

Staff Summary Report

Development Review Commission Date: **08/28/07**

Agenda Item Number: 4

SUBJECT: Hold a public hearing for a Code Text Amendment for DOWNTOWN SIGNAGE.

DOCUMENT NAME: DRCr_DowntownSignage_082807
ZONING AND DEVELOPMENT CODE (0414-04)

SUPPORTING DOCS: Yes

COMMENTS: Request for **DOWNTOWN SIGNAGE (PL070362)** (City of Tempe, applicant) for changes in the Zoning and Development Code pertaining to sign regulations in the downtown and other sign modifications, including the following:

ZOA07002 – (Ordinance No. 2007.63) Code Text Amendment for the Zoning and Development Code Part 4, Chapter 9, Signs

PREPARED BY: Jeff Tamulevich, Senior Planner (480-350-8441)
Ryan Levesque, Senior Planner (480-858-2393)

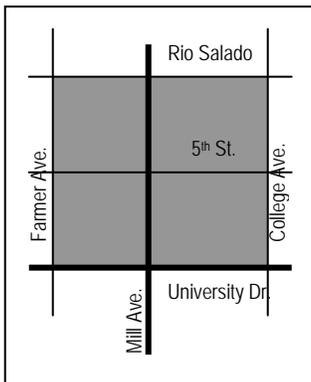
REVIEWED BY: Lisa Collins, Planning Director (480-350-8989) 

LEGAL REVIEW BY: David Park, Assistant City Attorney (480-350-8907)

FISCAL NOTE: N/A

RECOMMENDATION: **Staff – Approval, subject to conditions (1).**

ADDITIONAL INFO: Way-finding signs are proposed within the CC, City Center District, located within the Downtown Tempe Community boundaries as indicated on the map.



- PAGES:**
1. List of Attachments
 2. Comments / Reason for Approval
 3. Conditions of Approval
 3. History & Facts / Zoning & Development Code Reference

- ATTACHMENTS:**
- 1-2. Ordinance No. 2007.63
 3. Way-Finding Sign Example

COMMENTS:

The City of Tempe, Development Services is bringing forward a request for a Code Text Amendment within the Zoning and Development Code, relating to signs. This new way-finding program will introduce flexibility into the existing sign requirements within a long established, pedestrian-oriented area (Downtown Tempe). The key factor in developing this program was leveraging the existing partnership between the City of Tempe and the Downtown Tempe Community (DTC). Under this proposed program, there is a "division of labor" whereby DTC will become a partner in providing a design review and permitting function for this program, with the City providing enforcement of permitted "way-finding" signs.

As part of the design review and permitting function, DTC will approve specific signs within specific locations. Signs will only be permitted if they meet certain aesthetic, informational and location requirements, as proposed in the attached ordinance. A schematic design of an example sign under this program is also provided (Attachment 3). Approved signs will be identified with a standard informational permit sticker affixed to the sign. These permit stickers will ease the tasks associated with code enforcement.

The previous experiment with temporary way-finding signs on Mill Avenue was suspended because that program lacked a robust permitting and enforcement mechanism. Also, that program did not provide strong controls on the precise location of signs, and resulted in numerous ADA violations. This program has been designed to provide better control of these issues.

This new sign program for the Downtown will have a one year trial period. Staff will provide analysis on the effectiveness of regulating and enforcing the new provisions. After one year, Development Services will report back to an appropriate Council sub-committee to determine further direction on the program.

REASONS FOR APPROVAL:

1. The proposed program for way-finding signs in Downtown Tempe will assist the flow of pedestrian traffic and benefit our downtown businesses.
2. The provisions set forth will ensure a comprehensive program providing compatible designs that are made of durable materials.
3. All signs and their locations will comply with ADA guidelines.
4. This ordinance launches a collaborative effort between the Downtown Tempe Community and the City of Tempe for permitting and enforcement needs.

CONDITIONS OF APPROVAL:

1. One (1) year after the effective date of this ordinance, the Development Services Department will report back to the appropriate Council Sub-Committee on the results of the program and seek further direction.

HISTORY & FACTS:

June 28, 2007 City Council held an Issue Review Session discussing proposed signage for the downtown. Direction was given to proceed with the proposal.

