



UNIFIED DEVELOPMENT CODE COMMITTEE A G E N D A

**UNIFIED DEVELOPMENT CODE COMMITTEE
REGULAR MEETING
WEDNESDAY, MAY 30, 2012
10:00 AM**

**COUNCIL CHAMBERS / CITY HALL
201 S. CORTEZ STREET
PRESCOTT, ARIZONA
(928) 777-1207**

The following Agenda will be considered by the **UNIFIED DEVELOPMENT CODE COMMITTEE** at its **REGULAR MEETING** to be held on **WEDNESDAY, MAY 30, 2012**, in **COUNCIL CHAMBERS** in **CITY HALL**, located at **201 S. CORTEZ STREET**. Notice of this meeting is given pursuant to *Arizona Revised Statutes*, Section 38-431.02.

I. CALL TO ORDER

II. ATTENDANCE

MEMBERS

Len Scamardo, Chairman
Tom Menser
Richard Rosa
Greg Lazzell

Jim Lamerson
Charles Arnold
Al Carlow

III. REGULAR ACTION ITEMS

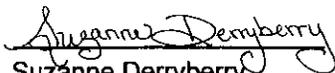
- 1. Continued discussion of campaign signs in public right-of-way in tourism zones**
- 2. Consideration of standards for electronic changeable copy signs**

IV. ADJOURNMENT

THE CITY OF PRESCOTT ENDEAVORS TO MAKE ALL PUBLIC MEETINGS ACCESSIBLE TO PERSONS WITH DISABILITIES. WITH 48 HOURS ADVANCE NOTICE, SPECIAL ASSISTANCE CAN BE PROVIDED FOR SIGHT AND/OR HEARING IMPAIRED PERSONS AT PUBLIC MEETINGS. PLEASE CALL 777-1272 OR 777-1100 (TDD) TO REQUEST AN ACCOMMODATION TO PARTICIPATE IN THIS MEETING.

CERTIFICATION OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at Prescott City Hall and on the City's website on May 25, 2012 at 5:00 PM in accordance with the statement filed with the City Clerk's Office.


Suzanne Derryberry
Administrative Specialist
Community Development

UDC COMMITTEE

MEMORANDUM

May 30, 2012

Item # 1

CITY OF PRESCOTT
COMMUNITY DEVELOPMENT - PLANNING & ZONING DIVISION

TO: Unified Development Code Committee Members

FROM: Tom Guice, Community Development Director 
George Worley, Planning Manager 

TOPIC: Follow-up on campaign signs in public right-of-way in tourism zones

INTRODUCTION:

Last month the UDC heard a follow-up presentation by staff on the desirability of creating special "campaign sign free zones" related to tourism. Staff described the reasons why some municipalities have created these zones and displayed several photo mock-ups to demonstrate the potential visual implications of campaign signs in the rights-of-ways in the downtown.

The UDC members heard several options for how and where this option could apply to Prescott. The options included creating a zone in Prescott's downtown just around the Courthouse Plaza, creating a zone covering the whole of downtown, or creating a zone over the public park known as Honor Park at the junction of Gurley Street and Sheldon Street.

Assistant City Attorney Matt Podracky reported that he had conducted research that found no legal precedent or rulings to indicate this statute violates state or federal constitutional protections. He suggested that this new statute would likely be upheld as constitutional as it is far less onerous than the all out prohibition of political signs in city rights-of-way previously found constitutional by courts.

A consensus was reached by UDC members to go ahead with the process of creating a campaign sign free zone covering the core of downtown and the roadway main corridors into downtown.

Nothing in the following proposed code changes would inhibit any private property owner from placing campaign signs on their private property in compliance with current state and local laws.

SUGGESTED UDC ACTION:

Staff has created a potential district map for UDC review and comment. The campaign sign free zone covers the full width of the rights-of-ways of the streets shaded on the map. This approach would prohibit placement of any campaign sign in planter areas, landscaping or on the sidewalks within the street right-of-way. A draft of the resolution to create the district is also attached.

