



**DATE:** October 21, 2024

**TO:** City Council

**THROUGH:** Nana Appiah, Development Services Director  
Mary Kopaskie-Brown, Planning Director

**FROM:** Rachel Nettles, Assistant Planning Director

**SUBJECT:** Mesa Zoning Ordinance text amendment (**Freeway Landmark Monument**)-  
Proposed amendments to Chapter 43 of the Mesa City Code.

**RECOMMENDATION:**

Staff recommends that the Mesa City Council adopt the proposed Mesa Zoning Ordinance Freeway Landmark Monument text amendments.

On October 9, 2024, the Planning and Zoning Board voted to recommend (4-0) that City Council adopt the proposed Mesa Zoning Ordinance Freeway Landmark Monument text amendments.

**PURPOSE AND BACKGROUND:**

On May 17, 2004, City Council adopted Ordinance No. 4913, allowing Freeway Landmark Monuments within certain areas of the City with the approval of a Council Use Permit, and adopted Resolution No. 8245 establishing Freeway Landmark Monument Design Guidelines.

On April 17, 2006, City Council approved Resolution No. 8700, amending certain standards within the Freeway Landmark Monument Design Guidelines.

At the direction of City Council, Staff reviewed the Freeway Landmark Monument Design Guidelines standards. Staff is recommending certain text amendments to the Mesa Zoning Ordinance (MZO) to incorporate the Freeway Landmark Design Guidelines into the MZO, and to repeal the Freeway Landmark Monument Design Guidelines Resolution.

The proposed text amendments affect Chapter 43 of the Mesa Zoning Ordinance (MZO) and are attached in Exhibit 1 (Freeway Landmark Monument Ordinance). Specifically, the proposed changes: (1) Repeal the Freeway Landmark Monument Design Guidelines Resolution, incorporate the development standards in Section 11-43-7 of the MZO, and add modification provision to the development standards contained within Section 11-43-7; (2) Remove the General Plan Character Area Designation eligibility requirement for Freeway Landmark Monuments; (3) Modify the height requirements for a Freeway Landmark Monument; (4) Modify the sign area calculation for Freeway Landmark Monuments; (5) Add a spacing requirement between Freeway Landmark Monuments and Billboards; (6) Modify the spacing requirements for Freeway Landmark

Monument to Residential Zoning Districts or residential uses; (7) Modify the project identification standards for Freeway Landmark Monuments; (8) Modify the development standards for the nighttime illumination of Freeway Landmark Monuments; (9) Modify the development standards for electronic message displays; and (10) Add maintenance requirements.

#### **SUMMARY OF THE AMENDMENTS AND EXPLANATION:**

***1) Repeal the Freeway Landmark Monument Design Guidelines Resolution, place the development standards within Section 11-43-7 of the MZO, and add provisions for modifications to the development standards contained within Section 11-43-7.***

According to a City Council report dated January 8, 2004, at the November 20, 2003, City Council Study Session, City Council discussed the Freeway Landmark Monuments and directed staff to proceed with zoning ordinance text amendments to require a Council Use Permit (CUP) for Freeway Landmark Monuments. City Council also asked that Staff create design guidelines to address the locational, operational, and design aesthetics of Freeway Landmark Monuments. The staff report states that the adoption of the design guidelines, through a resolution, would not carry the same weight as an ordinance and allow City Council to modify the design standards based on an individual assessment of a specific proposal.

Staff is recommending that City Council repeal the Freeway Landmark Monument Design Guidelines Resolution; repeal and replace Section 11-43-7 of the MZO to include the development standards in the existing Freeway Landmark Monument Design Guidelines; and add provisions that allow City Council to modify the development standards.

Providing the development standards in the MZO provides better clarity for the applicant and staff and eliminates reference to additional policy documents as cases are provided. Providing provisions in the Ordinance that allows City Council to approve modifications or alternatives to the development standards within Section 11-43-7 of the MZO, provides the same flexibility contemplated by City Council in 2004, without the need for an additional policy document.

***2) Remove the General Plan Character Area Designation eligibility requirement for Freeway Landmark Monuments.***

Per A.R.S. 9-462.01(C), all zoning regulations for a kind of building or land use must be uniform for each zoning district. For example, a use in one part of the city cannot be treated differently from a use in another part of the city with the same zoning.

In order to comply with state statute, staff is recommending that the general plan eligibility criteria be removed from Section 11-43-7 of the MZO.

***3) Modify the height requirements for a Freeway Landmark Monument.***

The current Freeway Landmark Monument Design Guidelines do not specify a maximum height for Freeway Landmark Monuments. Instead, they state that Freeway Landmark Monuments can be no higher than reasonably necessary to be visible from a vehicle approaching on the same side of the freeway and located within sufficient distance to permit vehicles to safely exit the freeway.

Staff is recommending a maximum height of 60-feet for Freeway Landmark Monuments, consistent with the maximum height proposed for Billboards, and to provide clarity on their height.

To provide flexibility, when the site contains unique or unusual physical conditions, such as topography, physical barriers, proportion, size, or relation to the freeway that would limit or restrict visibility, staff recommends that an exception be allowed, up to a maximum 90 feet in height. Applicants would have to provide evidence that a 60-foot-tall sign would not be visible from the freeway within sufficient distance to safely exit the freeway, and the proposed height is no higher than reasonably necessary for the topmost portion of the sign to be visible and allow vehicles to safely exit the freeway.

***4) Modify the sign area calculation for Freeway Landmark Monuments.***

The current Freeway Landmark Monument Design Guidelines state that the maximum sign area of a Freeway Landmark Monument is calculated using a ratio: maximum one square foot of sign area per two linear feet of freeway frontage. In addition, the design guidelines states that in no instance may the sign area exceed 750 square feet.