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ZONING AND DEVELOPMENT CODE REFERENCE:

Section 6-304, Zoning Map Amendments and Code Text Amendments

ORDINANCE NO. 2007.63

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, AMENDING THE ZONING AND DEVELOPMENT CODE, PART 4 – DEVELOPMENT STANDARDS, BY ADDING NEW SECTION 4-905, RELATING TO WAY-FINDING SIGNS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, as follows:

Section 1. That Section 4-905 of Part 4, Chapter 9, of the Zoning and Development Code, is hereby added to read as follows:

SECTION 4-905 WAY-FINDING SIGNS.

- A. PURPOSE.** THE PURPOSE OF WAY-FINDING SIGNS IS TO ALLOW BUSINESSES IN A PEDESTRIAN-ORIENTED ENVIRONMENT TO IDENTIFY THEIR BUSINESS NAME AND/OR SERVICE ON A REMOVABLE SIGN AT A DEFINED LOCATION.
- B. APPLICABILITY.** WAY-FINDING SIGNS ARE PERMITTED IN THE CC DISTRICT, LOCATED WITHIN THE DOWNTOWN TEMPE COMMUNITY BOUNDARIES ONLY.
- C. LOCATION.** WAY-FINDING SIGNS SHALL NOT BE AFFIXED OR OTHERWISE ATTACHED TO OBJECTS INCLUDING BUT NOT LIMITED TO LIGHT POLES, TREES, TRAFFIC SIGNALS, BENCHES, STREET SIGNS, FENCING OR BIKE RACKS, AND SHALL BE SUBJECT TO THE FOLLOWING REGULATIONS:
1. SIGNS MUST ALLOW FOR A MINIMUM SIX (6) FOOT WIDE CLEAR PEDESTRIAN PATHWAY TO AND FROM ALL BUILDING ENTRANCES AND EXITS.
 2. SIGNS FOR INDIVIDUAL GROUND FLOOR BUSINESSES SHALL BE LOCATED WITHIN THREE (3) FEET OF THE BUILDING FRONTAGE AND WITHIN TEN (10) FEET OF THE BUSINESS ENTRY. BUSINESSES ABOVE THE GROUND FLOOR SHALL LOCATE SIGNS WITHIN TEN (10) FEET OF A STAIRWAY OR ELEVATOR. ALTERNATE LOCATIONS MAY BE ACCEPTED WITHIN DESIGNATED AREAS; AND
 3. SIGNS FOR COURTYARD ENTRIES SHALL BE LIMITED TO ONE (1) SIGN FOR ALL BUSINESSES LOCATED WITHIN THE COURTYARD, UTILIZING THE SAME COMMON ENTRY. SIGNS SHALL BE LOCATED WITHIN TEN (10) FEET OF THE COURTYARD ENTRANCE.
- D. SIZE.** WAY-FINDING SIGNS SHALL BE A MAXIMUM OF EIGHT (8) SQUARE FEET IN AREA, FIVE (5) FEET IN HEIGHT AND SHALL NOT EXCEED TWO (2) FEET IN WIDTH.

E. DESIGN. WAY-FINDING SIGNS SHALL HAVE A COMPATIBLE DESIGN, CONSTRUCTED OF DURABLE MATERIALS WITH A SUBSTANTIAL BASE, AND COLORS THAT COMPLIMENT THE EXISTING ALLOWABLE SIGNAGE FOR THE BUSINESS. SIGNS SHALL NOT BE CONSTRUCTED AS AN "A-FRAME" OR "SANDWICH BOARD" SIGN.

F. MISCELLANEOUS.

1. WAY-FINDING SIGNS SHALL NOT BE COUNTED IN THE TOTAL AGGREGATE ALLOWABLE SIGN AREA FOR THE BUSINESS;
2. SIGNS SHALL NOT BE ILLUMINATED;
3. ONE (1) SIGN IS ALLOWED PER BUSINESS;
4. SIGNS SHALL ONLY BE DISPLAYED DURING NORMAL HOURS OF OPERATION;
5. NO SIGN CAN BE DISPLAYED WITHOUT AUTHORIZATION OF BOTH THE PROPERTY OWNER AND THE MILL AVENUE DISTRICT (OR A FUTURE SUBSIDIARY); AND
6. NO CITY SIGN PERMIT IS REQUIRED. IF SIGN IS LOCATED IN THE PUBLIC RIGHT-OF-WAY, AN ENCROACHMENT PERMIT IS REQUIRED, SUBJECT TO REVIEW BY THE PUBLIC WORKS DEPARTMENT.

Section 2. Pursuant to City Charter, Section 2.12, ordinances are effective thirty (30) days after adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, this ____ day of _____, 2007.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

Way-Finding Sign:

