



Sierra Vista City Council

Work Session Agenda March 24, 2015

Call to order – 4:00 p.m. in the City Hall, Council Chambers, 1011 N. Coronado Drive, Sierra Vista, Arizona.

1. Presentation and discussion:
 - A. March 26, 2015 Council Meeting Agenda Items (agenda attached)
 - B. Discussion of City Manager Staff Meeting Minutes
 - C. Report on Recent Trips, Meetings and Future Meetings
 - D. Future Discussion Items and Council Requests
2. Presentation and Discussion regarding the Planning and Zoning Commission's Recommendations on Articles 151.02, Definitions, 151.10. Sign Regulations pertaining to digital signs, and 151.11, Outdoor Light Control.
3. Adjourn

City Council work sessions are informal meetings of the elected body designed to allow the Mayor and Council Members to prepare for upcoming regular meetings, have staff briefings on issues, and provide an opportunity for more detailed discussions amongst themselves. The meetings are limited by City ordinance to 90 minutes, and in accordance with the State Open Meeting Law, no discussion can take place on issues/topics that have not been posted on the agenda at least 24 hours in advance. The public is welcome to observe the meetings in person or on Cox Channel 12, but time is not reserved on work session agendas for public comment. The public may, however, address the City Council at their regular twice-monthly meetings or share written views through the City's website, www.SierraVistaAZ.gov.

Sierra Vista City Council
Work Session Minutes
March 24, 2015

Mayor Mueller called the work session to order at 4:00 p.m. in the Council Chambers, City Hall, 1011 N. Coronado Drive, Sierra Vista, Arizona.

Present:

Mayor Rick Mueller – present
Mayor Pro Tem Bob Blanchard - absent
Council Member Alesia Ash - present
Council Member Gwen Calhoun - present
Council Member Rachel Gray – present
Council Member Hank Huisling - present
Council Member Craig Mount – present

Others present:

Chuck Potucek, City Manager
Mary Jacobs, Assistant City Manager
Don Brush, AICP, Director, Department of Community Development
Jeff Pregler, Sr. Planner
Jill Adams, City Clerk
Planning and Zoning Commissioners

1. Presentation and discussion:

A. March 26, 2015 Council Meeting Agenda Items (agenda attached)

Consent Agenda – no changes were requested.

Item 2.3 - Resolution 2015-024, Special Event Liquor License for Derek L. McKinley on behalf of the Directorate of Family, Moral, Welfare, and Recreation (DFMWR)

In response to Council Member Gray, Mayor Mueller stated that it is the Post's Festival of the Southwest at Veterans' Memorial Park. Mr. Potucek stated that DFMWR runs it on the City's facility.

Item 3 - Resolution 2015-025, Request for Abandonment of an 8-foot Public Utility Easement and 1-foot Vehicular Non-Access Easement, Parcel No. 107-16-037D; Fed-Ex Ground

Council Member Gray asked if this item is for the underground utilities. Mayor Mueller stated that this is a public hearing and yes these are the utility easements.

Item 4 - Resolution 2015-026, Renewal of intergovernmental Agreement with Cochise County Community College District for a Joint Program to train Emergency Medical Services and Fire Science Students

In response to Council Member Huisling, Mr. Potucek explained that these agreements have been going for a year at a time and staff will work towards making it longer since it is a very simple agreement. They are providing services and the City is providing class room space.

In response to Council Member Gray, Mr. Potucek stated that it would take both parties agreeing to a longer term.

In response to Council Member Calhoun, Mr. Potucek stated that the agreement does not require any financial terms, it is straight across.

Council Member Mount asked if this is also the program that feeds into the City's candidate pool for the fire departments. Mr. Potucek stated that absolutely and commented that there are at the stations, on weekends, a lot of Cochise College students working with the fire fighters.

Council Member Calhoun requested that an appointment to the Cultural Diversity Commission be added to the March 26th agenda. Mayor Mueller stated that verification from the Commission for recommendation should be acquired, in the minutes, to place it on Council's agenda. If not, it will go on in two weeks.

Item 6 - Resolution 2015-028, ratifying the Sale of the City properties located at 296 W. Kayetan Drive

Mr. Potucek explained that a couple of parcels put out to auction on Kayetan were successfully bid on for the appraised price of \$250,000. The amount was budgeted but in going for closure of the sale Pioneer Title has asked that the Council ratify and call out the parcels in a separate resolution. They are claiming that the budget resolution is insufficient because the parcels are not called out in the budget. It seems to be an extra requirement for closing that Pioneer Title has done and Mr. Williams has been working with them. This is what is required in order to complete the job.

B. Discussion of City Manager Staff Meeting Minutes (attached) – There were no comments.

C. Report on Recent Trips, Meetings and Future Meetings

Mayor Mueller announced the Joint work session at 3:30 p.m. with the County Board of Supervisors on March 25th to discuss strategies for cleaning up the Fry Town site Area in Council Chambers.

Council Member Gray asked about presentation materials. Ms. Jacobs explained that the presentation went out electronically late last Friday.

Council Member Mount stated that he was contacted by an NCO on the Fort asking him to participate in the April 16th Holocaust Survivors Days of Remembrance on Fort Huachuca; however, it conflicts with the medical center's grand opening.

Mayor Mueller stated that the invite was sent to Council and he will be reading a proclamation at the event.

Council Member Calhoun made the comment that if Council leaves the event early, they can make it to the other event – there is tons of stuff occurring.

Council Member Huisiking asked if there were two events for the medical center's grand opening. Mayor Mueller indicated that there are several days involved regarding the medical center's events; however, Council has not been invited to all.

Ms. Jacobs noted that there is also a work session with the Citizens' Advisory Commission on April 16th at 4:00 p.m.

D. Future Discussion Items and Council Requests

Council Member Calhoun stated that she attended a meeting at the Boys and Girls Club and asked if the Boys and Girls Club can work with the Teen Center on especially older teen activities. Ms. Jacobs stated that a work session with Ms. Yarbrough is being scheduled in April or May for her to provide thoughts to Council concerning the cove and teen center; therefore, this issue may be included in her brief to Council.

Council Member Gray stated that she recently attended a presentation by the Cochise County Courts on one of their programs for which one of the City's officers is involved with and requested an informational briefing on the Drug Court Program and the Token Program that is being implemented.

