



## City Council Report

**DATE:** October 20, 2014  
**TO:** Mayor Giles and City Council  
**THROUGH:** Kari Kent, Deputy City Manager  
Christine Zielonka, Development and Sustainability Director  
John Wesley, Planning Director  
**FROM:** Gordon Sheffield, Zoning/Civil Hearing Administrator  
**SUBJECT:** Amending Article 5 of the Zoning Ordinance (the Sign Code) related to **Street Banners** (Citywide)

### PURPOSE AND RECOMMENDATION

This proposal would modify the existing Sign Ordinance regarding the use of street banners displaying messages related to civic-oriented institutions and activities. Under present Sign Ordinance requirements, fabric banners placed on street light poles within the street right-of-way may only be used for the promotion of civic-oriented activities and institutions. Further, this option is limited only to locations within the immediate downtown area, and there is no limit to the length of time the banner may be displayed.

Part of the reasoning for this policy is related to the structural integrity of the street light poles. Banners placed on poles act as a type of sail, and most street light poles in Mesa have not been designed to withstand the extra wind load that would be brought by attaching fabric banners. This is especially true when considering extreme wind conditions, such as the occasional microbursts (with 70+ mph winds) that have happened in the past few years. The policy is also tied to the idea of limiting sign clutter. The street light poles installed as a part of the Main Street reconstruction in the late 1990's were designed with the idea of using them for banners to help provide additional focus on civic activities in the Downtown Mesa area.

**Staff Recommended Action:** It is recommended that the City Council **approve** the proposed amendments to the Sign Ordinance (Article 5 of the Zoning Ordinance) regarding street banners.

### BACKGROUND

The recent reconstruction of Southern Avenue in the Fiesta District (between Dobson Road and Extension) includes the installation of new light poles that are specifically designed to accommodate banners. Mesa Community College has shown interest in using the new streetlights adjacent to their Dobson and Southern campus for banners that would help promote their 50<sup>th</sup> Year Anniversary celebration, which is scheduled to start this coming January. Staff has also heard interest in using street banners to promote Phoenix-Mesa Gateway Airport, Falcon Field, and the Eastmark project. All of these other areas are outside of the Downtown Mesa area, and under current sign ordinance requirements, using banners on light poles in any of these other areas would be prohibited.

Given that the use of street banners would be limited to promoting civic related institutions, activities and events, and that Mesa is a large enough city to have multiple areas that are worth promoting, the idea is to expand the eligible number of locations that may use street banners. With the emphasis on developing and enhancing the general character of differing areas, street banners can be used as a tool to reinforce the intended design characteristics of an area. When used in urbanizing or more intensely developed commercial and higher density residential areas, street light banners, to a certain extent, are often expected because of widespread use in similar

conditions in other cities. As such, street banners can reinforce an intended and expected urban or commercial design character, and/or help identify something special about an area.

The proposed amendment language would authorize the use of street banners for public and civic related institutions, activities and events anywhere in Mesa, and would operate under the oversight of the City Manager or designee. As written, criteria for review of the placement of the banners would include:

- A) Confirmation from the City Engineer that the light poles used for street banners are designed to accommodate the extra wind loads that might reasonably be expected in extreme wind conditions; and
- B) The use of the banners shall be limited to displays that include civic or public messages concerning institutions, events, activities or celebrations, or other clearly identified public purpose; and
- C) In the event that a commercial sponsorship is used, the sponsor's name or logo cannot exceed 15% of the sign area of the banner for a single pole banner, or 30% of a banner stretched across the street using two poles; and
- D) The design and placement of the banners remain in accordance with national highway safety standards for clearance from moving vehicles for height and distance from the street; and
- E) Removal, repair or replacement of banners from public rights-of-way that show evidence of deterioration, such as fraying edges, rips or tears, excessive fading of colors, or are in some other need of maintenance.
- F) NOTE: A concern expressed by the City's electric utility staff `resulted in the addition of language to the draft amendment that addresses a technical issue regarding limiting eligible poles to street lights and similar devices that are not used for electric service. This new language was not a part of the Planning and Zoning Board review. It is believed to be a minor technical requirement that does not need further review and comment from the Planning and Zoning Board before consideration of and action on the amendment by City Council takes place.

