



Oregon

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NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

Date: May 28, 2015
Jurisdiction: City of Phoenix
Local file no.: LDC 14-11, LDC 14-12
DLCD file no.: 004-14

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 05/21/2015. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office. This amendment was submitted without a signed ordinance.

Notice of the proposed amendment was submitted to DLCD 35 days prior to the first evidentiary hearing.

Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR chapter 661, division 10).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or plan.amendments@state.or.us



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE	
File No.:	004-14 {22541}
Received:	5/21/2015

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: City of Phoenix

Local file no.: **LDC 14-11, 14-12**

Date of adoption: May 18, 2015

Date sent: 5/20/2015

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): 11/03/2014

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No

If yes, describe how the adoption differs from the proposal:

Minor typographical and substantive revisions

Local contact (name and title): Matt Brinkley, Director of Planning

Phone: 541-535-2050

E-mail: matt.brinkley@phoenixoregon.gov

Street address: 112 W. 2nd Street

City: Phoenix

Zip: 97535-

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

None

For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

- | | | | |
|-------------|----|--------|--|
| Change from | to | acres. | A goal exception was required for this |
| change. | | | |
| Change from | to | acres. | A goal exception was required for this |
| change. | | | |
| Change from | to | acres. | A goal exception was required for this |
| change. | | | |
| Change from | to | acres. | A goal exception was required for this change. |

Location of affected property (T, R, Sec., TL and address):

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

If the comprehensive plan map change is a UGB amendment including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

If the comprehensive plan map change is an urban reserve amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

For a change to the text of an ordinance or code:

Identify the sections of the ordinance or code that were added or amended by title and number:

CHAPTERS 3.6 and 3.12

For a change to a zoning map:

Identify the former and new base zone designations and the area affected:

Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation:	Acres added:	Acres removed:
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Location of affected property (T, R, Sec., TL and address):

List affected state or federal agencies, local governments and special districts: City of Phoenix

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

Official record for each amendment.

PLDC Text as Amended by LDC14-11, LDC14-12, and Ordinances 964 & 963, May 18, 2015. Amendment became effective June 17, 2015.

Chapter 2.3.5 is amended as follows:

D. Open Space Design

1. Common open spaces shall include at least two of the following improvements:
 - a. benches for seating;
 - b. public art such as a statue;
 - c. a water feature such as a fountain;
 - d. a children's play structure;
 - e. a gazebo;
 - f. picnic tables;
 - g. gardens;
 - h. an indoor or outdoor sports court for one or more of the following: tennis, basketball, volleyball, badminton, racquetball, and handball/paddleball
2. Residential developments that may house children shall provide at least one common open space with a children's play structure.
3. For security purposes, all common open spaces shall be adequately illuminated in accordance with Chapter 3.12 – Outdoor Lighting. Landscaping shall be designed and maintained to avoid security risks.

Chapter 2.4.4 is amended as follows:

2.4.4 – Architectural Guidelines and Standards

A. Architectural Continuity and Quality. New and remodeled buildings may have their own architectural style but there must be some architectural continuity with the other structures located within the area. All building designs located within the Commercial Highway District must be of a high architectural quality and shall incorporate the following:

1. Continuous building walls of greater than 50 feet shall be avoided. Breaks in the wall plane shall be incorporated into the building design.
2. Entrances to the buildings shall be clearly defined architecturally. Entrances shall include decorative pavement treatments in order to tie into the parking lot pedestrian circulation systems.
3. Exterior building materials shall be of high quality and shall be selected based upon their weathering properties. Generally, materials such as stucco, brick, or masonry block should be used for exterior walls.

4. When the building is part of a larger complex, continuity of materials and design shall be required.
- B. Lighting.** Project lighting shall be provided in order to create safe low-light conditions, and in accordance with Chapter 3.12 – Outdoor Lighting.
- C. Roof-mounted equipment.** Roof-mounted mechanical equipment is not allowed unless completely screened by equipment well or screened by a parapet wall.
- D. Detailing.** Architectural detailing shall be consistent on all elevations.
- E. Trash Enclosures.** Trash enclosures shall be constructed of 6-foot high masonry walls with solid metal gates. The floor of the enclosure shall be constructed of concrete with a 6-foot by 10-foot concrete apron placed in front of the enclosure. The masonry materials used shall be selected to match the materials used in the building or buildings that it serves. Trash enclosures shall not be located within 25 feet of a public entrance or a required pedestrian walkway.
- F. Parking lot lighting.** Parking lot lighting shall be provided for parking lots containing more than 10 spaces. Parking lots with more than 10 vehicle parking spaces shall also include pedestrian scale lighting of pedestrian walkways and bicycle parking areas. All outdoor lighting shall comply with Chapter 3.12.
- G. Bicycle Parking.** Bicycle parking shall be integrated into the design for development within the C-H zone district. The location of the spaces must be coordinated with the location and orientation of vehicle parking, bicycle lanes, and pedestrian walkways. Enclosed bicycle parking shall be designed to be architecturally compatible with the design of the building or buildings located on the site. (See the Parking chapter of this development code for other bicycle parking requirements.)
- H. Pedestrian Circulation.** Projects that require more than 50 vehicle parking spaces shall also be required to provide the following separate pedestrian circulation improvements:
1. Covered walkways, a trellis structure planted with vines or other solution that is designed to provide pedestrians with shade and protection from the weather.
 2. All pedestrian circulation areas must be lighted with pedestrian scale light fixtures in compliance with Chapter 3.12.
 3. Transit stops, on-site connections to transit stops, or designated passenger pick up areas shall be required if deemed appropriate by the Planning Department based upon the size of the project and input from the Rogue Valley Transit District (RVTD) or if requested by RVTD.
 4. Driveway Improvements. Parking lots over three acres in size shall provide street improvements, including curbs, sidewalks, and street trees, in compliance with the local street standards in Table 3.5.2.

Chapter 2.4.5 is amended as follows:

F. Vehicle, Truck, Boat, Motorcycle, or RV Sales. These uses may be approved if it has been shown that the use incorporates the following:

1. Sales lots must include a minimum of a 20-foot landscape setback between the back of sidewalk and the edge of the vehicle parking, display area, or building.
2. No vehicle display will be allowed in the required landscape setback area.
3. Vehicle display areas shall not encroach upon the required customer and employee parking spaces.
4. Pole lighting must not be higher than 15 feet and must be shielded from the surrounding public streets and from I-5 and shall comply with Chapter 3.12 – Outdoor Lighting.
5. All repair and detailing activities must be conducted within an enclosed building.

G. Self-Storage Facilities. These uses may be approved if it has been shown that the following design requirements have been provided:

1. Architectural Standards:
 - a. Exterior materials used in the construction of the storage units shall be concrete masonry block with a decorative finish such as split-faced or fluted block.
 - b. Long exterior walls shall be broken up with masonry pilasters or insets or pop outs in the wall plane at a minimum of 30 feet on center.
 - c. The roof material may be metal but it shall have a non-glaring finish.
 - d. The roof eaves shall be finished and shall incorporate rain gutters and down spouts.
 - e. Security fencing shall be provided. The fencing shall be decorative wrought iron or other decorative metal. Chain link fencing is not permitted.
2. Site Development Standards:
 - a. The following minimum building setbacks shall apply:
 - i. Front: 20 feet
 - ii. Side and rear: 0, except when adjacent to another street frontage in which case the minimum would be 15 feet or in the case where the development would be adjacent to a residential land use, in which case the minimum setback would be 5 feet.
 - b. Landscaping: A dense landscape screen must be included on all elevations that abut a street frontage or abut residential land uses. The landscape treatment must include a combination of trees, shrubs, and ground cover. The area must be served by an automatic underground

PLDC Text as Amended by LDC14-11, LDC14-12, and Ordinances 964 & 963, May 18, 2015. Amendment became effective June 17, 2015.

irrigation system. All landscaping shall meet the requirements of Chapter 3.3 – Landscaping, Street Trees, Fences, and Walls.

- c. **Project Lighting:** All project lighting shall comply with Chapter 3.12 – Outdoor Lighting.

Chapter 2.5.9 is amended as follows:

E. Outdoor Lighting. Outdoor lighting shall comply with Chapter 3.12 – Outdoor Lighting.

Chapter 2.6.9 is amended as follows:

E. Outdoor Lighting. Outdoor lighting shall comply with Chapter 3.12 – Outdoor Lighting.

Chapter 3 is amended by adding Section 3.12 – *Outdoor Lighting*, as follows:

Chapter 3.12 – Outdoor Lighting

Sections

- 3.12.1 – Purpose
- 3.12.2 – Definitions
- 3.12.3 – Lighting area classifications
- 3.12.4 – Applicability
- 3.12.5 – Exemptions
- 3.12.6 – Standards for non-residential lighting
- 3.12.7 – Standards for residential lighting.

3.12.1 – Purpose

The purpose of this Ordinance is to provide regulations for outdoor lighting that will: permit the use of outdoor lighting that does not exceed the maximum levels specified in IES recommended practices for night-time safety, utility, security, productivity, enjoyment, and commerce; minimize adverse offsite impacts of lighting such as light trespass, and obtrusive light; curtail light pollution, reduce skyglow and improve the nighttime environment for astronomy; protect the natural environment from the adverse effects of night lighting from gas or electric sources; and conserve energy and resources to the greatest extent possible.

3.12.2 – Definitions

- A. Absolute Photometry. Photometric measurements (usually of a solid-state luminaire) that directly measures the footprint of the luminaire. Reference Standard IES LM-79.
- B. Architectural Lighting. Lighting designed to reveal architectural beauty, shape and/or form for which lighting for any other purpose is incidental.
- C. Authority. The adopting municipality, agency or other governing body.
- D. Astronomic Time Switch. An automatic lighting control device that switches outdoor lighting relative to time of solar day with time of year correction.
- E. Backlight. For an exterior luminaire, lumens emitted in the quarter sphere below horizontal and in the opposite direction of the intended orientation of the luminaire. For luminaires with symmetric distribution, backlight will be the same as front light.
- F. BUG. A luminaire classification system that classifies Backlight (B), Uplight (U), and Glare (G).
- G. Canopy. A covered, unconditioned structure with at least one side open for pedestrian and/or vehicular access. (An unconditioned structure is one that may be open to the elements and has no heat or air conditioning.)
- H. Common Outdoor Areas. One or more of the following: a parking lot; a parking structure or covered vehicular entrance; a common entrance or public space

- shared by all occupants of a site; parks, plazas, and similar outdoor gathering and recreational areas.
- I. Curfew. A time defined by the authority when outdoor lighting is reduced or extinguished.
 - J. Cutoff or 100% Cutoff. See definition for “Fully Shielded Luminaire” in this Section.
 - K. Emergency Conditions. Generally, lighting that is only energized during an emergency; lighting fed from a backup power source; or lighting for illuminating the path of egress solely during a fire or other emergency situation; or lighting for security purposes used solely during an alarm.
 - L. Footcandle. The unit of measure expressing the quantity of light received on a surface. One footcandle is the illuminance produced by a candle on a one foot square surface from a distance of one foot.
 - M. Forward Light. For an exterior luminaire, lumens emitted in the quarter sphere below horizontal and in the direction of the intended orientation of the luminaire.
 - N. Fully Shielded Luminaire. A luminaire constructed and installed in such a manner that all light emitted by the luminaire, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected below the horizontal plane through the luminaire’s lowest light-emitting part.
 - O. Glare. Lighting entering the eye directly from luminaires or indirectly from reflective surfaces that causes visual discomfort or reduced visibility.
 - P. Hardscape. Stone, brick, concrete, asphalt or other similar finished surfaces intended primarily for walking, such as sidewalks and pathways.
 - Q. Hardscape Area. The area measured in square feet of all hardscape. It is used to calculate the Total Site Lumen Limit in both the Prescriptive and Performance Method I methods. See Chapter 1.3 of the PLDC for a definition of hardscape.
 - R. Hardscape Perimeter. The perimeter measured in linear feet is used to calculate the Total Site Lumen Limit in the Performance Method. See Chapter 1.3 of the PLDC for a definition of hardscape.
 - S. IDA. International Dark-Sky Association.
 - T. IESNA. Illuminating Engineering Society of North America.
 - U. Industry Standard Lighting Software. Lighting software that calculates point-by-point illuminance that includes reflected light using either ray-tracing or radiosity methods.
 - V. Lamp. A generic term for a source of optical radiation (i.e. “light”), often called a “bulb” or “tube”. Examples include incandescent, fluorescent, high-intensity discharge (HID), low pressure sodium (LPS), light-emitting diode (LED), metal halide (MH), and induction.
 - W. Landscape Lighting. Lighting of trees, shrubs, or other plant material as well as ponds and other landscape features.
 - X. LED. Lighting Emitting Diode.