2. Presentation and Discussion regarding the Planning and Zoning Commission's Recommendations on Articles 151.02, Definitions, 151.10. Sign Regulations pertaining to digital signs, and 151.11, Outdoor Light Control.

Mr. Pregler stated that back in 2013, a request and to amend the code from a local business owner, from that request, a Digital Sign Taskforce was formed consisting of various community stakeholders including the Chamber of Commerce. The taskforce held 3 meetings that resulted in recommendations to Council. The Chamber of Commerce did endorse the recommendations.

Three months ago the Planning & Zoning Commission held 3 work sessions and a public hearing which resulted in a formal recommendation to Council.

Mr. Pregler thanked both the taskforce and the Planning & Zoning Commission and believes that they did a fantastic job in providing recommendations to the Council. He also noted that the recommendations are reflective in the language that is presented to Council. The goal of the code amendment was to allow businesses to have an effective advertising tool while providing public benefits. It is an important goal especially when talking about effective advertising tools. It is important to have regulations and standards when it comes to all advertising and in this case it is about digital signs. However, the department does not want to overregulate so that in fact they are not effective anymore. There are standards that reflect both a public benefit and still provide that advertisement effectiveness.

- Two public benefits:
 - o Reduced light pollution; and
 - o Increased aesthetics.
- Points of emphasis
 - o Safety; and
 - o Sign consistency.
- Proposed code amendments:
- Article 151.02 definitions

Mr. Pregler stated that this section defines definitions to help explain some of the terms in the sign code and outdoor lighting:

- Illuminance;
- Luminance;
- LED;

- NITS;
- Sign, Digital Display; and
- Sign, Electronic Message Center.

Mr. Pregler pointed out that NITS is a measure of sign brightness. A term that will be used throughout the presentation.

- Article 151.10 sign regulations

Mr. Pregler stated that he will use electronic message centers, digital signs interchangeably through the presentation as well. They mean the same thing for the purposes of the presentation.

- o Number of signs
 - Single business, one digital sign;
 - Multi-tenant building, one per lot; and
 - Shopping Center/commercial subdivision, one per access.

This is consistent with what is currently seen now with the standard free standing sign in the code. Signs can replace additional existing conforming signs provided they meet the height, area and separation requirements.

Mr. Pregler noted that staff is not talking about adding additional signs. It is about replacing the existing free standing sign.

Council Member Huisking asked what about the incentive to change out the sign. Mr. Pregler stated that it is about allowing a more effective advertising tool. It is an option that they will have. The department has had requests from churches, businesses and currently the Knights of Columbus. This indicates that there is a need to amend the code.

- o Height of signs

Mr. Pregler stated that the height of signs shall not exceed 10 feet from street grade which is consistent with the currently policy for any type of free standing sign.

- o Area of signs

The area of a sign for a:

- Single business will be 32 square feet;
- Multi tenant building will be 32 square feet; and
- Shopping center/commercial subdivision will be 32 square feet.

Mr. Pregler noted the consistency and that a traditional free standing sign without a digital display can be different sizes based on the use, for example, a single business can have a 32 square foot sign and a shopping center can have a 75 square foot sign with tenant id panels in it. The code is stating here that it is fine, you can still have a 75 square foot sign; but the 32 square feet can be set aside for a digital display; but it cannot exceed 32 square feet. This makes it fair across the board for any business. It is not longer dependant on the use at this point. It is the same amount of advertising no matter what type of business you have.

Mayor Mueller asked if it is clear in the code, if you have a shopping center with a 75 square foot sign, that they do not get an additional 32 square feet. The 32 square feet comes out of the total 75 square feet. Mr. Pregler indicated that he is correct.

In response to Council Member Calhoun, Mr. Pregler stated that it still has to be 10 feet in height.

- o Animation

As mentioned earlier, safety and distraction to drivers was heavily looked at and animation was one of those things that were felt that if animation was allowed, it would be too much of a distraction to drivers. Both the taskforce and the Planning and Zoning Commission felt that it was important to prohibit animation.

Graphics and other types of displays on the sign itself are not prohibited. Prohibited is only the movement, animation of either graphics or any type of font or message on the sign. All displays need to be static – no scrolling messages.

Council Member Mount asked if current digital signs not in compliance would have to change to meet these new standards. Mr. Pregler explained that they would be able to keep their signs as they currently are.

- o Message transition

This is how quickly one message changes to another. This was heavily looked at by both the Commission and taskforce and it was decided that instantaneous transition was best especially when it comes to the distraction of drivers. People tend to look at scrolling text, veer away from the roadway and this instantaneous transition they see one message and it goes to the next. There is no waiting period between messages.

- o Length of message display

An issue that was heavily disputed and discussed amongst the taskforce and the Commission and it goes back to an effective advertising tool and balancing the public benefit. Staff is recommending a 15 second display length, the length that the message can be displayed before it goes to another message. The Planning and Zoning Commission also recommended a 15 second display length; but the Taskforce recommended 8 seconds. The reason that they did that was because they were looking for some sort of an industry standard. There is an industry standard which states that digital billboards are 8 seconds. However, the code is not addressing billboards in this situation. This is about smaller signs. Billboards are the ones along I10.

In discussions with the Planning and Zoning Commission, they really wanted to take a look at the safety aspect and they felt that 15 seconds balances both the effectiveness of the advertising sign as well as the safety of the drivers.

In response to Council Member Calhoun, Mr. Pregler stated that there was discussion about how many times there would be a change before the driver actually went by the sign. You can probably see it two different messages with the 15 seconds display length. Public Works was consulted and the department has stated that there is typically a 90 second wait period for traffic lights. If someone were to have the digital displays at an intersection, they might get four opportunities to see the different displays in 90 seconds. That was looked at and it was decided to fall back on the safety issue. If there is a conglomeration of digital signs all along Fry Boulevard, all changing eight seconds, that could be a distraction a lot less than if it is a 15 seconds length.

Mr. Pregler also noted that 15 seconds is only the minimum.

- Message display

Right now off-site messages are not allowed in the City. A business down the road cannot be advertising someone else's digital sign and so off site messages other than promotion of community and charity events will be prohibited.

- Sign brightness

Heavily discussed by both the Taskforce and the Planning and Zoning Commission. Both the Taskforce and the Planning and Zoning Commission had the opportunity to look at a digital display presentation from a local sign contractor. They were able to look at the different sign brightness and were able to compare the differences. From these presentations, they were able to provide a recommendation. Staff is recommending 200 NITS for both commercial and industrial area. The Taskforce is also recommending 200 NITS; however, the Planning & Zoning Commission did not have a unanimous recommendation: 4 recommended 100 NITS and 2 recommended 200 NITS. The Commission went with the 200 NITS because they wanted to reflect the recommendation of the Taskforce for the record.

In response to Council Member Mount, Mr. Pregler indicated that there were no Planning and Zoning Commission members on the Taskforce.

Council Member Huisling asked if the recommendation was for 100 NITS would it be affordable to go to 200 NITS and is it difficult or an obstacle to increase it if it turns out that it was a better choice down the road. Mr. Pregler explained that the members of the Commission that voted for 100 NITS felt that it would be easier to change the code to 200 NITS down the road than the other way.

In response to Council Member Huisling, Mr. Pregler stated that the business owner cannot change it themselves. That would be considered a substantive change and would require public hearings to make that change. It is not an administrative change.

Council Member Huisling asked that if the business owner can change it from 100 NITS themselves. Mr. Pregler explained that the business owner can ask for a code amendment but they cannot change it themselves.

Council Member Mount asked why it's stuck between the 100 and 200 NITS and not just goes to 150 to compromise. Mr. Pregler explained that during the demonstration and they are actually measuring the NITS, having a whole number was a lot easier to calculate. However, 150 are acceptable.

Council Member Mount stated that the reason he is bringing it up is because of the letters received from the Astronomy Club saying 100 NITS. In all of the research that he has done, there is not a huge demonstrative difference.

Council Member Gray stated that she was at the demonstration and that she did not see a huge difference between the 100 and 200 NITS.

Mayor Mueller stated that the key question is, when the code comes to Council for action, which number is going to be there? Mr. Pregler stated that it will be staff's recommendation of the 200 NITS.

Council Member Calhoun asked if it will make a difference between the 100 and 200 NITS as the city grows.

Council Member Mount stated that he lives where there are a lot of windows and the TV's are mounted facing out and that is about 450, 500 NITS. His concern is why staff is going with the recommendation of 200 NITS. Why can't the meeting place be the recommendation?

Mr. Pregler stated that staff's recommendation is reflective of the Taskforce and 200 NITS was found to be suitable. There are a lot of business owners on the Taskforce that felt that 200 NITS was appropriate to effectively get their advertising message out. It is a fine balancing act between public benefit and effective advertising.

Mr. Pregler stated that for a residential area, it cannot exceed 100 NITS, i.e., churches that are often in residential areas.

Council Member Huisking asked about home business. Mr. Pregler stated that home businesses are not allowed to have free standing signs. They are only allowed to have a small 3 x 3 wall sign on their property. They would not be allowed to have a digital sign. Mayor Mueller added that the rule of thumb is that they are not supposed to change the residential nature of their neighborhood in their advertisement.

Council Member Gray stated that if the City starts out at 100 NITS and then we were to change it to 200 NITS, would the business owner have to get a new sign or can they increase the brightness from 100 to 200 NITS. Mr. Pregler stated that they could change it to 200 NITS if they wanted to and it very well could require a new sign and cost to the business owner.

Mr. Pregler stated that he does not know where technology will go in the future; the business owner may be able to just push a button to change it from 100 to 200 NITS.

Council Member Mount noted that it states factory locked settings. Mr. Pregler stated that it is correct and so they may have to go back to the manufacturer and not sure how that will work.

Council Member Gray stated that she thinks that this is definitely something to keep in mind because it should not be made so prohibitive that it will be an additional cost should Council decide that 100 NITS is too low.

Mr. Gent noted that often the signs have controls in the software. Mayor Mueller stated that the point is that if you have it set and programmed for 100 NITS and you may have to pay someone to come out and do the programming for them to get it up to 200 NITS. That may be an expense and that is a concern.

Council Member Huisking asked that this issue be looked into before placing the item on a Council agenda.

- Equipped with photo sensors that are factory locked which dim to NIT level

Mr. Pregler stated that there was some concern amongst the Taskforce that a business will initially meet net NIT requirement and then change it out. This would ensure that the level stays at the recommended NIT level.

- The digital display portion of sign turned off after the business activities cease. Timers shall be required which automatically turn off the digital display.

This would not apply to businesses like Wal-Mart which is open 24 hours but for those businesses that do close have to turn off their digital portion of the sign. The other part of the sign can remain lit.

Council Member Mount asked how this will be controlled as a government. Mr. Pregler stated that the City is going to be purchasing a NIT meter which will be able to read the NIT levels for every sign. They will be typically done for the initial install of all of the digital signs and beyond that, unless there is a complaint, the City staff is not going to go out and measure the NIT levels.

Mayor Mueller indicated that it is reactive enforcement and not proactive.

In response to Council Member Mount, Mr. Pregler stated that staff is looking into the cost of a NIT meter, anywhere from \$500 to \$3,000.

- No white backgrounds.

Mr. Pregler stated that it is white being the brightest type of light. Staff is trying to eliminate light pollution and all of the white backgrounds on the signs.

- Signs located in or adjacent and facing a residential zoning district shall be returned off at 10:00 p.m.

Council Member Gray asked for an explanation, i.e., certain distance and etc. Mr. Pregler explained that he takes more of a conservative point on this and that is to err on the side of safety. If it is adjacent, depending on the distance and it is facing the residential area, then he would say that they have to turn it off.

Mayor Mueller stated that staff needs to define the facing portion because there is a lot of open space that has not been developed yet. It will probably not affect safety but it will affect infiltration of light and it needs to be clear as it may be open to interpretation.

Mr. Pregler stated that he is correct and the intent is to protect the residential areas from sign glare; but staff can certainly take a look at that and clean it up.

- Nonconforming signs

Mr. Pregler stated that this goes to the question about the incentives to go to digital signs. Right now along Fry Boulevard, seen are a lot of nonconforming signs that are 20-30 feet high that staff were built probably in the 1970's. The intent of the sign regulations is to try and get them to reduce these nonconformities. One of the ways to get them to do that is to get them to go to a digital sign. A digital sign does provide a more effective advertisement tool and this might be what they need to reduce these nonconformities. The standards to look at are:

- The sign cannot exceed sign lumination level;

- The digital portion of display cannot exceed 32 square feet; and
- The height and face area reduced to the following:

Height	Proposed Height	Proposed Face Area
+50-30	Reduced by 50%	64
29-21	Reduced by 25%	56
20-16	Reduced by 10%	48
15-0	Reduced by 0%	32

Mr. Pregler used as an example that if the nonconforming sign is 50 to 30 feet in height, they have to reduce that height by 50% and so if it 50, it will be by 25 feet and the face area has to go down to 64 feet. This is to provide proportionality.

In response to Mayor Mueller, Mr. Pregler stated that in those 64 feet, 32 feet can be electronic.

This is the aesthetic part of the code amendments in trying to reduce the nonconformity and make these signs a lower profile like in the rest of the community.

Apart from the digital sign portion of the sign code, staff is also looking at making changes to the sign illuminated signs. This goes back to reducing overall light brightness in the community. For standard free standing signs for sign illuminations being done are:

- Internally illuminated signs shall not have white backgrounds;
- Externally illuminated signs shall use light fixtures that are fully shielded and are directed at the sign, i.e., decorative lighting; and
- Vacant sign faces shall have a completely dark or opaque background.

Right now if there is a tentative identification sign which has three or four vacant tenant panels, they can be left vacant but they are still lit. What the code says now is that now you have to make them completely dark or opaque so that the light does not shine up at the sky.

- o Special use permits

The Council recently approved a Comprehensive Sign Plan three months ago for the hospital and the intent of the plan or special use permit is to allow businesses to have additional signage on the property provided that they have architectural theme that matches the buildings and the entire site in general. Typically seen is more height and square footage of the signs.

The code is proposing that special use permits cannot be allowed to exceed the standards for the digital display portion of the sign.

Council Member Ash asked if a variance may be granted. Mr. Pregler stated that a variance can always be granted for anything in the development code; but there is a much higher standard to approve a variance than to approve a comprehensive sign plan. There are criteria set by the State of Arizona which have to be met and they have to do with hardship requirements. They have to go to a hearing officer and the officer makes a determination whether they meet the five criteria. It is difficult to approve; but they can always apply for the variance process, they can always apply for anything that does not meet the code.

Ms. Jacobs stated that the Council also in a development agreement has the authority to make any changes. Although, certainly, it would probably not be recommended if everybody has to

follow the rules. On that particular one, staff would not be inclined to offer it; but if the business was a significant economic impact to the community, staff would be inclined to do so.

Council Member Gray noted that the hospital is an example.

- Article 151.11 Outdoor Light Control

This was done in conjunction with the sign code to reduce the overall light in the community. Proposed changes for Article 11:

- Light fixtures for commercial and industrial developments shall be turned off between the hours of 10:00 p.m. and sunrise and it does not apply to safety or security lighting.

Mr. Pregler noted that there is somewhat of a grey area here because some business would claim that the lights in the parking area are used for security, i.e., car dealers. For the most part, he believes that there will be compliance.

Council Member Gray asked if it will be defined in the code. Mr. Pregler stated that right now it will be left up to interpretation. Staff can certainly look at more language to make that more clear.

Council Member Gray stated that she would like to see it defined as any time that there is a code open to interpretation, it causes problems later.

Mayor Mueller stated that she talking about security or safety lighting it is up to the property owner and the insurance company.

Council Member Mount asked who would deal with the complaints that would come out if it is left to interpretation. Mr. Pregler stated that they would be routed through the Department of Community Development.

Council Member Mount noted that the department is under staffed.

- Add minimum lighting requirements to driveways, parking lots, and private walkways to ensure driver and pedestrian safety.

Mr. Pregler stated that the Department has had some complaints from residences and apartments where it has been so dark that they have not felt safe. There are minimum requirements for pedestrian safety.

Mayor Mueller asked if it is it clearly defined. Mr. Pregler stated that in this particular area, the code is talking about both commercial/industrial and multi-family areas and it is broken up in the section.

- The maximum lumens per acre reduced

This is the overall brightness of the site to include parking lot lighting, signage, and etc. It is going to be reduced:

- 150,000 lumens adjacent to residential; and
- 200,000 lumens non adjacent to residential

Enacted the lumen rule about four to five years ago and since then, none of the commercial subdivisions that have come in have actually met the current criteria. So it is being reduced.

In response to Mayor Mueller, Mr. Pregler clarified that they always met the criteria; they did not exceed the criteria. There were always lower than the lumen cap.

In response to Council Member Huisiking, Mr. Pregler stated that it was reduced from 250,000 lumens to go down to 200,000 lumens and 200 to 15,000.

- Led lights in both private development and right of way shall be filtered to have a maximum correlated color temperature of 3,000k.

Mr. Pregler explained that this means that the higher the correlated color temperature, the brighter the sign and 3,000k is in the mid range. This will be a standard to regulate the LED lights.

In response to Mayor Mueller, Mr. Pregler stated that equipment would be necessary to measure color. Mr. Gent made comments on the equipment.

- Residential lighting shall be fully shielded unless under a feature that minimizes light trespass.

Mr. Pregler stated that this will be the first time that the Department looks at residential lighting. There have been a lot of complaints from residences about big spot lights affecting their night views and etc. The standard would regulate residential lighting.

Mayor Mueller asked if lighting has to be completely shielded if it is a new house. Mr. Pregler stated that this is complaint based and the Department will not be regulating it. If it is under some sort of patio, then you are covered. The Department would go out and talk to the resident and discuss options, staff will work with the homeowner and not site anyone.

Council Member Huisiking asked if this also refers to people that have huge lights that go out on to the street from their house. Mr. Pregler explained that spot lights are prohibited along with any type of bright light.

Council Member Gray asked where the line should be drawn on this since the light is on your property and noted that her concern is with private property rights and suggested a better definition.

