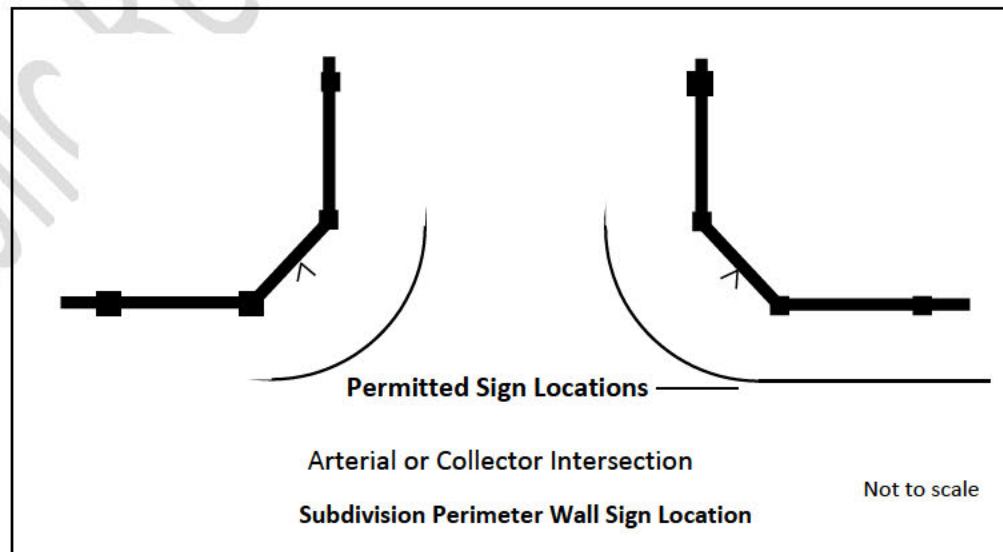
- a) *Roadway Arch Signs* shall maintain a vehicle clearance of not less than fifteen (15) feet;
- b) *Roadway Arch Signs* shall not interfere with pedestrian or vehicular movement.
- c) *Roadway Arch Signs* may be *internally illuminated*, or *back-lit* in accordance with the requirements set forth 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.

jcarpentier
2017-03-02 19:26:41

We believe that this is a great addition to the code.

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.

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*;

3. Lighting does not create excessive glare to pedestrian;

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 color is a federally registered trademark. The city may also require muted intensities for those *signs* located within environmentally sensitive areas.

C. Unless otherwise stated in this Chapter, any *sign* that is 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 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) levels: 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*

2017-03-31 16:14:44

We suggest a specific guideline for ~~high~~ ~~USSC~~ has illumination guideline that are around 750 nits for illuminated signs. That can be measured and enforced but the proposed language is too discretionary.

2017-03-02 19:28:10

this will be a challenge to fairly ~~enforce~~ since muted leaves for much discretion

shall not be illuminated by ambient lighting

2017-03-02 19:30:56

2017-03-31 16:16:14

this section needs hold times and ~~100%~~ of allowable area for less intense districts around 50% and 75% for more intense districts.

Electronic Messaging Center

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~~
6. **Affidavit:** A signed affidavit (form provided by the city) shall be required by the owner prior to issuance of a sign permit. (This affidavit indicates that the owner has received the operating requirements for electronic message signs and agrees to adhere to these standards or may be to enforcement action by the City.

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

2017-03-14 21:07:18

Section 113-11 – Reader Panels

Wherever ~~Level 4~~ *Electronic Messaging Centers* (EMCs) are allowed, a *Reader Panel* may be substituted, provided:

- A. The *Reader Panel* otherwise meets the provisions of Section 113-10.
- 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*.

since each location is slightly different on ambient light a factory present limit is not possible. As an alternative we suggest that an affidavit be signed by the owner indicating they have received and will comply with the city standards for operational and

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 that the *sign* non-conforming has been in effect for ten (10) years.
2. Extension of time to apply: The dates established in this section to be brought into compliance with the requirements may be expanded at the request of the sign owner. When evaluating the extension of time for a *non-conforming sign*, the sign owner shall consider the following factors to determine whether the sign has had a reasonable amount of time to recuperate the initial investment:
 - a) The date the sign was erected.
 - b) The date the sign was last painted or repaired.
 - c) The date the sign was last replaced.
 - d) The date the sign was last inspected.
 - e) The date the sign was last cleaned.
 - f) The date the sign was last maintained.
 - g) The date the sign was last tested.
 - h) The date the sign was last calibrated.
 - i) The date the sign was last certified.
 - j) The date the sign was last approved.
 - k) The date the sign was last authorized.
 - l) The date the sign was last permitted.
 - m) The date the sign was last licensed.
 - n) The date the sign was last registered.
 - o) The date the sign was last filed.
 - p) The date the sign was last recorded.
 - q) The date the sign was last acknowledged.
 - r) The date the sign was last accepted.
 - s) The date the sign was last agreed.
 - t) The date the sign was last assented.
 - u) The date the sign was last approved.
 - v) The date the sign was last authorized.
 - w) The date the sign was last permitted.
 - x) The date the sign was last licensed.
 - y) The date the sign was last registered.
 - z) The date the sign was last filed.

2017-03-02 19:47:15

2017-03-02 20:13:08

We recommend that a time-line for signs not be utilized as they are a challenge to fairly administer. We recommend that the language be utilized that is in the existing code for non-conforming signs in Sections 113-70 to 72.



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 [REDACTED] 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 [REDACTED] 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.

[REDACTED] stated her office recorded 57 walk-ins' in 2016. People who found [REDACTED] 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 [REDACTED] in Surprise as well. [REDACTED] 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 [REDACTED] 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.

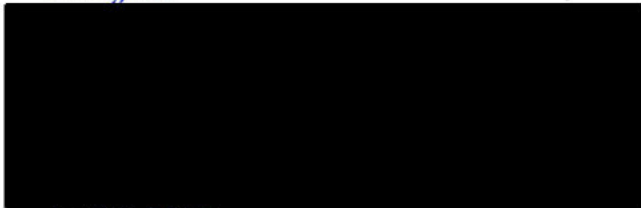
We are concerned about the enforcement provision. Charging a business owner who violates the sign ordinance with a criminal violation, punishable by jail, seems overly zealous and increases the risk of opening a business in Surprise. We ask the enforcement provision be much less injurious to the business 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 large black rectangular redaction box covering the signature area.

April 6, 2017

From: [REDACTED]
To: [Robert Kuhfuss](#)
Subject: Change in Sign Code
Date: Tuesday, April 18, 2017 10:43:52 AM

Good Morning Sir

As a resident of Surprise (Rancho Gabriella) and a [REDACTED]

[REDACTED] located on West Bell RD just west of the 303 loop

I want to voice my opinion on the new code that becomes effective on April 23 2017.

I have a building sign that was approved by the city of Surprise AZ and farmers Insurance group

which allows my office to have visibility from our north facing building but due to the number of cars

or what you call traffic patterns we have no street exposure. I have a new A frame sign that was professionally made due to Farmers Insurance strict codes as

well. Currently I place this A-sign on the rock located right in front of my window with no sidewalk or public area risk. I then take this sign inside each evening at 5 PM with never a overnight or weekend/holiday exposure..

This sign is vital to my office visibility as many of my clients are seniors and the name and Logo assist them.

I would request to have this new code reviewed and if possible make exceptions for the business that respect the public view and also are not chained to a pole or tree. Our business elected to stay in Surprise during the economic 2009 downturn and feel that we would be granted a provision for regulated hours etc.

Thank you for this consideration and I trust this will cause you and your committee to reconsider this 100% removal.

Respectfully submitted

[REDACTED]



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From: [REDACTED]
To: [Robert Kuhfuss](#)
Subject: RE: Surprise Sign Code Update
Date: Tuesday, April 25, 2017 9:49:38 AM
Attachments: [HBACA SURPRISE Sign Code Comments_04.24.2017.pdf](#)

Good morning Robert,

Sorry for the delay in getting this to you. Attached, please find a comment letter with some of the suggested language options from the other municipalities. I have also included the home builder sign pictures. If you need those in a word document as opposed to a .pdf, let me know and I will send that over separately.

Thanks again for taking the time to meet with me. If you have any questions or if there is anything else I can provide, please let me know.

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

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From: Robert Kuhfuss [mailto:Robert.Kuhfuss@surpriseaz.gov]
Sent: Friday, April 07, 2017 4:23 PM
To: [REDACTED]
Subject: RE: Surprise Sign Code Update

Let's plan on 1:00 here. Thanks

Robert H. Kuhfuss, AICP, MPA
City of Surprise Community Development Department
16000 North Civic Center Plaza
Surprise, AZ 85374-7470
O: 623-222-3137 | F: 623-222-3001
robert.kuhfuss@surpriseaz.gov

[REDACTED]

Sent: Friday, April 07, 2017 4:12 PM
To: Robert Kuhfuss
Subject: Re: Surprise Sign Code Update

Thank you very much for the prompt response. The afternoon of April 17 will be fine. I'm open any time after 12:00 so whatever time works best for you will be fine.

Get [Outlook for iOS](#)

From: Robert Kuhfuss <Robert.Kuhfuss@surpriseaz.gov>

Sent: Friday, April 7, 2017 4:10:23 PM

To: [REDACTED]

Subject: RE: Surprise Sign Code Update

[REDACTED], I'd be happy to meet with you. Next week is filling up but the following week is fairly open. How does Monday, April 17th in the afternoon work for you?

Robert H. Kuhfuss, AICP, MPA
City of Surprise Community Development Department
16000 North Civic Center Plaza
Surprise, AZ 85374-7470
O: 623-222-3137 | F: 623-222-3001
robert.kuhfuss@surpriseaz.gov

From: [REDACTED]
Sent: Friday, April 07, 2017 3:45 PM
To: Robert Kuhfuss
Subject: RE: Surprise Sign Code Update

Robert,

Thank you very much for the reminder email. I have to apologize, I have not been as quick to respond to your request for comment as I would have hoped. I was wondering if I could schedule a time to come out and visit with you prior to the 20th. My standard practice with the various cities/towns has been to review pictures of the various types of signs being used by home builders all over the Valley to figure out how those signs are treated in Surprise under the current code and how they would be treated under the proposed code. Based on our discussion, I may be able to offer some suggested revisions based on the draft codes from other municipalities. Please let me know if this is a request that you can accommodate and when you are able to meet.

Thank you very much.

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

p 602.274.6545
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From: Robert Kuhfuss [<mailto:Robert.Kuhfuss@surpriseaz.gov>]
Sent: Friday, April 07, 2017 3:41 PM
To: Robert Kuhfuss
Subject: Surprise Sign Code Update

Hello all,

Just a quick reminder that we will be taking the draft sign code to our Planning and Zoning Commission as a discussion item on both April 20th and May 4th. You are welcome to attend.

Hope to see you.

Thank you

Robert H. Kuhfuss, AICP, MPA
City of Surprise Community Development Department
16000 North Civic Center Plaza
Surprise, AZ 85374-7470
O: 623-222-3137 | F: 623-222-3001
robert.kuhfuss@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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0.1



Home Builders Association of Central Arizona

April 24, 2017

SENT VIA EMAIL

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

RE: Surprise Sign Code Update

Dear Mr. Kuhfuss:

Thank you very much for taking the time to meet with me to discuss the proposed changes to the Surprise Sign Code. As I mentioned in our meeting, I have included some suggested language from other municipalities that we think are a good way of providing signage options to home builders.

While all businesses are concerned about signage as a way to attract customers, home builders face unique challenges as compared to other businesses. Typically, customers to a model home sales office are either new to the area or are not from the area at all. Moreover, a new subdivision will be built where nothing existed before. Similarly, new subdivisions are not typically built in a heavily trafficked area which would be common for a retail business. By necessity, signage is needed to assist these customers as they navigate through unfamiliar towns and neighborhoods, often on roads not available on GPS. Thus, it is imperative to home builders to have many options to provide the needed direction.

After reviewing a number of proposed sign codes from various municipalities in Maricopa County we recommend the following additions:

- (1) 32 square foot sign per street frontage¹. For example, Peoria allows:
 - o 1 sign per street frontage
 - o Max sign area 32 square feet
 - o Maximum height of 16 feet
 - o Up to 3 years in duration
 - o Must be removed once all lots in subdivision are sold
 - o Does require a permit.

¹ See Home Builder Signs page 18.

- (1) 96 square foot sign². For example, Goodyear allows:
 - o During the construction phase, each recorded subdivision may have one sign with a maximum area of 96 square feet and the maximum height shall be 13 feet.
 - o The sign shall not be located within 100 feet of any property line of an existing residence.
 - o Such sign shall not be illuminated.
 - o The sign must be removed when 95% of the lots within the subdivision are sold and/or the on-site sales office closes, whichever occurs first.
- (1) 3 square foot sign on undeveloped property less than 1 acre³. For example, Peoria allows:
 - o 1 sign per parcel less than 1 acre
 - o Max sign area 3 square feet.
 - o May be displayed up to one year
 - o Does not require a permit.
- (1) Sign + 1 additional sign for every 600 feet of street frontage on undeveloped property greater than 1 acre and on agricultural, vacant property, or property under construction⁴. For example, Chandler and Peoria allow:
 - o Chandler - "Signs located on property currently used for agriculture, vacant property or property that is currently under construction shall not exceed thirty two (32) square feet for the first acre or portion thereof."
 - o Peoria - 1 sign + 1 additional sign for every 600 feet of street frontage.
 - Max sign area of 32 square feet.
 - 8 feet maximum height.
 - May be displayed up to 1 year, may be renewed twice for 3 years total.
 - Does require a permit.
 - Peoria will likely include a separation distance component as well.
- Model home flags⁵. For example, Goodyear allows:
 - o Up to four flags per model home may be placed at any one subdivision, but the total number shall not exceed eight.
 - o Flags shall have a maximum area of 12 square feet and may not be maintained higher than 25 feet above the adjoining ground.
 - o Flags shall be removed when 95% of the lots in the subdivision are sold and/or the on-site sales office closes, whichever occurs first.

For ease of reference, I have provided the relevant portions of the various sign code drafts that have been distributed by the various municipalities in Maricopa County. In addition, I have

² See Home Builder Signs pages 13, 14, 15, 20, and 21.

³ See Home Builder Signs pages 16 and 17. (These signs are representative of the types of signs that could be placed on vacant lots within the subdivision. It would also include the lot identification signs.)

⁴ See Home Builder Signs pages 1, 2, 10, 11, and 12.

⁵ See Home Builder Signs pages 18 and 19. (Although not located at a model home, these flags are representative of those that would be placed at that location.)

Mr. Robert Kuhfuss
Surprise Sign Code Update
April 24, 2017
Page 3

included sample home builder signs that illustrate the types of signs we believe will be covered using the suggested language. If you have any questions or if there is anything else I can provide, please let me know. Once again, we really appreciate the opportunity to provide comment and for your consideration of our request.



CHANDLER

ZCA16-0002 City of Chandler / Sign Code Amendment ("redlined" version)

Draft date: November 14, 2016

being exhausted from the total allotment for each day that one or any combination of the aforementioned signs is displayed.

5. Approval process: A temporary sign permit shall be required to display feather signs as provided herein.
6. Other requirements:
 - a) Feather signs shall be securely attached to mounting poles which are secured to the ground.

E. Temporary freestanding signs.

1. Area, height and location:
 - a) Signs located on property currently used for agriculture, vacant property or property that is currently under construction shall not exceed thirty two (32) square feet for the first acre or portion thereof. For each additional acre in size, the combined area of the sign may be increased four (4) square feet up to a maximum of one hundred sixty (160) square feet. Said signs shall not exceed fifteen (15) feet in height. Said signs shall not be placed closer than fifteen (15) feet to a public right-of-way.
 - b) Signs located on residential properties shall not exceed sixteen (16) square feet in area or six (6) feet in height. No minimum setback shall be required from the public right-of-way for said signs.
 - c) Signs located on commercial, office, industrial, quasi-public, or institutional properties shall comply with the following standards:
 - I. Parcels containing two (2) acres or less are allowed a sign not to exceed sixteen (16) square feet in area.
 - II. Parcels containing less than ten (10) acres but more than two (2) acres are allowed a sign not to exceed thirty-two (32) square feet.
 - III. Parcels containing ten acres or more are allowed a sign not to exceed fifty (50) square feet and may be illuminated. Such illumination shall be indirect lighting only.
 - IV. Maximum height of all such signs shall not exceed twelve (12) feet.
 - V. Signs which exceed thirty two (32) square feet in area or eight (8) feet in height shall be setback a minimum of fifteen (15) feet from the public right-of-way.
2. Number of signs: One (1) single- or double-faced temporary freestanding sign is permitted per parcel unless it is a corner parcel, in which case two (2) such signs may be erected, one (1) sign for each street front. Notwithstanding the foregoing, an unlimited number of the following signs may be displayed and shall not be counted towards the number of signs permitted herein:
 - a. Signs or notices required by a government agency; and
 - b. Signs located in a single family residential district which do not exceed six (6) square feet in area and four (4) feet in height.
3. Duration: Signs requiring permits shall be valid for two (2) years and shall be renewable on an annual basis thereafter. A sign not requiring a permit shall be removed within thirty (30) days after the sign is considered to be abandoned as defined by this chapter.

ZCA16-0002 City of Chandler / Sign Code Amendment ("redlined" version)

Draft date: November 14, 2016

4. Approval process: In order to ensure that signs are safe and structurally sound, a sign permit shall be required for temporary freestanding signs that exceed thirty two (32) square feet in area or eight (8) feet in height.
5. Other requirements:
 - a) Temporary freestanding signs shall be made of a rigid durable material that will withstand the elements.

All temporary signs require a permit unless specifically exempted herein. The following temporary signs are prohibited unless expressly authorized within any of the subsections set out below and for the limited purposes stated within any such subsection:

- Non-public signs in public rights-of-way or on public property;
- Signs mounted on a building roof;
- Signs having intermittent or flashing illumination, animated or moving parts, or that emit sound;
- Banners, pennants, wind-driven spinners, streamers, balloons, flags, search lights, strobe lights, holographic projections, laser light displays, beacons, bandit, and inflatable signs;
- Signs imitating official traffic control signs, or any sign or device obscuring actual municipal or other public traffic control signs or devices;
- Signs mounted on, or applied to trees, utility poles, rocks, or City-owned property;
- Signs placed upon private property without the property owner's approval;
- Off-premises, portable signs or "A-frame" signs;
- Business identification/advertising signs in single-family zoning districts.

39-10.1. Contractor signs. Contractor signs designating the contractor or subcontractor engaged in the construction or repair of a building or buildings on each parcel of land shall be allowed one (1) nonilluminated sign without a permit if in compliance with the following requirements.

- A. The area of any single sign shall not exceed thirty-two (32) square feet in area nor exceed eight (8) feet in height.
- B. The sign shall be removed within ten (10) days of completion of the work by the contractor or subcontractor on the property.
- C. All contractors or subcontractors signs may be consolidated on one (1) sign. The area of a consolidated sign is calculated at six (6) square feet per contractor or subcontractor listed with a maximum sign area of one hundred (100) square feet for six (6) or more contractors. Said sign shall not exceed eight (8) feet in height or be located closer than ten (10) feet to a public right of way.

39-10.2. Development signs.