During stakeholder meetings, it was noted that this calculation does not appropriately account for large narrow developments that have a majority of their frontage along the intersecting arterial street rather than the freeway and would limit the size of their Freeway Landmark Monument.

Staff recommends that the calculation be modified so that the sign area is one square foot per two linear feet of freeway or arterial frontage, whichever is greater. The maximum sign area would still remain 750 square feet.

***5) Add a spacing requirement between Freeway Landmark Monuments and Billboards.***

When Freeway Landmark Monuments were first allowed in the City as a permitted use in the City, Billboards were not permitted. On August 4, 2024, the City Council passed an Ordinance allowing Billboards as a permitted use with the approval of a Billboard Overlay District. As part of the Billboard Ordinance, a spacing requirement of 1,200 feet was established between a Billboard and a Freeway Landmark.

Staff recommends adding a spacing requirement of 1,000 feet between a Billboard and a Freeway Landmark Monument to be consistent with the text amendments being proposed for Billboards.

***6) Modify the spacing requirements for Freeway Landmark Monument to Residential Zoning Districts or residential uses.***

Currently the Freeway Landmark Monument Design Guidelines require that a Freeway Landmark Monument is located a distance of no less than 10 times (10x) the proposed height of the Freeway Landmark Monument. For example, a Freeway Landmark Monument that is proposed to be 60 feet tall would be required to be located 600 feet from an adjacent property line.

Staff recommends adopting separation requirements from Residential Zoning Districts or residential uses consistent with the recommended text amendments for Billboards. The proposed amendments would require a Freeway Landmark Monument to be located 500 feet from a Residential Zoning District or residential use unless: (1) the residential use is within a mixed-use development; or (2) a line-of-sight or balloon test demonstrates that the Freeway Landmark

Monument is not visible to or from a Residential Zoning District or residential use the Freeway Landmark Monument could be placed within 400 feet of a Residential Zoning District or residential use.

***7) Modify the project identification standards for Freeway Landmark Monuments.***

The Freeway Landmark Monument Design Guidelines contain a set of standards guiding the size and placement of the project or destination name on a Freeway Landmark Monument. The guidelines state that the project or destination name should be clearly visible and located at the topmost portion of the sign under the sign embellishment; must account for at least 20% of the total sign area on the Freeway Landmark Monument; and that tenant panels should be subordinate to the project or destination name and smaller in size.

During stakeholder meetings, it was noted that the project identification standards are outdated and limit creative design. Stakeholders referenced several projects in other municipalities where the project or destination name was placed vertically on the sign or not the most prominent design feature.

Staff recommends that the requirement for the project or destination name to be 20% of the sign area be removed. The standards would continue to state that the project or destination name shall be clearly visible and located near the topmost portion of the sign or located vertically along the side of the Freeway Landmark Monument.

***8) Modify the development standards for the nighttime illumination of Freeway Landmark Monuments.***

The current Freeway Landmark Monument Design Guidelines specify that only the sign copy or sign message can be externally illuminated at night. However, they do not specify timeframes for which Freeway Landmark Monuments can be externally illuminated.

Staff recommends adding nighttime illumination standards consistent with those required for Billboards, requiring the external illumination of Freeway Landmark Monuments to be extinguish in nighttime hours, between 11:00 pm until sunrise.

The Freeway Landmark Monument Design Guidelines also contain standards for the nighttime illumination of electronic message displays, limiting Light Emitting Diode (LED) color intensities, but once again do not require the illumination to be dimmed or turned off at a certain time.

Staff researched surrounding jurisdictions and did not find regulations similar to the LED color intensity levels contained within the Freeway Landmark Monument Design Guidelines. Staff recommends removing the current standards and replacing them with standards consistent with Billboards. These regulations would limit the intensity of electronic message displays to 300 nits in evening hours, from sunset to 11:00 pm; and require an electronic message display to be extinguished in nighttime hours, between 11:00 pm until sunrise.

***9) Modify the development standards for electronic message displays.***

The Freeway Landmark Monument Design Guidelines currently state that a message on an electronic message display cannot change more than once in a one (1) hour period.

Staff is recommending changes to the minimum display time for a message on an electronic message display to be consistent with the requirement for electronic message displays in the sign ordinance and with the electronic message display standards for Billboards. This includes a requirement that a message can change no more than once within an eight (8) second period.

***10) Add maintenance requirements.***

The current Freeway Landmark Monument Design Guidelines do not address maintenance of Freeway Landmark Monuments.

Staff recommends adding a section consistent with the requirements for Billboards that addresses the condition and maintenance of Freeway Landmark Monuments.

**CITIZEN PARTICIPATION:**

Property owners and developers of large properties that have, or would, qualify for Freeway Landmark Monuments were invited to participate in two stakeholder focus groups.

Six stakeholders attended the focus group held on September 26, 2024. Staff presented the proposed text amendments and discussed challenges with the current regulations with the group. Feedback on the proposed amendments was generally positive and additional recommendations were made by the group. Staff made additional revisions to the proposed text amendment based on the feedback received.

One stakeholder attended the focus group held on October 2, 2024. Staff presented the proposed text amendments, discussed feedback received from the first focus group, and the revisions that were made based on the feedback. No additional suggestions were made at this meeting, however, the stakeholder expressed agreement with the suggestions made during the first focus group and support for the text amendments.

A summary of the questions received from the stakeholders and staff response is summarized in Exhibit 2 – Focus Group Questions and Responses.

**IMPLEMENTATION:**

Staff recommends the ordinance approving the proposed text amendments become effective 30 days from the date of City Council approval.

**Exhibits:**

Exhibit 1 – Freeway Landmark Monument Ordinance

Exhibit 2 – Focus Group Questions and Responses