Council Member Mount asked how that offense will be measured as Council's opinion could be completely different over what is considered offensive and it could be personality driven instead of factuality driven.

Mr. Pregler stated that this is due to the complaints received from the community.

Mr. Gent noted that the County code was brought up by the public. Mayor Mueller stated that this is the detail that the ordinance actually talks about, i.e., spot lights, certain amount of wattage and they cannot be aimed at areas off your property. This is the kind of language that he is looking for.

Council Member Mount asked about enforcement during the evening and noted that there is a whole new set of logistics. This is a whole program that has to be looked at holistically before the City starts getting into far into some of this.

Council Member Calhoun asked if what was presented is the actual language to go into the Code. Mr. Pregler stated that yes, this reflect the language that will come before Council in April.

Council Member Calhoun stated that Mr. Gent referred to the County's code and asked if staff used that as a guide. Mr. Pregler stated that it was for some of the outdoor lighting section, the whole colored temperature came from Cochise County.

In response to Mayor Mueller, Mr. Pregler stated that the first public hearing is set for April and staff will look at the suggestions made and implement those prior to the April date.

Council Member Calhoun stated that she is not aware of it, but if a resident has a concern with what the neighbor is doing, is there a way through the City or the Court System for people to be brought together to discuss and mediate issues.

Ms. Jacobs stated that the City does not have a mediation program. There are a number of communities that have neighborhood mediation programs in place or ombudsman. In general it is not a huge demand as staff does not find those types of complaints. They happen from time to time, i.e., barking dogs, property upkeep, and lights on all night. There is not a huge demand for that but staff could refer people to resources as there are free services out there if both parties want to participate

Mr. Potucek stated that staff could approach the City's hearing officer to see if he would want to mediate something.

Council Member Mount stated that as far the NITS go, to him that is tailored made for a compromise. No one is saying that we should not have these lights that have at least approached Council; they have said 100 or 200 NTIS. If Council wants to save on time and actually set this up in all due fairness, the compromise of 150 would be to him ideal. Nobody wins, nobody loses and everybody kind of gets a piece of what they want.

Council Member Mount stated that he is concerned about enforcement, if complaints start to occur.

Council Member Ash asked if the Chamber made any comments about the 100 NITS. Mr. Pregler stated that staff has not heard from the Chamber either way and he recently mailed out to them the latest version. Everybody has been in support of the 100 NITS for residential.

Council Member Ash asked if staff has received negative comments about the threshold being 200 NITS as the limit. Mr. Pregler stated that a lot of businesses are on the Taskforce and they are all in support of 200 NITS. Since then, he has spoken to other sign companies in town and they are also in support 200 NITS. There has not been any negativity from the businesses that he has talked to and they have not commented on 100 NITS because that is not in the language.

In response to Council Member Ash, Mr. Pregler stated that in talking with the business owner of Culver's, he is fine with 200 NITS as he only needs to change the sign only once a day.

Council Member Ash stated that she has not received any negativity about the 200 NITS and has received positive notes about the threshold being 100 or 200 and not over that.

Council Member Gray that is has been the same with her.

Council Member Mount stated that he received from four different astronomy groups requests to keep it at 100 NITS and not to not have them. He thinks that it is an interesting point when discussing the business owners, especially Culver's, and it goes back to the ease of changing the sign out. The efficiency of advertising and Council may be quivelling over a mole hill.

Council Member Calhoun stated that she is curious where the dark skies people stand with the business being at 200 NITS and residential at 100 NITS. Mr. Pregler stated that they prefer 100 NITS across the board whether it is commercial or residential.

Council Member Gray stated that staff is keeping in mind the residential areas as that there are two separate NITS, 100 for residential and 200 for commercial.

Council Member Calhoun stated that her concern is that commercial areas are more concentrated and 200 NITS in a cluster will make lighter. She understands the economic importance of businesses and having the best light that they feel is important; but the other economic piece is the dark skies and the tourism. This goes into a whole other conversation and it depends on how things move in the economy whether the City wants to adjust for tourism being an economic factor or whether there are going to be small businesses. There is no real clear answer but Council need to consider future wise what the City and the skies going to look like?

Council Member Ash asked why the recommendation by the Taskforce is being used versus the Planning and Zoning's recommendation. Mr. Potucek explained that the reasoning behind is that he is looking at the folks that looked out there and really did not see a lot of difference between the 200 and 100. In the City's commercial areas right now there are a lot of old signs, large signs, tall signs and backlit signs that are not attractive and when he looks at the nonconforming uses and the compromises that the City is willing to make, he is hoping that whatever comes out of this will be an incentive enough for a lot of these businesses to upgrade their signage and actually improve the look of the community and the lighting.

Mayor Mueller thanked staff and the Taskforce.

In response to Council Member Calhoun, Mr. Pregler stated that these amendments will come before Council as a resolution on the first meeting in April and there is a 30-day public record period and then it will come back again before Council as an ordinance for final approval.

In response to Council Member Huisking, Mr. Pregler stated that the earliest that it would be in effect would be in June.

Council Member Huisking asked if the businesses are going to be able to do acquire signage through local vendors. Mr. Pregler stated that local vendors will be able to provide digital signage as they work with the manufacturers of these signs and they will purchase them from the manufacturers and install them for the business owners.

3. Adjourn

Mayor Mueller adjourned the work session at 5:06 p.m.

A handwritten signature in black ink, appearing to read "Mayor Mueller", is written over a horizontal line. The signature is stylized and extends above and below the line.

Mayor Frederick W. Mueller

Minutes prepared by:



Maria G. Marsh, Deputy City Clerk

Attest:



Jill Adams, City Clerk

CITY STAFF MEETING

March 17, 2015

ADMINISTRATIVE

Chuck Potucek reported the strategic planning retreat is scheduled for Friday and Saturday, March 27 and 28. Packets will be distributed to the Mayor and Council for the retreat. The service awards banquet will be held this Friday, March 20, at the Ethel Berger Center.

Jill Adams reported she is getting the content management software ready and will be meeting with the departments to work on their filing systems.

David Felix reported the draft CAFR was sent to the auditors for review. Department heads were asked to send their grant information for the next FY to the Grant Administrator.

Pam Weir reported she is continuing her work with the budget and CAC meetings. She met with Public Works last week on the budget and will meet with other departments as the budget process continues.