- A. A sign permit shall be required for the erection of a development sign and is valid for a period of one (1) year.
- B. One (1) single or double faced freestanding sign is allowed upon the parcel of property to be developed unless it is a corner lot, in which case one (1) such sign per street front.
- C. The face area of said sign shall not exceed thirty-two (32) square feet for the first acre or portion thereof. When the proposed parcel for development exceeds one (1) acre in size, the sign area may

PEORIA

Table 4: Temporary Sign Type Specifications

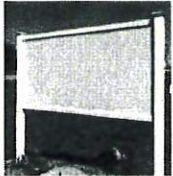
A. UNDEVELOPED PROPERTIES						
Property Type	Quantity	Max Sign Area	Maximum Height	Duration	Other Limitations	Permit
Parcels ≤ 1 ac 	1	3 SF	3 FT	Up to 1 Year		No
Parcels > 1 acre 	1 sign + 1 additional sign for every 600 LF street frontage	32 SF	8 FT	Up to 1 Year, may be renewed twice for 3 years total		Yes
B. RESIDENTIAL PROPERTIES						
Sign Type	Quantity	Max Sign Area	Maximum Height	Duration	Other Limitations	Permit
Yard Sign 	1	3 SF	3 FT	Up to 3 Months	Located on a developed residential lot	No
Neighborhood Sign 	1 sign per neighborhood entrance	3 SF	3 FT	Up to 1 Week	Located within neighborhood common area	No
New Subdivision Sign 	1 sign per street frontage	32 SF/sign	16 FT	Up to 3 years	Must be removed once all lots in subdivision are sold	Yes

Table 4: Temporary Sign Type Specifications (cont'd)

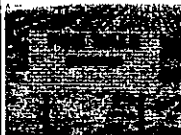
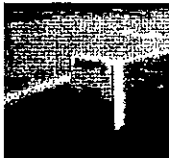
Sign Type	Quantity	Sign Area	Maximum Height	Duration	Other Limitations	Permit
Special Promotion   	2 Wall-Mounted Banners	32 SF Total	N/A	Max 30 days per installation Max 4x per year	N/A	Yes, For Each Install
	2 Pole Mounted Banners "Swooper Signs"	32 SF per sign	15 FT		Max Width: 3 FT	
	1 A-frame or T-frame sign portable sign	6 SF	3 FT		N/A	
D. SPECIAL CONDITIONS — In addition to temporary signs permitted by use/development character, the following special conditions apply:						
Sign Type	Quantity	Sign Area	Maximum Height	Duration	Other Limitations	Permit
Properties Under Construction	1	32 SF	8 FT	Building Permit: From Issuance until closed	Active building permit required	No
Properties listed for sale, lease, or rent						
≤ 1 acre  	1	6 SF	Free-Standing Sign: 5 FT Other Signs: N/A	While property is listed	N/A	No
> 1 acre 	1 sign + 1 sign for every additional 600 LF street frontage	32 SF	8 FT	While property is listed	N/A	Yes

Table 4: Temporary Sign Type Specifications (cont'd)

Election Season, Non-Commercial Messages	Not limited	Residential Zoning, adj. to Rural or Local Road: 16 SF Other: 32 SF	<7 FT	90 days prior to General Election and up to 15 days after Primary Election	See below	No
	Per ARS § 16-1019, such signs may be located within the City right-of-way provided they are not: 1. hazardous to public safety; 2. within a roadway median or traffic circle; 3. affixed to any City-owned utility pole, traffic control device or safety barrier; 4. located in a manner that interferes with the requirements of the Americans with Disabilities Act; 5. located in a designated commercial tourism, commercial resort, and hotel sign-free zone designated by the City Council pursuant to ARS §16-1019; and 6. otherwise in violation of a requirement found in this Section. Except as provided herein, such signs shall not be located on City-owned property, buildings, or structures.					
Grand Opening/New Business	Not limited. Includes banners, balloons, streamers, flags, pennants, and merchandise.	N/A	N/A	60 days within first 6 months of receiving a valid business license	See Grand Opening/New Business definition. Not permitted for Home Occupations.	No
Old Town A-frame	1 A-frame	6 SF	3 FT	Up to 1 year	Permitted for non-residential uses within the Old Town and Central Districts in the Old Town Specific Area Plan boundaries.	Yes
Resident Right of Way Sign 	4	6 SF	3 FT	4 days max, 4 x per year	For residents of Peoria with utility bill or other proof of address. Signs in ROW subject to same limitations as Election Season Signs	Yes

34 SIGNS

Sign Walker 	N/A	12 SF	6 FT	Daylight hours	Max Width: 6 FT See below	No
Temporary Use 	1 Banner + 3 A-frame or T-frame Portable Signs	Banner: 24 SF A-frame: 6 SF	Banner: N/A A-Frame: 3 FT	For the duration of approved Temporary Use Permit	N/A	Temp. Use Permit

34.11 Administration

- A. **Permit Application.** For signs requiring permits as described in this Section, a Sign Permit application shall be submitted to the Department, together with the required materials, and applicable fee, on an official form provided by the Department. The application shall satisfy the submittal requirements of the associated Process Guide for the appropriate sign type.
- B. **Permit Expiration.** Permits issued by the City under the provisions of this Article shall expired and become void if the work authorized by such permit is not completed within 180 days from the date of issuance of said permit.
- C. **Permit Revocation.** The Planning Manager or designee shall have continuing jurisdiction over all permits issued under the provisions of this Article and may revoke a permit if it was obtained by fraud or misrepresentation.
 1. Notice of the City's decision to revoke a sign permit shall be provided to the property owner by first class mail, or delivered in person to any person responsible for the premises on which the sign is located, or if no responsible party can be identified, by affixing a copy of the notice in a conspicuous location at the entrance to the premises.
- D. **Nuisance.** No permit issued under the provisions of this Article shall be deemed to constitute permission or authorization to maintain a public or private nuisance, nor shall such permit constitute a defense in an action to abate a nuisance.

GOODYEAR

landscaping. A maximum area of 32 square feet per wall sign is permitted.



WALL SIGN

- (3) The maximum height of any permanent subdivision sign shall be eight feet. The sign is encouraged to include the name of the development for efficient wayfinding.

b. Temporary Subdivision Signs:

- (1) During the construction phase, each recorded subdivision may have one sign with a maximum area of 96 square feet and the maximum height shall be 13 feet.
- (2) The sign shall not be located within 100 feet of any property line of an existing residence.
- (3) Such sign shall not be illuminated.
- (4) The sign must be removed when 95% percent of the lots within the subdivision are sold and/or the on-site sales office closes, whichever occurs first.

Commented [SC24]: No changes.

c. Model Homes:

- (1) Up to four flags per model home may be placed at any one subdivision, but the total number shall not exceed eight.
- (2) Flags shall have a maximum area of 12 square feet and may not be maintained higher than 25 feet above the adjoining ground.
- (3) Flags shall be removed when 95% of the lots in the subdivision are sold and/or the on-site sales office closes, whichever occurs first.

Commented [SC25]: No changes for this quasi-residential use.

GILBERT

H. Temporary Residential Subdivision Signs. Temporary Residential Subdivision Signs are permitted in single-family residential zoning districts for each builder in a recorded subdivision plat only in conjunction with a valid building permit for a model home complex. Temporary Residential Subdivision Signs are unlawful if they do not meet the criteria and limitations set forth below in Table 4.408.H, Temporary Residential Subdivision Signs: Criteria and Limitations.

TABLE 4.408.H. Temporary Residential Subdivision Signs: Criteria and Limitations			
	Principal Entry(ies)	Model Home Complex	Perimeter Subdivision Open Space
Maximum Number of Signs	1 per entry	1 or more	1 per street frontage
Maximum Sign Area	32 sq. ft.	96 sq. ft.	32 sq. ft.
Maximum Height	8 ft.	8 ft.	8 ft.
Minimum Setback/ Distance from Right of Way ¹	10 ft. (5 ft. if less than 32 sq. ft.)	10 ft. (5 ft. if less than 32 sq. ft.)	10 ft. (5 ft. if less than 32 sq. ft.)
Aggregate Maximum Sign Area	256 sq. ft.		
Duration	3 years or until the model home complex is permanently closed, whichever occurs first.		
Allowed on Public Sidewalk / Right-of-Way	No		
Allowed within a Sight Visibility Triangle	No		
Lighting or Illumination Allowed	No		
Permission of Owner Required	Yes		
Permit Required	Yes		
Movement Allowed	No		
Incorporation of Florescent Color or Exhibition of Florescence Allowed	No		

¹ Minimum sign setbacks are measured from the edge of the property line. Setbacks do not apply to wall signs.

HOME BUILDER SIGNS



Offsite Directional Sign located at an intersection.



Same picture as before.



Model home sign located at the driveway to the model home complex.

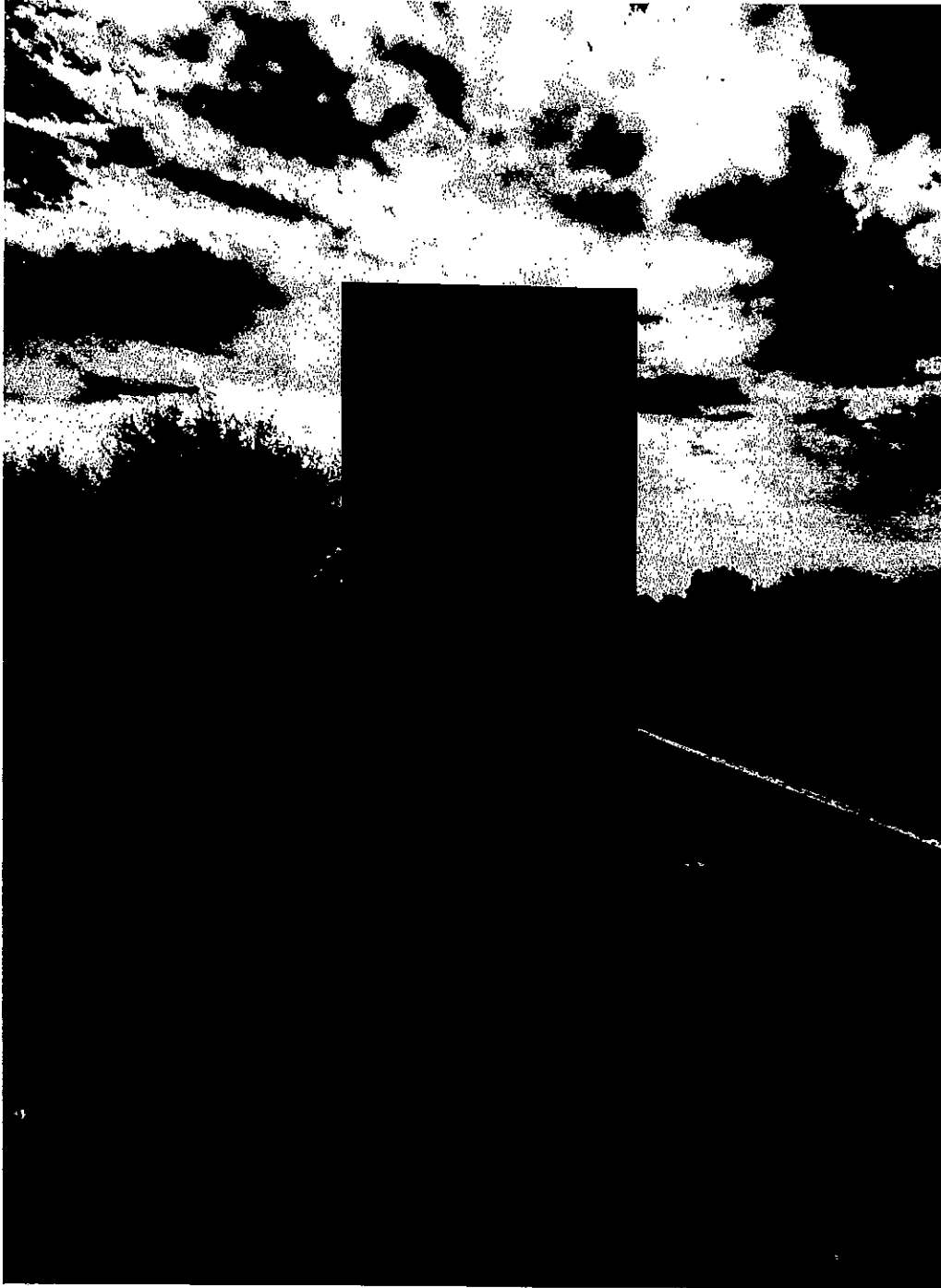


Two offsite directional signs located on what appears to be vacant land approaching an intersection.

Signs are 4' x 8' (32 square feet)



Same picture.



Another offsite directional sign located along the side of a road approaching an intersection. This sign is obviously oriented differently than the other signs.



This looks like one of those larger signs that came up at the last meeting that is located along the subdivision. This one is located next to the sidewalk along the adjacent collector street (Dixileta).



This is roughly the same size as the sign above, but it is located on a vacant lot within the subdivision. It is clearly larger than 4' x 8'.

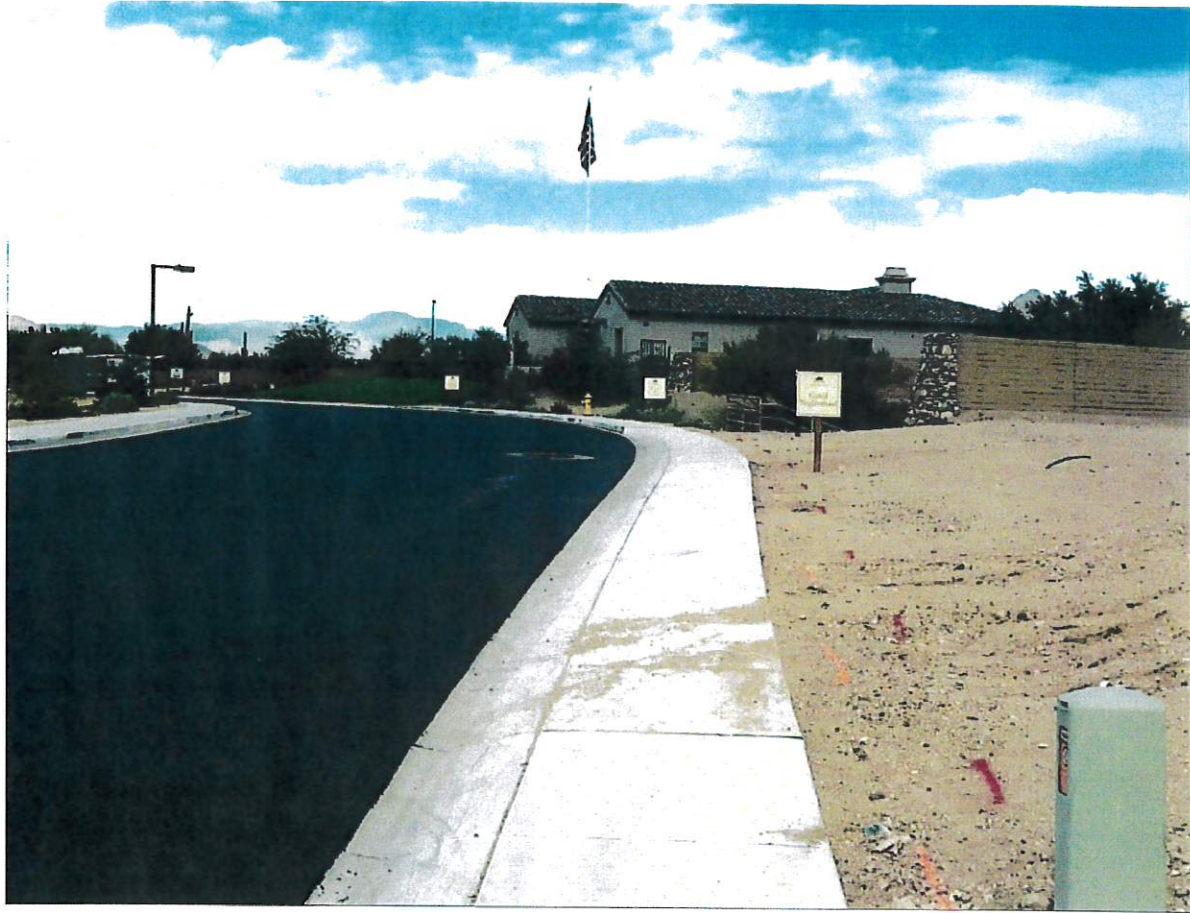
Sign is 8' x 12' (96 sq. ft.) For reference the sign permit number is 189009.



Same picture.



These are what I am going to call lead in signs. They are located on vacant lots once you enter the subdivision leading to the model home. Signs are 2' x 2'.



Different view showing the signs leading in to the model home.



These are flags located on the non-street side of the sidewalk on an adjacent street to the subdivision entrance. The sign in the background does appear to be 4' x 8'.



Another picture of the flags along the perimeter of the subdivision.



This is a sign that is along Cave Creek Rd. where you turn onto a local street to the entrance of the subdivision. I included this picture because of its size (larger than 4' x 8') and because of the rider.



A better picture of the placement of this sign.

From: [Eric Fitzer](#)
To: [Robert Kuhfuss](#)
Subject: FW: Surprise Sign Code Update - Minor Change
Date: Thursday, May 04, 2017 5:21:21 PM
Attachments: [image001.jpg](#)
[Surprise Sign Code Minor Modification.docx](#)

FYI

From: [REDACTED]
Sent: Thursday, May 04, 2017 11:38 AM
To: Eric Fitzer
Cc: Lloyd Abrams; [REDACTED]
Subject: Surprise Sign Code Update - Minor Change

Eric, you and Lloyd met with [REDACTED] a few weeks back regarding the City's sign code update. I believe when the meeting was over, Bill and Rhett stated that they would review the City's proposed update and provide for the possibility of allowing billboards as an option within the sign code. After thorough analysis and crafting some draft language that included utilizing a conditional use permit process for billboards, we decided to keep our requested change simple.

Since the comprehensive sign program allows for someone to introduce a unique or creative sign type that is not listed as a permitted sign type in Section 113-06.A, we are requesting removing the words 'billboard signs' from the prohibitive use section of the sign code update. We apologize for the time it took for us to get back to you on this, but we think this proposal makes the most sense. (the only edit in the attached document is the crossing out of the words billboard signs from section 113-06 F.1.) We are not sure if subsection F of the same overall section applies, but will leave that up to staff to decide.

Please call me to discuss. We did not intend on attending this evenings study session. Let us know how you would like us to proceed with this issue and how staff intends to handle this request. Thanks and look forward to discussing with you. Kurt

[REDACTED]

[REDACTED]

[REDACTED]

-
Offices: Arizona | California | Nevada

- 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.

From: [REDACTED]
To: [Robert Kuhfuss](#)
Subject: Sign Code input as it relates to case # CE-17-1444 and Code 113-4 (B)
Date: Wednesday, May 10, 2017 10:55:28 AM

Dear Robert,

It was suggested to me by Chr [REDACTED] that I may send you our feedback / input, as it pertains to Code 113-4 (B). We are a small business that opened on June 28th of 2016 (we are still in infant stages). Our store is [REDACTED] in Surprise. Our store is part of a plaza with other businesses as well. At the time we opened, we knew we were allowed to use A-Frame signs. We put them out everyday, and put them away at the end of the business day. These signs generated a large amount of traffic flow into the store. As a result of them, the store took right off in a positive direction and we've been very pleased with business. Sales exceeded my expectations early on. This store is our lifelong dream to open, and we work extremely hard to make it go.

Since we were forced to remove our signs, we are now only getting 1 - 3 people per day in the store now. When we had our A-frame signs set out, we'd get 50-75 people per day easily, and lots of purchases. In the past week, we've made 3 sales. There's a chance our business is going to fail now because we cannot adequately display signage. We are far enough back from the road that people just drive right by, blindly. Although we advertise both online and through periodical publications, it is not what really draws in the people. It's the A-frame signs that do it. We rely on that person that is just driving by and saw the A-frame sign.

It seems to me that the City would want us to bring in as much revenue as possible since we send in all of the Sales Tax we collect. These signs are not hurting anyone or causing any problems. We are hard working people just trying to earn a living.

I ask that the City of Surprise again, reinstate the use of A-Frame signs and help all of us little guys out. We are such a young business and we rely on the cars driving by to see our signs and stop.

Thank you for your consideration.

Sincerely,

[REDACTED]
[REDACTED]

From: [REDACTED]
To: [Robert Kuhfuss](#)
Subject: RE: Surprise Sign Code Update
Date: Monday, June 12, 2017 2:55:37 PM

That's great but what are we suppose to do till then. I have went from making \$1500 to \$2000 a day to making \$300.00 to \$500.00 City of surprise could of not picked the worst time of year to do this to small businesses...

[REDACTED]

----- Original Message -----

Subject: Surprise Sign Code Update
From: Robert Kuhfuss <Robert.Kuhfuss@surpriseaz.gov>
Date: Thu, June 08, 2017 4:50 pm
To: Robert Kuhfuss <Robert.Kuhfuss@surpriseaz.gov>

Greetings everyone,

I wanted to give everyone an update. We are planning a series of discussions with the Planning and Zoning Commission. Each session will cover a specific topic as outlined below. You are encouraged to attend, even if you think that subject matter might not pertain to your specific situation.

- <!--[if !supportLists]-->1. <!--[endif]-->**July 6, 2017** – Wall Signs and Freestanding Signs
- <!--[if !supportLists]-->2. <!--[endif]-->**July 20, 2017** – Billboards, Freeway Signs, and Electronic Messaging Centers (EMCs)
- <!--[if !supportLists]-->3. <!--[endif]-->**August 3, 2017** – Temporary Signs
- <!--[if !supportLists]-->4. <!--[endif]-->**September 7, 2017** – Open Discussion and Summary of Revisions

The above meetings will take place at 6:00 PM at the City Council Chambers located at 16000 Civic Center Plaza in Surprise.

As always, please feel free to contact me if you have any questions, comments, or concerns.

Thank you

Robert H. Kuhfuss, AICP, MPA
City of Surprise Community Development Department
16000 North Civic Center Plaza
Surprise, AZ 85374-7470
O: 623-222-3137 | F: 623-222-3001
robert.kuhfuss@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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0.1

08 Jun 2017 23:50:13 -0000

From: [Jim Beaudette](#)
To: [Robert Kuhfuss](#); [REDACTED]
Subject: Elimination of Open House signs on street corners etc.
Date: Saturday, August 12, 2017 10:48:56 AM

Hello,

By not allowing open house signs to direct prospective buyers to the home location has the potential to put the residents of Surprise who have listed their home for sale at a tremendous disadvantage compared to the communities that are close to Surprise. Surprise is a beautiful city, but finding certain streets and addresses can be very difficult. There are many prospective buyers who simply drive around in their car looking for open house signs. Open houses are a very effective way to market a home in our part of the Phoenix Valley. The open house signs do work very well. Please consider continuing to allow these signs to be utilized in Surprise.

Thank you so much

Jim Beaudette..... Long Realty West

Valley

Robert Kuhfuss

From: Cindy Kingery [REDACTED]
Sent: Wednesday, August 16, 2017 2:54 PM
To: Robert Kuhfuss
Subject: Enforcement of the current sign ordinance under consideration

Dear Mr. Kuhfuss,

I am a local Realtor, selling homes in Surprise, and I am in full support of the city's attempt to enforce the current sign ordinance. Driving either way on Bell Road in Surprise can be a challenge in and of itself, but throw in a sign-flipper or someone dressed as the Statue of Liberty can certainly draw the driver's eye away from the task at hand – driving safely.

However, in regards to that ordinance also covering Open House directional signs (Class 1, Temporary Small A-Frame signs), safely situated within a community of local streets, not busy thoroughfares, I feel that this ordinance is not only unnecessary but will have a harmful and negative effect on our homeowner's trying to get their homes sold. For instance, Sun City Grand does not allow signs within one block of Sunrise Blvd. and signs may not contain balloons, flags or any other distractions. Perhaps that could be a caveat when you are enforcing the sign ordinance, but **the City of Surprise should not be taking away our ability to successfully market our clients homes or growing our business.** Marketing a home includes Open Houses and that will impact local Realtors from growing their business. Remember that many of the agents holding the Open Houses are also Surprise residents and spend their earned dollars within the city.

Open Houses are an activity that certainly is popular in the Adult Communities of Surprise as well as a means of prospective buyers to view homes without the aid of an agent.

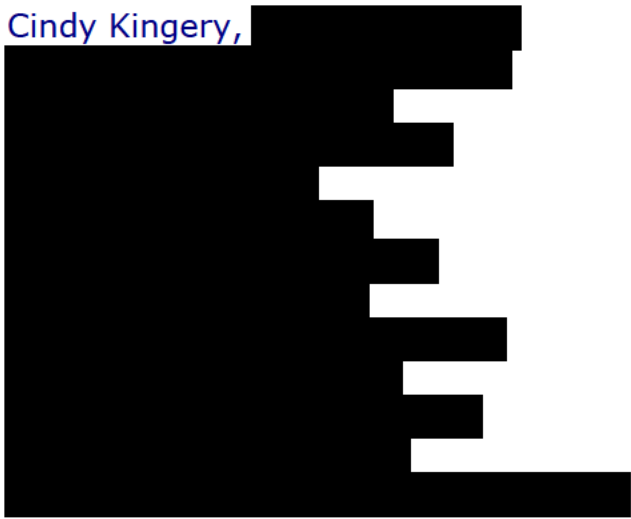
I strongly oppose the restrictions that prohibit the use of Class 1 Temporary Small A-Frame signs currently included in the Surprise sign code. This rule creates a serious disadvantage for Surprise homeowners and their Realtors when marketing their homes for sale. This rule threatens the value of every home in Surprise. I support modifying the code to allow the use of temporary signs to effectively market the homes that I list for sale in Surprise.

Thank you for your consideration.

*Regards,
Cindy*



Cindy Kingery,



From: [Joe Brown](#)
To: [Robert Kuhfuss](#)
Subject: Keep the temporary signs for Real Estate Open Houses
Date: Tuesday, September 05, 2017 12:44:47 PM

Dear Mr. Kuhfuss,

I am a local Realtor selling homes in Surprise. I strongly oppose the restrictions that prohibit the use of temporary signs currently included in the Surprise sign code. This rule creates a serious disadvantage for Surprise homeowners and their Realtors when marketing their homes for sale. This rule threatens the value of every home in Surprise. I support modifying the code to allow the use of temporary signs to effectively market the homes that I list for sale in Surprise.

Thank you for your consideration.

Respectfully,

Joe Brown
Associate Broker



From: [Ken Hill](#)
To: [Robert Kuhfuss](#)
Date: Thursday, August 17, 2017 1:14:56 PM

Dear Mr. Kuhfuss,

I am a local Realtor selling homes in Surprise. I strongly oppose the restrictions that prohibit the use of temporary signs currently included in the Surprise sign code. This rule creates a serious disadvantage for Surprise homeowners and their Realtors when marketing their homes for sale. This rule threatens the value of every home in Surprise. I support modifying the code to allow the use of temporary signs to effectively market the homes that I list for sale in Surprise.

Thank you for your consideration.

Respectfully,

Best Regards
KEN HILL
Long Realty Surprise



www.arizonapropertybykenhill.com

From: [Toni Froese](#)
To: [Robert Kuhfuss](#)
Subject: RE: A Frame signs banned in Surprise
Date: Wednesday, August 09, 2017 10:34:26 AM
Attachments: [image003.png](#)

Dear Mr. Kuhfuss,

I am sure you are being bombarding with emails and phone calls and I would like to make a suggestion. It would behoove you to explain WHY Surprise feels this ban on signs is necessary. It doesn't make any sense. If there is a specific reason as to how it can pertain to all businesses and Realtors trying to promote Surprise and your residents we would like to understand it. For the life of me, I cannot even phantom a reason for this rule.

I am a local Realtor selling homes in Surprise. I strongly oppose the restrictions that prohibit the use of temporary signs currently included in the Surprise sign code. This rule creates a serious disadvantage for Surprise homeowners and their Realtors when marketing their homes for sale. This rule threatens the value of every home in Surprise.

I support modifying the code to allow the use of temporary signs to effectively market the homes that your constituency list for sale in Surprise.

Thank you for your consideration.

Respectfully,
Toni Froese, Realtor

Barbara "TONI" FROESE



GOD BLESS AMERICA

From: [Denise Williams](#)
To: [Robert Kuhfuss](#)
Subject: Restrictive signage
Date: Thursday, August 17, 2017 5:54:33 AM

Dear Mr. Kuhfuss,

I am a local Realtor selling homes in Surprise. I strongly oppose the restrictions that prohibit the use of temporary signs currently included in the Surprise sign code. This rule creates a serious disadvantage for Surprise homeowners and their Realtors when marketing their homes for sale. This rule threatens the value of every home in Surprise. I support modifying the code to allow the use of temporary signs to effectively market the homes that I list for sale in Surprise.

Thank you for your consideration.

Respectfully,

*Denise Williams
Realtor @ Long Realty, Surprise*

From: [Joan Boesen](#)
To: [Robert Kuhfuss](#)
Subject: Sign Code
Date: Monday, August 21, 2017 7:53:50 PM

Dear Mr. Kuhfuss,

I am a local Realtor selling homes in Surprise. I strongly oppose the restrictions that prohibit the use of temporary signs currently included in the Surprise sign code. This rule creates a serious disadvantage for Surprise homeowners and their Realtors when marketing their homes for sale. This rule threatens the value of every home in Surprise. I support modifying the code to allow the use of temporary signs to effectively market the homes that I list for sale in Surprise.

Thank you for your consideration.

Respectfully,

Joan Boesen, Associate Broker
GRI, CSSN, e-PRO, CPRES
Long Realty West Valley



 [panel](#)

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****Be aware! Online banking fraud is on the rise. If you receive an email containing WIRE TRANSFER INSTRUCTIONS, call your escrow officer immediately at a number you trust to verify the information prior to sending funds.****

From: [Susie Waggoner](#)
To: [Robert Kuhfuss](#)
Subject: Sign ordinance for temporary signs
Date: Wednesday, August 16, 2017 3:45:17 PM

Dear Mr. Kuhfuss,

I am a local REALTOR® and I list and sell homes in Surprise. I strongly oppose the restrictions that currently prohibit the use of temporary signs as indicated in the Surprise sign code. This code/rule creates a serious disadvantage for Surprise homeowners and their Realtors when marketing their homes for sale. I would encourage Planning and Zoning as well as City Council Leaders to support modifying the code to allow the use of temporary signs to effectively market the homes that are listed for sale in Surprise, as well as limiting the number of signs that can be used. I completely understand and agree that there is NO need for signs every 2-3 feet and several signs on all 4 corners. It would be helpful to be able to place signs indicating where to turn, some houses would require only 5-6 signs but others may need to have many more. Perhaps defining 1 sign every X feet or at each street/intersection necessary to access the home.

Thank you for your consideration.

Respectfully,

Susie



Susie Waggoner,
REALTOR®, GRI®, SRES®
Long Realty West Valley



From: [Darlene Duke](#)
To: [Robert Kuhfuss](#)
Cc: [Darlene Duke](#)
Subject: Sign ordinance
Date: Sunday, August 13, 2017 8:50:28 AM

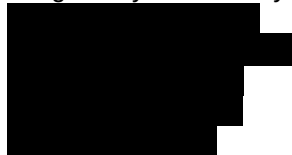
Dear Mr. kuhfuss,

I am a local Realtor selling homes in Surprise. I strongly oppose the restrictions that prohibit the use of temporary signs currently included in the Surprise sign code. This rule creates a serious disadvantage for Surprise homeowners and their Realtors when marketing their homes for sale. This rule threatens the value of every home in Surprise. I support modifying the code to allow the use of temporary signs to effectively market the homes that I list for sale in Surprise.

Thank you for your consideration.

Respectfully,

Darlene Duke
Long Realty West Valley



From: [Lona King](#)
To: [Robert Kuhfuss](#)
Subject: Sign Restriction
Date: Wednesday, August 09, 2017 12:05:32 PM

Dear Mr. Kuhfuss,

I am a local Realtor selling homes in Surprise. I strongly oppose the restrictions that prohibit the use of temporary signs currently included in the Surprise sign code. This rule creates a serious disadvantage for Surprise homeowners and their Realtors when marketing their homes for sale. This rule threatens the value of every home in Surprise. I support modifying the code to allow the use of temporary signs to effectively market the homes that I list for sale in Surprise.

Thank you for your consideration.

Respectfully,

Lona King
Long Realty West Valley

[REDACTED]
[REDACTED]
[REDACTED]

From: [Dana Barrette](#)
To: [Robert Kuhfuss](#)
Subject: Surprise Sign Code -- Allow Use of Temporary Signs
Date: Thursday, August 10, 2017 12:58:04 PM

Dear Mr. Kuhfuss,

I am a local Realtor selling homes in Surprise. I strongly oppose the restrictions that prohibit the use of temporary signs currently included in the Surprise sign code. This rule creates a serious disadvantage for Surprise homeowners and their Realtors when marketing their homes for sale. This rule threatens the value of every home in Surprise. I support modifying the code to allow the use of temporary signs to effectively market the homes that I list for sale in Surprise.

Thank you for your consideration.

Respectfully,

--

Dana J. Barrette
Realtor
Long Realty - West Valley

Knowledge. Expertise. Results.



From: [Roberta Davidson 623-889-1992](mailto:Roberta.Davidson@KellerWilliams.com)
To: [Robert Kuhfuss](mailto:Robert.Kuhfuss@KellerWilliams.com)
Subject: Surprise Sign Code Update
Date: Wednesday, August 09, 2017 10:22:30 AM

Dear Mr. Kuhfuss,

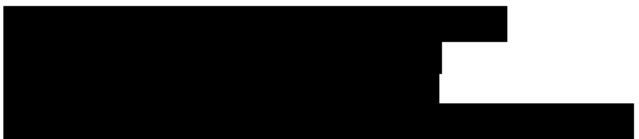
I am a local Realtor selling homes in Surprise. I strongly oppose the restrictions that prohibit the use of temporary signs currently included in the Surprise sign code. This rule creates a serious disadvantage for Surprise homeowners and their Realtors when marketing their homes for sale. This rule threatens the value of every home in Surprise. I support modifying the code to allow the use of temporary signs to effectively market the homes that I list for sale in Surprise.

Thank you for your consideration.

Respectfully,



Roberta Davidson, GRI, CNE, REALTOR®, PLLC
Keller Williams Realty Professional Partners



From: [Dale Peterson](#)
To: [Robert Kuhfuss](#)
Subject: Surprise Sign Code
Date: Saturday, August 19, 2017 11:34:35 AM

Dear Mr. Kuhfuss,

I am a local Realtor selling homes in Surprise. I strongly oppose the restrictions that prohibit the use of temporary signs currently included in the Surprise sign code. This rule creates a serious disadvantage for Surprise homeowners and their Realtors when marketing their homes for sale. This rule threatens the value of every home in Surprise. I support modifying the code to allow the use of temporary signs to effectively market the homes that I list for sale in Surprise.

Thank you for your consideration.

Respectfully,

Dale Peterson

LONG REALTY WEST VALLEY



From: [Rachel Van Hoesen](#)
To: [Robert Kuhfuss](#)
Subject: Surprise Sign Petition Signatures
Date: Friday, August 18, 2017 10:57:22 AM
Attachments: [Scan.pdf](#)

Dear Mr. Kuhfuss,

I am a local Realtor selling homes in Surprise. I strongly oppose the restrictions that prohibit the use of temporary signs currently included in the Surprise sign code. This rule creates a serious disadvantage for Surprise homeowners and their Realtors when marketing their homes for sale. This rule threatens the value of every home in Surprise. I support modifying the code to allow the use of temporary signs to effectively market the homes that I list for sale in Surprise.

Thank you for your consideration.

Attached is many signatures collected from our office signing the petition.

Respectfully,

The office of Long Realty West Valley

Rachel Van Hoesen

Listing Coordinator

Long Realty West Valley

[REDACTED]
[REDACTED]
[REDACTED]

From: [Mike Reppy](#)
To: [Robert Kuhfuss](#)
Subject: Surprise
Date: Wednesday, August 09, 2017 10:18:27 AM

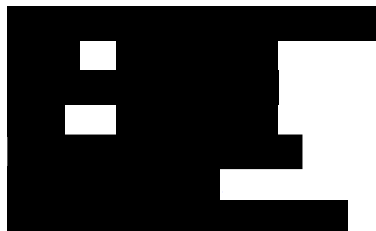
Dear Mr. Kuhfuss,

I am a local Realtor selling homes in Surprise. I strongly oppose the restrictions that prohibit the use of temporary signs currently included in the Surprise sign code. This rule creates a serious disadvantage for Surprise homeowners and their Realtors when marketing their homes for sale. This rule threatens the value of every home in Surprise. I support modifying the code to allow the use of temporary signs to effectively market the homes that I list for sale in Surprise.

Thank you for your consideration.

Respectfully,

MIKE REPPY
REALTOR
Multi-Million Dollar Producer



From: [Van Carranza](#)
To: [Robert Kuhfuss](#)
Subject: Temporary Real Estate Signs
Date: Friday, August 18, 2017 7:28:12 PM
Attachments: [OutlookEmoji-1464325383188_Mvc2238db2-0c7b-4dd3-b151-dba5974affdf.jpg](#)

Dear Mr. Kuhfuss,

I am a local Realtor selling homes in Surprise. I strongly oppose the restrictions that prohibit the use of temporary signs currently included in the Surprise sign code. This rule creates a serious disadvantage for Surprise homeowners and their Realtors when marketing their homes for sale. This rule threatens the value of every home in Surprise. I support modifying the code to allow the use of temporary signs to effectively market the homes that I list for sale in Surprise.

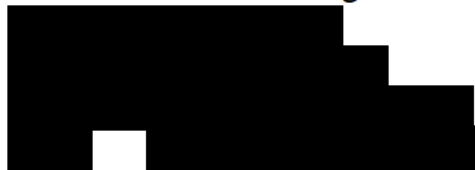
Thank you for your consideration.

Respectfully,

Van Carranza



Van Carranza



From: [Bob File](#)
To: [Robert Kuhfuss](#)
Subject: Temporary Sign Ordinance
Date: Wednesday, August 09, 2017 4:34:38 PM

Dear Mr. Kuhfuss,

I am a local Realtor selling homes in Surprise. I strongly oppose the restrictions that prohibit the use of temporary signs currently included in the Surprise sign code. This rule creates a serious disadvantage for Surprise homeowners and their Realtors when marketing their homes for sale. This rule threatens the value of every home in Surprise. I support modifying the code to allow the use of temporary signs to effectively market the homes that I list for sale in Surprise.

Thank you for your consideration.

Respectfully,
Robert File
Long Realty West Valley
Sent from my iPhone

From: [Patti](#)
To: [Robert Kuhfuss](#)
Cc: jblanton13@cox.net
Subject: Temporary Sign Regulation - Surprise AZ
Date: Wednesday, August 09, 2017 11:32:50 AM

Dear Mr. Kuhfuss:

As active Realtors in the Surprise area we are writing to strongly oppose restrictions that prohibit the use of temporary signs - now a part of the Surprise sign code.

This code is extremely detrimental to any homeowner attempting to sell their home and, at the same time, detrimental to the City of Surprise as a whole. Homes that stay on the market for an extended period of time do nothing but decrease home values as you can see by reading and keeping abreast of home sales across the country.

If nothing else, serious consideration should be given to modifying the code to allow the use of temporary signs to effectively market the homes that we and our peers/colleagues list for sale in Surprise.

Patti Blanton/Debbie Myers
REALTORS
Long Realty West Valley



From: [Angela Brunetti](#)
To: [Robert Kuhfuss](#)
Subject: Temporary Sign Restrictions
Date: Wednesday, August 09, 2017 11:01:18 AM

Dear Mr. Kuhfuss,

I am a local Realtor selling homes in Surprise. I strongly oppose the restrictions that prohibit the use of temporary signs currently included in the Surprise sign code. This rule creates a serious disadvantage for Surprise homeowners and their Realtors when marketing their homes for sale. This rule threatens the value of every home in Surprise. I support modifying the code to allow the use of temporary signs to effectively market the homes that I list for sale in Surprise.

Thank you for your consideration.

Respectfully,

Angela Brunetti

Angela Brunetti
REALTOR®



Long Realty West Valley



From: [Dale Chandler](#)
To: [Robert Kuhfuss](#)
Subject: Temporary Sign use
Date: Wednesday, August 09, 2017 5:17:47 PM

Dear Mr. Kuhfuss,

I am a local Realtor selling homes in Surprise. I strongly oppose the restrictions that prohibit the use of temporary signs currently included in the Surprise sign code. This rule creates a serious disadvantage for Surprise homeowners and their Realtors when marketing their homes for sale. This rule threatens the value of every home in Surprise. I support modifying the code to allow the use of temporary signs to effectively market the homes that I list for sale in Surprise.

Thank you for your consideration.

*Respectfully,
Dale Chandler, Associate Broker
Above & Beyond Realty*



Thank you,

Dale Chandler

Associate Broker

Above & Beyond Realty

"Success Through Serving Others" DaleChandler.com



From: [Marcie Coffman](#)
To: [Robert Kuhfuss](#)
Subject: Temporary Signs
Date: Wednesday, August 16, 2017 1:55:18 PM

Dear Mr. Kuhfuss,

I am a local Realtor selling homes in Surprise. I strongly oppose the restrictions that prohibit the use of temporary signs currently included in the Surprise sign code. This rule creates a serious disadvantage for Surprise homeowners and their Realtors when marketing their homes for sale. This rule threatens the value of every home in Surprise. I support modifying the code to allow the use of temporary signs to effectively market the homes that I list for sale in Surprise.

Thank you for your consideration.

Respectfully,

Marcie Coffman

A black rectangular redaction box covering the signature area.

From: [Marcia File](#)
To: [Robert Kuhfuss](#)
Subject: Temporary signs
Date: Wednesday, August 30, 2017 7:59:11 PM

Dear Mr. Kuhfuss,

I am a local Realtor selling homes in Surprise. I strongly oppose the restrictions that prohibit the use of temporary signs currently included in the Surprise sign code. This rule creates a serious disadvantage for Surprise homeowners and their Realtors when marketing their homes for sale. This rule threatens the value of every home in Surprise. I support modifying the code to allow the use of temporary signs to effectively market the homes that I list for sale in Surprise.

Thank you for your consideration.

Respectfully,

Marcia File

Long Realty West Valley

From: [Margaret Popp](#)
To: [Robert Kuhfuss](#)
Subject: Temporary Signs to Market Surprise Homes
Date: Wednesday, August 09, 2017 12:09:20 PM

Dear Mr. Kuhfuss,

I am a local Realtor selling homes in Surprise. I strongly oppose the restrictions that prohibit the use of temporary signs currently included in the Surprise sign code. This rule creates a serious disadvantage for Surprise homeowners and their Realtors when marketing their homes for sale. This rule threatens the value of EVERY home in Surprise. I support modifying the code to allow the use of temporary signs to effectively market the homes that I list for sale in Surprise.

Thank you for your consideration.

*Respectfully,
Margi Popp*

--

MARGI POPP
e-Pro/Realtor®
Seller and Buyer Agent

"The secret of success in life is for a man to be ready for his opportunity when it comes."
Author Abraham Lincoln

LONG REALTY WEST VALLEY



From: [Liz Recchia](#)
To: [Robert Kuhfuss](#)
Cc: [Kathy Basque](#)
Subject: WeMAR comments to Council re: Feb vote
Date: Wednesday, August 09, 2017 12:54:19 PM
Attachments: [image001.jpg](#)
[image002.jpg](#)
[Letter WeMAR sent to Mayor & Council Plus Signature Pages.pdf](#)

Hi Robert,

I hope this finds you well.

I wanted to let you know we sent a letter to the Mayor and City Council yesterday regarding the February vote on the sign ordinance extension.

I have attached a copy of the package we sent for your reference. Additionally, we will be making comments at the August 15th City Council meeting.

I appreciate the comments you and Eric have made before the P&Z Committee and your recognition that temporary signage is important to residents and business.

Please let me know if you have any questions.

Thank you,

Liz Recchia

Government Affairs Director

West Maricopa Association of REALTORS®

[REDACTED]

[REDACTED]

2015 WeMAR REALTOR® of the Year

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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Liz Recchia
Government Affairs Director
West Maricopa Association of REALTORS®



To:
Mayor Wolcott and City Council
City of Surprise
16000 N Civic Center Plaza
Surprise, Az 85374

August 1, 2017

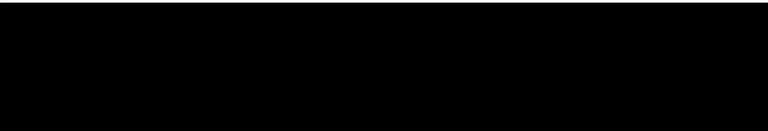
Dear Mayor Wolcott and City Council,

I am writing on behalf of the members of WeMAR, the West Maricopa Association of REALTORS®.

In February 2017, you voted to remove temporary sign policies in place since 2009. The reasons for the temporary sign policy are still valid. We request you reconsider, and allow those temporary policies to be put back in place.

Adequate, visible and legible signage is very important to business, their customers and the community. Surprise has several retail and business developments in which signage is not adequate or visible to passersby.

REALTORS® who have been hired to list and sell property on behalf of a property owner, depend on temporary signage to direct potential customers to the property and to identify a property as "for sale" or "for lease".



Property owners offering their property for sale or lease, or holding a garage sale, also depend on temporary signage.

The current ban on temporary A-Frame signs and limited temporary signage makes conducting business, open houses and other events extremely difficult. Businesses depend on A-Frame signs to direct customers to the entrance of their complex. REALTORS® conducting open houses rely on A-Frame signs to direct traffic to the property efficiently. Property owners depend on A-Frame signs in a like manner.

Waiting until a new sign ordinance is adopted places a substantial burden on business and property owners.

We ask you to reconsider, and allow the sign policy to be as it has been since 2009 until a new sign ordinance is established.

Sincerely,



Liz Recchia

NAME (PRINT)

NAME (SIGN)

BROKERAGE

Walt Patterson

Walt Patterson

Coldwell Banker

Rick Messersmith

Rick

" "

Susan Bear

Susan Bear

" "

James Musselman

James Musselman

Coldwell Banker

Carolyn Thompson

Carolyn Thompson

Coldwell Banker

RITA KRENTZEL

Rita Krentzel

Coldwell Banker

MITCH WOLFE

Mitch Wolfe

Coldwell Banker

Nicola Piasnikowski

Nicola Piasnikowski

Coldwell Banker

DEREK OSTROVSKI

Derek Ostrovski

Coldwell Banker

Dorothy Quimette

Dorothy Quimette

Coldwell Banker

MIKE LUOSTEN

Mike Luosten

Coldwell Banker

SCILLA SMITH

Scilla Smith

Coldwell Banker

JOE RANDALL

Joe Randall

Coldwell Banker

OLIVIA COUZ

Olivia Couz

Coldwell Banker

JUDITH GLEY

Judith Gley

Coldwell Banker

Teresa Anderson

Teresa Anderson

Coldwell Banker

NAME (PRINT)

NAME (SIGN)

BROKERAGE

NAME (PRINT)	NAME (SIGN)	BROKERAGE
Kellydawn Zollinger	Kellydawn Zollinger	REAL LIVING Property for You
Teresa KUBO-Acuna	Teresa KUBO-Acuna	REAL LIVING Property for You
Aubrey Smith	A. Aubrey Smith	REAL LIVING Property for You
Leanne Fisher	Leanne Fisher	REAL LIVING Property for You
Nichelle Hiebert	Nichelle Hiebert	REAL LIVING Property for You!
Jack Hansen	Jack Hansen	REAL LIVING Property for You
Dennis Goodnick	Dennis Goodnick	REAL LIVING Property for You
Chris Hendrick	Chris Hendrick	REAL LIVING Property for You
Michael Klein	Michael Klein	REAL LIVING Property for You
Bill GADDIS	Bill GADDIS	REAL LIVING Property for You
Stephan Lauer	Stephan Lauer	REAL LIVING Property for You
Lisa Miller	Lisa Miller	REAL LIVING Property for You
William E. ASHWEIL	William E. ASHWEIL	REAL LIVING Property for You
Donna Stogden	Donna Stogden	REAL LIVING Property for You
Deanna Hutton	Deanna Hutton	REAL LIVING Property for You
Luke Lewis	Luke Lewis	REAL LIVING Property for You

NAME (PRINT)

NAME (SIGN)

BROKERAGE

Cynthia Packer

Cynthia Packer

Keller Williams
Realty Professionals
Partners

LaMont Packer

LaMont Packer

Keller Williams
Realty Professionals
Partners

NAME (PRINT)

NAME (SIGN)

BROKERAGE

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Kelly Williams

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Mackin Shell

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Robert Williams

or Kennedy

John Williams
Yonkers, N.Y.

James

Kelley, William

Deban Arisyan

Franklin

Al. let. n. *Tamara*

K/late Williams S

ALBERT W. L.

16065 6311.420

James Smith

WILLIAMS
Keller Williams

Angela Smith

Ed Williams
Kelle Williams

Alexandra

Willie Williams
Rep. D. Illinois Dist. 1st Art. 2

John Bates

Cellulose Not. 1875

SARAH ST

where it was best from

Standard

Keller Wilberson Procter &

10114 *Ardea*

Keller Williams

NAME (PRINT)

NAME (SIGN)

BROKERAGE

Wanda Neat	W. Neat	Realty One Group
Mary Balderago	M. Balderago	Realty One Group
Chris Krueger	Chris Krueger	Realty One Group
Maria Paulina Ruiz	Maria Paulina Ruiz	Realty One Group
Yolanda Ruiz	Yolanda Ruiz	Realty One Group
Debra Ruiz	Debra Ruiz	Realty One Group
Phillip Jordano	Phillip Jordano	Realty One Group
Hector S. Nolasco	Hector S. Nolasco	Realty One Group
Lynn Ashton	Lynn Ashton	Realty One Group
Naomi Valles	Naomi Valles	Realty One Group
Cheryl Krede	Cheryl Krede	Realty One Group
Geetha Kene	Geetha Kene	Realty One Group
WIOLETA KAPUSTA	W. Kapusta	Realty One Group
Donna Laguna	Donna Laguna	Realty One Group
Yasenia Estrada	Yasenia Estrada	Realty One Group
Brian Cross	Brian Cross	Realty One Group
Larry Krueger	Larry Krueger	Realty One Group
Angela Giddings	Angela Giddings	Realty One Group
Karla Goodman	Karla Goodman	Realty One Group
Rae Sweet	Rae Sweet	Realty One Group

NAME (PRINT)

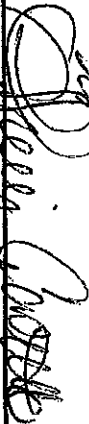
NAME (SIGN)

BROKERAGE

MATTHEW MOORE

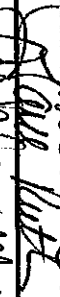
REALTY ONE GROUP

Sheri Castillo



Realty One Group

Tina Rothrock



Realty One Group

HEMEL M. HALL



Realty One Group

Sally Roer



Realty One Group

SESHU MADH



Realty One Group

Janell Lloyd



Realty One Group

Boldy Klatter



Realty One Group

Morgan Bailey



Realty One Group

Dolly Pearson



Realty One Group

Debra Lynn



Realty One Group

Calvin Williams



Realty One Group

Jay Oliver



Desert Home Premier

Isaac Schlegel



Reprints Preferred Choice

NAME (PRINT)

NAME (SIGN)

BROKERAGE

Patricia Haines	Patricia Haines	Award Realty
SANDRA Fullerton	Sandra Fullerton	Award Realty
Maureen Sciotino	Maureen Sciotino	Award Realty
TAK Cutchell	TAK Cutchell	Award Realty
Robert E. BRISBY	Robert E. BRISBY	Award Realty
KIRBY M. BERRERS	KIRBY M. BERRERS	Award Realty
Lee Buchanan	Lee Buchanan	Award Realty
Julia J. Kramer	Julia J. Kramer	Award Realty
MIKE MARY	MIKE MARY	Award Realty
Emelinda Evans	Emelinda Evans	Award Realty
STEVE BRAUN	STEVE BRAUN	Award Realty
CARL SCHUEITZ	CARL SCHUEITZ	Award Realty
Joanna Coane	Joanna Coane	Award Realty
Kevin Wampler	Kevin Wampler	Award Realty
Janette Wampler	Janette Wampler	Award Realty
PHILIP E. HALDER	PHILIP E. HALDER	Award Realty
Thomas A. Halder	Thomas A. Halder	Award Realty
LEONA K. PETERS	LEONA K. PETERS	Award Realty
Mark Reinhardt	Mark Reinhardt	Award Realty
Randy Strick	Randy Strick	Award Realty

NAME (PRINT)

NAME (SIGN)

BROKERAGE

Connie L. Byrne	Connie L. Byrne	Award Realty
Howard BenHoe	Howard BenHoe	" "
Mickey McGee	Mickey McGee	" "
MICHAEL POWERS	MICHAEL POWERS	" "
Georgina J. Starnwood	Georgina J. Starnwood	" "
Sue Beckwith	Sue Beckwith	Award Realty
William T. Brown	William T. Brown	Memoes Title
William A. Starn	William A. Starn	Award Realty
GREEN BROWN	Green B. Brown	THURSDAY 12:45 PM
Kay Peterson	Kay A. Peterson	Award Realty
Shirley Dale	Shirley Dale	Award Realty
Joanne L. Hall	Joanne L. Hall	Award Realty
David Hall	David Hall	Award Realty
Bob Starn	Bob Starn	Award Realty
Andrea Bartsch	Andrea Bartsch	Award Realty
ARVID O. PETERSON	Arvid O. Peterson	Award Realty
Kent Potts	Kent Potts	Award Realty

NAME (PRINT)

NAME (SIGN)

BROKERAGE

Brian McMahon

Brian McMahon

HomeSmart

Roxes Bojorgues

Roxes Bojorgues

HomeSmart

Sharon Rowlson

Sharon Rowlson

HomeSmart

Pam Rives

Pam Rives

HomeSmart

Deborah Carlsson

Deborah Carlsson

HomeSmart

David Hackety

David Hackety

HomeSmart

Elis Mulder

Elis Mulder

HomeSmart

Charlotte Brown

Charlotte Brown

HomeSmart

Kathy Stevers

Kathy Stevers

HomeSmart

Carol Dwyer

Carol Dwyer

HomeSmart

Maryann Gomez

Maryann Gomez

HomeSmart

Aggie L. Hartman

Aggie L. Hartman

HomeSmart

John Stevens

John Stevens

HomeSmart

NAME (PRINT)

NAME (SIGN)

BROKERAGE

Christine Smith

Christine Smith

HomeSmart

Duane Smith

Duane Smith

HomeSmart

Olga Barthel

Olga Barthel

HomeSmart

Martha Navaro

Martha Navaro

HomeSmart

ROBERT PETROWSKI

Robert Petrowski

HomeSmart

Anna Carl

Anna Carl

HomeSmart

Edelweiss

Edelweiss

HomeSmart

ELLY WHITE

Elly White

HomeSmart

Aaron Weiss

Aaron Weiss

HomeSmart

Heidi Zimmer

Heidi Zimmer

HomeSmart

NAME (PRINT)

NAME (SIGN)

BROKERAGE

James Eyer

James Eyer

HomeSmart

MICHELLE STAN

Michelle Stan

HomeSmart

MARTY GREENBERG

Marty Greenberg

HomeSmart

James Kessler

James Kessler

HomeSmart

Baron Wacker

Baron Wacker

HomeSmart

PAT KETCHAM

Pat Ketcham

HomeSmart

Mark Olsen

Mark Olsen

HomeSmart

Laura Wilkerson

Laura Wilkerson

HomeSmart

Diana Hurst

Diana Hurst

HomeSmart

Brooke Kistner

Brooke Kistner

HomeSmart

David Mander

David Mander

HomeSmart

Rebecca Mank

Rebecca Mank

HomeSmart

NAME (PRINT)

NAME (SIGN)

BROKERAGE

NAME (PRINT)	NAME (SIGN)	BROKERAGE
Amelia Giventa	Amelia Giventa	HomeSmart
MARREN HOLLIS	MARREN HOLLIS	HomeSmart
DENISE VINES	DENISE VINES	HomeSmart
KIMBERLY MOORE	KIMBERLY MOORE	HomeSmart
PHILIP DANKS	PHILIP DANKS	HomeSmart
Randi Klein	Randi Klein	HomeSmart
RT Millersmith	RT Millersmith	HomeSmart
ORLAND J. SANDSON	ORLAND J. SANDSON	HomeSmart
OP. SANDSON	OP. SANDSON	HomeSmart
BARRY LAMONT GREENS	BARRY LAMONT GREENS	HomeSmart
BRANDIE L. CHECKS	BRANDIE L. CHECKS	HomeSmart

NAME (PRINT)

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BROKERAGE

Indy Boell	Indy Boell	KW
John Wynn	John Wynn	KW
Kira St	Kira St	KW
John Bradburn	John Bradburn	KW
Marsela Reynolds	Marsela Reynolds	KW
Tracey A. Banning	Tracey A. Banning	KW
Yoland Biazano	Yoland Biazano	KW
Michael Jones	Michael Jones	KW
Michael Gore	Michael Gore	KW
East MDavis	East MDavis	KW
John Daffner	John Daffner	KW
Walter Bitter	Walter Bitter	KW
Marshall Boies	Marshall Boies	KW
Julia D. Humes	Julia D. Humes	KW
Joe Delgado	Joe Delgado	KW
Christie McCulley	Christie McCulley	KW
Dale Proever	Dale Proever	KW
Stacy Christian	Stacy Christian	KW
Connie Jfellini	Connie Jfellini	KW
Edan Archibald	Edan Archibald	KW

NAME (PRINT)

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BROKERAGE

Gres Parler

Gres Parler

KW

Fred Solagade

Fred Solagade

KW

Carl Anderson

Carl Anderson

KW

Marcel Muthery

Marcel Muthery

KW

Patly Piciardini

Patly Piciardini

KW

Heather Rose

Heather Rose

KW

Robert Plin

Robert Plin

KW

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BROKERAGE

Tedd Smith



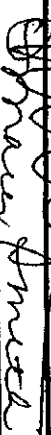
Kenneth Williams & Paul Partners

Shannon Cunningham



Keller Williams and Pro Partners

Maert Smith

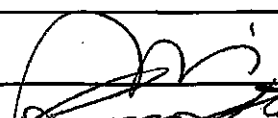
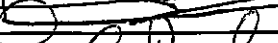
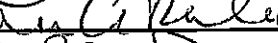
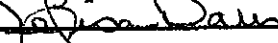
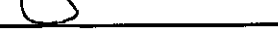


Keller Williams Pro Partners

NAME (PRINT)

NAME (SIGN)

BROKERAGE

PATRICK DAVIS		Russ Lyon Sotheby's
CAMDEN STEELE		INTL REALTY
JAMON BROCKMAN		Russ Lyon Sotheby's Intc.
Mary Beth Clive		Russ Lyon Sotheby's Realty
Cindy Smith		Russ Lyon S I R
Linda Kaiser		Russ Lyon S I R
DAVID FRIEDMAN		Russ Lyon Sotheby's Intl Realty
Lori Reiland		Russ Lyon Sotheby's Intl Realty
DELISA DAUM		Russ Lyon Sotheby's Realty

DigiSign Verified: CFAEFBC5-0FA2-43BA-B510-4BF93ABF0E83

NAME (PRINT)

NAME (SIGN)

BROKERAGE

Susan Lutz

Susan Lutz

CENTURY 21 Arizona Foothills

Surprise Resident Agents.

NAME (PRINT)

NAME (SIGN)

BROKERAGE

Ginger Zilk	<i>[Signature]</i>	West USA Realty
Trish Bratt	<i>[Signature]</i>	West USA Realty
Erica Blankenship	<i>[Signature]</i>	West USA Realty
Erica Blankenship	<i>[Signature]</i>	West USA Realty
Michelle Lewis	<i>[Signature]</i>	West USA Realty
Teri Mogensen	<i>[Signature]</i>	West USA Realty
Scott Schultz	<i>[Signature]</i>	West USA Realty
Sammy Bowring	<i>[Signature]</i>	West USA Realty
DAVID NOCHRAAL	<i>[Signature]</i>	West USA Realty
Michelle Cochran	<i>[Signature]</i>	West USA Realty
Deborah Lamb	<i>[Signature]</i>	West USA Realty
Angela McIver	<i>[Signature]</i>	West USA Realty
Debbie Long	<i>[Signature]</i>	West USA Realty
Ann Pulver	<i>[Signature]</i>	West USA Realty
Deborah Welch	<i>[Signature]</i>	West USA Realty
Julie Kolland	<i>[Signature]</i>	West USA Realty
Jesse Gregory	<i>[Signature]</i>	West USA Realty

NAME (PRINT)

NAME (SIGN)

BROKERAGE

Karen Cahill

Karen Cahill

Century 21 AZ Foothills

JUAN GOMEZ SALES

~~JUAN GOMEZ SALES~~

Century 21 AZ Foothills

Leonard Kelley

Leonard Kelley

Century 21 AZ Foothills

NAME (PRINT)

NAME (SIGN)

BROKERAGE

JACK TOWERS	J E Tamm	Long Realty Sunc
KIMBERLY MANKOWSKI	Kim Mankowski	Long Realty West Valley
JUDY PRICKER-LEWIS	Judy Pricker-Lewis	Long Realty
Craig Ploeger	Craig Ploeger	Long Realty West Valley
Maranetta Ploeger	Maranetta Ploeger	Long Realty West Valley
CARY ANTKU	Cary Antku	" "
Nancy Mazour	Nancy Mazour	" "
JOSEPH FARRINO	Joseph Farrino	Long Realty
SUSIE WAGGONER	Susie Waggoner	Long Realty
Pamela Bahl	Pamela Bahl	Long Realty West Valley
Don Wheeler-Riley	Don Wheeler-Riley	Long Realty West Valley
MARIE COFFMAN	Marie Coffman	Long Realty " "
Nancy Miska	Nancy Miska	Long Realty West Valley
Pamela Martin	Pamela Martin	Long Realty West Valley
Jim Hanbrick	Jim Hanbrick	" " " "
DARCENE TAFFE	Darlene Taffe	Long Realty West Valley
DIANA SNYDER	Diana Snyder	Long Realty West Valley
Ellen Rose Plotkin	Ellen Rose Plotkin	Long Realty West Valley
Rebecca Good	Rebecca Good	Long Realty West Valley
MATTHEW GEORGE	Matthew B. George	Long Realty West Valley
Jerry Rickles	Jerry Rickles	" " "

NAME (PRINT)

NAME (SIGN)

BROKERAGE

Susan Markus	Susan Markus	Long Realty
Van Carranza	Van Carranza	Long Realty
Kyle Conway	Kyle Conway	Long Realty
Coil Burgari	Coil Burgari	Long Realty
Deby Curcio	Deby Curcio	Long Realty
JAMES R. WATTIOWSKI	JAMES R. WATTIOWSKI	Long Realty
JOSEMARIE PLANT	JOSEMARIE PLANT	LONG REALTY
LINDA VAN PEURSEM	Linda Van Peursem	Long Realty
Heather VanPeursem	Heather VanPeursem	Long Realty
Yvette Kaplan	Yvette Kaplan	Long Realty



INTERNATIONAL SIGN ASSOCIATION

1001 N. Fairfax Street
Suite 301
Alexandria, VA 22314
main (703) 836-4012
fax (703) 836-8353
info@signs.org

WWW.SIGNS.ORG



January 4, 2018

City of Surprise Planning and Zoning Commission

I am contacting you on behalf of the Arizona Sign Association and the International Sign Association. Both association work with jurisdictions to assist in the creation of beneficial and enforceable sign regulations.

We offer you the following suggestions Version 2 of the Draft Sign code for your consideration:

Recommended additions or deletions are highlighted.

Section 113-08 General Provisions B.2. – Page 35-36

~~Raceway cabinets may only be utilized when mounting a building wall sign to a building surface that is generally difficult to repair such as, but not limited to, stone or brick masonry. Raceway cabinets shall not be utilized in conjunction with surface materials that are generally easy to repair such as, but not limited to, stucco or Engineered Insulated Finishing Systems (EIFS). Where raceway cabinets are utilized, said raceway cabinets shall be painted to match the color of the surface onto which it is mounted.~~

An exterior may be stucco but does not allow for sufficient access inside the wall to install pan channel type letters. Due to the difficulty in administration as drafted, we recommend that raceways be allowed with proposed design guidelines.

Section 113-10 Sign Illumination

~~In those areas of the city that are considered environmentally sensitive located within the Scenic Lands Development Sub Area as depicted in the Surprise General Plan 2035, the city may require the use of muted colors unless specific colors are included in a federally registered trademark that has been registered with a federal or state agency. The city may also require reduced lighting intensities for those signs located within environmentally sensitive areas the Scenic Lands Development Sub Area. Signs in these areas shall have only the sign copy illuminated non sign copy area shall be non illumination.~~

We recommend that specific design requirements be stated since muted colors and reduced lighting cannot be easily administered nor understood by the applicants.

~~Any Building Wall Sign associated with a multi-story building greater than five (5) two (2) stories or a multi-story mixed use building greater than five (5) stories as outlined in Section 113-~~



INTERNATIONAL SIGN ASSOCIATION

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Suite 301
Alexandria, VA 22314
main (703) 836-4012
fax (703) 836-8353
info@signs.org

WWW.SIGNS.ORG



0809.B.1.c that is located within ~~1,320~~ 200' 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.

A reasonable distance should be stated such as 200'. A wall sign that is 1/4 mile away from a residential district will have no measurable impact on that district.

Section 113-11 electronic Messaging Centers (EMCs)

When Electronic Messaging Centers are utilized in conjunction with a Freeway Monument Sign, or a Class VI monument sign, the sign area of the Electronic Messaging Center may encompass 50% of the allowable sign area as outlined in Paragraph 113-09.9.c)iii.

We recommend that sections 4a in this Section that is in reference to billboard regulations, be located in the billboard section of the code. For ease of administration for staff and applicants.

We truly appreciate your consideration of our recommendations.

Sincerely,

James Carpentier AICP
Director of State & Local Government Relations

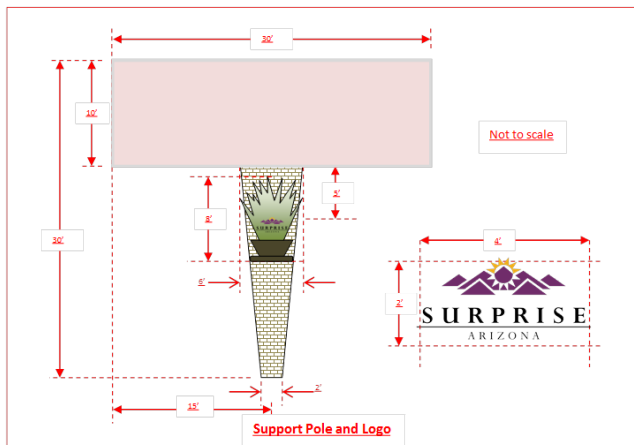
Sent: Friday, December 22, 2017 9:47 AM
To: Robert Kuhfuss <robertkuhfuss@yahoo.com>
Subject: Surprise Sign Code Update

Gentlemen - Hope all is well.

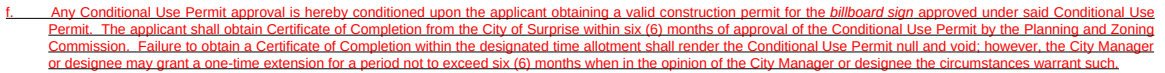
We finished drafting up some language regarding Billboards. We're targeting the January 4th P&Z for discussion. I've attached the billboard language for your convenience. The entire Version 2 revisions will be posted to our website in the near future.

8. Billboard Signs: *Billboard Signs may be permitted as outlined in this Section:*

- a) **U.S. 60 Corridor:** *Billboard Signs may be located within that portion of the U.S. 60 Corridor between the eastern line of Section 03, Township 03 North, Range 01 West (Dysart Road) and the north/south mid-section line of Section 03, Township 04 North, Range 02 West, subject to prior approval of a Conditional Use Permit in accordance with Section 122-154 of the Surprise Unified Development Code. All billboard signs located within the aforementioned corridor are subject to the provisions in Paragraph 113-09.C.8.c through f and the following:*
- i. *No billboard sign shall be located within 2,640 feet of the intersection of U.S. 60 and State Route 303, specifically defined as a point located at Longitude 112°24'13"W by Latitude 33°40'49"N.*
- ii. *No billboard sign shall be located within 1,320 feet of the intersection of U.S. 60 and Bell Road, specifically defined as a point located at Longitude 112°21'02"W by Latitude 33°38'19"N.*
- b) **State Route 303 Corridor:** *Billboard Signs may be located within that portion of the State Route 303 Corridor between a specific point located at Longitude 112°21'4335"W by Latitude 33°41'48"N and the West line of Section 16, Township 04 North, Range 01 West, subject to prior approval of a Conditional Use Permit in accordance with Section 122-154 of the Surprise Unified Development Code. All billboard signs located within the aforementioned corridor are subject to the provisions in Paragraph 113-09.C.8.c through f and the following:*
- i. *No billboard sign shall be located within 2,640 feet of the intersection of U.S. 60 and State Route 303, specifically defined as a point located at Longitude 112°24'13"W by Latitude 33°40'49"N.*
- ii. *Billboard signs located within the State Route 303 corridor as defined above may serve eastbound and/or westbound traffic, but shall only be located north of the freeway right-of-way.*
- c) **Additional Locational Requirements:** *The following additional locational requirements apply for all billboard signs regardless of the corridor in which it is located:*
- i. *Billboard signs may only be approved in the CN, CC, CR, BP, IP, PF or ILM zoning districts, or if located within a Planned Area Development (PAD), that portion of the PAD in which the approved land use plan specifically calls out commercial, industrial or employment uses.*
- ii. *Notwithstanding the Union Pacific Railroad right-of-way, no billboard sign shall be located within 300 feet of a property zoned for Residential uses, or any open space tract that is associated with a residential development.*
- iii. *Billboard signs shall not be located closer than twenty (20) feet from the U.S. 60 or State Route 303 right-of-way line and not further than 200 feet from said right-of-way line.*
- vi. *No billboard sign shall be approved within 660 feet of any Freeway Monument Sign existing at the time of Conditional Use Permit application for the billboard sign in question.*
- v. *No billboard sign shall be approved within 2,640 of any billboard sign approved or existing at the time of Conditional Use Permit application for the billboard sign in question.*
- d) **Dimensional Requirements:** *The following dimensional requirements apply for all billboard signs regardless of the corridor in which it is located:*
- i. *The overall height of a billboard sign shall not exceed thirty (30) feet as measured from the adjacent roadway to the top of the sign structure, exclusive of architectural embellishments as permitted in this Section.*
- ii. *The overall dimensions of the sign panel associated with a billboard sign shall not exceed thirty (30) feet in width and ten (10) feet in height for a total sign area not to exceed 300 square feet, exclusive of architectural embellishments as permitted in this Section.*
- e) **Design Requirements:** *The following design requirements apply for all billboard signs regardless of the corridor in which it is located:*
- i. *Billboard Signs may incorporate Level 2 Electronic Messaging Centers as outlined Section 113-11 herein, except that Electronic Messaging Centers used in billboard applications may occupy up to 100% of the allowable sign area of the billboard, exclusive of architectural embellishments as may be permitted or required herein, and provided such Electronic Messaging Centers are turned off between 11:00 PM and dawn.*
- ii. *Billboard Signs shall be supported by a single pole or column, which shall be dimensionally centered beneath the sign panel and shall incorporate a pole cover comprised of stone, brick or other architecturally compatible material that conceals the structural component of the pole or column. Unless an alternative design is approved by the Planning and Zoning Commission, the pole cover shall be of a trapezoidal shape, with a base width equal to one-third (1/3) the width of the top of the pole cover.*
- iii. *Unless an alternative design is approved by the Planning and Zoning Commission, the supporting pole or column shall also include additional architectural embellishments that incorporate the official Primary City of Surprise Logo superimposed onto a stylized agave image. The logo shall be approximately two (2) feet tall by four (4) feet wide. The stylized agave image shall be eight (8) feet high by six (6) feet wide. The vertical center of the arrangement shall be five (5) feet below the lower edge of the sign panel.*



- iv. *Artistic or architectural embellishments up to thirty (30) square feet may be attached to the perimeter of the sign panel, provided said embellishments do not extend more than two (2) feet in any direction beyond the face of the sign and do not otherwise obstruct the architectural embellishments as may be required under Paragraph 113-09.C.8.e)iii above.*



Thanks

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

22 Dec 2017 16:47:11 -0000

From: [Cruz, Frank](#)
To: [Robert Kuhfuss](#)
Subject: RE: Surprise Sign Code Update
Date: Thursday, January 04, 2018 8:54:42 AM
Attachments: [image001.png](#)
[image002.png](#)

Hi Robert, some quick feedback for you: The sign code below regarding spacing and the board dimensions and height are of some concern for us. To contrast, the City of Phoenix allows for 1000' of spacing, 70' in height, and up to 672' face dimensions (14'x48'). Glendale allows for 1000' of spacing, 60' in height, and also up to 672' face dimensions (14'x48').

In short, the opportunity to build larger/higher, and multiple signs outside of 1000' feet allows for more flexibility with land and good revenue generation. Especially for billboard developers/operators like ours.

Just some food for thought. See you tonight.

Frank

Frank Cruz
Real Estate Representative and Public Affairs / Arizona Division


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From: Robert Kuhfuss [<mailto:Robert.Kuhfuss@surpriseaz.gov>]
Sent: Friday, December 22, 2017 9:47 AM
To: Robert Kuhfuss <robertkuhfuss@yahoo.com>
Subject: Surprise Sign Code Update

Gentlemen - Hope all is well.

We finished drafting up some language regarding Billboards. We're targeting the January 4th P&Z for discussion. I've attached the billboard language for your convenience. The entire Version 2 revisions will be posted to our website in the near future.

8. *Billboard Signs: Billboard Signs may be permitted as outlined in this Section:*

- a) **U.S. 60 Corridor: Billboard Signs may be located within that portion of the U.S. 60 Corridor between the eastern line of Section 03, Township 03 North, Range 01 West (Dysart Road) and the north/south mid-section line of Section 03, Township 04 North, Range 02 West, subject to prior approval of a Conditional Use Permit in accordance with Section 122-154 of the Surprise Unified Development Code. All billboard signs located within the aforementioned corridor are subject to the provisions in Paragraph 113-09.C.8.c through f and the following:**
- i. **No billboard sign shall be located within 2,640 feet of the intersection of U.S. 60 and State Route 303, specifically defined as a point located at Longitude 112°24'13"W by Latitude 33°40'49"N.**
 - ii. **No billboard sign shall be located within 1,320 feet of the intersection of U.S. 60 and Bell Road, specifically defined as a point located at Longitude 112°21'02"W**

by Latitude 33°38'19"N.

- b) **State Route 303 Corridor:** *Billboard Signs* may be located within that portion of the **State Route 303 Corridor** between a specific point located at Longitude 112°21'43.35"W by Latitude 33°41'48"N and the West line of Section 16, Township 04 North, Range 01 West, subject to prior approval of a Conditional Use Permit in accordance with Section 122-154 of the Surprise Unified Development Code. All *billboard signs* located within the aforementioned corridor are subject to the provisions in Paragraph 113-09.C.8.c through f and the following:

i. No *billboard sign* shall be located within **2,640 feet** of the intersection of U.S. 60 and State Route 303, specifically defined as a point located at Longitude 112°24'13"W by Latitude 33°40'49"N.

ii. *Billboard signs* located within the State Route 303 corridor as defined above may serve eastbound and/or westbound traffic, but shall only be located north of the freeway right-of-way.

- c) **Additional Locational Requirements:** The following additional locational requirements apply for all *billboard signs* regardless of the corridor in which it is located:

i. *Billboard signs* may only be approved in the CN, CC, CR, BP, IP, PF or ILM zoning districts, or if located within a Planned Area Development (PAD), that portion of the PAD in which the approved land use plan specifically calls out commercial, industrial or employment uses.

ii. Notwithstanding the Union Pacific Railroad right-of-way, no *billboard sign* shall be located within 300 feet of a property zoned for Residential uses, or any open space tract that is associated with a residential development.

iii. *Billboard signs* shall not be located closer than twenty (20) feet from the U.S. 60 or State Route 303 right-of-way line and not further than 200 feet from said right-of-way line.

vi. No *billboard sign* shall be approved within 660 feet of any *Freeway Monument Sign* existing at the time of Conditional Use Permit application for the *billboard sign* in question.

v. No *billboard sign* shall be approved within 2,640 of any *billboard sign* approved or existing at the time of Conditional Use Permit application for the *billboard sign* in question.

- d) **Dimensional Requirements:** The following dimensional requirements apply for all *billboard signs* regardless of the corridor in which it is located:

i. The overall height of a *billboard sign* shall not exceed thirty (30) feet as measured from the adjacent roadway to the top of the *sign structure*, exclusive of architectural embellishments as permitted in this Section.

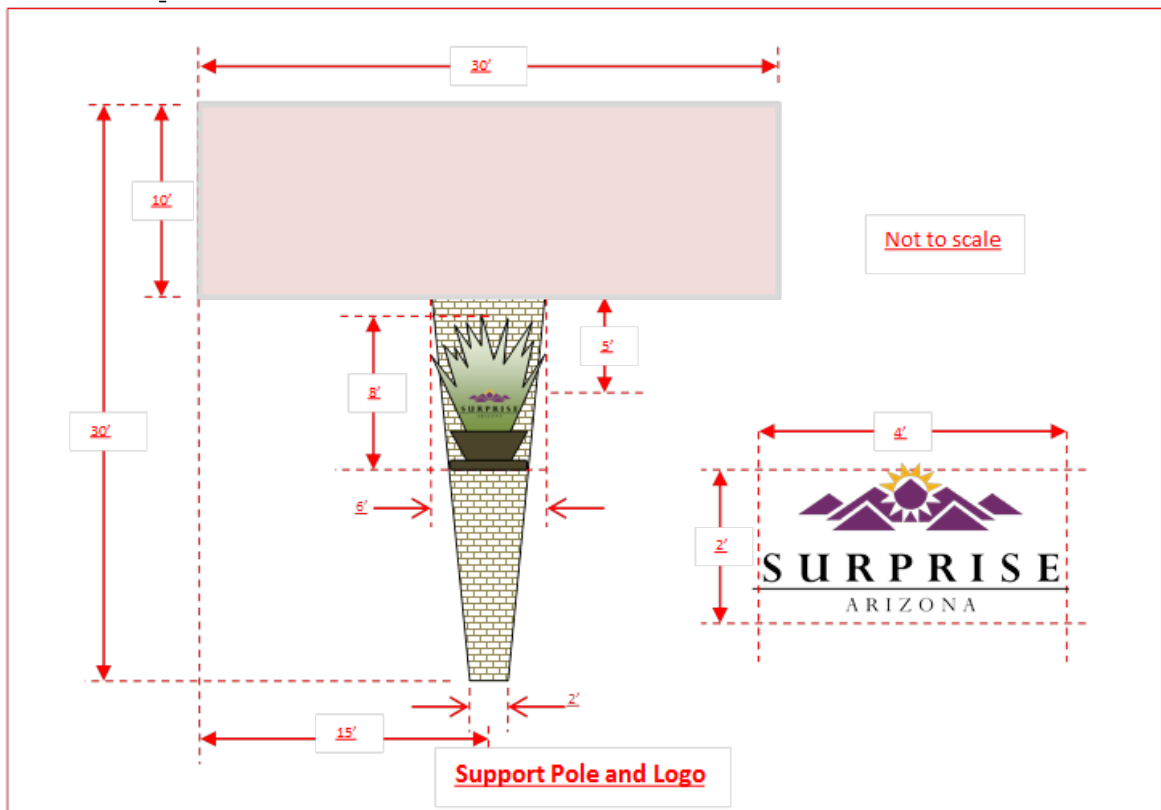
ii. The overall dimensions of the *sign panel* associated with a *billboard sign* shall not exceed thirty (30) feet in width and ten (10) feet in height for a total *sign area* not to exceed 300 square feet, exclusive of architectural embellishments as permitted in this Section.

- e) **Design Requirements:** The following design requirements apply for all *billboard signs* regardless of the corridor in which it is located:

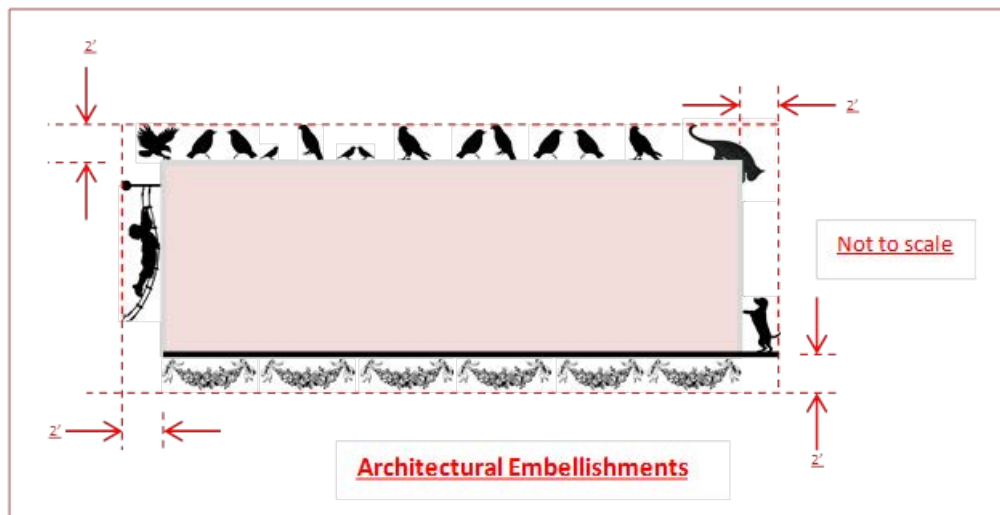
i. *Billboard Signs* may incorporate *Level 2 Electronic Messaging Centers* as

outlined Section 113-11 herein, except that *Electronic Messaging Centers* used in *billboard* applications may occupy up to 100% of the allowable *sign area* of the *billboard*, exclusive of architectural embellishments as may be permitted or required herein, and provided such *Electronic Messaging Centers* are turned off between 11:00 PM and dawn.

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- f. Any Conditional Use Permit approval is hereby conditioned upon the applicant obtaining a valid construction permit for the *billboard sign* approved under said Conditional Use Permit. The applicant shall obtain Certificate of Completion from the City of Surprise within six (6) months of approval of the Conditional Use Permit by the Planning and Zoning Commission. Failure to obtain a Certificate of Completion within the designated time allotment shall render the Conditional Use Permit null and void; however, the City Manager or designee may grant a one-time extension for a period not to exceed six (6) months when in the opinion of the City Manager or designee the circumstances warrant such.

Our offices are essentially closed next week, but I will be working and am happy to discuss.

Thanks

Robert H. Kuhfuss, AICP, MPA
 City of Surprise Community Development Department
 16000 North Civic Center Plaza
 Surprise, AZ 85374-7470
 O: 623-222-3137 | F: 623-222-3001
robert.kuhfuss@surpriseaz.gov

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22 Dec 2017 16:47:11 -0000

From: [Cruz, Frank](#)
To: [Robert Kuhfuss](#)
Subject: FW: Surprise Sign Code Update
Date: Thursday, January 04, 2018 9:52:55 AM
Attachments: [image001.png](#)
[image002.png](#)

Sorry, one more very important fact: Digital technology has changed for the better regarding **aspect ratios**. Because of this, our company (and others), are now converting our old digital 10x30 sign faces to a newer and more improved digital 10.6'x36' sign face. The newer models offer much better quality (clarity, brightness, etc.) than the old 10x30s. However, the newer digital 10.6'x36' dimension is 381.6, which exceeds the current 10'x30' 300' dimension below.

Looking ahead, it'd be extremely prudent and helpful for the City to reconsider amending the sign face dimensions to allow 14'x48' (672' per face). Or at the very least, 381.6 per face' to allow for the newer digital 10'6"x36' signs. The former however, would be best the best case scenario.

I hope this helps. Frank

From: Cruz, Frank
Sent: Thursday, January 4, 2018 8:54 AM
To: 'Robert Kuhfuss' <Robert.Kuhfuss@surpriseaz.gov>
Subject: RE: Surprise Sign Code Update

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To: Robert Kuhfuss <robertkuhfuss@yahoo.com>
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-

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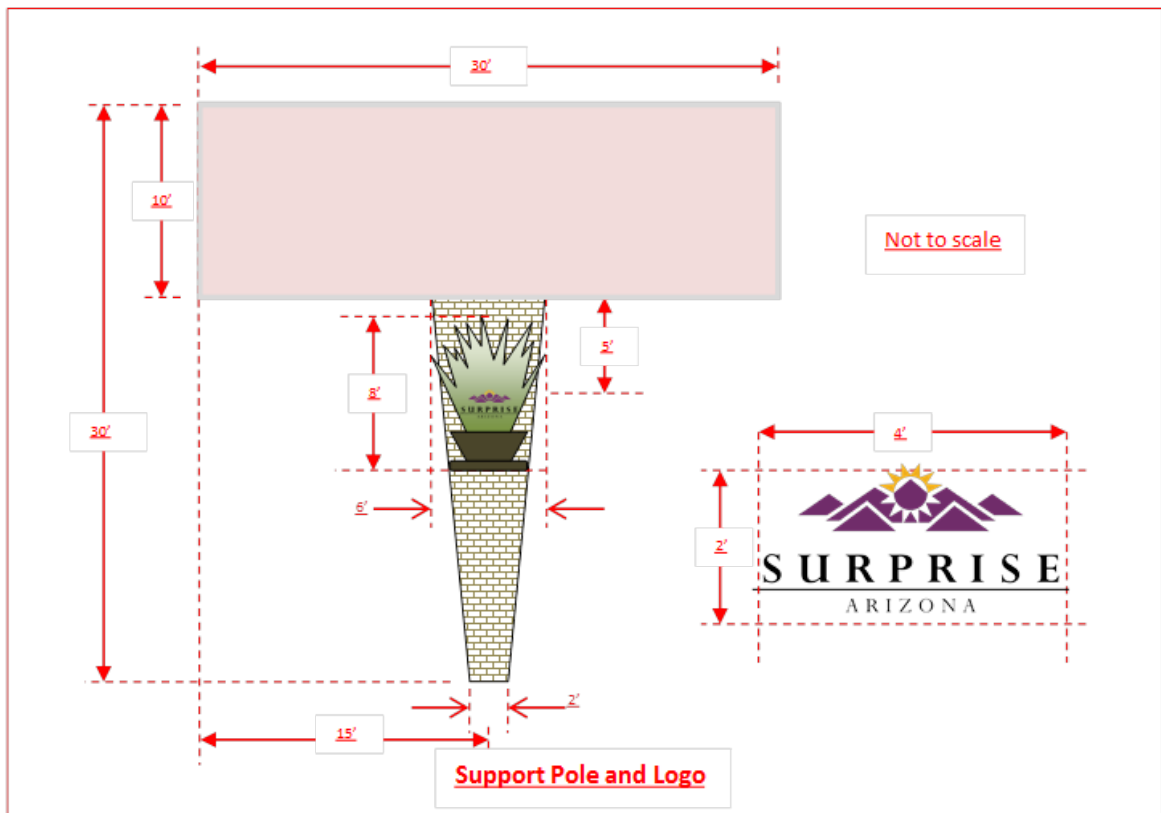
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-
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-

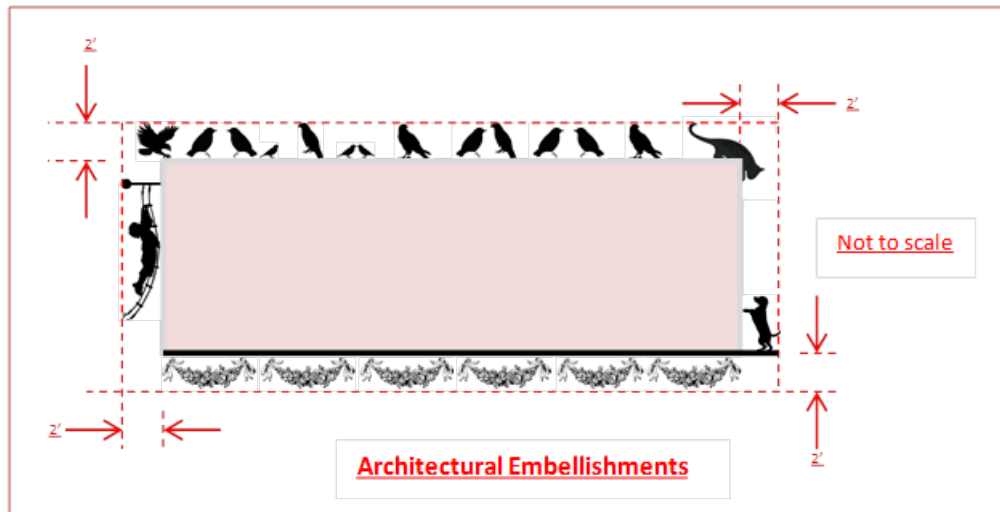
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-



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circumstances warrant such.

Our offices are essentially closed next week, but I will be working and am happy to discuss.

Thanks

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22 Dec 2017 16:47:11 -0000

From: Cruz, Frank
To: Robert Kuhfuss
Subject: RE: Helpful link to billboard comparables
Date: Monday, January 08, 2018 2:19:29 PM
Attachments: image001.png

Hi Robert, I just left you a vm about the management agreement. I'll sit tight and wait for your reply. Frank

From: Robert Kuhfuss [mailto:Robert.Kuhfuss@surpriseaz.gov]
Sent: Friday, January 5, 2018 4:33 PM
To: Cruz, Frank <FrankCruz@clearchannel.com>
Subject: Re: Helpful link to billboard comparables

Thank you Frank. I'm away from the office but will take a look when I get back. A couple weeks ago you said you might be able to find a billboard agreement with a city that would help us understand that structure. Were you able to find anything?

----- Original Message -----

From: "Cruz, Frank" <FrankCruz@clearchannel.com>
Date: Fri, January 05, 2018 1:17 PM -0700
To: Robert Kuhfuss <Robert.Kuhfuss@surpriseaz.gov>
Subject: Helpful link to billboard comparables

Hi Robert, You and Lloyd did fantastic last night. All things considered and with the vast amount of content you needed to cover in short amount of time, I don't think anyone else could've done a better job.

The following link below will be extremely helpful for you and Staff in regards to identifying like-for-like billboard comparables in the area that I recommend they drive and take look at. The boards on the link below are brand new (less than 2 years old) and along the Loop 101 and I-10 Corridors, as well as our brand new 10x30 "vinyl" board on L303 and Glendale. The link is also interactive and allows for anyone to click on any board featured for more detailed information about the billboard structures, etc. (Worth noting: The 14x48 boards on the link are 65' in height. The 10x30 board is 30' in height).

<https://seek.cco.io/results/map?latitude=33.508386&longitude=-112.03170139999999&numbers=3892%2C3895%2C3890%2C3893%2C3894%2C3910%2C3896%2C3911%2C3891%2C3889%2C3888%2C3887%2C3885%2C3886%2C3913%2C3912>

Regarding the proposed 10.6x36 digital board along the L303, I'm still a bit concerned about the "cross-read" being too small and too hard to read for commuters travelling East. Even at the rate of speed at 65mph, the 303 has such a large "mid-section" in-between the East and West corridors that advertising could easily be missed or simply too hard to see for those East bound commuters who would be exposed to the "West Face" of the structure. This could be a challenge for us in terms of selling the West Face to our advertising clients, thus potential "devaluing" the structure. Typically, a company like mine would ask for a "height and size variance" to help offset this challenge. This is where we would usually ask to go higher than the allowed 30' height and larger than the 10.6x36 face dimension up to 14x48. Our digital costs average around \$250k up to \$500k. Therefore, our priority would be to ensure that we're able to provide the City and our advertising clients the highest and best structure and use for that area.

Regarding the US 60, 10.6x36 digital signs are perfect for that particular corridor.

Please let me know if you need anything else. Otherwise, I'll see you again at the next meeting.

Frank



Frank Cruz
Real Estate Representative and Public Affairs / Arizona Division

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05 Jan 2018 23:32:36 -0000

From: Robert Kuhfuss
To: ["Kim Mayer"](#)
Subject: RE: Sign Code Draft: Class VI Monument Signs - overall sign area
Date: Friday, January 12, 2018 12:19:00 PM

Kim,

Thank you! Great catch. I'm bumping up against a hard deadline so I might not be able to fix that before the packet goes out, but I will address it with the Commission on Thursday. I'm thinking maximum of 36 square feet with a 12 square foot increase per 1' increase in height up to a maximum of 120 square Feet.

Also, Version 3 will be published soon so keep an eye out.

Thanks again.

Robert H. Kuhfuss, AICP, MPA
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16000 North Civic Center Plaza
Surprise, AZ 85374-7470
O: 623-222-3137 | F: 623-222-3001
robert.kuhfuss@surpriseaz.gov

From: Kim Mayer [<mailto:Kim.Mayer@daktronics.com>]
Sent: Friday, January 12, 2018 9:48 AM
To: Robert Kuhfuss
Subject: Sign Code Draft: Class VI Monument Signs - overall sign area

Good Morning, Robert,

We have been reviewing the proposed sign code draft #2 and have a question regarding Class VI – major monument signs. I see where the height limitations are discussed, but I do not see where the overall sign area is identified. Would you or your staff please let me know where in the code the overall sign area is provided?

Thank you – I appreciate your assistance,
Kim Mayer

Kimberly Mayer
Sign Legislation

tel 605.275.1040 ext 56476
address 600 E. 54th Street N, Sioux Falls, SD 57104
website www.daktronics.com



From: [Kurt A. Jones](#)
To: [Robert Kuhfuss](#); [Eric Fitzer](#)
Subject: Meeting to discuss Proposed Sign Ordinance Update
Date: Tuesday, January 09, 2018 1:19:15 PM

Rob and Eric, our client, Rhett Cooney, was at the Planning & Zoning Commission meeting last week regarding the sign ordinance update. As you know, Mr. Cooney is interested in the Billboard portion of the ordinance update. He sent you an email last week on that subject. He feels the Commissions questions regarding his concerns with size, height and spacing weren't addressed.

He is preparing to reach out to the Planning & Zoning Commission members individually between now and next week's hearing on the subject. Can we sit down with you for an hour discuss our concerns before he/we do this? Let me know your availability later this week or early next week. Thanks, Kurt

Kurt A. Jones, AICP | Senior Planner | 602.452.2729



Seventh Floor Camelback Esplanade II | 2525 E Camelback Road | Phoenix, AZ 85016
C 480.225.8937 | P 602.255.6000 | F 602.255.0103
Offices: Arizona | California | Nevada

From: [JoAnna Mankiewicz](#)
To: [Robert Kuhfuss](#)
Subject: Citywide Amendment to Surprise Muni Code re signs
Date: Saturday, January 06, 2018 2:18:54 PM

Dear Robert,

I would ask you to read my email into the record at the public hearing on January 18. We are unable to attend, as I am suffering with pneumonia this holiday season and I need to recuperate for several weeks.

My husband and I attended a couple of your input meetings on the City's signage ordinance. I realize there are various viewpoints and stakeholders here, and I most strongly represent the aesthetic interests of our City, in keeping it as uncluttered and sophisticated as possible. This reflects on the perception of our city by residents as well as visitors. Very simply: The less signage, the better. I prefer NO signage. If you have to use signage, upgrade or upscale it if possible, and keep it to a minimum, so that the architectural and decorative elements of our landscape predominate rather than the signage.

JoAnna and Leo Mankiewicz
Surprise, AZ

From: [Rhett Cooney](#)
To: [Robert Kuhfuss](#)
Cc: [Eric Fitzer](#); [Kurt Jones](#)
Subject: Re: Surprise Sign Code Update - Upcoming Meetings
Date: Thursday, January 04, 2018 11:37:16 AM

Good Morning Robert,

I hope you had a safe and enjoyable holiday. I've had a chance to evaluate the latest draft and want to share my thoughts with you prior to tonight's meeting. I am hoping there is time to reconsider the size, height and separation on the "State Route 303 Corridor".

Size - The industry norm for freeway signs is 14'x48' the larger size is necessary do to the speed of the traveling motorists and the additional distance the sign is set off the lanes of travel. For instance on the 303 corridor the leading edge of the sign would be 150'-175' from the nearest west bound lane of traffic and 250' - 275' from the farthest East bound lane.

Height - The industry norm for freeway signs is 45' - 70' the increased height is necessary do to the speed of the traveling motorists, the additional distance the sign is set off the lanes of travel which creates a view which is lower in the horizon and the unknown variables of trees, topography, site improvements and other unique conditions on individual sites.

Separation - The industry norm for freeway signs varies from 500' which is A.D.O.T.'s requirement to between 1,000' & 1,200'. The defined corridor is limited to slightly less than a mile which could facilitate only 2 but more likely 1 sign within Surprise. A reduced requirement of 1,600' - 1,800' would allow 3 signs but more likely only 2 within the corridor.

If this is something you are willing to consider, you could either make individual changes to the various requirements or at least create language that allows the Planning Commission and City Council the latitude to make variations if there is justification for it.

I appreciate your help and consideration on these issues.

Best regards,

Rhett Cooney

Boulevard Media Company
P.O. Box 14652
Scottsdale, AZ 85267
(480) 326-1736 Cell

Please note the changes to our company name and email addresses.

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From: Robert Kuhfuss <Robert.Kuhfuss@surpriseaz.gov>
Sent: Thursday, December 28, 2017 4:04:13 PM
To: Robert Kuhfuss
Subject: Surprise Sign Code Update - Upcoming Meetings

Hello all. Hope the holidays find you well.

Just a quick note regarding our sign code update. We will be taking some revised language to the Planning and Zoning Commission as a discussion item on January 4, 2018 at 6:00 PM. This is not a public hearing, but you are welcome to attend. You can review the edits on line at <https://www.surpriseaz.gov/3369/Sign-Code-Update>. Specifically, Version 2 and the four associated Exhibits.



Sign Code Update | Official Website - Surprise, Arizona

www.surpriseaz.gov

The City of Surprise is in the process of amending City Code Chapter 113, which deals with signs. The update aims to balance business needs with aesthetics, while ...

Sign Code Update Documents

- [Res 2017-98 Approved Temporary Sign Code Policy](#)
- [Sign Code - Public Review Version 1](#)
- [Sign Code - Public Review Version 2](#)
- [Sign Code - Public Review Version 2 Exhibit A Section 113-09.A.2 Alternative #1](#)
- [Sign Code - Public Review Version 2 Exhibit B Section 113-09.A.2 Alternative #2](#)
- [Sign Code - Public Review Version 2 Exhibit C Section 113-09.A.3 Alternative #1](#)
- [Sign Code - Public Review Version 2 Exhibit D Section 113-09.A.3 Alternative #2](#)

Also, we are targeting the following dates:

City Council Work Session, January 16, 2018 at 4:00 PM

Planning and Zoning Commission Public Hearing, January 18, 2018 at 6:00 PM

City Council Public Hearing, February 6, 2018 at 6:00 PM

All meetings will be held at the City Council Chambers, 16000 Civic Center Plaza, Surprise, AZ 85374

These dates will likely generate further revisions. I'll send you updates as they occur.

Thank you

Robert H. Kuhfuss, AICP, MPA

City of Surprise Community Development Department

16000 North Civic Center Plaza
Surprise, AZ 85374-7470
O: 623-222-3137 | F: 623-222-3001
robert.kuhfuss@surpriseaz.gov

City of Surprise 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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0.1

28 Dec 2017 23:04:14 -0000

From: [Liz Recchia](#)
To: [Robert Kuhfuss](#)
Cc: [Kathy Basque](#); [Eric Fitzer](#); [Lorraine Nevarez](#)
Subject: WeMAR comments regarding Proposes sign ordinance
Date: Thursday, January 04, 2018 4:05:48 PM
Attachments: [Jan 4 2018 written comments.pdf](#)

Good Afternoon Robert,

Thank you for emailing the updated proposed sign ordinance. Attached is a copy of the written comments we have mailed to you. In addition to these I wanted to let you know there are a few typos:

Alternative #1&2 of Section 113-09 A3:

Paragraph 3.c – I believe *Class I Temporary Sign* should read *Class II Temporary Sign*.

Illustration: Title of illustration, *ocuring* should read *occurring*.

Pg 87 – Enforcement – There are two #2 items in this section. I believe there should be 5 items total (not 4).

Pg 66 – Item 5f: last line. I believe *utilty* should read *utility*

In addition to these, I wanted to suggest the word “permitted” be changed to “allowed” on page 31, Section 113-07 titled Permitted and Prohibited Signs. This change would make the meaning more clear to the reader.

If you have any questions or wish additional clarification of my remarks, please let me know.

Thank you,

Liz Recchia

Government Affairs Director

West Maricopa Association of REALTORS®

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Peoria, Arizona 85382

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January 4, 2018

Dear Robert,

Thank you for the updated draft sign ordinance copy. We have looked it over and have the following comments and suggestions:

Alternative Language suggestion for Section 113-09 A2 – WeMAR prefers Alternative #2.

Alternative Language suggestion for Section 113-09 A3 – WeMAR prefers a combination of alternatives #1 and #2. We suggest adding paragraph 3c from Alternative #2 to the text of Alternative #1.

In addition to the Class II Temporary Sign permitted under 113-09 A.3.b. above, properties zoned for commercial uses may utilize one (1) Class II Temporary Sign per 200 linear feet of street frontage. Said signs may be placed adjacent to, but not within any right-of-way, median, vehicle or bicycle travel lane, or sidewalk, or within any sight visibility triangle as outlined in Standard Details 4-01 and 4-02 of the Surprise Engineering Development Standards.

We appreciate the access to the Public Right of Way surrounding neighborhoods in which an open house is held. We believe we have access to the Public Right of Way by definition and by case law. However, we recognize this is a point of disagreement, therefore we are requesting the code include language confirming this access. We also realize it is the City's right to govern sign placement as to numbers, size, type, time and safety. We suggest the City allow temporary directional signage to lawful temporary events along the public right of way at 1 sign per ¼ mile.

It is extremely difficult to guide potential homebuyers to open houses in the Northern areas of Surprise. People trying to find open houses in the Desert Oasis area, or farther north on Grand do not realize they need to keep driving after they cross the 303. As the city expands north and west, this problem of guiding people to their destination will become more vivid.

We realize the concern for sign clutter along the right of way, however by allowing one sign per ¼ mile per event and limiting the hours a sign may appear (example: one hour before to one hour after the event) it is likely Saturday and Sunday mid days will be the most heavily signed

times. This would limit the time of maximum signage, while providing property owners and REALTORS® with open houses the ability to efficiently guide customers to the open house.

When it comes to private right of ways, WeMAR does not see a compelling government interest in regulating signage, other than for safety. If private owners wish to place signs in their right of way, that is a property right and subject to the agreement of the private parties involved.

When it comes to the enforcement provisions, WeMAR is happy to see the City has added an appeal process. We would still like to see criminal violation taken out of the code.

We noticed on page 11, the terms “faded”, “cracking” and “rusting” are equated with disrepair and blight. Sometimes these are elements of intentional design, particularly with businesses promoting vintage or old west themes. We ask the phrase “*unless part of the intentional design*” be added.

WeMAR still contends that 90 days is too short a time to declare a sign abandoned when sitting on vacant land or a vacant building. Frequently distressed properties such as probate or bankruptcy will require longer periods of time to resolve as the court negotiates the final resolution. Signs and their good will value are part of the business valuation. We are concerned that in some cases the City removing a sign during a distressed property proceeding may reduce the value of the estate or business.

In the section on page 53 regarding wall signs, the term “tenant” is repeatedly used. Buildings may be occupied by tenants or owners. As a point of clarification, we suggest using the term “occupant”.

Window signs, WeMAR is still opposed to the limitation of signage on the window. Not only do window screens cover 100% of the window and give no visibility, but with consideration to new opaque window films that cover the window but allow for visibility into the business, this rule appears to be arbitrary.

On page 77, B – Legally recognized trademarks can, and are established by use. It seems an unnecessary and burdensome requirement to force business to also register their mark. The establishment of a legally recognized mark by use is established in case law and WeMAR believes the City should not overburden business.

Overall WeMAR is pleased with the changes the City has made. We appreciate the increased types of signage and the encouragement to business to expand architectural and aesthetic horizons. A business’ sign is integral to their identity in the community and serves to illuminate their uniqueness in the marketplace.

WeMAR appreciates the time and effort City Staff has made to create a more business friendly sign ordinance.

Please let me know if you have questions or require clarification of these remarks.

Sincerely,

A handwritten signature in blue ink, appearing to read "Liz Recchia", with a stylized flourish at the end.

Liz Recchia

Government Affairs Director

West Maricopa Association of REALTORS®

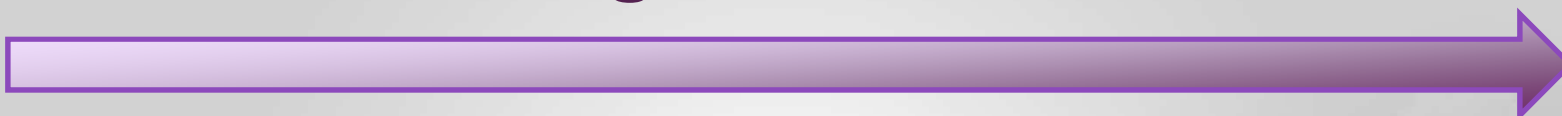


FS15-311 Sign Code Update

Planning and Zoning Commission
January 18, 2018



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
Four outreach meetings March 8 through 29, 2017
EMC Demonstration – March 14, 2017
P&Z Discussion – April 20, 2017
P&Z Discussion – July 6, 2017
P&Z Discussion – July 20, 2017
P&Z Discussion – August 03, 2017
P&Z Discussion – October 05, 2017
P&Z Discussion – January 4, 2018
City Council Discussion – January 16, 2018



Next Steps (tentative)



P&Z Public Hearing January 18, 2018

City Council Public Hearing February 6, 2018

Effective Date March 8, 2018





SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Thank You



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

CITY OF SURPRISE PLANNING CASE FS15-311

VERSION 3, FINAL DRAFT

Changes from Version 1 Draft in **red font**. New language **underlined**. Deleted language in **~~strike-through~~**.

Changes from Version 2 Draft in **blue font**. New language **underlined**. Deleted language in **~~strike-through~~**.

Note to Commission:

In an effort to reduce the size of the packet, the following only includes those Sections or Subsections that changed since Version 2; however, the complete Version 3 language is available on-line.

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.~~ Whenever the language of this Chapter is in conflict with an approved PAD or CSP, the more permissive shall apply to the extent that such provisions are not in conflict with the provisions of the approved PAD or CSP.

Section 113-~~0708~~ – General Provisions

B. **Sign Quality, ~~and Construction, and Aesthetics~~:**

1. Signs shall be designed in compliance with the applicable construction codes adopted by the City and in effect at the time of construction.
2. ~~Raceway cabinets may only be utilized when mounting a building wall sign to a building surface that is generally difficult to repair such as, but not limited to, stone or brick masonry. Raceway cabinets shall not be utilized in conjunction with surface materials that are generally easy to repair such as, but not limited to, stucco or Engineered Insulated Finishing Systems (EIFS). Where raceway cabinets are utilized, said raceway cabinets shall be painted to match the color of the surface onto which it is mounted.~~
- 2.3. Whenever a *permenant sign* is removed, the surface onto which the *sign* was mounted shall be repaired as closely as practicable to a new-like condition.
- 2.4. Unless specifically approved by the Planning and Zoning Commission through a Comprehensive Sign Program or Conditional Use Permit as applicable, ~~s~~Supporting elements for all *signs* shall appear to be free of any angle iron, bracing, guy wires or similar features.
- 3-5. When electrical service is provided to any *sign*, all components of said service are to be entirely concealed or, when necessary, painted to match the surface of the structure upon which they are mounted.

- 4.6. All permanent signs permitted by this Chapter shall be constructed of durable material capable of withstanding continuous exposure to the elements and conditions of the urban environment.

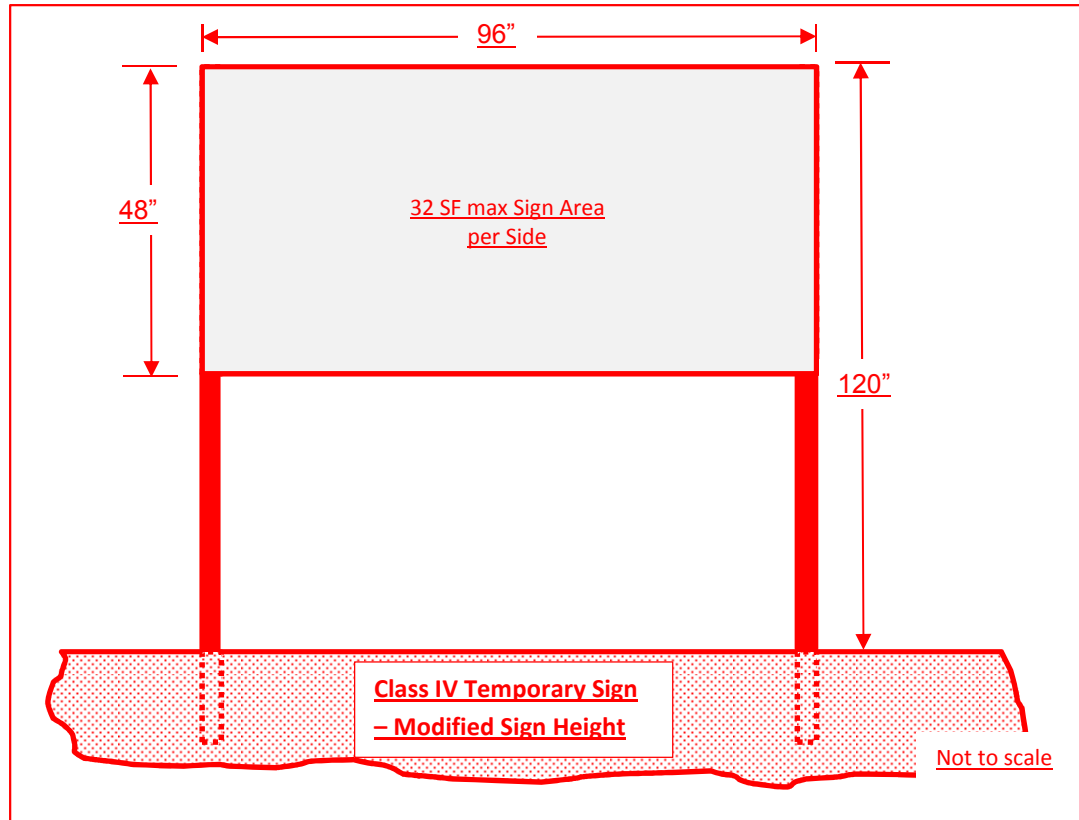
Section 113-~~0809~~ – Sign Classifications and Types

A. ***Temporary Signs:*** When allowed, *Temporary Signs* shall conform to the following requirements:

2. [See Exhibits A and B regarding Class I Temporary Signs]
3. [See Exhibits C and D regarding Class I Temporary Signs]

10. ***Model Home Complex Signs:*** In addition to other *signs* that are permitted in association with a single-family residence, a *Model Home Complex* may employ the following:

- a) One (1) *Class III Temporary Sign* meeting the requirements of Section 113-09.A.4 herein for each lot located within the boundaries of an approved *Model Home Complex*. Such signs shall not be illuminated except by ambient lighting.
- b) One (1) *Class IV Temporary Sign* meeting the requirements of Section 113-09.A.5 herein may be located within the boundaries of the approved *Model Home Complex*; however, if the *Model Home Complex* is located adjacent to a Collector or Arterial Street, the overall height of the *Class IV Temporary Sign* allowed under this Paragraph may be increased to ~~ten (10) feet~~ 120 inches, provided the *sign* is designed to withstand windloads as required by the building codes in effect at the time the sign is erected. A *Class IV Temporary Sign* permitted under this Paragraph may be *externally illuminated* as outlined in Section 113-10.



- c) One (1) flagpole not exceeding a height of 45' may be erected within the boundaries of the Model Home Complex provided said flagpole is located within the building envelope or within the required front yard of the lot in which it is placed, but not located within any required side or required rear yard. A maximum of two (2) flags may be displayed from said flagpole. The flag and flagpole permitted under this Paragraph may be *externally illuminated* in accordance with Section 122-145 of the Surprise Municipal Code.
- d) Two (2) flagpoles not exceeding a height of twenty (20) feet may be erected for each lot located within the boundaries of the approved Model Home Complex. A maximum of one (1) flag may be displayed from each flagpole. Flagpoles permitted under this Section may be erected along the perimeter of the Model Home Complex. Flagpoles permitted under this Paragraph shall not be illuminated except by ambient lighting.
- e) Four (4) additional *Teardrop Banner Signs* meeting the requirements of Section 113-09.A.8 herein for each lot located within the boundaries of an approved *Model Home Complex*, except that Paragraphs 113-08.A.8.c, 113-08.A.d and 113-08.A.e

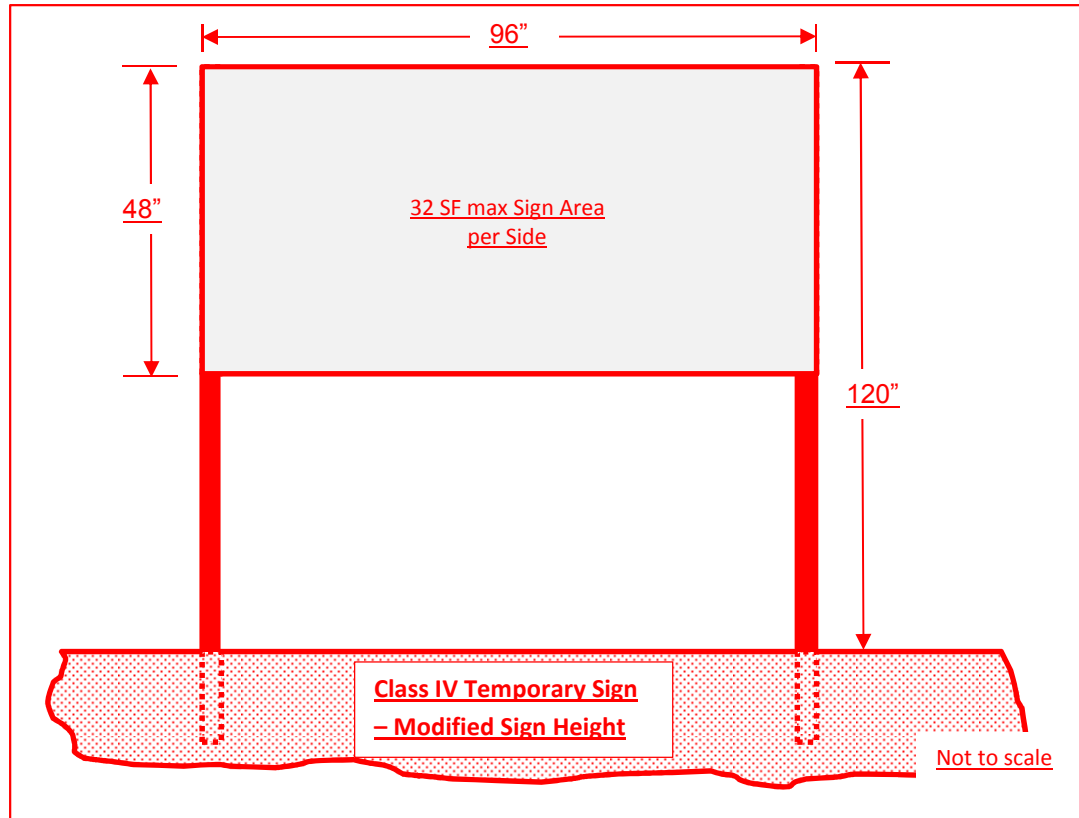
shall not apply. *Teardrop Banner Signs* permitted under this Paragraph shall not be illuminated except by ambient lighting.

- f) One (1) *Banner Sign* not exceeding three (3) feet in height and five (5) feet in length may be attached to the trap fence. Said *Banner Sign* shall be equipped with ventilation flaps. *Banner Signs* permitted under this Paragraph shall not be illuminated except by ambient lighting.
- g) One (1) *Awning Sign* or *Canopy Sign* provided the awning or canopy is limited to the customer entrance to the sales office associated with the approved *Model Home Complex*. *Awning Signs* or *canopy signs* permitted under this Paragraph shall not be illuminated except by ambient lighting.
- h) One (1) *Building Wall Sign* not exceeding four (4) square feet may be affixed to the front elevation of the Model Home Sales Office facing the street from which the Model Home Complex takes access. Said sign may be *externally illuminated* or back-lit in accordance with Section 113-10.
- h) Information regarding *Model Home Signs* shall be included with the Model Home Complex application packet to be reviewed and approved with the Model Home Complex. In circumstances where Model Home Complexes in existence as of the effective date of this Ordinance are to be retrofitted for purposes of implementing signage permitted under this Section, an amendment to the approved Model Home Complex is required.
- i) All *Model Home Signs* permitted under this Section shall be removed upon the conversion of the Model Homes to a residential use in accordance with Section 122-92(h) of the Surprise Municipal Code.

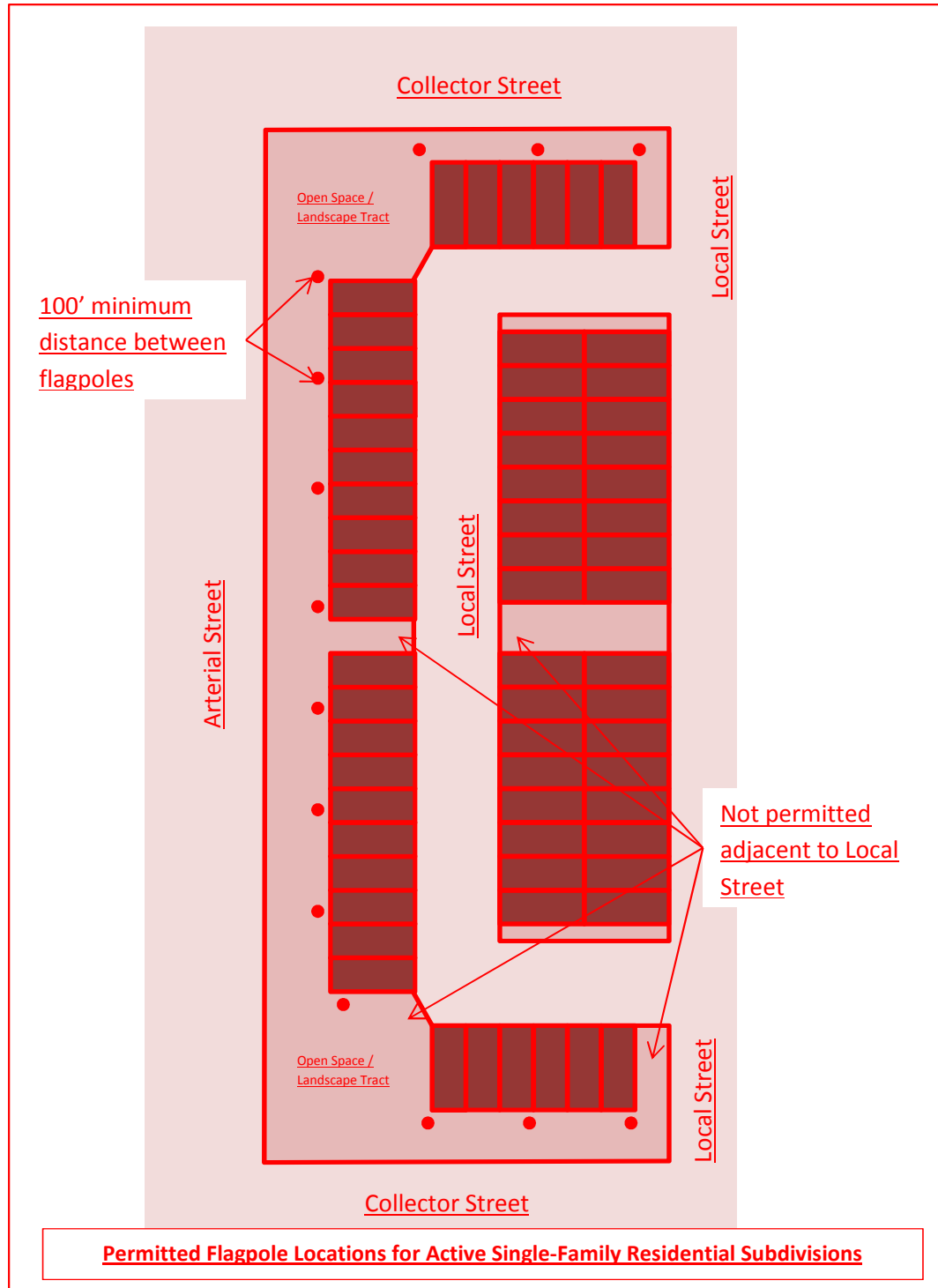
11. ***Active Single-Family Residential Subdivision Signs:*** In addition to other *signs* that may be permitted in association with a *Model Home Complex*, the following *Signs* are permitted within the boundaries of an *Active Single-Family Residential Subdivision*:

- a) One (1) *Class IV Temporary Sign* meeting the requirements of Section 113-09.A.5 herein may be located within the boundaries of an *Active Single-Family Residential Subdivision*, provided such *sign* is located adjacent to a Collector Street or Arterial Street. The overall height of the *Class IV Temporary Sign* allowed under this Paragraph may be increased to ~~ten (10) feet~~ 120 inches, provided

the sign is designed to withstand windloads as required by the building codes in effect at the time the sign is erected. A Class IV Temporary Sign permitted under this Paragraph may be externally illuminated as outlined in Section 113-10.



- c. Where an Active Single-Family Residential Subdivision includes an open space tract or landscape tract located adjacent to a Collector Street or Arterial street, a series of flagpoles not exceeding 20 feet in height may be erected within said tract provided said flagpoles are spaced no closer than 100 feet apart; however, flagpoles permitted under this Paragraph may not be located adjacent to any Local Street regardless of the location of the tract relative to the Local Street. Further, flagpoles permitted under this Paragraph may not be illuminated except by ambient lighting.

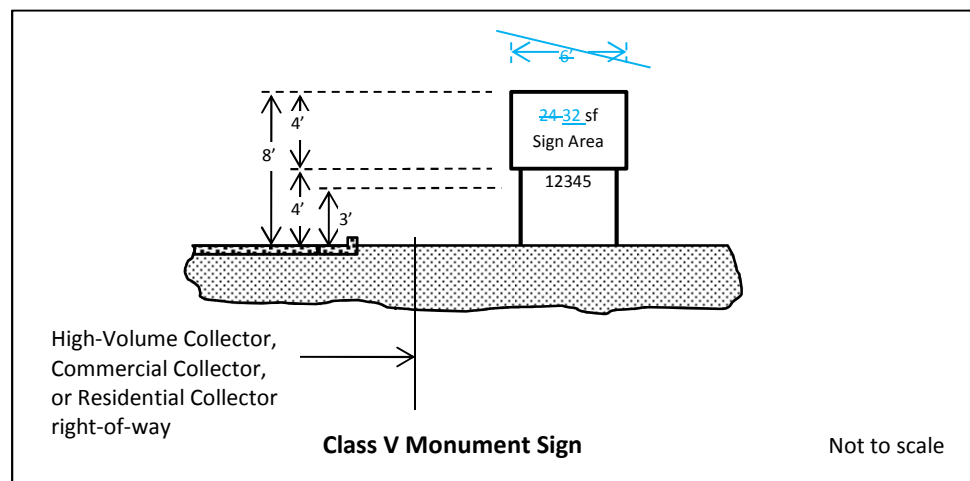


- c) All Active Single-Family Residential Subdivision Signs shall be removed upon the close of escrow of the last lot in the subdivision or upon cessation of use, whichever comes first.

C. Freestanding Ground Signs

4. Class V Monument Signs ~~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 300-150 feet of collector or arterial street frontage or portion thereof, regardless of the presence or location of driveway, provided sight distance requirements are met ~~driveway entrance providing access from the street to the business or complex served by the sign.~~ The minimum spacing between individual *Class V Monument Signs*, or between a *Class V Monument Sign* and a *Class VI Monument Signs*, located on the same property shall be not less than 300-150 feet measured radially.
- c) ~~When allowed, *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 24-32 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*.



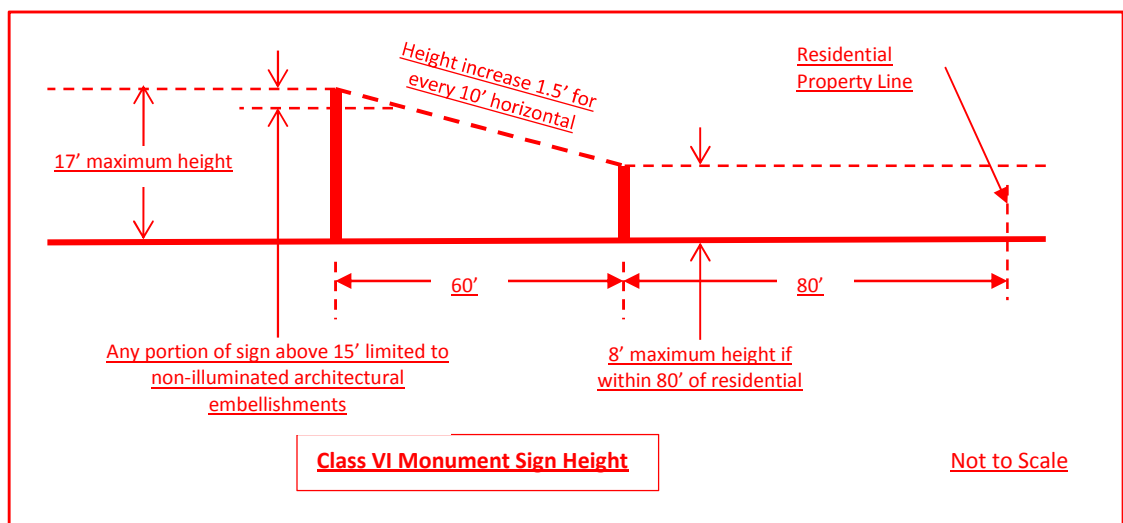
- d) The base of a *Class V Monument Sign* shall be fitted with the address of the property or properties in a manner that is consistent with Section 113-1~~2~~3.
- e) A *Class V Monument Sign* shall be located within a landscape area not less than 80 square feet.
- f) *Class V Monument Signs* shall 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~~10.
- 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~~11.

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

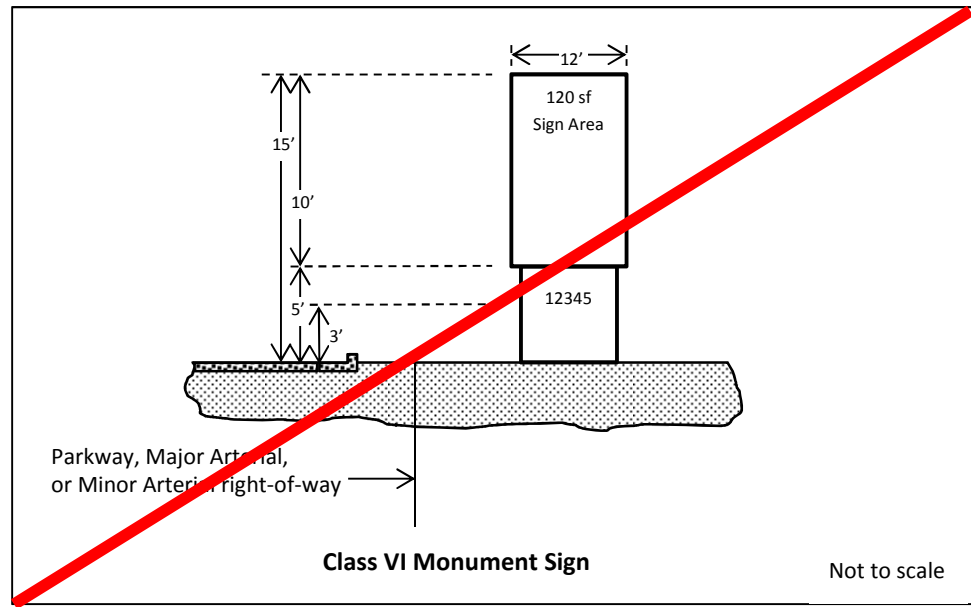
- a) *Class VI Monument Signs* are permitted in conjunction with non-residential uses in a non-residential zone or that portion of a Planned Area Development where the land use plan of the PAD specifically calls out non-residential uses, not including cottage industries or home occupations; or in multi-family uses in multi-family zoning; or in non-residential uses in a non-residential zone.
- b) *Class VI Monument Signs* shall only be located adjacent to a Parkway, Major Arterial street, Minor Arterial street, or along Grand Avenue. When allowed, one (1) Class VI Monument Sign meeting the requirements outlined below is permitted for every 600-300 feet of said roadway or portion thereof, regardless of the presence or location of driveway, provided sight distance requirements are met driveway entrance providing access from the street to the business or complex served by the sign. The minimum spacing between individual Class VI Monument Signs located on the same property shall be not less than 600'-300 feet measured radially. The minimum spacing between Class V Monument Signs and Class VI Monument Signs located on the same proeprty shall not be less than 150 feet measured radially. Properties with less than 600'-300 feet of Parkway, Major Arterial street, Minor Arterial street, or Grand

Avenue frontage shall not be permitted any *Class VI Monument Sign*.

- c) If a *Class VI Monument Sign* is located within 80 feet of a property having single-family residential zoning, the height of the *Class VI Monument Sign* shall not exceed eight (8) feet; however, the height of a *Class VI Monument Sign* may increase one and one-half (1.5) foot for every additional ten (10) feet of horizontal distance the *sign* is located away from a property having single-family residential zoning up to a maximum height of seventeen (17) feet, provided however that any height in excess of fifteen (15) feet shall be limited to architectural embellishments.



- d) ~~*Class VI Monument Signs*~~ The sign area of a *Class VI Monument Sign* shall be limited to thirty-six (36) square feet, but may increase twelve (12) square feet for every one (1) foot increase in the overall height of the sign up to a maximum sign area of 120 square feet. 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*.



- de) 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~~13.
- ef) A *Class VI Monument Sign* shall be located within a landscape area not less than the maximum sign area allowed for that sign-120 square feet.
- fg) *Class VI Monument Signs* shall be setback not less than two (2) feet from the right-of-way line. Further, 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, unless the property owner signs a waiver acknowledging the prior rights of the utility companies to occupy said easement.
- gh) *Class VI Monument Signs* may be *internally illuminated, back-lit or externally illuminated* in accordance with the requirements set forth in Section 113.~~09~~10.
- hi) *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~~11.

8. **Billboard Signs:** *Billboard Signs* may be permitted as outlined in this Section:

- a) **U.S. 60 Corridor:** *Billboard Signs* may be located within that portion of the **U.S. 60 Corridor** between the eastern line of Section

03, Township 03 North, Range 01 West (Dysart Road) and the north/south mid-section line of Section 03, Township 04 North, Range 02 West, subject to prior approval of a Conditional Use Permit in accordance with Section 122-154 of the Surprise Unified Development Code. All *billboard signs* located within the aforementioned corridor are subject to the provisions in Paragraph 113-09.C.8.c through f and the following:

- i. No *billboard sign* shall be located within 2,640 feet of the intersection of U.S. 60 and State Route 303, specifically defined as a point located at Longitude 112°24'13"W by Latitude 33°40'49"N.
- ii. No *billboard sign* shall be located within 1,320 feet of the intersection of U.S. 60 and Bell Road, specifically defined as a point located at Longitude 112°21'02"W by Latitude 33°38'19"N.

b) **State Route 303 Corridor:** *Billboard Signs* may be located within that portion of the **State Route 303 Corridor** between a specific point located at Longitude 112°21'4335"W by Latitude 33°41'48"N and the ~~West-East~~ line of Section ~~46-9~~, Township 04 North, Range 01 West, subject to prior approval of a Conditional Use Permit in accordance with Section 122-154 of the Surprise Unified Development Code. All *billboard signs* located within the aforementioned corridor are subject to the provisions in Paragraph 113-09.C.8.c through f and the following:

- i. No *billboard sign* shall be located within 2,640 feet of the intersection of U.S. 60 and State Route 303, specifically defined as a point located at Longitude 112°24'13"W by Latitude 33°40'49"N.
- ii. *Billboard signs* located within the State Route 303 corridor as defined above may serve eastbound and/or westbound traffic, but shall only be located north of the freeway right-of-way.

c) **Additional Locational Requirements:** The following additional locational requirements apply for all *billboard signs* regardless of the corridor in which it is located:

- i. *Billboard signs* may only be approved in the CN, CC, CR, BP, IP, PF or ILM zoning districts, or if located within a Planned Area Development (PAD), that portion of the PAD in

which the approved land use plan specifically calls out commercial, industrial or employment uses.

ii. Notwithstanding the Union Pacific Railroad right-of-way, no billboard sign shall be located within 300 feet of a property zoned for Residential uses, or any open space tract that is associated with a residential development.

iii. Billboard signs shall not be located closer than twenty (20) feet from the U.S. 60 or State Route 303 right-of-way line and not further than 200 feet from said right-of-way line.

vi. No billboard sign shall be approved within 660 feet of any Freeway Monument Sign existing at the time of Conditional Use Permit application for the billboard sign in question.

v. No billboard sign shall be approved within 2,640 of any billboard sign approved or existing at the time of Conditional Use Permit application for the billboard sign in question.

d) **Dimensional Requirements:** The following dimensional requirements apply for all billboard signs regardless of the corridor in which it is located:

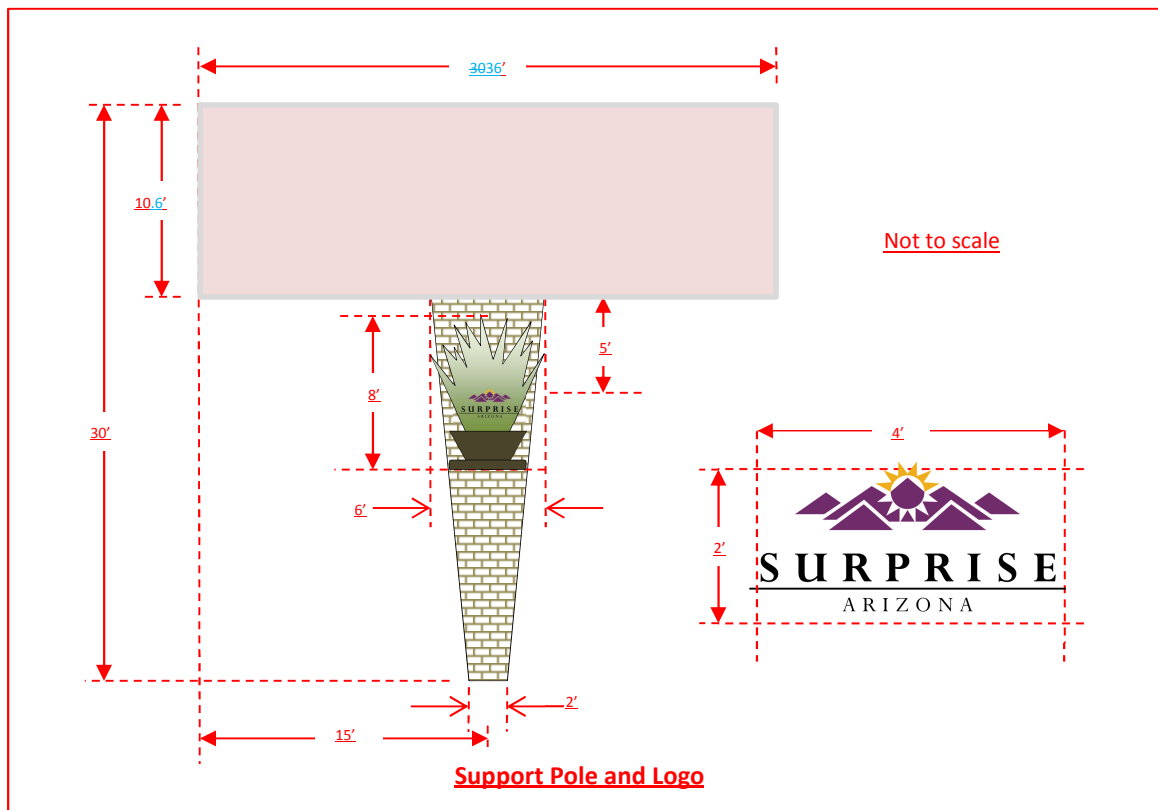
i. The overall height of a billboard sign shall not exceed thirty (30) feet as measured from the adjacent roadway to the top of the sign structure, exclusive of architectural embellishments as permitted in this Section.

ii. The overall dimensions of the sign panel associated with a billboard sign shall not exceed thirty-six (306) feet in width and ~~ten (10.6)~~ feet in height for a total sign area not to exceed ~~300~~ 381.6 square feet, exclusive of architectural embellishments as permitted in this Section.

e) **Design Requirements:** The following design requirements apply for all billboard signs regardless of the corridor in which it is located:

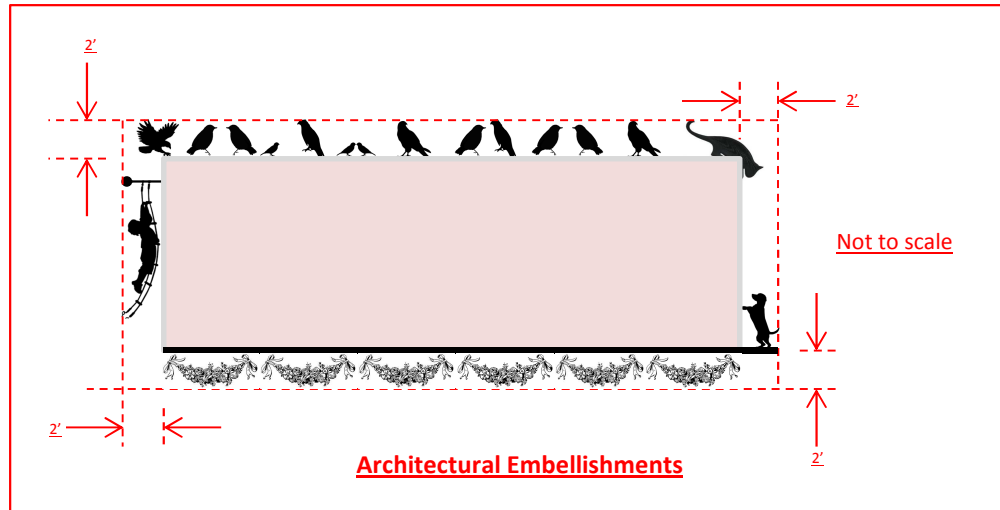
i. Billboard Signs may incorporate Level 2 Electronic Messaging Centers as outlined Section 113-11 herein, except that Electronic Messaging Centers used in billboard applications may occupy up to 100% of the allowable sign area of the billboard, exclusive of architectural embellishments as may be permitted or required herein, and provided such Electronic Messaging Centers are turned off between 11:00 PM and dawn.

- ii. Billboard Signs shall be supported by a single pole or column, which shall be dimensionally centered beneath the sign panel and shall incorporate a pole cover comprised of stone, brick or other architecturally compatible material that conceals the structural component of the pole or column. Unless an alternative design is approved by the Planning and Zoning Commission, the pole cover shall be of a trapezoidal shape, with a base width equal to one-third (1/3) the width of the top of the pole cover.
- iii. Unless an alternative design is approved by the Planning and Zoning Commission, the supporting pole or column shall also include additional architectural embellishments that incorporate the official Primary City of Surprise Logo superimposed onto a stylized agave image. The logo shall be approximately two (2) feet tall by four (4) feet wide. The stylized agave image shall be eight (8) feet high by six (6) feet wide. The vertical center of the arrangement shall be five (5) feet below the lower edge of the sign panel.



- iv. Artistic or architectural embellishments up to thirty (30) square feet may be attached to the perimeter of the sign panel, provided said embellishments do not extend more

than two (2) feet in any direction beyond the face of the sign and do not otherwise obstruct the architectural embellishments as may be required under Paragraph 113-09.C.8.e)iii above.



- f. Any Conditional Use Permit approval is hereby conditioned upon the applicant obtaining a valid construction permit for the billboard sign approved under said Conditional Use Permit. The applicant shall obtain Certificate of Completion from the City of Surprise within six (6) months of approval of the Conditional Use Permit by the Planning and Zoning Commission. Failure to obtain a Certificate of Completion within the designated time allotment shall render the Conditional Use Permit null and void; however, the City Manager or designee may grant a one-time extension for a period not to exceed six (6) months when in the opinion of the City Manager or designee the circumstances warrant such.

9. **Freeway Monument Signs:** Freeway Monument Signs may be permitted as outlined in this Section:

- a) **State Route 303 Corridor:** Freeway monument signs may be located within the following portions of the **State Route 303 Corridor**, subject to prior approval of a Conditional Use Permit in accordance with Section 122-154 of the Surprise Unified Development Code:

- i. **State Route 303 and U.S. 60:** An area of land generally located at the intersection of State Route 303 and U.S. 60, being situated in the south half of Section 18 and the north half of Section 19, Township 4 North, Range 2 West and the south half of Section 36, Township 4 North Range 2 West of

the Gila and Salt River Base and Meridian, Maricopa County, Arizona described as follows:

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

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

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

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

BEGINNING at the South Quarter Corner of said Section 01, thence northerly along the west line of said southeast quarter a distance of 450 feet to the beginning of a non-tangent curve the center of which is said South Quarter Corner; thence clockwise along the arc of said curve a

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

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

BEGINNING at the North Quarter Corner of said Section 24; thence easterly along the north line of said northeast quarter a distance of 850 feet to the beginning of a non-tangent curve the center of which is said North Quarter Corner; thence clockwise along the arc of said curve approximately 1340 feet to a point on the west line of said northeast quarter; thence departing said curve, northerly along said west line a distance of 850 feet to the POINT OF BEGINNING.

- v. All freeway monument signs located within the aforementioned locations are subject to the provisions in Paragraph 113-09.C.9.b through e.

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

- i. Freeway monument signs may only be approved on lands zoned for Commercial or Industrial uses.
- ii. No freeway monument sign shall be located within 300 feet of a property zoned for Residential uses, or any open space tract that is associated with a residential development.
- iii. Freeway monument signs shall not be located closer than twenty (20) feet from the adjacent right-of-way.
- iv. No freeway monument sign shall be approved within 660 feet of any billboard sign approved or existing at the time of Conditional Use Permit application for the freeway monument sign in question.

v. Spacing between freeway monument signs shall be not less than 750 feet, unless separated by a freeway or arterial-right of-way.

vi. Freeway monument signs shall not be allowed within a natural or manmade watercourse;

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

i. The overall height of a freeway monument sign shall not exceed sixty-five (65) feet as measured from the finished grade of the site where the freeway monument sign is located to the highest point of the sign structure.

ii. Freeway monument signs shall be allowed an extra three (3) feet in height for architectural embellishments.

iii. The sign area of a freeway monument sign shall not exceed 650 square feet.

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

i. Freeway monument signs may incorporate Level 2 Electronic Messaging Centers as outlined Section 113-11 herein, except that Electronic Messaging Centers used in freeway monument sign applications may occupy up to 50% of the allowable sign area of the sign, exclusive of architectural embellishments as required herein, and provided such Electronic Messaging Centers are turned off between 11:00 PM and dawn.

ii. Freeway monument signs shall incorporate architectural features of the commercial development on which the sign is located; however, such embellishments shall not include any sign copy.

iii. Freeway monument signs shall require a landscaped area equal to four square feet of landscaping for each square foot of sign area and shall be located around the base of the sign; Freeway monument signs may be illuminated by externally-illuminated indirect or internal lighting;

- e. Any Conditional Use Permit approval is hereby conditioned upon the applicant obtaining a valid construction permit for the *freeway monument sign* approved under said Conditional Use Permit. The applicant shall obtain Certificate of Completion from the City of Surprise within six (6) months of approval of the Conditional Use Permit by the Planning and Zoning Commission. Failure to obtain a Certificate of Completion within the designated time allotment shall render the Conditional Use Permit null and void; however, the City Manager or designee may grant a one-time extension for a period not to exceed six (6) months when in the opinion of the City Manager or designee the circumstances warrant such.

Section 113-~~09~~10 – Sign Illumination

- B. In those areas of the city that are ~~considered environmentally sensitive~~ located within the Scenic Lands Development Sub Area as depicted in the Surprise General Plan 2035, ~~the city may require the use of muted colors unless specific colors are included in a federally registered trademark that has been registered with a federal or state agency.~~ The city may also require reduced lighting intensities for those signs located within environmentally sensitive areas the Scenic Lands Development Sub Area. sign lighting shall be limited to internal illumination only, with the negative space between and around the individual characters of the sign copy limited to opaque materials.
- D. Any *Building Wall Sign* associated with a multi-story building greater than ~~five (5)~~ two (2) five (5) stories ~~or a multi-story mixed use building greater than five (5) stories as outlined in Section 113-0809.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.

PUBLIC ENGAGEMENT FORM

PROJECT TITLE: Sign Code Update

OVERALL PUBLIC INVOLVEMENT LEVEL:

This activity will follow the citizen outreach and public hearing notification processes as outlined in state statute and the SUDC.

IDENTIFY STAKEHOLDERS:

Impacted residents; schools; churches; businesses; public at-large; property owners?

OBJECTIVES:

What is the purpose of the project/service/program and why is it needed? What are the impacts if the project/service/program is not achieved?

PUBLIC ENGAGEMENT STRATEGIES & TOOLS:

Public Engagement & Project timeline:

Public outreach time frame (when to when)

Future Council Work Session/Meetings target dates

Election dates (if applicable)

Project start/completion dates

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

January 18, 2018 @ 6:00:00 PM

[Back](#) [Print](#)

Board Meeting Date:	January 18, 2018	Contact Person:	Eric Fitzer - Community Development
Submitting Department:	CD Boards and Commissions	District:	Internal
Staff Recommendations:	No Action		

Consent	Regular	Public Hearing	Report/Discussion
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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):