#### **DISCUSSION** *(For specific text amendment language, see Appendix A)*

Section 11-41-1 of the Sign Ordinance lists the Purposes and Intents of why signs are regulated. Among the reasons listed include:

- 1) Promoting the effectiveness of signs by preventing their over-concentration, improper placement and excessive size and number.
- 2) Assure public benefits derived from public expenditures for street improvements and other public structures are protected by exercising reasonable control over character and design of signs.

The present Mesa Sign Ordinance was adopted in 1986. Prior to that time, the Mesa sign regulations were less restrictive. The larger allowances of those earlier regulations clearly resulted in evidence of less than desirable circumstances, such as occasional sign clutter, interference with vistas, and an occasional over-concentration of signs that competed for attention with traffic safety signs. Adoption of the present sign ordinance was designed to reduce those perceived negative circumstances.

Forwarding 28-years later, the present Sign Ordinance has reduced sign clutter, reduced several instances of signs being over concentrated in one area, and has reduced interference with surrounding vistas. However, the allowance of street banners in the Downtown Mesa area has been helpful in promoting downtown-oriented institutions and activities. The currently limited use of street banners is a part of a program that promotes civic holiday events,

public activities, and monthly downtown activities. Banners may also call attention to cultural institutions, and may be used to promote awareness of the downtown area in general.

This proposal would expand eligibility of using public street light poles to areas deemed suitable for such purposes by the City Manager's Office, with confirmation from the City Engineer that the poles are structurally rated for banner use. Guidance as to which other areas could be suitable for a street light pole banner program could be based on character designations shown on the proposed Mesa 2040 General Plan (aka: This is My Mesa). Areas designated as *Mixed Use Activity*, *Mixed Use Community* and *Transit District* are all examples of character area types that could be considered compatible with the use of street light banners (see Mesa General Plan 2040 , Chapter 7, Figure 7-1, pages 7-2 and 7-3 for overview descriptions and locations of character area types; available using this link: <http://www.thisismymesa.org/GeneralPlan.aspx>).

Because placement of these banners would be limited to areas with light poles that can physically accommodate the extra wind loads, the use of street banners would still be restricted to only a few areas of the City. For this reason, it is not anticipated that the proposed language would result in an excessive number.

## **ALTERNATIVES**

Alternative A (Recommended) - Adopt the suggested amendment language: The proposed amendment is designed to expand the number of locations that would be eligible to use street banners. Although the result of the program would be an increase in the use of fabric banners placed on street poles, this increase in number would be offset by the promotional benefits that are perceived to result from street banner programs. Basic factors, such as cost of utilizing and maintaining banners, and the expenses associated with either installing new street light poles, or confirming the structural rating of existing street light poles, would limit the number of potential locations.

Alternative B – Adopt the suggested Alternative A language, and add modifications to address any additional concerns of the City Council.

Alternative C (Not Recommended) - Make no changes to the existing zoning ordinance: Doing so would leave the existing requirements in place, and street banners used for public and civic purposes would continue to be limited to the Downtown Mesa vicinity.

## **FISCAL IMPACT**

None at this time. Adoption of an amendment to the Sign Ordinance allowing an expanding eligibility for the use of civically-oriented banners on street light poles does not directly result in any additional costs. Indirectly, it provides opportunity for development of a citywide street banner program, and any costs would be more directly associated with the actual street banner program, if authorized.