Simone McFarland reported she has been meeting with many members of the community, and is putting together a draft strategy on tackling and prioritizing economic development.

Abe Rubio reported staff has been working on Tyler-CRW conversions. The mobile data computers should be made available to both the Fire and Police departments in the next two weeks. The Public Access Points requested in the city manager conference room and council chambers went live on March 16. Staff is working on the IT requests from other departments for the next budget.

Barbara Fleming reported the employee self service in Munis was sent out to the employees and is working well.

COMMUNITY DEVELOPMENT

Donald Brush reported the sign and lighting code update has been recommended by the P&Z and will proceed to a work session with the Mayor and Council on March 24. Necessary Fed-Ex abandonments will go to the Mayor and Council on March 26. 20 out of the required 31 petitions needed to complete the Sulger annexation process have been signed. Culver's is nearing completion and the Quail Run extension should reopen soon. The Hospital project is going well and open houses will occur starting April 7.

LEISURE AND LIBRARY

Lee Elaban reported that about 1,000 people went to the Cultural Diversity celebration, and 28 countries and 34 military International students were in attendance. 343 people attended the latest tsunami night at the Cove. Youth basketball is wrapping up, and little league will start shortly after basketball season is finished. The summer programs are also starting, and the challenge is to get people on board to staff the programs. Barbara Fleming was asked if she could look into the SSCI (Southeastern Security Consultants, Inc.) background checks, since the Cities of Sahuarita, Oro Valley, and Marana are now on board with it and that it would help speed up the current process.

PUBLIC SAFETY

Tom Alinen reported staff is working on E911 and addressing design issues with Fort Huachuca in anticipation of them moving their new dispatch center and Fort Huachuca Fire being installed on the City's Spillman server. CenturyLink is moving E911 to the cloud technology during the next 18 months. Corporal Borgstadt is conducting A.L.I.C.E. (Alert-Lockdown-Inform-Counter-Evacuate) training with the school district at the end of the month and having a CHIPs (CHild Identification Program) registration at the mall. A Child Advocacy Center is being developed by Lori and Mike Rutherford. Chief Alinen, Sheriff Dannels, and Cochise County Supervisor Pat Call are on the Governing Board

Ron York stated a report was done on response times for emergency calls, and the average response time is 4 minutes, 50 seconds. Spillman fire reporting is going away. Fire would like to utilize another company (ERS) to provide this lost feature in Spillman. Additionally, ERS provides another app similar to Health EMS which Fire uses. It is their belief that money can be saved by having ERS provide all these programs and consolidate into one application/vendor as opposed to two. IT will coordinate with Fire to conduct further research. Fire received eight new tough book computers for their apparatus, and are awaiting the installation of mounts in each rig.

PUBLIC WORKS

Scott Dooley reported the Good Neighbor Alliance project is going well. The BST connectivity multi-use path project is in full swing. Staff is working on the CAC presentation scheduled for March 18. Veterans Memorial Park overlay went out for bid; bids are due March 31. The work should be performed on the overlay project during the latter part of April, and PAO will send out information when the work is being done.

MARCH 24 COUNCIL WORK SESSION (4:00 PM, Council Chambers)

In addition to the regular work session agenda items, other items for discussion include:

- Presentation and Discussion regarding the Planning and Zoning Commission's Recommendations on Articles 151.02, Definitions, 151.10. Sign Regulations pertaining to digital signs, and 151.11, Outdoor Light Control.

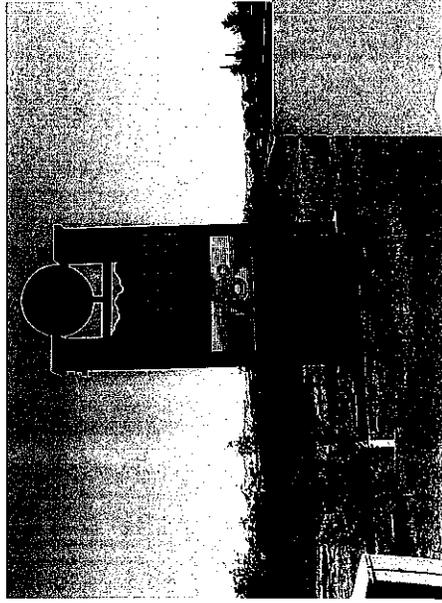
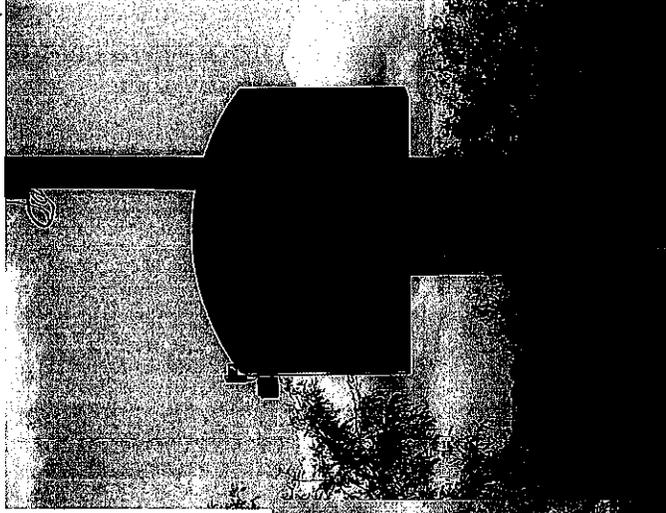
MARCH 25, JOINT WORK SESSION WITH COCHISE COUNTY BOARD OF SUPERVISORS (3:30 PM, Council Chambers)

- Discuss possible actions to improve the Fry Townsite Area

APRIL 1, COUNCIL WORK SESSION (4:00 PM, Council Chambers)

- Budget Revenue Projections

SIGN AND OUTDOOR LIGHTING CODE AMENDMENTS



SIGN AND OUTDOOR LIGHTING CODE AMENDMENTS

BACKGROUND INFORMATION

2013-CITY COUNCIL RECEIVED A REQUEST TO AMEND THE CODE FROM A LOCAL BUSINESS OWNER.

2014-DIGITAL SIGN TASKFORCE FORMED CONSISTING OF VARIOUS COMMUNITY STAKEHOLDERS. TASKFORCE HELD THREE MEETINGS RESULTING IN RECOMMENDATIONS TO CITY COUNCIL.

2015-PLANNING & ZONING COMMISSION HELD THREE WORK SESSIONS AND A PUBLIC HEARING WHICH RESULTED IN FORMAL RECOMMENDATIONS TO CITY COUNCIL.

SIGN AND OUTDOOR LIGHTING CODE AMENDMENTS

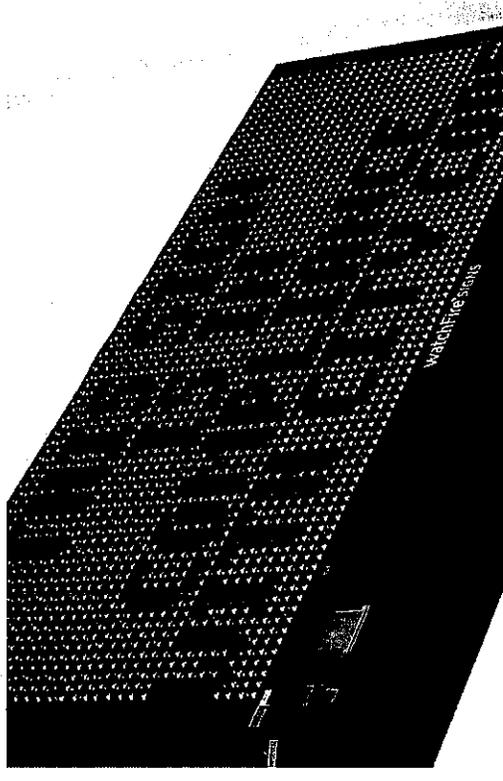
**GOAL-ALLOW BUSINESSES TO HAVE AN EFFECTIVE
ADVERTISING TOOL WHILE PROVIDING PUBLIC
BENEFITS.**

PUBLIC BENEFITS

**REDUCED LIGHT POLLUTION
INCREASED AESTHETICS**

POINTS OF EMPHASIS

**SAFETY
SIGN CONSISTENCY**





PROPOSED CODE AMENDMENTS
ARTICLE 151.02 DEFINITIONS

PROPOSED CODE AMENDMENTS

ARTICLE 151.02 DEFINITIONS

DEFINES THE TERMS

- ILLUMINANCE
- LUMINANCE
- LED (LIGHT EMITTING DIODE)
- NITS
- SIGN, DIGITAL DISPLAY
- SIGN, ELECTRONIC MESSAGE CENTER

NITS

A measure of luminance that describes the amount of light that passes through or is emitted from a particular object. The unit of measurement is candela per square meter (cd/m²).



PROPOSED CODE AMENDMENTS
ARTICLE 151.10 SIGN
REGULATIONS

PROPOSED CODE AMENDMENTS

ARTICLE 151.10 SIGN REGULATIONS

ELECTRONIC MESSAGE CENTERS (DIGITAL SIGNS)

NUMBER OF SIGNS-

SINGLE BUSINESS-ONE PER BUSINESS

MULTI-TENANT BUILDING-ONE PER LOT

SHOPPING CENTER/COMMERCIAL SUBDIVISION-ONE PER ACCESS

EMC SIGNS CAN REPLACE ADDITIONAL EXISTING CONFORMING SIGNS PROVIDED THEY MEET HEIGHT, AREA, AND SEPARATION REQUIREMENTS.

PROPOSED CODE AMENDMENTS

ARTICLE 151.10 SIGN REGULATIONS

ELECTRONIC MESSAGE CENTERS (DIGITAL SIGNS)

HEIGHT OF SIGNS

HEIGHT SHALL NOT EXCEED 10 FEET FROM STREET GRADE

AREA OF SIGNS

SINGLE BUSINESS-32 SF.

MULTI TENANT BUILDING-32 SF.

SHOPPING CENTER/COMMERCIAL SUBDIVISION-32 SF.

PROPOSED CODE AMENDMENTS
ARTICLE 151.10 SIGN REGULATIONS

ELECTRONIC MESSAGE CENTERS (DIGITAL SIGNS)

ANIMATION

ANIMATION PROHIBITED. ALL DISPLAYS SHALL BE STATIC

MESSAGE TRANSITION

INSTANTANEOUS TRANSITION

PROPOSED CODE AMENDMENTS

ARTICLE 151.10 SIGN REGULATIONS

ELECTRONIC MESSAGE CENTERS (DIGITAL SIGNS)

LENGTH OF MESSAGE DISPLAY

15 SECOND DISPLAY LENGTH
(Taskforce recommended 8 seconds)

MESSAGE DISPLAY

NO OFF-SITE MESSAGES OTHER THAN PROMOTION OF COMMUNITY AND CHARITY EVENTS.

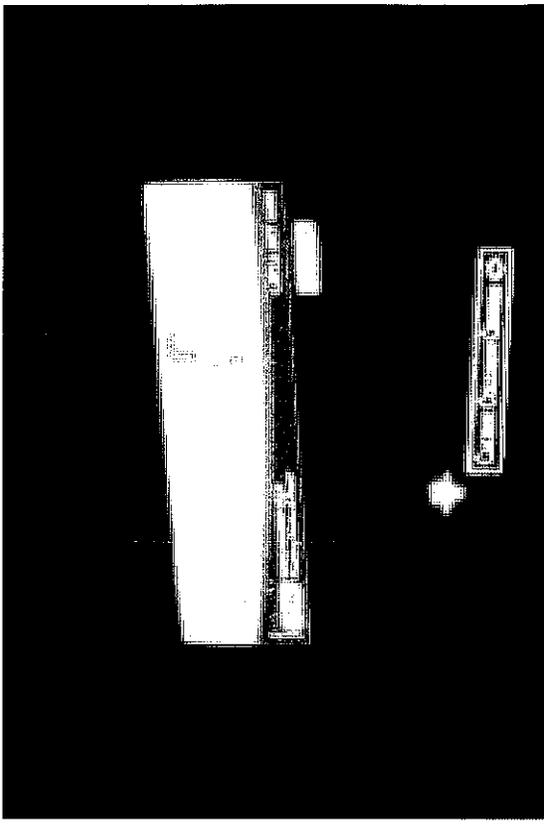
PROPOSED CODE AMENDMENTS

ARTICLE 151.10 SIGN REGULATIONS

ELECTRONIC MESSAGE CENTERS (DIGITAL SIGNS)

SIGN BRIGHTNESS

- 200 NITS COMMERCIAL/INDUSTRIAL
TASKFORCE RECOMMENDED 200 NITS
P&Z COMMISSION 4 RECOMMEND 100 NITS, 2 RECOMMEND 200 NITS
- 100 NITS RESIDENTIAL



PROPOSED CODE AMENDMENTS

ARTICLE 151.10 SIGN REGULATIONS

ELECTRONIC MESSAGE CENTERS (DIGITAL SIGNS)

SIGN BRIGHTNESS (CONT.)

- EQUIPPED WITH PHOTO SENSORS THAT ARE FACTORY LOCKED WHICH DIM TO NIT LEVEL.
- THE DIGITAL DISPLAY PORTION OF SIGN TURNED OFF AFTER THE BUSINESS ACTIVITIES CEASE. TIMERS SHALL BE REQUIRED WHICH AUTOMATICALLY TURN OFF THE DIGITAL DISPLAY.
- NO WHITE BACKGROUNDS.
- SIGNS LOCATED IN OR ADJACENT AND FACING A RESIDENTIAL ZONING DISTRICT SHALL BE TURNED OFF AT 10:00 PM.

PROPOSED CODE AMENDMENTS

ARTICLE 151.10 SIGN REGULATIONS

ELECTRONIC MESSAGE CENTERS (DIGITAL SIGNS)

NON-CONFORMING SIGNS

- DOES NOT EXCEED SIGN LUMINATION LEVEL.
- DIGITAL PORTION OF DISPLAY CANNOT EXCEED 32 SF.
- HEIGHT AND FACE AREA REDUCED TO THE FOLLOWING:

HEIGHT	PROPOSED HEIGHT	PROPOSED FACE AREA
+50-30	RED. BY 50%	64
29-21	RED. BY 25%	56
20-16	RED. BY 10%	48
15-0	RED. BY 0%	32

PROPOSED CODE AMENDMENTS

ARTICLE 151.10 SIGN REGULATIONS

STANDARD FREE STANDING SIGNS

SIGN ILLUMINATION

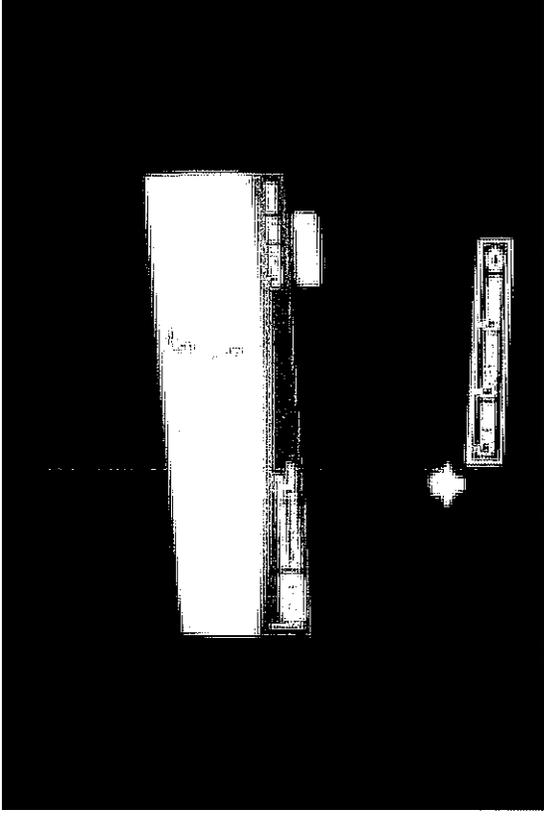
- INTERNALLY ILLUMINATED SIGNS SHALL NOT HAVE WHITE BACKGROUNDS.
- EXTERNALLY ILLUMINATED SIGNS SHALL USE LIGHT FIXTURES THAT ARE FULLY SHIELDED AND ARE DIRECTED AT THE SIGN.
- VACANT SIGN FACES SHALL HAVE A COMPLETELY DARK OR OPAQUE BACKGROUND.

PROPOSED CODE AMENDMENTS

ARTICLE 151.10 SIGN REGULATIONS

SPECIAL USE PERMITS

THE SPECIAL USE PERMIT PROCESS CANNOT BE USED TO EXCEED THE STANDARDS FOR THE DIGITAL DISPLAY PORTION OF THE SIGN.





PROPOSED CODE AMENDMENTS
ARTICLE 151.11 OUTDOOR LIGHT
CONTROL

PROPOSED CODE AMENDMENTS

ARTICLE 151.11 OUTDOOR LIGHT CONTROL

- LIGHT FIXTURES FOR COMMERCIAL AND INDUSTRIAL DEVELOPMENTS SHALL BE TURNED OFF BETWEEN THE HOURS OF 10:00 (OR WHEN BUSINESS ACTIVITIES CEASE) PM AND SUNRISE. DOES NOT APPLY TO SAFETY OR SECURITY LIGHTING.
- ADDS MINIMUM LIGHTING REQUIREMENTS TO DRIVEWAYS, PARKING LOTS, AND PRIVATE WALKWAYS ENSURE DRIVER AND PEDESTRIAN SAFETY.

PROPOSED CODE AMENDMENTS

ARTICLE 151.11 OUTDOOR LIGHT CONTROL

- THE MAXIMUM LUMENS PER ACRE REDUCED.
150,000 LUMENS ADJACENT TO RESIDENTIAL
200,000 LUMENS NON ADJACENT TO RESIDENTIAL
- LED LIGHTS IN BOTH PRIVATE DEVELOPMENT AND RIGHT-OF-WAY SHALL BE FILTERED TO HAVE A MAXIMUM CORRELATED COLOR TEMPERATURE OF 3,000K.
- RESIDENTIAL LIGHTING SHALL BE FULLY SHIELDED UNLESS UNDER A FEATURE THAT MINIMIZES LIGHT TRESPASS.

QUESTIONS

