



DATE: February 14, 2024
TO: Planning and Zoning Board
THROUGH: Nana Appiah, Development Services Director
Mary Kopaskie-Brown, Planning Director
Rachel Nettles, Assistant Planning Director
FROM: Kellie Rorex, Senior Planner
SUBJECT: Mesa Zoning Ordinance text amendment (**Billboards**)- Proposed amendments to Chapter 25, 45, 50, 51, and 87 of Title 11 of the Mesa City Code.

RECOMMENDATION:

Staff recommends that the Planning and Zoning Board provide a recommendation that the City Council adopt the proposed Mesa Zoning Ordinance Billboard text amendments.

PURPOSE AND BACKGROUND:

As requested by City Council, Staff has reviewed the City's current zoning regulations and researched best practices and regulations from surrounding jurisdictions, and based on this effort, Staff is recommending certain text amendments to the Mesa Zoning Ordinance (MZO) related to Billboards.

Details of the proposed text changes are attached in Exhibit 1 (Billboard Ordinance). The specific affected chapters are Chapters 25, 45, 50, 51, and 87 of the Mesa Zoning Ordinance (MZO).

Currently, Billboards are not allowed in the City of Mesa. The proposed text amendments will allow Billboards within the City in compliance with the proposed standards. Specifically, the proposed changes:

- (1) Create a Billboard Overlay District;
- (2) Create development standards for Billboards;
- (3) Modify definitions for Advertising for Hire, Billboards, and Off-Site Signs; and
- (4) Add Chapter 51: Billboards to the Sign Ordinance.

The proposed text amendments are intended to help incentivize and create opportunities for larger sites with freeway frontage to develop or redevelop and to help provide for the orderly, well-planned, and balanced growth of commercial areas within the city of Mesa. In addition, the proposed text amendments would provide opportunities for the City to partner with private organizations to promote City activities and provide public service announcements on Billboards.

SUMMARY OF THE AMENDMENTS AND EXPLANATION:

1) Create a Billboard Overlay District.

Currently the Zoning Ordinance prohibits Billboards. Chapter 25 – Billboard Overlay District is being proposed to be added the MZO to allow Billboards within the city under certain circumstances. The overlay district will be used in conjunction with the Infill Development District-2 (ID-2), Public and Semi-Public District (PS), or the Mixed-Use District (MX). Applicants must request and receive approval from City Council through the rezoning process to establish the Billboard Overlay District.

In addition to the required base zoning, the site must meet certain site eligibility requirements. The site must be at least 50 acres in size, the size requirement may be met as one parcel measuring 50-acres or more in size or a combination of adjoining parcels, under the same ownership, that are not separated by right-of-way dedicated to the City, that are collectively 50-acres or more. The site must also have a minimum of 1,500 feet of frontage along a freeway to qualify for a Billboard Overlay District.

Chapter 25 provides directions on the application requirements for Billboard Overlay Districts, clarifies that a permit must be obtained for the construction of a Billboard, and sets forth maintenance obligations. Chapter 25 also contains a section describing the requirement for either a Development Agreement or Intergovernmental Agreement in conjunction with the Billboard Overlay District that may include but is not limited to:

- Requirements that Billboards display public service announcements, public announcements, event announcements, or other announcements.
- Removal of an existing Freeway Landmark Monument on the site.
- Requirements, standards, or limitations for Billboards which may be established as conditions of approval for the Billboard Overlay District.

2) Create development standards for Billboards.

Staff proposes a set of development standards to help guide the review and development within the city of Mesa. These standards include general development standards, setback requirements, spacing requirements, number and size requirements, auditory requirements, and electronic billboard requirements. The development standards will help protect the visual quality of the commercial areas billboards affect.

Setback Requirements- The proposed text amendments establish a minimum and maximum setback from a freeway and specify that all other setbacks must adhere to the base zoning district. The minimum setback from a freeway is zero feet; however, no portion of the Billboard may encroach into the right-of-way. The maximum setback from the freeway is 250 feet.

Spacing Requirements- Refer to the spacing between Billboard, to Freeway Landmark Monument, and to residential districts or uses. The minimum space between a Billboard and a Freeway Landmark Monument is 1,200 feet. The minimum spacing between a Billboard and a residential use or residentially zoned property is 500 feet except when a residential use is part of a mixed-use development.

Number and Size Requirements- Establishes the maximum number of Billboards allowed on a site and their size. The proposed amendments allow no more than two Billboards on a site. The maximum sign area is 672 square feet but may be exceeded by 20% for a sign embellishment. The maximum height of the Billboard is 48 feet above the grade of the nearest travel lane of the freeway and in no circumstance can it exceed 70 feet as measured from the base of the Billboard pylon.

Auditory Requirements- Prohibits auditory effects, including music as part of a Billboard.

Electronic Billboard Requirements- Includes regulations for electronic message display and lighting controls. An electronic message display board or screen may not change copy more than once every eight seconds. Furthermore, animation and transitions in copy is prohibited. Electronic Billboards must include electronic lighting control technology to control the lighting intensity of a display at various times. During evening hours, sunset to 11 p.m., illumination may not exceed 300 nits. From 11 p.m. to sunrise all illumination must be extinguished, except as necessary for emergency alerts.

3) Modify the definitions for Advertising for Hire, Billboard, and Off-Site Signs

Due to the creation of Chapter 25 under Article 3- Overlay Zones, Staff recommends moving the definitions for Advertising for Hire, Billboard, and Off-Site Sign from Chapter 50 of the Sign Ordinance and to the general definitions for the MZO (Chapter 87). Chapter 50 will be modified to refer users to Chapter 87 to find the definitions of Advertising for Hire, Billboard, and Off-Site Sign. The content of the definitions will remain the same.

4) Add Chapter 51: Billboards to the Sign Ordinance.

Because the regulations for Billboards are not found within Article 5 – Sign Ordinance, Chapter 51 is being added to the Sign Ordinance to help direct people interested in Billboards to review the definitions and requirements in Chapters 25 and 87 of the Mesa Zoning Ordinance.

IMPLEMENTATION:

Staff recommends the ordinance approving the proposed text amendments become effective 30 days from the date of City Council approval. Formal land use applications received on or after the effective date would be subject to the new regulations.

Exhibits:

Exhibit 1 – Billboard Ordinance

Exhibit 2 – Summary of Input - Planning and Zoning Board January 24, 2024 Study Session