## **CONCURRENCE**

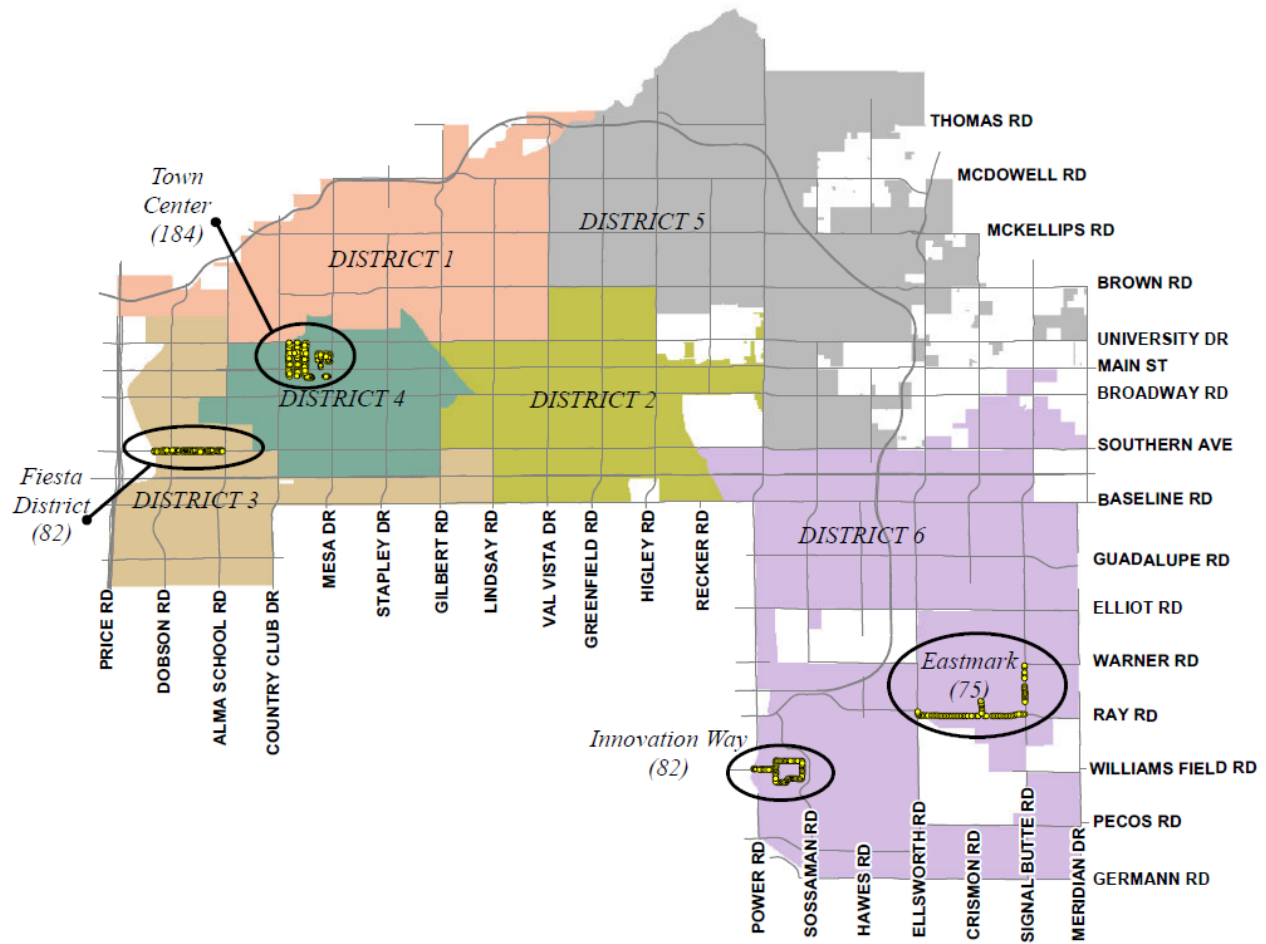
The proposed amendment language has been reviewed by the Engineering Department staff. The proposed amendment has also been reviewed by the Planning and Zoning Board at their September 17, 2014 meeting, and is recommended for approval as written (Vote: 7-0).