Both the City Code and the LDC will need to be amended to address these changes. The LDC will require a very minor amendment to Table 6.12.5.C to remove a reference prohibiting campaign signs in the right-of-way.

The City Code will require several amendments to Title 8.

Section 8-2-3: Use of City Right of Way will need to be amended by adding a new paragraph (E) containing language such as:

“(E) No person shall place, maintain or cause to be placed or maintained a campaign sign on or in any public right of way within any established Campaign Sign Free Zone, as may be established by the City Council pursuant to applicable state statutes.”

Section 8-2-4: Exemptions will also need to be amended to add a new paragraph “R” with language from the state statute addressing exempt campaign signs in the right-of-way such as:

“(R) Campaign Signs, provided they meet the following criteria:

- 1. The sign supports or opposes a candidate for public office or it supports or opposes a ballot measure.*
- 2. The sign is not placed in a location that is hazardous to public safety, obstructs clear vision in the area or interferes with the requirements of the Americans with disabilities act.*
- 3. The sign has a maximum area of sixteen square feet, if the sign is located in an area zoned for residential use, or a maximum area of thirty-two square feet if the sign is located in any other area.*
- 4. The sign contains the name and telephone number of the candidate or campaign committee contact person.”*

REFERENCE:

For the UDC members' reference, the following is the language in the state statutes relating to the creation of a Campaign Sign Free Zone:

A.R.S. 16-1019

"F. Subsection C does not apply to commercial tourism, commercial resort and hotel sign free zones as those zones are designated by municipalities. The total area of those zones shall not be larger than three square miles, and each zone shall be identified as a specific contiguous area where, by resolution of the municipal governing body, the municipality has determined that based on a predominance of commercial tourism, resort and hotel uses within the zone the placement of political signs within the rights-of-way in the zone will detract from the scenic and aesthetic appeal of the area within the zone and deter its appeal to tourists. Not more than two zones may be identified within a municipality."

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, CREATING A CAMPAIGN SIGN FREE ZONE IN THE HISTORIC DOWNTOWN, RECITING THE BASIS FOR SAME, ESTABLISHING THE BOUNDARIES OF THE DISTRICT, AND ESTABLISHING ENFORCEMENT AUTHORITY

RECITALS:

WHEREAS, Arizona Revised Statutes authorize municipalities to create campaign sign free zones in important tourism destination areas; and

WHEREAS, Prescott's historic downtown and the major roadways leading into it are significant commercial tourism zones; and

WHEREAS, protection of the scenic and aesthetic appeal of these corridors and the downtown are of paramount importance to the economic and cultural vitality of the community; and

WHEREAS, it is in the interest of the citizens of the City of Prescott to establish a campaign sign free zone in the historic areas of downtown and the major roadways leading thereto,

ENACTMENTS:

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PRESCOTT AS FOLLOWS:

Section 1. THAT the City of Prescott designates that portion of the historic downtown and the roadway corridors leading into the downtown, as depicted on the map noted as "Attachment 1", as significant commercial tourism zones and are therefore designated as a Campaign Sign Free Zone as authorized by A.R.S. 16-1019.F.

Section 2. THAT violations of the Campaign Sign Free Zone shall be as prescribed in City Code Section 8-2-12 PENALTIES and any other references to other City Code penalty sections contained therein.

PASSED AND ADOPTED by the Mayor and Council of the City of Prescott this __ day of ____, 2012.

MARLIN D. KUYKENDALL, Mayor

LAND DEVELOPMENT CODE AMENDMENT

Electronic Changeable Copy Signs

COMMUNITY DEVELOPMENT – PLANNING AND ZONING DIVISION

UNIFIED DEVELOPMENT CODE COMMITTEE MEETING for May 30, 2012

STAFF REPORT

TO: City of Prescott Unified Development Code Committee (UDC)

FROM: Tom Guice, Community Development Director *TG*
George Worley, Planning Manager *GW*
Ruth Hennings, Community Planner *RH*

DATE: May 30, 2012

SUBJECT: Consideration of standards for electronic changeable copy signs

ITEM SUMMARY: A changeable copy sign is any sign with the capability of changing the message or text. These signs may be manual (e.g. a marquee) or electronic (e.g. LED, LCD, etc.). Due to new and changing technologies, the current Land Development Code sign standards no longer effectively address the capabilities of electronic signage.

BACKGROUND: This item was brought before the UDC on January 25, 2012. At that meeting, the topic was introduced by staff and the Committee indicated interest in amending the Code to clarify development standards for electronic signage.

Based on research and contributions from the International Sign Association and local sign companies, staff recommends applying standards to electronic changeable copy signage in four areas: size, time intervals, transition methods, and brightness and dimming.

1) Size (measured in square feet)

Current standards: Section 6.12.8 of the LDC prohibits changeable copy signs greater than 12 square feet. The intent of this standard was to allow 50% of a typical freestanding sign (24 square feet for single businesses) to be converted to a changeable copy sign.

Proposed standards: While many businesses are limited to 24 square feet of freestanding signage, there are exceptions. Because of the variation in the size of a freestanding sign, it is recommended to allow 50% of *any* freestanding sign to be converted to changeable copy,

up to a maximum of 50 square feet. This would allow signs greater than 24 square feet to have an electronic message area in proportion to the overall sign.

2) Time intervals (time between messages, measured in minutes or seconds)

Current standards: In order to avoid the appearance of flashing or other movement, staff currently suggests an interval minimum of 30 seconds to one minute.

Proposed standards: It is recommended that the minimum time interval remain at 30 seconds. This time interval is such that a driver might see one or two messages depending on the speed limit, but will not create adverse visual impacts on pedestrian and bicycle traffic.

3) Transition methods (method of transitioning between messages, for example, scroll / fade)

Current standards: The LDC currently prohibits animated and moving signs, or any illusion of movement. Staff has interpreted this to prohibit video messages or moving backgrounds, as well as transition methods other than static message replacement.

Proposed standard: It is recommended that allowable transition methods be limited to static message replacement. The intent is to avoid impacts to drivers, pedestrians, and bicyclists.

4) Brightness / dimming (measured in foot candles, affected by ambient light conditions)

Current standards: There are currently no standards related to brightness and dimming. White backgrounds are not permitted due to night time lighting requirements.

Proposed standards: Brightness is a critical balance in electronic signs, whose purpose is to communicate a message by emitting light. Signs that are either too bright or not bright enough will be difficult to read, and may degrade quickly. Because ambient light conditions significantly affect the readability of the sign, the technology used should have the capability to adjust its brightness automatically using a sensor. The industry recommended brightness level is 0.3 foot candles above ambient light conditions.

STAFF RECOMMENDATION: Staff recommends the following definitions and standards as amendments to the Land Development Code:

Sign, Changeable Copy: A sign that is capable of regular and routine change of copy, which may be other than the name of the business advertised. There are two types of changeable copy signage permitted:

1. *Manual:* utilizes a manual means of changing copy. May or may not be internally illuminated. Also referred to as a reader board or marquee.
2. *Electronic:* Utilizes an electronic means of changing copy, either remotely or by automatic means. These signs include, but are not limited to, displays using incandescent lamps, LEDs, LCDs, or a flipper matrix. Also referred to as electronic message centers and electronic message boards.

Changeable copy signage is subject to the following development standards:

1. Changeable copy signs are permitted up to a maximum of 50 square feet and shall encompass no more than 50% of the allowable freestanding sign area.
2. Minimum time interval between copy changes is 30 seconds.
3. Transition methods are limited to static message replacement.
4. Allowable brightness is 0.3 foot candles above ambient light conditions. An automatic dimming sensor is required to appropriately adjust brightness.

SUGGESTED MOTION: None at this time.