## **Appendix A: Proposed Amendment Language for Street Banners (Section 11-41-7.F.2)**

### Section 11-41-7.F      Banners and Nonrigid Signs

2. ~~Banners are permitted within the public right of way in existing approved locations for informational messages concerning civic and cultural programs within the Downtown Zoning District, subject to the approval of the Zoning Administrator. Sponsorship shall be allowed no more than 15% coverage on a streetlight banner. Sponsorship shall be allowed no more than 30% coverage on an over the street banner.~~  
**BANNERS IN COMPLIANCE WITH THE FOLLOWING REQUIREMENTS ARE PERMITTED WITHIN THE PUBLIC RIGHT-OF-WAY AT LOCATIONS APPROVED BY THE CITY MANAGER OR DESIGNEE: THE BANNER SHALL BE ATTACHED TO A STREET LIGHT POLE OR TO SOME OTHER PUBLICLY-OWNED INFRASTRUCTURE THAT IS NOT A UTILITY POLE USED FOR DISTRIBUTION AND TRANSMISSION OF ELECTRICITY; AND THE BANNER SHALL BE INSTALLED BY CITY OF MESA STAFF OR APPROVED CONTRACTOR.**
  - A. **THE APPROVAL OF THE USE AND LOCATION OF BANNERS PLACED WITHIN THE PUBLIC RIGHT-OF-WAY SHALL BE DETERMINED BY COMPLIANCE WITH THE FOLLOWING:**
    - I. **THE CITY ENGINEER HAS DETERMINED THAT THE STREET LIGHT POLE OR OTHER DEVICE WILL SECURELY HOLD AND DISPLAY THE BANNER WITHOUT COMPROMISING THE STRUCTURAL INTEGRITY OF THE POLE IN EXTREME WEATHER CONDITIONS;**
    - II. **THE BANNERS SHALL BE USED TO DISPLAY INFORMATIONAL MESSAGES CONCERNING CIVIC AND CULTURAL INSTITUTIONS, ACTIVITIES AND EVENTS;**
    - III. **SPONSORSHIP SHALL BE ALLOWED NO MORE THAN 15% COVERAGE ON A STREET LIGHT BANNER;**
    - IV. **SPONSORSHIP SHALL BE ALLOWED NO MORE THAN 30% COVERAGE ON AN OVER-THE-STREET BANNER;**
    - V. **BANNERS SHOWING EVIDENCE OF DETERIORATION, SUCH AS RIPS, TEARS, COLOR FADING, FRAYED EDGES, OR OTHERWISE SHOWING NEED OF GENERAL MAINTENANCE SHALL BE REMOVED, REPAIRED OR REPLACED PROMPTLY;**
    - VI. **THE BANNER MAY NOT EXCEED THE HEIGHT OF THE POLE ONTO WHICH IT IS ATTACHED; AND**
    - VII. **COMPLIANCE WITH EITHER ONE OF THE FOLLOWING:**
      - A. **THE BOTTOM OF ANY BANNER SHALL NOT BE ANY LESS THAN 16-FEET HIGH FROM THE SURFACE OF THE STREET AT ANY POINT; OR**
      - B. **THE LEADING EDGE OF THE BANNER (THE VERTICAL EDGE CLOSEST TO THE STREET) OR RELATED FRAME AND MOUNTING HARDWARE SHALL NOT BE ANY CLOSER THAN 1-FOOT FROM THE FACE OF THE CURB OF THE ADJACENT STREET; OR TO THE EDGE OF PAVING OR THE SHOULDER OF THE STREET WHEN A CURB IS NOT PRESENT.**

**Appendix B: Presently Eligible Locations for Street Banners,  
Based Upon Proposed Amendment Language (Section 11-41-7.F.2)**



**Presently Eligible Locations:**

1. Downtown Mesa – Several Locations, 184 poles
2. Fiesta District – Southern Avenue, 82 poles
3. ASU-Poly Campus – Innovation Way, 82 poles
4. Eastmark – Ray Road, Signal Butte Road, and a portion of Eastmark Parkway, 75 poles