- Y. Light Pollution. Any adverse effect of artificial light including, but not limited to, glare, light trespass, skyglow, energy waste, compromised safety and security, and impacts on the nocturnal environment.
- Z. Light Trespass. Light that falls beyond the property it is intended to illuminate.
- AA. Lighting. “Electric” or “man-made” or “artificial” lighting. See “lighting equipment”.
- BB. Lighting Equipment. Equipment specifically intended to provide gas or electric illumination, including but not limited to, lamp(s), luminaire(s), ballast(s), poles, posts, lens(s), and related structures, electrical wiring, and other necessary or auxiliary components.
- CC. Lighting Zone. An overlay zoning system establishing legal limits for lighting for particular parcels, areas, or districts in a community.
- DD. Low Voltage Landscape Lighting. Landscape lighting powered at less than 15 volts and limited to luminaires having a rated initial luminaire lumen output of 525 lumens or less.
- EE. Lumen. The unit of measure used to quantify the amount of light produced by a lamp or emitted from a luminaire (as distinct from “watt,” a measure of power consumption).
- FF. Luminaire. The complete lighting unit (fixture), consisting of a lamp, or lamps and ballast(s) (when applicable), together with the parts designed to distribute the light (reflector, lens, diffuser), to position and protect the lamps, and to connect the lamps to the power supply.
- GG. Luminaire Lumens. For luminaires with relative photometry per IES, it is calculated as the sum of the initial lamp lumens for all lamps within an individual luminaire, multiplied by the luminaire efficiency. If the efficiency is not known for a residential luminaire, assume 70%. For luminaires with absolute photometry per IES LM-79, it is the total luminaire lumens. The lumen rating of a luminaire assumes the lamp or luminaire is new and has not depreciated in light output.
- HH. Lux. A unit of illuminance. One lux is one lumen per square meter. 1 Lux is a unit of incident illuminance approximately equal to 1/10 footcandle.
- II. Mounting Height. The height of the photometric center of a luminaire above grade level.
- JJ. New Lighting. Lighting for areas not previously illuminated; newly installed lighting of any type except for replacement lighting or lighting repairs.
- KK. Ornamental Lighting. Lighting that does not impact the function and safety of an area but is purely decorative, or used to illuminate architecture and/or landscaping, and installed for aesthetic effect.
- LL. Ornamental Street Lighting. A luminaire intended for illuminating streets that serves a decorative function in addition to providing optics that effectively deliver

street lighting. It has a historical period appearance or decorative appearance, and has the following design characteristics:

- designed to mount on a pole using an arm, pendant, or vertical tenon;
- opaque or translucent top and/or sides;
- an optical aperture that is either open
- or enclosed with a flat, sag or drop lens;
- mounted in a fixed position; and
- with its photometric output measured using Type C photometry per IESNA LM-75-01.

- MM. Outdoor Lighting. Lighting equipment installed within the property line and outside the building envelopes, whether attached to poles, building structures, the earth, or any other location; and any associated lighting control equipment.
- NN. Partly Shielded Luminaire. A luminaire with opaque top and translucent or perforated sides, designed to emit most light downward.
- OO. Photoelectric Switch. A control device employing a photocell or photodiode to detect daylight and automatically switch lights off when sufficient daylight is available.
- PP. Relative Photometry. Photometric measurements made of the lamp plus luminaire, and adjusted to allow for light loss due to reflection or absorption within the luminaire. Reference standard: IES LM-63.
- QQ. Repair(s). The reconstruction or renewal of any part of an existing luminaire for the purpose of its ongoing operation, other than relamping or replacement of components including capacitor, ballast or photocell. Note that retrofitting a luminaire with new lamp and/or ballast technology is not considered a repair and for the purposes of this ordinance the luminaire shall be treated as if new. "Repair" does not include normal relamping or replacement of components including capacitor, ballast or photocell.
- RR. Replacement Lighting. Lighting installed specifically to replace existing lighting that is sufficiently broken to be beyond repair.
- SS. Sales Area (Outdoor). Uncovered area used for sales of retail goods and materials, including but not limited to automobiles, boats, tractors and other farm equipment, building supplies, and gardening and nursery products.
- TT. Seasonal lighting. Temporary lighting installed and operated in connection with holidays or traditions.
- UU. Shielded Directional Luminaire. A luminaire that includes an adjustable mounting device allowing aiming in any direction and contains a shield, louver, or baffle to reduce direct view of the lamp.

PLDC Text as Amended by LDC14-11, LDC14-12, and Ordinances 964 & 963, May 18, 2015. Amendment became effective June 17, 2015.

- VV. Sky Glow. The brightening of the nighttime sky that results from scattering and reflection of artificial light by moisture and dust particles in the atmosphere. Skyglow is caused by light directed or reflected upwards or sideways and reduces one's ability to view the night sky.
- WW. Temporary Lighting. Lighting installed and operated for periods not to exceed 60 days, completely removed and not operated again for at least 30 days.
- XX. Time Switch. An automatic lighting control device that switches lights according to time of day.
- YY. Translucent. Allowing light to pass through, diffusing it so that objects beyond cannot be seen clearly (not transparent or clear).
- ZZ. Unshielded Luminaire. A luminaire capable of emitting light in any direction including downwards.
- AAA. Uplight. For an exterior luminaire, flux radiated in the hemisphere at or above the horizontal plane.
- BBB. Vertical Illuminance. Illuminance measured or calculated in a plane perpendicular to the site boundary or property line.

3.12.3 – Lighting area classifications

Different types of land uses, activities, and operations require different levels of ambient lighting. Lighting zones are hereby determined according to the land use district in which a particular property is located. Table 3.12.3 defines lighting area classifications by land use district map designation and describes each lighting zone in terms of its purpose and suitability for certain types and intensities of outdoor lighting.

Greenway	R-1	R-2	R-3	CC	C-H	GI	LI	PUD
LZ-1	LZ-1	LZ-1	LZ-2	LZ-2	LZ-3	LZ-3	LZ-3	Varies

Table 3.12.3 Lighting Area Classifications.

3.12.4 – Applicability

Except as described below, all outdoor lighting installed after the date of effect of this section shall comply with these requirements. This includes, but is not limited to, new lighting, replacement lighting, or any other lighting whether attached to structures, poles, the earth, or any other location, including lighting installed by any third party. Where the provisions of this chapter conflict with other sections of the Land Development Code or other municipal codes, the more restrictive regulation shall control.

3.12.5 – Exemptions

The following types of lighting applications and operational procedures are explicitly exempt from the requirements of this chapter.

- A. Lighting within public right-of-way or easement for the principal purpose of illuminating streets or roads. No exemption shall apply to any lighting within the public right of way or easement when the purpose of the luminaire is to illuminate

areas outside the public right of way or easement, unless regulated with a streetlighting ordinance;

- B. Lighting for public monuments and statuary;
- C. Lighting solely for signs (lighting for signs is regulated by the Sign Ordinance);
- D. Repairs to existing luminaires not exceeding 25% of total installed luminaires;
- E. Temporary lighting for theatrical, television, performance areas and construction sites lasting fewer than 3 days;
- F. Underwater lighting in swimming pools and other water features;
- G. Temporary lighting and seasonal lighting provided that individual lamps are less than 10 watts and 70 lumens;
- H. Lighting that is only used under emergency conditions;
- I. In lighting zones 2, 3 and 4, low voltage landscape lighting controlled by an automatic device that is set to turn the lights off at one hour after the site is closed to the public or at a time established by the City;
- J. Lighting specified or identified in a specific use permit;
- K. Lighting required by federal or state laws and regulations.

3.12.6 – Standards for non-residential lighting

- A. Prescriptive Method. An outdoor lighting installation complies with this section if it meets the requirements of subsections 1, 2, and 3 below.
 - 1. Total Site Lumen Limit. The total installed initial luminaire lumens of all outdoor lighting shall not exceed the total site lumen limit. The total site lumen limit shall be determined using either the Parking Space Method (Table A) or the Hardscape Area Method (Table B and B-2). Only one method shall be used per permit application, and for sites with existing lighting, existing lighting shall be included in the calculation of total installed lumens. The total installed initial luminaire lumens is calculated as the sum of the initial luminaire lumens for all luminaires.
 - 2. Limits of offsite impacts. All luminaires shall be rated and installed according to Table C.

3. Full or 100% cutoff lighting. All lighting shall be full cutoff and shall not emit light above 90 degrees.
4. Exceptions. Ornamental parking lighting shall be permitted by special permit only, and shall meet the requirements of Table D-1 for Backlight, Table D-2 for Uplight, and Table D-3 for Glare, without the need for external field-added modifications.

B. Performance Method I. An outdoor lighting installation complies with this section if it meets the requirements of subsections 1 and 2 below.

1. Total Site Lumen Limit. The total installed initial luminaire lumens of all lighting systems on the site shall not exceed the allowed total initial site lumens. The allowed total initial site lumens shall be determined using Tables D and E. For sites with existing lighting, existing lighting shall be included in the calculation of total installed lumens. The total installed initial luminaire lumens is calculated as the sum of the initial luminaire lumens for all luminaires.

2. Limits to Off Site Impacts. All luminaires shall be rated and installed using either Option A or Option B. Only one option may be used per permit application.
 - a. Option A: All luminaires shall be rated and installed according to Table C.
 - b. Option B: The entire outdoor lighting design shall be analyzed using industry standard lighting software including interreflections in the following manner:
 - i. Input data shall describe the lighting system including luminaire locations, mounting heights, aiming directions, and employing photometric data tested in accordance with IES guidelines. Buildings or other physical



objects on the site within three object heights of the property line must be included in the calculations.

- ii. Analysis shall utilize an enclosure comprised of calculation planes with zero reflectance values around the perimeter of the site. The top of the enclosure shall be no less than 33 feet (10 meters) above the tallest luminaire. Calculations shall include total lumens upon the inside surfaces of the box top and vertical sides and maximum vertical illuminance (footcandles and/or lux) on the sides of the enclosure.
- iii. The proposed design complies if the total lumens on the inside surfaces of the virtual enclosure are less than 15% of the total site lumen limit; and the maximum vertical illuminance on any vertical surface is less than the allowed maximum illuminance per Table F.

C. Performance Method II. Sites under 1 acre that are within the LZ-2 and LZ-3 lighting area classes may demonstrate compliance with this Chapter by meeting the following requirements:

1. Full or 100% cutoff lighting. All lighting shall be full cutoff and shall not emit light above 90 degrees.
2. Photometric plan required. A photometric plan shall be submitted for review that accurately depicts the locations and types of lighting measures and illuminance in footcandles or lumens at final grade throughout the entire site and ten (10) feet beyond the perimeter of the site.
3. Maximum and minimum luminance. Illumination levels shall comply with those listed in the following Table 3.12.6.C:

Area/Activity Type	Min. Illuminance (FC)	Max. Illuminance (FC)
Building entrances/Exits	5	10
Parking Areas	1	5
Parking Structure	5	10
Other Outdoor Areas	1	5
Loading Areas and Platforms	10	15
Under canopies	5	15
Heavy Equipment Operation	10	25

Table 3.12.6 Illumination Levels.

4. Maximum illuminance at property line. Maximum illuminance at any point in the vertical plane of the property line shall be less than 0.2 foot-candles.

3.12.7 – Standards for residential lighting.

- A. General Requirements. For residential properties including multiple family residential properties not having common areas, all outdoor luminaires shall be fully shielded, 100% cutoff and shall not exceed the allowed lumen output in Table G, row 2.

B. Exceptions.

1. One partly shielded or unshielded luminaire at the main entry, not exceeding the allowed lumen output in Table G row 2.
2. Any other partly shielded or unshielded luminaires not exceeding the allowed lumen output in Table G row 3.
3. Low voltage landscape lighting aimed away from adjacent properties and not exceeding the allowed lumen output in Table G row 4.
4. Shielded directional flood lighting aimed so that direct glare is not visible from adjacent properties and public and private streets and pedestrian ways and not exceeding the allowed lumen output in Table G row 5.
5. Open flame gas lamps.
6. Lighting installed with a vacancy sensor, where the sensor extinguishes the lights no more than 15 minutes after the area is vacated, provided that the luminaire is shielded, 100% cutoff.
7. Lighting exempt per Section 3.12.5.

C. Requirements for Residential Landscape Lighting.

1. Shall comply with Table G.
2. Shall not be aimed onto adjacent properties.

3.12.8 – Lighting by special permit

A. High Intensity and Special Purpose Lighting. The following lighting systems are prohibited from being installed or used except by special use permit:

1. Temporary lighting in which any single luminaire exceeds 20,000 initial luminaire lumens or the total lighting load exceeds 160,000 lumens.
2. Aerial Lasers.
3. Searchlights.
4. Other very intense lighting defined as having a light source exceeding 200,000 initial luminaire lumens or an intensity in any direction of more than 2,000,000 candelas.
5. Focused light emitted by remotely operated aerial devices (drones). Warning and identification lights as required by state and federal laws and regulations for such devices are not subject to this requirement.

- B. Upon special permit issued by the Department, lighting not complying with the technical requirements of this ordinance but consistent with its intent may be installed for complex sites or uses or special uses including, but not limited to, the following applications:
1. Sports facilities, including but not limited to unconditioned rinks, open courts, fields, and stadiums.
 2. Construction lighting.
 3. Lighting for industrial sites having special requirements, such as petrochemical manufacturing or storage, shipping piers, etc.
 4. Parking structures.
 5. Urban parks
 6. Ornamental and architectural lighting of bridges, public monuments, statuary and public buildings.
 7. Theme and amusement parks.
 8. Correctional facilities.
- C. Standards for approval of special permit for lighting
1. Has sustained every reasonable effort to mitigate the effects of light on the environment and surrounding properties, supported by a signed statement describing the mitigation measures. Such statement shall be accompanied by the calculations required for the Performance Method.
 2. Employs lighting controls to reduce lighting at a Project Specific Curfew (“Curfew”) time to be established in the Permit.
 3. Complies with the Performance Method after Curfew.
 4. The Authority shall review each such application. A permit may be granted if, upon review, the Authority believes that the proposed lighting will not create unwarranted glare, sky glow, or light trespass.

3.12.8 – Existing Lighting. Lighting installed prior to the effective date of this ordinance shall comply with the following standards.

- A. Amortization. On or before January 1, 2029, all outdoor lighting shall comply with this Code.
- B. New Uses or Structures, or Change of Use. Whenever there is a new use of a property (zoning or variance change) or the use or occupancy category as defined by the applicable building code is changed, all outdoor lighting on the property shall

be brought into compliance with this Ordinance before the new or changed use or occupancy commences.

C. Additions or Alterations

1. Major additions. If a major addition occurs on a property, lighting for the entire property shall comply with the requirements of this Code. For purposes of this section, the following are considered to be major additions:
 - a. Additions of 25 percent or more in terms of additional dwelling units, gross floor area, seating capacity, or parking spaces, either with a single addition or with cumulative additions after the effective date of this Ordinance.
 - b. Single or cumulative additions, modification or replacement of 25 percent or more of installed outdoor lighting luminaires existing as of the effective date of this Ordinance.
2. Minor modifications, additions, or new lighting fixtures for non-residential and multifamily dwellings. For non-residential and multifamily dwellings, all additions, modifications, or replacement of more than 25 percent of outdoor lighting fixtures existing as of the effective date of this Ordinance shall require the submission of a complete inventory and site plan detailing all existing and any proposed new outdoor lighting. Any new lighting shall meet the requirements of this Ordinance.
3. Resumption of Use after Abandonment. If a property with non-conforming lighting is not occupied for a period of six months or more, then all outdoor lighting shall be brought into compliance with this Ordinance before any further use of the property occurs.

3.12.8 – Violations and Enforcement.

Outdoor lighting installed or maintained in violation of any provision of this section, or other applicable provisions of the Phoenix Land Development Code (PLDC), shall be subject to the provisions of Chapter 1.4 – Enforcement of the PLDC.

PLDC Text as Amended by LDC14-11, LDC14-12, and Ordinances 964 & 963, May 18, 2015. Amendment became effective June 17, 2015.

3.12.9 Tables

Table A - Allowed Total Initial Luminaire Lumens per Site for Nonresidential Outdoor Lighting, Per Parking Space Method. May only be applied to properties up to 10 parking spaces (including handicapped accessible spaces).

LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
350	490	630	840	1,050
lms/space	lms/space	lms/space	lms/space	lms/space

Table B - Allowed Total Initial Lumens for Nonresidential Sites, per Outdoor Lighting, Hardscape Area Method. May be used for any project. When lighting intersections of site drives and public streets or road, a total of 600 square feet for each intersection may be added to the actual site hardscape area to provide for intersection lighting.

LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Base Allowance				
0.5 lumens	1.25 lumens	2.5 lumens	5.0 lumens	7.5 lumens
per SF of	per SF of	per SF of	per SF of	per SF of
hardscape	Hardscape	hardscape	hardscape	hardscape

Table B-2 - Lumen Allowances in Addition to Base Allowance

	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Additional allowances for sales and service facilities.					
No more than two additional allowances per site, Use it or Lose it.					
Outdoor Sales Lots. This allowance is lumens per square foot of uncovered sales lots used exclusively for the display of vehicles or other merchandise for sale, and may not include driveways, parking or other non-sales areas. To use this allowance, luminaires must be within 2 mounting heights of sales lot area.	0	4 lumens per square foot of hardscape	8 lumens per square foot of hardscape	16 lumens per square foot of hardscape	16 lumens per square foot of hardscape
Outdoor Sales Frontage. This allowance is for lineal feet of sales frontage immediately adjacent to the principal viewing location(s) and unobstructed for its viewing length. A corner sales lot may include two adjacent sides provided that a different principal viewing location exists for each side. In order to use this allowance, luminaires must be located between the principal viewing location and the frontage outdoor sales area.	0	0	1,000 per LF	1,500 per LF	2,000 per LF
Drive Up Windows. In order to use this allowance, luminaires must be within 20 feet horizontal distance of the center of the window.	0	2,000 lumens per drive-up window	4,000 lumens per drive-up window	8,000 lumens per drive-up window	8,000 lumens per drive-up window
Vehicle Service Station. This allowance is lumens per installed fuel pump.	0	4,000 lumens per pump (based on 5 fc horiz)	8,000 lumens per pump (based on 10 fc horiz)	16,000 lumens per pump (based on 20 fc horiz)	24,000 lumens per pump (based on 20 fc horiz)

Table C - Maximum Allowable Backlight, Uplight and Glare (BUG) Ratings. May be used for any project. A luminaire may be used if it is rated for the lighting zone of the site or lower in number for all ratings B, U and G. Luminaires equipped with adjustable mounting devices permitting alteration of luminaire aiming in the field shall not be permitted.

	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Allowed Backlight Rating*					
Greater than 2 mounting heights from property line	B1	B3	B4	B5	B5
1 to less than 2 mounting heights from property line and ideally oriented**	B1	B2	B3	B4	B4
0.5 to 1 mounting heights from property line and ideally oriented**	B0	B1	B2	B3	B3
Less than 0.5 mounting height to property line and properly oriented**	B0	B0	B0	B1	B2

*For property lines that abut public walkways, bikeways, plazas, and parking lots, the property line may be considered to be 5 feet beyond the actual property line for purpose of determining compliance with this section. For property lines that abut public roadways and public transit corridors, the property line may be considered to be the centerline of the public roadway or public transit corridor for the purpose of determining compliance with this section. NOTE: This adjustment is relative to Table C-1 and C-3 only and shall not be used to increase the lighting area of the site.

** To be considered 'ideally oriented', the luminaire must be mounted with the backlight portion of the light output oriented perpendicular and towards the property line of concern.

Table C - 2 Maximum Allowable Uplight (BUG) Ratings - Continued

Table C-2	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Allowed Uplight Rating	U0	U1	U2	U3	U4
Allowed % light emission above 90° for street or Area lighting	0%	0%	0%	0%	0%

Table C - 3 Maximum Allowable Glare (BUG) Ratings – Continued

Table C-3	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Allowed Glare Rating	G0	G1	G2	G3	G4
Any luminaire not ideally oriented*** with 1 to less than 2 mounting heights to any property line of concern	G0	G0	G1	G1	G2
Any luminaire not ideally oriented*** with 0.5 to 1 mounting heights to any property line of concern	G0	G0	G0	G1	G1

PLDC Text as Amended by LDC14-11, LDC14-12, and Ordinances 964 & 963, May 18, 2015. Amendment became effective June 17, 2015.

Any luminaire not ideally oriented*** with less than 0.5 mounting heights to any property line of concern	G0	G0	G0	G0	G1
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*** Any luminaire that cannot be mounted with its backlight perpendicular to any property line within 2X the mounting heights of the luminaire location shall meet the reduced Allowed Glare Rating in Table C-3.

Table D Performance Method Allowed Total Initial Site Lumens *May be used on any project.*

Lighting Zone	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Allowed Lumens Per SF	0.5	1.25	2.5	5	7.5
Allowed Base Lumens Per Site	0	3500	7000	14000	21000

Table E Performance Method Additional Initial Luminaire Lumen Allowances. All of the following are “use it or lose it” allowances. All area and distance measurements in plan view unless otherwise noted.

Lighting Application	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Additional Lumens Allowances for All Buildings except service stations and outdoor sales facilities. A MAXIMUM OF THREE (3) ALLOWANCES ARE PERMITTED. THESE ALLOWANCES ARE “USE IT OR LOSE IT”.					
Building Entrances or Exits. This allowance is per door. In order to use this allowance, luminaires must be within 20 feet of the door.	400	1000	2000	4000	6000
Building Facades. This allowance is lumens per unit area of building façade that are illuminated. To use this allowance, luminaires must be aimed at the façade and capable of illuminating it without obstruction.	0	0	8/SF	16/SF	24/SF
Sales or Non-sales Canopies. This allowance is lumens per unit area for the total area within the drip line of the canopy. In order to qualify for this allowance, luminaires must be located under the canopy.	0	3/SF	6/SF	12/SF	18/SF
Guard Stations. This allowance is lumens per unit area of guardhouse plus 2000 sf per vehicle lane. In order to use this allowance, luminaires must be within 2 mounting heights of a vehicle lane or the guardhouse.	0	6/SF	12/SF	24/SF	36/SF
Outdoor Dining. This allowance is lumens per unit area for the total illuminated hardscape of outdoor	0	1/SF	5/SF	10/SF	15/SF

PLDC Text as Amended by LDC14-11, LDC14-12, and Ordinances 964 & 963, May 18, 2015. Amendment became effective June 17, 2015.

dining. In order to use this allowance, luminaires must be within 2 mounting heights of the hardscape area of outdoor dining					
Drive Up Windows. This allowance is lumens per window. In order to use this allowance, luminaires must be within 20 feet of the center of the window.	0	2,000 lumens per drive-up window	4,000 lumens per drive-up window	8,000 lumens per drive-up window	8,000 lumens per drive-up window
Additional Lumens Allowances for Service Stations only. Service stations may not use any other additional allowances.					
Vehicle Service Station Hardscape. This allowance is lumens per unit area for the total illuminated hardscape area less area of buildings, area under canopies, area off property, or areas obstructed by signs or structures. In order to use this allowance, luminaires must be illuminating the hardscape area and must not be within a building, below a canopy, beyond property lines, or obstructed by a sign or other structure.	0	4/SF	8/SF	16/SF	24/SF
Additional Lumens Allowances for Outdoor Sales facilities only. Outdoor Sales facilities may not use any other additional allowances. NOTICE: lighting permitted by these allowances shall employ controls extinguishing this lighting after a curfew time to be determined by the Authority.					
Outdoor Sales Lots. This allowance is lumens per square foot of uncovered sales lots used exclusively for the display of vehicles or other merchandise for sale, and may not include driveways, parking or other non sales areas and shall not exceed 25% of the total hardscape area. To use this allowance, Luminaires must be within 2 mounting heights of the sales lot area.	0	4/SF	8/SF	12/SF	18/SF
Outdoor Sales Frontage. This allowance is for lineal feet of sales frontage immediately adjacent to the principal viewing location(s) and unobstructed for its viewing length. A corner sales lot may include two adjacent sides provided that a different principal viewing location exists for each side. In order to use this allowance, luminaires must be located between the principal viewing location and the frontage outdoor sales area.	0	0	1,000/LF	1,500/LF	2,000/LF

PLDC Text as Amended by LDC14-11, LDC14-12, and Ordinances 964 & 963, May 18, 2015. Amendment became effective June 17, 2015.

Table E - Performance Method Additional Initial Lumen Allowances (cont.)

Lighting Application	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Vehicle Service Station Canopies. This allowance is lumens per unit area for the total area within the drip line of the canopy. In order to use this allowance, luminaires must be located under the canopy.	0	8/SF	16/SF	32/SF	32/SF
Additional Lumens Allowances for Outdoor Sales facilities only. Outdoor Sales facilities may not use any other additional allowances. NOTICE: lighting permitted by these allowances shall employ controls extinguishing this lighting after a curfew time to be determined by the Authority.					
Outdoor Sales Lots. This allowance is lumens per square foot of uncovered sales lots used exclusively for the display of vehicles or other merchandise for sale, and may not include driveways, parking or other non sales areas and shall not exceed 25% of the total hardscape area. To use this allowance, Luminaires must be within 2 mounting heights of the sales lot area.	0	3/SF	6/SF	12/SF	18/SF
Outdoor Sales Frontage. This allowance is for lineal feet of sales frontage immediately adjacent to the principal viewing location(s) and unobstructed for its viewing length. A corner sales lot may include two adjacent sides provided that a different principal viewing location exists for each side. In order to use this allowance, luminaires must be located between the principal viewing location and the frontage outdoor sales area.	0	0	1000/LF	1500/LF	2000/LF

Table F Maximum Vertical Illuminance at any point in the plane of the property line

LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
0.05 FC or 0.5 LUX	0.1 FC or 1.0 LUX	0.3 FC or 3.0 LUX	0.8 FC or 8.0 LUX	1.5 FC or 15.0 LUX

Table G - Residential Lighting Limits

Lighting Application	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Row 1 Maximum Allowed Luminaire Lumens* for Unshielded Luminaires at one entry only	Not permitted	420 lms	630 lms	630 lms	630 lms
Row 2 Maximum Allowed Luminaire Lumens* for each	630 lms	1,260 lms	1,260 lms	1,260 lms	1,260 lms

PLDC Text as Amended by LDC14-11, LDC14-12, and Ordinances 964 & 963, May 18, 2015. Amendment became effective June 17, 2015.

Fully Shielded Luminaire					
Row 3 Maximum Allowed Luminaire Lumens* for each Unshielded Luminaire excluding main entry	Not permitted	315 lms	315 lms	315 lms	315 lms
Row 4 Maximum Allowed Luminaire Lumens* for each Landscape Lighting	Not permitted	Not permitted	1,050 lms	2,100 lms	2,100 lms
Row 5 Maximum Allowed Luminaire Lumens* for each Shielded Directional Flood Lighting	Not permitted	1,260 lms	1,260 lms	2,100 lms	2,100 lms
Row 6 Maximum Allowed Luminaire Lumens* for each Low Voltage Landscape Lighting	Not permitted	30 lms, max. of 10 luminaires	525 lms	525 lms	525 lms

* Luminaire lumens equals Initial Lamp Lumens for a lamp multiplied by the number of lamps in the luminaire.

Chapter 3.6 – Signs

Sections:

3.6.1 – Purpose

3.6.2 – Definitions

3.6.3 – Applicability and Exemptions

3.6.4 – Prohibited Signs

3.6.5 – Permitted Signs

3.6.6 – Permitted Signs, Standards of Review

3.6.7 – Nonconforming Sign and Abandoned Signs

3.6.8 – Sign Variance Criteria

3.6.9 – Landmark Sign Program, Procedures and Standards of Review

3.6.10 – Wayfinding Sign Program Procedures and Standards of Review

3.6.11 – Public Art Program Procedures and Standards of Review

3.6.12 – Enforcement

3.6.1 – Purpose

The City finds that signs are an important means of communication by and between individuals, organizations, and other bodies corporate. It further finds, however, that signs can create conditions that are unsafe for drivers and pedestrians, that signs can degrade the aesthetic quality of roadsides and neighborhoods, and can be otherwise disruptive to efforts to improve quality of life throughout the community and for all City residents.

Therefore, the standards contained in this chapter are intended to balance the needs of businesses and individuals to convey messages through signs with the rights and interests of the community-at-large to maintain the orderly and pleasant appearance of the City's streets and neighborhoods and to eliminate conditions along City streets that are hazardous to drivers and pedestrians. The purpose of this Chapter is to

- A. Improve the aesthetic quality of Phoenix's built environment, in particular streetscapes along its commercial corridors through the equal application of standards regulating the number, size, illumination, and placement of signs;
- B. Provide sufficient opportunities for the conveyance of information to the public;
- C. Protect public safety by providing the legal authority to eliminate hazardous signs;
- D. Ensure application of content neutral standards.

3.6.2 – Definitions

- A. **Abandoned Sign.** Any sign or sign structure that: 1) is no longer used by the property owner or sign permit holder. Discontinuance of use may be demonstrated through cessation of the use of the property upon which the sign is located; OR 2) if any sign or sign structure is in a state of disrepair and repairs or restoration has not been initiated within forty-five (45) calendar days of the date when the sign was found to have been damaged or was discovered in a state of disrepair OR necessary repair has not been completed within 90 days of initiation of said repairs.
- B. **Accessory Sign.** Signage which is an integral part of commercial and industrial equipment such as soft drink machines, gas pumps, newspaper dispensers, and other similar structures and equipment.
- C. **Alteration.** Any change in the size, shape, method of illumination, construction, or supporting structure of a sign. The change of a sign face or message shall not constitute an alteration.
- D. **Architectural Feature, Element or Detail.** A part of a building, being integral to the structure and consistent with the overall design of a building, whether decorative in nature or not, that may possess or may be interpreted to convey visual information whether wholly or partly symbolic or textual.
- E. **Average Surrounding Elevation.** The average elevation of an area with a radius of no less than fifteen (15) feet and no more than thirty (30) from a central point of measurement.
- F. **Awning.** A secondary covering attached to the exterior wall of a building. The location of an awning on a building may be above a window, a door, or over a sidewalk. An awning is often painted with information as to the name of the business, thereby acting as a sign, in addition to providing protection from weather.
- G. **Banner.** A sign made of fabric or any nonrigid material with no enclosing framework.
- H. **Business Frontage.** The linear dimension of the façade of a nonresidential building or portion thereof, as measured at grade, devoted to a specific business or enterprise.
- I. **Business License.** A license issued to a person or corporation according to Chapter 5.04 of the Phoenix Municipal Code.
- J. **Business Premises.** Real property at or upon which an individual or corporation engages in the trade, production, or provision of goods or services, whether for monetary compensation or not.

- K. **Electronic Changeable Message Sign.** A sign whose informational content, copy and/or message can be changed or altered by means of electronically-controlled electronic impulses. In contradistinction to videoboards defined below, electronic changeable message signs shall not, under any circumstances, display full motion images.
- L. **Festoon.** A string of ribbons, tinsel, small flags, or pinwheels.
- M. **Ground Sign.** A sign erected on a freestanding frame, mast, or pole and not attached to any building, also known as a freestanding sign. Monument and pole signs are different types of ground signs.
- N. **Kiosk.** A multi-sided structure designed for the display of messages and other content including images which are intended to be viewed by and to be comprehensible to pedestrian passersby within ten (10) feet of the kiosk.
- O. **Handheld Sign.** A sign held by or affixed to a person, including costumes. Personal items of clothing that are customarily worn by an individual in the course of routine activities shall not be considered as such. Handheld signs are considered to be temporary signs as defined and regulated herein.
- P. **Hazardous Sign.** A sign which is detrimental to the public safety, including but not limited to: any sign that has a design, color, or lighting which may be mistaken for a traffic light, signal, or directional sign; any sign which is located in such a manner as to obstruct free and clear vision to motorists or pedestrians at intersections and driveways; any sign which, because of its location, would prevent free ingress to or egress from any door, window, or fire escape; any sign that is attached to a standpipe or fire escape; any sign which has lighting which temporarily blinds or impairs one's vision; or any sign which is in a leaning, sagging, fallen, decayed, deteriorated, or other unsafe condition.
- Q. **Illegal Sign.** A sign which is installed or maintained in violation of this Chapter.
- R. **Incidental Sign.** A small sign, emblem, or decal typically used to inform the public of goods, facilities, or services available on the premises (e.g., a credit card sign or a sign indicating hours of business).
- S. **Landmark Sign.** A sign found to be of historical or local significance by the Planning Commission.
- T. **Master Sign Program.** A single, comprehensive sign permit that establishes design standards and other regulations for multiple signs located upon and within a retail, office, or industrial development consisting of a group of two or more duly licensed businesses sharing common parking and circulation facilities, landscaping or open space facilities, whether under common or multiple individual ownership. Neighborhood commercial "strip" centers, shopping centers, office campuses, special commercial districts, and business parks are representative examples of sites that may be eligible to participate in a Master Sign Program.

- U. Monument Sign. A freestanding sign that does not have exposed pole or pylon structural support and is attached to a continuous structural base. The base shall not be less than half the width of the message portion of the sign and is permanently affixed to the ground. Monument sign bases include material consistent with the principle structure, including brick, block, and concrete, or metal.
- V. Nonconforming Sign. An existing sign, lawful at the time of the enactment of this ordinance, which does not conform to the requirements of this code.
- W. Permanent Sign. For the purposes of this Chapter, a sign shall be considered permanent when it is designed in such a way and then, according to its approved design, attached mechanically to a building, permanent structure, or the ground so as to remain in that state according to its approved design for a more or less indeterminable period of time, and relying only on routine maintenance and repair in order to remain in that state.
- X. Pole Sign. A freestanding sign that is supported by one or more exposed poles, pylons, or similar structural element. These supporting structural elements shall be anchored directly to the ground or to a solid structural base.
- Y. Projecting and Suspended Signs. Projected signs are attached to a building or wall in such a manner that its leading edge extends more than six (6) inches beyond the surface of such building. Suspended signs are suspended from the underside of a horizontal plane surface.
- Z. Public Art. A two or three-dimensional object or other visual presentation of information, whether textual, visual, or graphic in nature, that is viewable by the general public and has been so designated after review by the Phoenix Arts Council.
- AA. Sign. Any message, identification, description, illustration, symbol, device, or sculptured matter, including forms shaped to resemble any human, animal, or product, which is affixed directly or indirectly upon a building, vehicle, structure, or land.
- BB. Sign Face. The surface of a sign upon which or containing the message to be communicated.
- CC. Sign Height. The vertical distance from average surrounding elevation to the highest point of a sign or sign structure.
- DD. Sign Structure. The supports, uprights, braces, framework, and other structural components of the sign that are not used, or able to be used, to communicate information of a textual or graphic nature.
- EE. Site. A property (or group of adjacent parcels or lots) that is subject to a permit application under this Code.
- FF. Street Frontage. The total linear dimension of a property along a public street, including curb cuts, access drives, and building facades.

PLDC Text as Amended by LDC14-11, LDC14-12, and Ordinances 964 & 963, May 18, 2015. Amendment became effective June 17, 2015.

- GG. Videoboard. Electronic changeable message signs, video displays and other projection devices that are used to display moving images, by light-emitting diode or other technology, and that are intended for viewing by pedestrians from sidewalks and similar public and quasi-public spaces.
- HH. Temporary Sign. A sign that is not designed and/or constructed to be permanently affixed to a building, permanent structure, or the ground. Examples include banners, sandwich boards and similar temporarily anchored freestanding signs.
- II. Wall Signs. A sign painted or attached to any part of a building, or mounted/painted upon the inside of windows within all commercial or industrial zoning districts. Wall signs include parapet signs, awning/canopy signs, projecting/suspended signs, and marquee signs that are attached to the marquee.
- JJ. Wayfinding Sign or Device. A sign, landmarks or other visual graphic communication that are part of a coordinated program that has been reviewed and approved by the City according to the standards set forth in Section 3.6.10 of this Chapter. Typical wayfinding signs include gateways, vehicular directional, destination, parking lot identification, parking trailblazer, pedestrian directional vehicular directional and pedestrian kiosk.
- KK. Window Sign. An unlighted sign installed inside a window or painted on a window and intended to be viewed from the outside.

3.6.3 – Applicability and Exemptions

A. Sign Permit Required. All signs visible from the public right-of-way or private areas accessible to the public within the City of Phoenix shall be subject to the provisions of this Chapter. Except as otherwise provided in section 3.6.3.B, Sign Permit, Exemptions of this Chapter, it shall be unlawful for any person to construct, erect, alter or relocate a sign, or direct an employee or agent to do same within the City without first obtaining a permit for each separate sign from the Planning Department.

B. Sign Permit, Exemptions. The following signs may be installed, and related activities performed, without a Sign Permit:

1. General Sign Exemptions -- All Land Use Districts
 - a. Maintenance and repair of signs for which a permit has been issued, that does not alter the sign face or sign structure. This exemption also applies to change of face, where an existing sign is modified by change of message or design on the sign face, without any change to size or shape of the sign framework or structure.

- b. One temporary, non-illuminated sign installed by or on the behalf of a contractor or service provider while a building permit is active and work is proceeding on the premises, from the date of issuance of the building permit and up until one (1) week after work the relevant building permit has been closed, has expired, or a stop work order has been issued. The sign may consist of two (2) faces, neither of which shall exceed sixteen (16) square feet. The sign shall not exceed the maximum height of four (4) feet as measured from average surrounding elevation. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.
- c. Flags of national, state, or local government.
- d. Holiday decorations and lights installed during national and local holidays for a period of beginning sixty (60) days before the holiday and ending fourteen (14) days after the holiday.
- e. Public signs. Signs constructed or placed in a public right-of-way by or with the approval of a governmental agency having legal control or ownership over the right-of-way, including signs owned or constructed under the direction of the City, and signs placed by a public utility.
- f. Signs located within sports stadiums that are intended for viewing primarily by persons within said stadium.
- g. Signs that are a part of an approved Wayfinding Sign Package, pursuant to 3.6.10– *Wayfinding Sign Program Procedures and Standards of Review*.
- h. Public art installations as reviewed and approved according to the policies of the Phoenix Arts Council Section 3.6.11 – *Public Art Program Procedures and Standards of Review*.
- i. Landmark signs as reviewed and approved by the Planning Commission or its designee in accordance with 3.6.9 – *Landmark Sign Program, Procedures and Standards of Review*.
- j. Handheld signs carried by an individual who has not received any form of remuneration in the performance of this activity.
- k. Architectural features, provided that they substantially conform to the design standards enumerated within this Chapter, and do not create or cause hazardous conditions.
- l. Vehicular signs. Any sign permanently or temporarily placed on or attached to a motor vehicle or trailer, where the vehicle or trailer is used in the regular course of business for purposes other than the display of signs, subject to compliance with the following conditions:
 - i. Vehicles and equipment shall be in operating condition, currently registered and licensed to operate on public streets when applicable, and are actively used in the daily operation of a business or land use.

- ii. Vehicles and equipment engaged in active construction projects.
 - iii. Vehicles and equipment stored on the premises of a business that is duly licensed to offer said vehicles and equipment to the general public for sale or lease.
 - iv. Vehicles parked at the owner's residence provided that they meet 3.6.3.B.g.i of this Chapter.
2. Sign Exemptions, Residential Land Use Districts
- a. Window signs.
 - b. Accessory and incidental signs two (2) square feet in size or less.
 - c. Parking lot signs up to three (3) square feet in area and up to five (5) feet in height may be constructed or placed within a parking lot.
 - d. One non-illuminated, temporary sign per street frontage, with a maximum height of four (4) feet and consisting of no more than two (2) faces, neither of which shall exceed sixteen (16) square feet, during periods of time when the premises or a portion thereof is actively marketed for sale or lease. The sign shall be removed within fourteen (14) days of the cessation of marketing activities. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.
 - e. Temporary non-illuminated signs, with a maximum height of four (4) feet and consisting of no more than two (2) faces for each sign, neither of which shall exceed twelve (12) square feet in surface area, located on private property with the consent of the property owner, during the period from (sixty) 60 days before to five (5) days after any public election held in Oregon. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.
 - f. One banner may be installed on the exterior wall of an approved conditional use (schools, churches, public buildings, etc.) within a residential land map district (R-1, R-2, or R-3) where an event is being held. The banner may be installed for up to fifteen (15) calendar days before the event and shall be removed five (5) days after the event. It shall be a flat wall mounted sign made from plastic, wood, metal, fabric, or other durable material, and may be up to thirty-two (32) square feet in surface area. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.

- g. One temporary non-illuminated sign, with a maximum height of 4 feet and consisting of not more than two (2) faces, neither of which shall exceed twelve (12) square feet in surface area, installed by the owner or tenant of real property upon which the sign is installed. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.
 - h. Balloons used during an event or special occasion, provided that the balloons are removed after the event has been concluded.
3. Sign Exemptions, Commercial, Industrial, and Mixed Use Land Use Districts
- a. Accessory and incidental signs two (2) square feet in size or less.
 - b. Window signs that cover 50% or less of the window.
 - c. Parking lot signs up to three (3) square feet in area and up to five (5) feet in height may be constructed or placed within a parking lot.
 - d. One temporary sign per street frontage, consisting of no more than two (2) faces, neither of which exceeds thirty-two (32) square feet in area, not to exceed four (4) feet in height during periods of time when the premises or a portion thereof is actively marketed for sale or lease. The sign shall be removed within fourteen (14) days of cessation of marketing activities. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.
 - e. Temporary, non-illuminated signs, with a maximum height of 4 feet and consisting of not more than two (2) faces, neither of which shall exceed twelve (12) square feet of surface area, located on private property with the consent of the property owner, during the period from 60 days before to five days after any public election to be held in Oregon. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.
 - f. One temporary sign, consisting of no more than two (2) signs faces, neither of which shall exceed sixteen (16) square feet in surface area, not to exceed four (4) feet in height, installed by or on the behalf of the holder of a business license which has been issued within the fourteen (14) prior to sign installation upon business premises for which the business license was issued. The sign may be installed for sixty (60) days from the date of issuance of the business license, and must be removed promptly thereafter.

These exemptions shall not be interpreted so as to release any individual or body corporate from the responsibility to obtain any permits or licenses as required by the building code and any and all other local, state, and federal statutes and regulations. Nor shall they be interpreted so as to release any individual or body corporate from the responsibility to abide by other requirements of this Land Development Code including applicable yard setbacks and clear vision areas.

3.6.4 Prohibited signs. The following signs are prohibited in all land use districts; are unlawful, and shall be considered nuisances per se:

- A. Any sign constructed, maintained, or altered in a manner not in compliance with the sign standards contained within this Chapter.
- B. A permanent ground, pole, or wall sign placed on undeveloped or vacant property (property without a permanent occupiable structure) unless otherwise exempt from this restriction according to the provisions delineated in section 3.6.3.B *Sign Permit, Exemptions* or Section 3.6.5 *Permitted Signs* of this Chapter.
- C. Any sign constructed or maintained that, because of its size, location, movement, coloring or manner of illumination, may be confused with or construed as a traffic control device, or which impairs the view of any traffic control device.
- D. Permanent and temporary balloons, and anchored balloons, unless otherwise exempt from this restriction according to the provisions delineated in section 3.6.3.B *Sign Permit, Exemptions* or Section 3.6.5 *Permitted Signs* of this Chapter.
- E. Flashing signs. A sign incorporating intermittent electrical impulses to a source of illumination or revolving in a manner which creates the perception of flashing, or which changes colors or intensity of illumination.
- F. Signs in the public right-of-way that are not authorized by the relevant public agency.
- G. Signs placed on or affixed to trees and utility infrastructure including utility poles, switch gear housing, pump houses, etc. that are located in the public right-of-way or on publicly owned property.
- H. Moving or rotating signs.
- I. Signs made from materials that cannot withstand routine elements of the weather such as wind, rain, and solar radiation.
- J. Festoons, pennants, and similar signs which are suspended from a rope, wire, or string, usually in series, and designed to move in the wind.
- K. Inflatable signs, unless the sign is affixed to or part of inflatable recreational apparatus or equipment.
- L. Roof Signs are not allowed to extend vertically above the highest portion of the roof. Roof signs must comply with Section 3.6.6 for measuring roof elevations.
- M. Any ground sign that is to be installed as to extend through a portion of a building or roof, with the sign being mounted above the roof, and appearing similar to a roof sign.

Sign permits shall not be issued for any prohibited sign as a means of establishing it as a legal sign; sign permits issued in error or on the basis of erroneous or misleading information shall not establish a prohibited sign as a legally permitted sign.

3.6.5 – Permitted Signs

No sign permit shall be issued for any sign unless specifically identified as an allowable sign within the land use district map or otherwise allowed under Chapter 3.6.3.B – *Sign Permit, Exemptions*.

A. Permitted Signs in the Residential Land Use Districts

1. Purpose. Except as otherwise allowed by Chapter 3.6.3.B – *Sign Permit, Exemptions*, signage is limited to preserve the residential character of these districts by allowing signs only for single and multi-family residential developments and neighborhoods and for those uses that are allowed under conditional use permits such as churches, schools, bed and breakfasts, and community centers.
2. Types of Permitted Signs Allowed.
 - a. Permanent ground signs within a landscaped bed.
 - b. Permanent wall signs.
 - c. Temporary ground signs.
3. Maximum Number of Permitted Signs. The number of signs on a property in a residential land use map district shall be limited to no more than the following number:
 - a. One(1) wall sign, consisting of no more than one (1) sign face, per building frontage or street frontage, with a total not to exceed two (2) signs per multi-family residential building.
 - b. One (1) ground sign for each residential subdivision or PUD site, approved as such by the Planning Commission, for each location where a street providing access to an internal street or other type of site circulation network intersects with a public local, collector, or arterial street.
4. Maximum Sign Area and Maximum Height.
 - a. Ground or monument signs shall be no more than sixteen (16) square feet per sign face with a limit of two (2) faces no more than 18" in depth, and shall be no more than five (5) feet in height, and setback a minimum of five (5) feet from any street right-of-way, and shall not be located within any clear vision areas.
 - b. Wall signs shall be no more than twelve (12) square feet in area.

- c. Temporary undeveloped Subdivision/Planned Unit Development Signs: Two (2) non-illuminated ground signs, consisting of not more than two (2) sign faces, neither of which shall exceed thirty-two (32) square feet in area, and eight (8) feet in height as measured from the average surrounding elevation and setback a minimum of twenty (20) feet from any property line are permitted upon undeveloped land within a residential land use map district where a subdivision or planned unit development has been approved by the Planning Commission. These signs must be removed no later than two years after installation, unless the Planning Director, upon due application prior to expiration of the two-year period, determines that the continued maintenance of the sign is consistent with the purpose of this code, in which case a single one (1) year extension may be granted by the Planning Director. This decision may be appealed to the Planning Commission.
- d. Institutional Land Use Signs: Each lot occupied by public uses, including schools and churches, are allowed a maximum of one half (0.50) square foot of sign area per linear foot of street frontage. The maximum area may include a combination of permanent wall and monument signs. If a monument sign is included, the sign shall be located at least fifteen (15) feet from any property line, and be no more than eighteen (18) inches in depth, with a maximum height of eight (8) feet. Signs within public parks, schools, or stadiums, which are generally placed and located so as not to be viewed from a street, are exempt from this provision.
- e. A permanent ground sign, no more than six (6) square feet in total surface area, with no more than two (2) faces, and a maximum of three (3) feet in height may be issued to a business, duly licensed and permitted by the City as a Bed and Breakfast Inn. No part of the sign may obstruct a clear vision area.

B. Permitted Signs in the Bear Creek Greenway District (BCG). The BCG ensures the protection of wildlife habitat and open space. Only the City or other public agency, or its authorized agents, with an established ownership or regulatory interest in the BCG or surrounding protected area may install signs in the BCG.

C. Permitted Signs in the C-H, Commercial Highway District

- 1. Temporary signs, subject to the following standards:
 - a. For single tenant commercial properties, one (1) temporary non-illuminated sign with a maximum height of four (4) feet, and consisting of no more than two (2) sign faces, neither of which shall exceed twelve (12) square feet in surface area.

- b. For multitenant commercial properties, for each tenant one (1) temporary non-illuminated sign, with a maximum height of four feet (4) feet and consisting of no more than two (2) sign faces, neither of which shall exceed twelve (12) square feet in surface area provided that only one (1) such sign may be placed along every twenty (20) feet of street frontage.
 - c. Signs shall be freestanding, and not attached to other ground or pole signs, or other permanent structures or buildings.
 - d. Though not permanently affixed, the sign shall be anchored to the ground so as to resist the forces of gravity, wind, and other natural phenomena, shall be constructed of durable materials that are weather resistant, and shall be maintained in good condition.
 - e. The sign shall not encroach upon any sidewalk and shall be placed so as to maintain a minimum five (5) foot wide pedestrian travel way at all times.
 - f. The sign shall be removed from its outdoor location and stored indoors between the hours of 9:00PM and 7:00AM.
2. Wall Signs, Awning/Canopy and Marquee Signs, subject to using the calculation standards set forth in Section 3.6.6 and the following standards:
- a. The aggregate area of all wall signs shall not exceed one and a half (1.5) square feet for each (1) linear foot of business frontage, except if the building is set back more than twenty (20) feet from the right-of-way, in which case the aggregate area of all signs shall not exceed two (2) square feet for each (1) linear foot of business frontage.
 - b. No part of any sign shall be higher than the roof height as defined in Section 3.6.6 of this chapter.
 - c. The sign may be an electronic changeable message sign or videoboard pursuant to the standards established in Sections 3.6.6.G and H. However, videoboards are only permitted in the C-H district as a part of an approved Planned Unit Development (PUD) or as part of a kiosk.
3. Projecting Signs. These signs are permitted, subject to standards set forth in Chapter 3.6.6 and the following standards:
- a. A maximum of one (1) projecting sign for each business frontage.
 - b. No sign shall project more than four (4) feet into the public right-of-way.
 - c. The sign shall not exceed sixteen (16) square feet per sign face with a maximum of two (2) faces.
 - d. No part of any sign shall be higher than the approved roof height as defined in Section 3.6.6, no part of the sign shall be lower than 8 feet from the elevation of top of any public pedestrian way. No part of the sign shall in any way obstruct a public right-of-way or pedestrian way whether on public or private land.

- e. No part of the sign may obstruct a clear vision area (see Section 3.6.6.I)
4. Ground and Pole Signs Standards for freestanding commercial buildings and commercial developments under 10,000 square feet GLA. Each site is permitted one (1) ground or pole sign per street frontage, locating only one (1) sign on each street frontage, with a maximum of two (2) signs per parcel, subject to the standards set forth in Section 3.6.6.E, and the following standards:
 - a. No part of the sign shall exceed a maximum height of eighteen (18) feet above average surrounding elevation, and the lowest point on the sign shall be at least 8 feet above average surrounding elevation if it hangs over the public right-of-way or a pedestrian way whether on public or private land.
 - b. The maximum surface of each sign face shall be thirty-two (32) square feet per sign with a maximum of two (2) faces, and not more than eighteen (18) inches in depth.
 - c. No part of the sign shall in any way obstruct a public right-of-way or pedestrian way whether on public or private land.
 - d. No part of the sign may obstruct a clear vision area (see Section 3.6.6.H).
 - e. The sign may be an electronic changeable message sign or videoboard pursuant to the standards established in Sections 3.6.6.G and H. Videoboards are only permitted in the C-H district as a part of an approved Planned Unit Development (PUD) or as part of a kiosk.
5. Ground and Pole Sign Standards for shopping centers, office campuses, mixed-use commercial developments, and business parks. In instances where multiple tenants, buildings, and/or commercial or industrial uses operate within a single development site and share parking, internal circulation, and access facilities, one monument sign is permitted at each location where a site access drive, whether public or private, intersects with a public collector, local, or arterial road. One (1) or two (2) pole signs may also be permitted in addition to monument signs, all subject to the following standards:
 - a. All such commercial multiple tenant developments consisting of 10,000 square feet or more of gross leasable area (GLA) are required to apply for sign permits through a master sign program.
 - b. The master sign program for the site shall preserve for all tenants the ability to use monument and pole signs.
 - c. The maximum size of monument and pole signs shall be determined as follows:

- i. For centers/complexes with a gross leasable area (GLA) of 10,000 square feet or more but less than 25,000 square feet of GLA, one (1) pole sign with a maximum surface area of forty (40) square feet for each of two (2) sign faces, and a maximum height of twenty (20) feet, and a monument sign or signs no larger than thirty-two (32) square feet for each of two (2) sign faces and a maximum height of eight (8) feet and located in a landscaped bed.
 - ii. For centers/complexes that have a GLA between 25,000 square feet and 50,000 square feet, one pole sign with a maximum surface area of seventy-five (75) square feet for each of 2 sign faces, and a maximum height of thirty-five (35) feet, and a monument sign or signs no larger than thirty-two (32) square feet for each of two (2) sign faces and a maximum height of eight (8) feet and located in a landscaped bed.
 - iii. For centers/complexes that have a GLA that exceeds 50,000 square feet, a maximum of two (2) pole signs each with a maximum of seventy-five (75) square feet in surface area for each sign for each of two (2) sign faces and a maximum height of thirty-five (35) feet, and no less than fifty (50) feet apart, and a monument sign or signs no larger than thirty-two (32) square feet for each of two (2) sign faces and a maximum height of eight (8) feet and located in a landscaped bed.
- d. No sign shall obstruct clear vision areas (see Section 3.6.6.I).
 - e. No part of the sign shall in any way obstruct a public right-of-way or pedestrian facility whether on public or private land.
 - f. Signs may use electronic changeable message signs or videoboards pursuant to the standards established 3.6.6.G and H. Videoboards are only permitted in the C-H district as a part of an approved Planned Unit Development (PUD) or as part of a kiosk.

D. Permitted signs in the I-5 Overlay District. I-5 (Interstate 5) overlay zone is established to permit signs visible to travelers on I-5. It recognizes a special dependence of freeway-oriented businesses on this market. Freeway signs shall be regulated in order to avoid adverse scenic impacts on the vista east of Phoenix and the Bear Creek Greenway. The I-5 overlay zone shall be applied to lots within one quarter of a mile of the center-line of the Interstate 5 interchange and that are zoned Commercial Highway.

I-5 is not considered a street and cannot be counted as street frontage. A larger pole sign located upon the premises shall be permitted. This pole sign shall not be permitted in addition to pole signs that may be permitted in the underlying land use district, but rather as a substitute for any pole sign allowed within that district. A ground or pole sign in the freeway overlay zone is subject to the basic regulations in the underlying zone with the following exceptions and conditions:

PLDC Text as Amended by LDC14-11, LDC14-12, and Ordinances 964 & 963, May 18, 2015. Amendment became effective June 17, 2015.

1. One (1) pole sign (the freeway sign), consisting of not more than two (2) sign faces, neither of which shall exceed 150 square feet in surface area and fifty (50) feet in height is permitted on each parcel of land located within the I-5 Overlay District.
2. The pole sign may utilize an electronic changeable message sign, pursuant to the standards established 3.6.6.G. Videoboards are expressly prohibited.

E. Permitted Signs in the City Center District. The City Center Plan provides for mixed residential and commercial land uses and provides linkages to the Bear Creek Greenway and to older established residential neighborhoods located adjacent to its downtown.

1. Signage Objectives:
 - a. To include a non-obtrusive variety of signs that are designed at both pedestrian and vehicular scales;
 - b. Signs should be in the character of a small downtown, usually painted on buildings or painted on signboards hung off buildings with metal or wood brackets.
2. Wall Signs, Awning/Canopy, and Marquee signs. These signs may be permitted, subject to the standards set forth in 3.6.6.E *Sign Design Standards, Methods of Calculating Area*, and the following standards:
 - a. Signs are to be painted or sculptural metal, wood, awning, or canopy signs;
 - b. The aggregate area of all wall signs shall not exceed one (1) square foot for each (1) linear foot of business frontage, except if the building is set back more than twenty (20) feet from the right-of-way, in which case the aggregate area of all signs shall not exceed one and one-half (1.5) square foot for each (1) linear foot of business frontage. No part of any sign shall be higher than the roof height as defined in 3.6.6.E *Sign Design Standards, Methods of Calculating Area*.
 - c. Electronic Changeable Message signs are permitted, subject to the standards in Section 3.6.6.G. Videoboards are only permitted in the City Center district as a part of an approved Planned Unit Development (PUD) or as part of a kiosk.
3. Projecting Signs: A projecting sign may be permitted, subject to standards set forth in Section 3.6.6.E *Sign Design Standards, Methods of Calculating Area of this Chapter*, and the following standards:
 - a. No sign shall project more than four (4) feet into the public right-of-way;
 - b. The sign shall not exceed sixteen (16) square feet per sign face with a maximum of two (2) sign faces;

- c. No part of any sign shall be higher than the approved roof height as defined in Section 3.6.6, no part of the sign shall be lower than eight (8) feet from average surrounding elevation, and no part of the sign shall in any way obstruct a public right-of-way or pedestrian facility whether on public or private land.
 - d. No part of the sign may obstruct a clear vision area.
 - e. Electronic Changeable Message signs are permitted, subject to the standards in Section 3.6.6.G.
4. Monument Signs: Each parcel of land is permitted one (1) monument sign per street frontage to be located within a landscaped bed, subject to the standards set forth in 3.6.6.E Sign Design Standards, Methods of Calculating Area, and the following standards:
- a. Maximum Height: eight (8) feet;
 - b. Maximum Square Footage: twenty (20) square feet per sign face per sign with a maximum of two (2) faces not more than eighteen (18) inches in depth back-to-back;
 - c. Signs shall not project into public right-of-way;
 - d. Electronic Changeable Message signs are permitted, subject to the standards in Section 3.6.6.G.
5. Temporary Signs: Each business with a storefront or principal entrance located on an arterial, collector, or local street may permit one (1) temporary sign meeting the following standards:
- a. Signs shall not be illuminated, shall not exceed a maximum height of four (4) feet, and shall consist of no more than two (2) sign faces, neither of which shall exceed twelve (12) square feet in surface area;
 - b. Signs shall be freestanding, and not attached to other ground or pole signs, or other permanent structures or buildings;
 - c. Though not permanently affixed, the sign shall be anchored to the ground or a frame so as to resist the forces of gravity, wind, and other natural phenomena, shall be constructed of durable materials that are weather resistant, and shall be maintained in good condition;
 - d. The sign shall not encroach upon any sidewalk or pedestrian way, whether public or private, and shall be placed so as to maintain a minimum five (5) foot wide pedestrian travel way at all times;
 - e. The sign shall be removed from its location and stored indoors between the hours of 9:00PM and 7:00AM.

F. Permitted Signs in Industrial Land Use Districts

1. Monument or Pole Signs are subject to using the calculation standards set forth in 3.6.6.E Sign Design Standards, Methods of Calculating Area, and the following standards:
 - a. Maximum Height: twenty-four (24) feet.
 - b. Maximum Sign Face Square Footage: one-hundred (100) square feet per sign for each sign face.
 - c. Minimum Setback: Sign shall not project into the public right-of-way.
 - d. Maximum Number of Sign Faces: two (2).
 - e. Maximum Number of Signs: No more than one (1) monument or pole sign shall be permitted on any single lot, except when the lot has more than one (1) street frontage, two (2) signs may be permitted, locating only one (1) sign on each street.
 - f. The sign may utilize an electronic changeable message sign, pursuant to the standards established 3.6.6.G, and consisting of a maximum of two (2) signs faces, neither of which shall be larger than thirty-two (32) square feet in surface area, except in instances where the ECMS can be viewed from property located within a residential land use district. In such cases, the ECMS shall have a maximum of two (2) sign faces, neither of which shall exceed sixteen (16) square feet in surface area.
2. Wall, Parapet, Awning/Canopy, or Marquee Signs. The aggregate area of all wall signs shall not exceed one and one-half (1.5) square feet for each (1) linear foot of business frontage, except if the building is set back more than twenty (20) feet from the right-of-way, in which case the aggregate area of all signs shall not exceed two (2) square feet for each (1) linear foot of business frontage. No part of any sign shall be higher than the roof height as defined in 3.6.6.E Sign Design Standards, Methods of Calculating Area. The sign may utilize an electronic message or videoboard pursuant to the standards established in Section 3.6.6.G and H.
3. Projecting Signs:
 - a. Maximum number of signs: one (1) for every 200 linear feet of business frontage.
 - b. Maximum number of sign faces: two (2).
 - c. Maximum surface area for each sign face: twenty-four (24) square feet in area.
 - d. No sign shall project more than eighteen (18) inches into the public right-of-way.
 - e. No part of any sign shall be higher than the roof height as defined in Section 3.6.6.

4. Ground and Pole Sign Standards for office campuses, mixed-use commercial/industrial developments, and business parks that are located within an industrial land use map district where multiple tenants, buildings, and/or uses operate within a single development site and share parking, internal circulation, and access facilities, one (1) monument sign is permitted at each location where a site access drive, whether public or private, intersects with a public collector or arterial road. One (1) or two (2) poles sign may also be permitted in addition to monument signs, all subject to the standards set forth above in Section 3.6.5.C.5.

G. Special Permitted Signs for Commercial and Industrial Land Use Districts

1. Service Station Signs: A business, duly licensed as a facility for refueling motor vehicles may permit one (1) additional ground sign not to exceed fifty (50) square feet in surface area for each of no more than two (2) sign faces, and nine (9) feet maximum in height. Such signs may not project into or encroach upon the public right-of-way or clear vision areas.
2. Drive-up Window Business Sign: Two additional ground signs, consisting of no more than one (1) sign face for each sign, each sign face not to exceed thirty-two (32) square feet in area and six (6) feet in height for a business licensed and permitted to operate a drive-through or drive-up service window or similar service delivery apparatus (for example, remote-operated pneumatic tubes). The signs shall be along the route of drive lanes used to access the drive-through window or service apparatus. Such signs may not project into public right-of-way or clear vision areas. Temporary signs are prohibited and may not be substituted for this type of sign.
3. Kiosks.
4. Temporary Sign during Construction: Up to two (2) temporary non-illuminated signs may be installed after a building permit has been obtained for a construction project and must be removed not later than one (1) year after issuance of the building permit for the project or upon completion of the project, whichever is sooner. Each sign shall consist of no more than two (2) sign faces, neither of which shall exceed seventy-five (75) square feet, and the top of the sign shall not be more than ten (10) feet above average surrounding elevation. Signs shall be subject to the same setback requirements as are imposed for structures in this zone. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.
5. Temporary Signs: One (1) temporary sign may be installed if the business owner has a valid sign permit but is waiting for the completion of the permanent sign. Display period is limited to thirty (30) days, but may be extended with permission from the Planning Department. The sign shall consist of no more than two (2) sign faces, neither of which shall exceed thirty-two (32) square feet of surface.

6. Temporary Sign for Nonrecurring Events: One (1) temporary sign may be installed upon the premises where an event is being held. The sign shall consist of no more than two (2) sign faces, neither of which shall exceed thirty-two (32) square feet in surface area. No part of any sign shall be higher than the roof height as defined in Section 3.6.6, Display period is limited to fifteen (15) days and the sign shall be removed immediately after the event. A particular property may permit four (4) such temporary signs in one (1) calendar year. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.

3.6.6 – Permit Administration, Standards of Review, and Issuance.

No application shall be considered, nor permit issued, until the applicant has submitted a complete application. When required, the applicant shall submit proof that work will be done by a contractor licensed in compliance with local or state law to perform the specialized tasks required for construction of the proposed sign.

Application for a permit shall be made to the Planning Department upon a form provided by the City with signatures of the property owner of record, the business owner, and the sign company.

A. Individual Sign Permit Application Requirements.

1. A set of plans for the proposed sign and structural calculations where required.
2. Location of the sign on the building or building site.
3. Dimensions of the sign.
4. Construction materials and a color rendering or photograph of each sign.
5. Method of attachment and character of structural members to which attachment is to be made.
6. Electrical wiring and components or U.L. approved number.
7. Ingress and egress and clear vision areas.
8. Sign permit review fee as established by resolution of the City Council.
9. Any other additional required for specific types of signs as delineated in Section 3.6.6.E.
10. Proof of current City of Phoenix business license.

B. Master Sign Programs Permit Application Requirements.

1. An accurate plot plan of the parcel at scale.
2. Elevations and square footage computations of the buildings.
3. Ingress and Egress and sight visibility triangles.
4. An accurate location of each present and future sign.

5. Computation of the total number of ground signs, total sign area, and the elevation and height of the ground signs.
6. To scale drawings, sign lettering, dimensions, color renderings, method of attachment, footings and electrical wiring and components or U.L. approved number requirements for each sign.
7. Sign permit review fee as established by resolution of the City Council.
8. Any other additional required for specific types of signs as delineated in Section 3.6.6.E.
9. Proof of current City of Phoenix business license.

The Building Safety Official may also require that a licensed engineer furnish information concerning structural design and proposed attachments. Signs more than 10 feet above grade, except wall signs painted on walls, shall be structurally designed by an architect or engineer licensed in the state of Oregon and bearing the architect's or engineer's seal. All signs, except for signs painted directly upon a building, are also subject to Building Department requirements.

C. Permit Application Review Procedures.

1. The Planning and Building Departments shall approve a sign permit upon finding that the applicant has met all requirements of the sign standards.
2. No sign construction shall begin unless the approved permit has been issued and the applicant has paid all fees.
3. Unless the permit holder requests an extension of the permit and demonstrates good cause for such an extension, a sign permit shall expire if the sign construction or other work authorized by a sign permit is not completed within one (1) year of the date of issuance.
4. No sign construction shall be considered complete until the permit holder has notified the city that work is finished and the City is satisfied that the sign construction has been completed in conformity with the approved plans and otherwise complies with the sign standards.
5. If a permit is denied, the applicant shall receive a notice of denial in writing, setting forth the reasons for the denial. A decision granting or denying a sign permit may be appealed to the Planning Commission in accordance with the variance and appeal process defined in Chapter 5 of the Phoenix Land Development Code.
6. No additional permits shall be issued for signs on businesses or uses with signs not already in compliance with the sign code unless the applicant can prove existing signs are legal nonconforming.

D. Indemnification of City. As a condition to the issuance of a sign permit as required by this Chapter, all persons engaged in the hanging or painting of signs, which involves, in whole or in part, the erection, alteration, relocation, maintenance, or

other sign work in, over, or immediately adjacent to a public right-of-way or public property if used or encroached upon by the sign hanger or painter in the said sign work, shall agree to hold harmless and indemnify the City, its officers, agents, and employees from liability for damages resulting from said erection, alteration, relocation, maintenance or other sign work.

E. Sign Design Standards, Methods of Calculating Area

1. Wall Signs

- a. No part of the sign shall extend vertically above the highest portion of the roof's calculated elevations (except for parapet signs).
- b. Marquee signs. A marquee is any permanent roof-like structure projecting beyond the perimeter wall of a building, and signs shall not be located above the top of the marquee.
- c. Parapet Signs. Parapets or false fronts are measured by the linear frontage of the parapet.
- d. Roof Elevations. Signs are not allowed above the roofline's elevation, which is determined by the highest point of the roof surface for flat roofs; and to the average height between eaves and ridges for gable, hip, gambrel roofs, and mansard roofs.
- e. The area of a wall sign without a border shall be computed by enclosing the entire sign within sets of parallel lines touching the outer limits of the sign message.
- f. Perimeter walls. The exterior wall of a building shall be measured at the floor level of each floor, including the ground floor. Alcoves, entryways and extruding portions shall be treated by measuring through such areas as though along the flat wall of a building.

2. Ground and Pole Signs.

- a. The area of a ground or pole sign shall be calculated by adding the area of all the sign faces presenting a message. Pole covers and columns shall not be included in the area of the measurement if they do not bear any message. Double-faced signs will be considered as one sign only when placed back to back and separated by eighteen 18 inches or less.
- b. Street frontage. Development sites fronting on two or more streets are allowed the number of signs permitted for each street frontage. However, the total number of signs that are oriented toward a particular street may not exceed street frontage allotment. Interstate 5 is not considered a street for sign purposes, and cannot be counted towards frontage allotments.

3. **Flags.** Any fabric, banner, or bunting flags containing distinctive colors, patterns, or symbols, other than U.S., state, and local government flags, shall be limited to the wall and ground/pole sign allotments, unless otherwise approved by the Planning Commission. Flags on poles may be counted towards the ground sign allotment. Flags on buildings (not on poles) may be calculated as part of the building's or business's linear footage allotment and may not be placed above the roofline.
4. **Kiosks.**
 - a. **Maximum Size.** Kiosks shall not exceed seven (7) feet in height and an area of thirty-five (35) square feet per side.
 - b. **Minimum Spacing.** Kiosks shall be placed no less than two hundred (200) feet apart unless closer proximity can be demonstrated to serve a public purpose.
 - c. **Content displayed on the kiosk shall be sized appropriately for view by pedestrian passersby within ten (10) feet of the kiosk, and shall never display messages that could distract the attention of motorists.**
 - d. **Architectural Features.** Kiosks shall be consistent with the architecture of surrounding built environment.
 - e. **ECMS and videoboards may be used in kiosks, provided that no more than ten (10) square feet of any one side of a kiosk is used for an ECMS or videoboard.**
 - f. **Lighting.** Kiosks shall not be illuminated by an external, detached lighting source.
 - g. **Location.** Kiosks shall be located within or along pedestrian walkways, plazas, and other areas designed for pedestrian travel and public assembly in accordance with the following requirements:
 - i. An unobstructed pedestrian area or sidewalk with a minimum width of ten (10) feet shall be maintained on any side of a kiosk with a message area;
 - ii. An unobstructed sidewalk width of seven (7) feet shall be maintained on any side of a kiosk without a message area;
 - iii. An unobstructed pedestrian area or sidewalk with a minimum width of ten (10) feet is maintained between any side with a message area and the back of curb of any adjacent road, drive, or parking facility;
 - iv. The distances referred to above shall be measured from the surface of the display at a ninety (90) degree angle across the entire display.

F. Illumination Standards.

1. **Maximum illumination.** In residential land use districts, or in instances where a property in a nonresidential land use district abuts a residential land use district

OR a property that is a legally nonconforming residential building located in a nonresidential land use district, no sign may exceed a maximum illumination of 0.5 footcandles above ambient light level as measured fifty (50) feet from the sign's face. In all other districts, no sign may exceed a maximum illumination of 1.0 footcandle above ambient light level as measured fifty (50) feet from the sign's face. Under no circumstances shall this standard be interpreted to allow light spillage from a site in excess of the standards delineated in Chapter 3.11 *Outdoor Lighting*.

2. Glare reduction. No sign may be illuminated or use lighting where such lighting is directed at any portion of a traveled street or will otherwise cause glare or impair the vision of the driver of a motor vehicle or otherwise interfere with the operation thereof. External illumination shall be shielded so that the light source elements are not directly visible an adjacent property.

G. Electronic Changeable Message Signs.

1. Electronic changeable message signs shall not have any moving patterns of light, other than the transition between messages. Moving patterns of light include, but shall not be limited to, pulsating, flashing, scrolling, animation and/or blinking at any time. All light emitting devices in an ECMS display shall activate simultaneously, remain activated for not less than twenty (20) seconds and deactivate simultaneously.
2. Maximum size for electronic changeable message signs shall be determined by the maximum size of a sign allowed within the land use district in which it is located, but shall never exceed thirty-two (32) square feet in surface area for each sign face allowed.
3. Use of two (2) or more successive screens or "sequencing" to convey a message that will not fit at one time on the sign face screen shall be prohibited.
4. The maximum amount of text-based information displayed within a single message shall be limited to the maximum number of words that a driver can reasonably be expected to read from a distance from the electronic changeable message sign of 800 feet at a rate of one (1) word per second. The following table provides examples of the maximum number of words on a sign for commonly encountered traffic speed limits.

PLDC Text as Amended by LDC14-11, LDC14-12, and Ordinances 964 & 963, May 18, 2015. Amendment became effective June 17, 2015.

Posted Speed Limit (MPH)	Posted Speed (FT/S)	Time to Travel 800 Feet (in seconds)	Maximum # of Words in a Message
25	36.67	21.82	21
35	51.33	15.58	15
45	66.00	12.12	12
55	80.67	9.92	9

Table 3.3.6.F.4

5. Content displayed on an Electronic Changeable Message sign may not resemble or simulate any lights or traffic control device used to control traffic in accordance with the MUTCD unless such content is directly related to the dissemination of information during times of emergency.
6. The City may require emergency information to be displayed, within appropriate message rotation, on an electronic changeable message sign.

H. Videoboards. Videoboards may display moving patterns, images, text animation, and video content similar to television images only in accordance with the following standards, restrictions and requirements:

1. Videoboards shall not be visible from any public road or any private road except those roads that primarily function to provide traffic circulation through parking lots.
2. No more than one (1) videoboard with a display area of more than twenty-four (24) square feet shall be located within four hundred (400) feet of another videoboard with a display area of more than twenty-four (24) square feet.
3. A videoboard shall not obscure or in any way detract from prominent architectural and design features of a building or structure on which the videoboard is located. Videoboards shall be designed so that they are integrated into the overall design of the building or structure and compliment architectural details such as the overall mass and dimensions of the building to which it is affixed, the size, position and dimensions of openings including doors and windows.
4. Maximum size for videoboards shall be determined by the maximum size of a sign allowed within the land use district in which it is located, but shall never exceed thirty-two (32) square feet in surface area for each sign face allowed.
5. Where a videoboard is located within three hundred (300) feet of any traffic signal, all applications for a Sign Permit for a videoboard must include a report from a traffic engineer stating that the placement of the sign will not interfere with the effectiveness of a traffic signal within three hundred (300) feet of the sign. At

no time and in no way shall messages displayed on a videoboard be intended and designed for viewing by motorists traveling on any public road or any private road except those roads that primarily function to provide traffic circulation through parking lots.

6. Content displayed on a videoboard sign may not resemble or simulate lights or traffic control devices used to control traffic in accordance with the MUTCD unless such content is directly related to the dissemination of information during times of emergency.
7. The City may require emergency information to be displayed, within appropriate message rotation, on a videoboard.
8. Operational Standards—Display. All videoboards:
 - a. Must contain a default mechanism that freezes an image in one position in case of a malfunction or deactivates the display in its entirety.
 - b. Must automatically adjust the sign brightness based on natural ambient light conditions in compliance with the following formula:
 - i. the ambient light level measured in luxes, divided by 256 and then rounded down to the nearest whole number, equals the dimming level; then
 - ii. the dimming level, multiplied by .0039 equals the brightness level; then
 - iii. the brightness level, multiplied by the maximum brightness of the specific sign measured in nits, equals the allowed sign brightness, measured in nits.
 - c. Must be turned off between 1:00 a.m. and 6:00 a.m. Monday through Friday and 2:00 a.m. and 8:00 a.m. on Saturday and Sunday. Videoboards may be required to be turned off earlier in instances where a videoboard faces a residential land use including overnight accommodations like hotels.
 - d. May not display light of such intensity or brilliance to cause glare, impair the vision of an ordinary driver, or constitute a nuisance.
 - e. Must have a full color display able to display a minimum of 281 trillion color shades.
 - f. Must be able to display a high quality image with a minimum resolution equivalent to the following table:

Viewing Distance (FT)	Max. Pixel Size (mm)
36 to 45 feet	12 to 16
> 45	14.25 to 19

Table 3.6.6.G.8.f

PLDC Text as Amended by LDC14-11, LDC14-12, and Ordinances 964 & 963, May 18, 2015. Amendment became effective June 17, 2015.

- g. Light intensity. Before the issuance of a videoboard sign permit, the applicant shall provide written certification from the sign manufacturer or distributor that:
 - i. The light intensity has been factory programmed to comply with the maximum brightness and dimming standards in table; and
 - ii. The light intensity is protected from end-user manipulation by password-protected software, or other method satisfactory to the Planning Director; and
 - iii. The sign's light intensity has been factory pre-set not to exceed 7,000 nits
- h. Changes of text messages, not containing video, must comply with the following:
 - i. Any messages that display text must be displayed for a minimum of five (5) seconds.
 - ii. Changes of text-based messages not containing video content must be accomplished within two (2) seconds.
 - iii. Changes of text-based messages not containing video content must occur simultaneously on the entire sign face.
 - iv. No flashing, dimming, or brightening of message is permitted except to accommodate changes of message.
 - v. Ticker tape streaming is permitted at all times when the videoboard is operating. Ticker tape streaming must be located within the bottom ten (10) percent of the effective area.
- i. Malfunction. The videoboard operator must respond to a malfunction or safety issue within one hour after notification.

I. Vision Clearance and Safety Standards

- 1. Signs must comply with the sight visibility standards within the Development Code (see Chapter 3.2.2.M).
- 2. The minimum clearance of all signs projecting over a pedestrian way shall be eight (8) feet.
- 3. Clearance over vehicle use area. The minimum clearance of all signs projecting over any portion of a vehicle use area shall be seventeen (17) feet.

J. Duration of Permits.

- 1. Permits for permanent signs shall be valid, without renewal, until such a time as they are altered. Upon such an event, the original permit shall expire.
- 2. Unless otherwise stated in this Chapter, permits for temporary signs shall be valid for a period of one (1) fiscal year or portion thereof. Where this standard differs with another stated elsewhere in this Chapter, the standard which defines a more limited duration for a temporary sign permit shall control. A temporary

sign permit shall be renewed at least thirty (30) days prior to its expiration on the 30th day of June of each fiscal year. Permitted temporary signs shall be removed prior to or upon that day if the permit has not been renewed.

3.6.7 – Nonconforming Sign, Abandoned Signs, Good Standing Status

A. Nonconforming Signs

1. Nonconforming signs may be maintained subject to the following conditions:
 - a. No additions or enlargements may be made to a nonconforming sign except additions or enlargements required by law.
 - b. If any nonconforming sign is moved, that sign shall thereafter conform to the requirements of the sign standards as a newly constructed sign.
 - c. Any sign that is constructed to replace a nonconforming sign shall be constructed in compliance with all applicable provisions of the sign standards.
2. Except where only a change of face is made, any nonconforming sign, which is structurally altered (excluding routine maintenance), shall be brought into compliance with all applicable provisions of the sign standards within ninety (90) days of written notice sent by the City and shall thereafter be kept in compliance with the sign standards.
3. Any nonconforming or abandoned sign and supporting structure shall be removed by the owner of the sign or owner of the premises within three months following the closure of the business which licensed the sign, vacation or change of occupancy at the premises for which the sign was licensed, condemnation or demolition of a structure or building for which a sign was licensed, or completion of an event that has concluded thirty (30) days or more prior to the date on which the violation was discovered. The Planning Director may, upon written request of the owner of the sign or the premises upon which the sign is located, allow structural components of a sign to remain in place under the following conditions:
 - a. The sign structure shall be maintained in good condition, according to Section 3.6.7.B;
 - b. The sign shall be used in the active marketing of the property for sale, lease, or redevelopment;
 - c. The structure may remain in place for a period of time not to exceed twelve (12) months from the date upon which the Planning Director issues a final determination allowing the sign structure to remain in place. This period may be extended at the Planning Director's discretion upon written request by the owner of the sign or the premises upon which the sign is located, provided that the sign meets subparts 3.a. and 3.b above.

B. Good Standing Status. In order to remain in good standing, the holder of a sign permit shall comply with the requirements of this Chapter throughout the period

during which the permit is valid. Additionally, the permit holder shall comply with the following requirements:

1. All signs, together with all of their supports, braces, guys, anchors and electrical equipment, shall be kept fully operable, in good repair and maintained in safe condition, free from excessive rust, corrosion, peeling paint or other surface deterioration.
2. A sign permit holder shall maintain a current City of Phoenix business license. Failure to maintain a current business license shall render the sign permit invalid and constitutes a violation of this Chapter. The permit holder shall be required to reapply for a sign permit once a new business license has been issued.

3.6.8 – Sign Variance Criteria

The most minimal variance possible shall be granted using a Type II – Administrative procedure when, and only when an applicant is able to demonstrate the following:

- A.** The variance is necessary because of special circumstances relating to the size, shape, topography, location, or surroundings of the subject property to provide it with use rights and privileges permitted to other properties in the vicinity and zone in which the subject property is located.
- B.** The special circumstances of the subject property are not the result of the actions of the applicant, the owner of the property, or a self induced hardship.
- C.** The authorization of such variances will not be materially detrimental to the public welfare, not injurious to nearby property, nor essentially different from the provisions of the zoning district in which it is located.
- D.** The type of the proposed sign is not a type prohibited by these regulations.
- E.** The Variance would not result in a special advertising advantage in relation to neighboring businesses or businesses of a similar nature. The desire to match standard sign sizes (for example, chain store signs) shall not be listed or considered as a reason for a Variance.
- F.** Granting of the Variance would not obstruct views of other buildings or signs, cover unique architectural features of a building, or detract from landscape areas.
- G.** The granting of the Variance would not create a traffic or safety hazard.

The City may designate conditions to ensure conformance with the Development Code. Guarantees and evidence that such conditions will be complied with may be required.

3.6.9 – Landmark Sign Program, Procedures and Standards of Review

The owner of an existing sign may apply for a determination by the Planning Commission or its designee that the sign qualifies as a Landmark Sign, pursuant to the following provisions:

- A. The sign is or would be nonconforming as it is in its current condition or as proposed.
- B. The sign is unique in its design, method and materials of construction, and/or is associated with a historically significant event, commercial enterprise, organization, person.
- C. The applicant shall provide the same information describing the sign as is required by Section 3.6.6.A -- Individual Sign Permit Application Requirements.
- D. A Hazardous Sign may not, under any circumstances, qualify as a Landmark Sign unless the hazardous condition of the sign has been or will be abated prior to, or conditionally upon designation as a Landmark Sign.
- E. The Planning Commissioner or its designee may require financial assurance from the applicant in the form of a performance bond, escrow, or other financial device in accordance with Section 4.3.9 – *Performance, Maintenance Guarantee and Development Agreement*, that the City may use in order to abate, remove, or demolish any Hazardous Sign that has been conditionally approved for Landmark Sign status.
- F. The Building Official may require additional building and trades permits.
- G. The fee, set by resolution of the City Council, for application review and determination shall be paid by the application at the time of application.

3.6.10—Wayfinding Sign Program Procedures and Standards of Review

A single property owner, group of property owners, public agency, organization, homeowners association, or other parties with vested property interests may request that the City create a Wayfinding Sign Program pursuant to the following provisions:

- A. The applicant shall submit a Wayfinding Sign Plan for review by the Planning Commission or its designee. The plan shall provide substantially the same information describing all proposed signs as is required by Section 3.6.6.B—Master Sign Programs Permit Application Requirements.
- B. The plan shall substantially comply with the other requirements of this ordinance (including but not limited to standards for illumination, clear vision areas, etc.), but may allow for divergence in the design of individual signs provided that none of the signs in the proposed plan would create conditions that are hazardous as defined within this Chapter.
- C. Wayfinding Signs shall be designed in a way that is consistent with desirable aesthetic characteristics of the surrounding neighborhood and community.
- D. Wayfinding Signs shall be designed to effectively communicate directional information to the general public through the use of color, scale, placement and other design elements.

- E.** Wayfinding Signs shall be designed so as to improve the visual quality of the built environment of the surrounding neighborhood and community. This shall be achieved through the use of architectural features and high quality materials including wood, natural stone, brick, wrought iron and other high quality metal millwork.
- F.** The Planning Commission or its designee shall review the plan and determine whether to approve, approve with conditions, or deny the application and proposed plan using the aforementioned criteria.
- G.** The Planning Commissioner or its designee may require financial assurance from the applicant in the form of a performance bond, escrow, or other financial device in accordance with Section 4.3.9 – *Performance, Maintenance Guarantee and Development Agreement*, that the City may use in order to abate, remove, or demolish any Hazardous Sign that has been approved as a part of a Wayfinding Sign Plan.
- H.** The Building Official may require additional building and trades permits.
- I.** The fee, set by resolution of the City Council, for application review and determination shall be paid by the applicant at the time of application.

3.6.11 – Public Art Program, Procedures and Standards of Review

- A.** The applicant shall submit a Public Art Plan for review by the Phoenix Arts Council or its designee that shall, at minimum, address the following:
 - 1. The location, dimensions, and method of installation or construction of the artwork.
 - 2. A maintenance plan describing activities and procedures to ensure that the artwork remains in its intended condition over the course of its functional lifetime.
 - 3. A sketch or other accurate representation of the artwork to be installed or constructed.
 - 4. A legally binding and enforcement agreement enabling the City of Phoenix to maintain, repair, and remove the artwork if its condition violates the terms and conditions set forth in the Public Art Plan, fails to substantially comply with other requirements of this ordinance, or becomes hazardous.
- B.** The plan shall substantially comply with the other requirements of this ordinance (including but not limited to standards for illumination, clear vision areas, etc.), but may diverge from these standards to allow for creative, artistic expression provided that none of artwork in the proposed plan would create conditions that are hazardous as defined within this Chapter.

3.6.12 – Enforcement.

- A.** When a sign is removed, altered, and/or stored under these enforcement provisions, removal and storage costs may be collected against the sign owner and the person

responsible for the placement of the sign. The city council shall establish the fees for removal and storage of signs, and for other associated fees, by resolution, from time to time.

- B.** Any sign installed or placed in the public right-of-way or on City-owned property, except in conformance with the requirements of this chapter or other applicable provisions of this code, may be removed by the Planning Director or his/her designee as follows:
1. Immediate confiscation without prior notice to the owner of the sign.
 2. If the City can ascertain contact information for the owner of the sign or for any person or business responsible therefore, the City shall contact that person or business and advise that: a) the sign was found in a location that the City believes to be a public right-of-way or City-owned property; b) that no permit was issued for the placement of the sign in that location, and that the sign is not otherwise legally permitted to be in that location; and c) that the City has confiscated the sign and shall destroy it after thirty (30) days from the time notice was sent to the person or business responsible for the sign, unless either i) the sign is claimed and the removal and notice costs are reimbursed to the City in full or ii) a request for hearing is submitted by the person or business responsible for the sign to the Planning Department.
 3. If notification is not possible, the city shall store the sign for thirty (30) days from date of confiscation. The sign may then be destroyed.
 4. The city shall continue to store the sign for any additional period during which an appeal or review thereon is conducted.
- C.** Signs found to be erected or maintained on private property in violation of the provisions of this section or other applicable provisions of the Phoenix Land Development Code are subject to the provisions of Chapter 1.4 – *Enforcement*, and any other means of enforcement afforded to the City and agents by the Municipal Code of the City of Phoenix. A sign may be removed by the Planning Director or his/her designee under the following conditions:
- a. If a sign is a hazardous sign as defined herein and poses an immediate threat to public safety, it may be removed from private property and confiscated by the City without prior notification to the owner of the sign.
 - b. If a sign violates this Chapter but does not pose an immediate threat to public safety, it may be removed and confiscated by the City only after the City has notified the owner of the sign of the violation and provided a period of not less than sixty (60) days for the owner of the sign to abate any and all violations described in the notice or apply for a variance.
 - c. If a sign has been removed under the conditions described in Section 3.6.12.C.1 and 2, and the City can ascertain contact information for the owner of the sign or for any person or business responsible therefore, the City shall contact that person or business and advise that:

PLDC Text as Amended by LDC14-11, LDC14-12, and Ordinances 964 & 963, May 18, 2015. Amendment became effective June 17, 2015.

- i. The sign was found to violate this Chapter and notification of such was attempted by the City.
 - ii. That the City has confiscated the sign and shall destroy it after thirty (30) days from the time notice was sent to the person or business responsible for the sign, unless the sign is claimed and the removal and notice costs are reimbursed to the City in full.
3. If notification is not possible, the City shall store the sign for at least thirty (30) days from date of confiscation. The sign may then be destroyed.
4. The City shall continue to store the sign for any additional period during which a variance is considered by the Planning Commission.

**CITY OF PHOENIX
PHOENIX, OREGON
ORDINANCE NO. 964**

AN ORDINANCE AMENDING CHAPTERS 2.3.5, AND 2.4.4, AND ADDING CHAPTER 3.12 TO THE PHOENIX LAND DEVELOPMENT CODE, ALSO KNOWN AS LDC14-11.

WHEREAS, the City of Phoenix intends to protect the public health, safety, and welfare of persons and property within its jurisdiction; and

WHEREAS, the City of Phoenix wishes to protect its small town character and quality of life including, but not limited to the unobstructed enjoyment of the natural night sky; and

WHEREAS, the City wishes to reduce the spillage of light from one property onto adjacent properties and visual impairment caused by glare; and

WHEREAS, the City of Phoenix wishes to reduce the inefficient, wasteful, and unnecessary consumption of energy, the depletion of nonrenewable natural resources used to produce energy, and the resulting atmospheric pollution by gaseous emissions (most notably carbon dioxide, carbon monoxide, sulfur dioxide, and nitrous oxide).

NOW THEREFORE, the City of Phoenix **ORDAINS** to adopt as follows:

Section 1. The Land Development Code of the City of Phoenix is hereby amended as proposed in Exhibit A.

Section 2. Effective Date: This ordinance shall become effective 30 days after its adoption.

PASSED AND ADOPTED by the City Council and signed by me in authentication thereof on this 21st day of May, 2015

Mayor

ATTEST:

City Manager/ Recorder



Exhibit A

PLDC as Amended by LDC 14-11

Additions to existing text are underlined,
deletions are ~~stricken~~;
all other text appears as it will in the final,
amended document.

Chapter 2.3.5 is amended as follows:

D. Open Space Design

1. Common open spaces shall include at least two of the following improvements:
 - a. benches for seating;
 - b. public art such as a statue;
 - c. a water feature such as a fountain;
 - d. a children's play structure;
 - e. a gazebo;
 - f. picnic tables;
 - g. gardens;
 - h. an indoor or outdoor sports court for one or more of the following: tennis, basketball, volleyball, badminton, racquetball, and handball/paddleball
2. Residential developments that may house children shall provide at least one common open space with a children's play structure.
3. For security purposes, all common open spaces shall be adequately illuminated in accordance with Chapter 3.12 – Outdoor Lighting ~~and shielded during hours of darkness~~. Landscaping shall be designed and maintained to avoid security risks.

Chapter 2.4.4 is amended as follows:

2.4.4 – Architectural Guidelines and Standards

A. Architectural Continuity and Quality. New and remodeled buildings may have their own architectural style but there must be some architectural continuity with the other structures located within the area. All building designs located within the Commercial Highway District must be of a high architectural quality and shall incorporate the following:

1. Continuous building walls of greater than 50 feet shall be avoided. Breaks in the wall plane shall be incorporated into the building design.
2. Entrances to the buildings shall be clearly defined architecturally. Entrances shall include decorative pavement treatments in order to tie into the parking lot pedestrian circulation systems.



Exhibit A

PLDC as Amended by LDC 14-11

Additions to existing text are underlined,
deletions are ~~stricken~~;
all other text appears as it will in the final,
amended document.

3. Exterior building materials shall be of high quality and shall be selected based upon their weathering properties. Generally, materials such as stucco, brick, or masonry block should be used for exterior walls.
 4. When the building is part of a larger complex, continuity of materials and design shall be required.
- B. Lighting.** Project lighting shall be provided ~~for in order to create safe low-light conditions, security reasons. Fixture types shall be down mounted or shielded when located adjacent to residential development and in accordance with Chapter 3.12 – Outdoor Lighting.~~ in order to create safe low-light conditions.
- C. Roof-mounted equipment.** Roof-mounted mechanical equipment is not allowed unless completely screened within an equipment well or screened by a parapet wall.
- D. Detailing.** Architectural detailing shall be consistent on all elevations.
- E. Trash Enclosures.** Trash enclosures shall be constructed of 6-foot high masonry walls with solid metal gates. The floor of the enclosure shall be constructed of concrete with a 6-foot by 10-foot concrete apron placed in front of the enclosure. The masonry materials used shall be selected to match the materials used in the building or buildings that it serves. Trash enclosures shall not be located within 25 feet of a public entrance or a required pedestrian walkway.
- F. Parking lot lighting.** Parking lot lighting shall be provided for parking lots containing more than 10 spaces. ~~The light fixtures shall be designed to light the parking area using down-mounted, low profile light fixtures.~~ Parking lots with more than 10 vehicle parking spaces shall also include ~~low profile~~ pedestrian scale lighting of pedestrian walkways and bicycle parking areas. All outdoor lighting shall comply with Chapter 3.12
- G. Bicycle Parking.** Bicycle parking shall be integrated into the design for development within the C-H zone district. The location of the spaces must be coordinated with the location and orientation of vehicle parking, bicycle lanes, and pedestrian walkways. Enclosed bicycle parking shall be designed to be architecturally compatible with the design of the building or buildings located on the site. (See the Parking chapter of this development code for other bicycle parking requirements.)
- H. Pedestrian Circulation.** Projects that require more than 50 vehicle parking spaces shall also be required to provide the following separate pedestrian circulation improvements:
1. Covered walkways, a trellis structure planted with vines or other solution that is designed to provide pedestrians with shade and protection from the weather.



Exhibit A

PLDC as Amended by LDC 14-11

Additions to existing text are underlined,
deletions are ~~stricken~~;
all other text appears as it will in the final,
amended document.

2. All pedestrian circulation areas must be lighted with pedestrian scale light fixtures in compliance with Chapter 3.12.
3. Transit stops, on-site connections to transit stops, or designated passenger pick up areas shall be required if deemed appropriate by the Planning Department based upon the size of the project and input from the Rogue Valley Transit District (RVTD) or if requested by RVTD.
4. Driveway Improvements. Parking lots over three acres in size shall provide street improvements, including curbs, sidewalks, and street trees, in compliance with the local street standards in Table 3.5.2.

Chapter 2.4.5 is amended as follows:

F. Vehicle, Truck, Boat, Motorcycle, or RV Sales. These uses may be approved if it has been shown that the use incorporates the following:

1. Sales lots must include a minimum of a 20-foot landscape setback between the back of sidewalk and the edge of the vehicle parking, display area, or building.
2. No vehicle display will be allowed in the required landscape setback area.
3. Vehicle display areas shall not encroach upon the required customer and employee parking spaces.
4. ~~Outside project lighting must be designed to minimize light spillage onto adjacent properties.~~ Pole lighting must not be higher than 15 feet and must be shielded from the surrounding public streets and from I-5 and shall comply with Chapter 3.12 – Outdoor Lighting.
5. All repair and detailing activities must be conducted within an enclosed building.

G. Self-Storage Facilities. These uses may be approved if it has been shown that the following design requirements have been provided:

1. Architectural Standards:
 - a. Exterior materials used in the construction of the storage units shall be concrete masonry block with a decorative finish such as split-faced or fluted block.
 - b. Long exterior walls shall be broken up with masonry pilasters or insets or pop outs in the wall plane at a minimum of 30 feet on center.
 - c. The roof material may be metal but it shall have a non-glaring finish.
 - d. The roof eaves shall be finished and shall incorporate rain gutters and down spouts.



Exhibit A

PLDC as Amended by LDC 14-11

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- e. Security fencing shall be provided. The fencing shall be decorative wrought iron or other decorative metal. Chain link fencing is not permitted.
2. Site Development Standards:
- a. The following minimum building setbacks shall apply:
 - i. Front: 20 feet
 - ii. Side and rear: 0, except when adjacent to another street frontage in which case the minimum would be 15 feet or in the case where the development would be adjacent to a residential land use, in which case the minimum setback would be 5 feet.
 - b. Landscaping: A dense landscape screen must be included on all elevations that abut a street frontage or abut residential land uses. The landscape treatment must include a combination of trees, shrubs, and ground cover. The area must be served by an automatic underground irrigation system. All landscaping shall meet the requirements of Chapter 3.3 – Landscaping, Street Trees, Fences, and Walls.
 - c. Project Lighting: All project lighting shall ~~be designed not to spill onto adjacent properties~~ comply with Chapter 3.12 – Outdoor Lighting.

Chapter 2.5.9 is amended as follows:

E. Outdoor Lighting. ~~Building-mounted Outdoor lighting and aerial-mounted floodlighting shall be shielded from above in such a manner that the bottom edge of the shield shall be below the light source. Ground-mounted floodlighting or light projection above the horizontal plane is prohibited between midnight and sunrise. All lighting shall be shielded so that the direct illumination shall be confined to the property boundaries of the light source~~ shall comply with Chapter 3.12 – Outdoor Lighting.

Chapter 2.6.9 is amended as follows:

E. Outdoor Lighting. ~~Building-mounted Outdoor lighting and aerial-mounted floodlighting shall be shielded from above in such a manner that the bottom edge of the shield shall be below the light source. Ground-mounted floodlighting or light projection above the horizontal plane is prohibited between midnight and sunrise. All lighting shall be shielded so that the direct illumination shall be confined to the property boundaries of the light source~~ shall comply with Chapter 3.12 – Outdoor Lighting.



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Chapter 3 is amended by adding Section 3.12 – *Outdoor Lighting*, as follows:

Chapter 3.12 – Outdoor Lighting

Sections

- 3.12.1 – Purpose
- 3.12.2 – Definitions
- 3.12.3 – Lighting area classifications
- 3.12.4 – Applicability
- 3.12.5 – Exemptions
- 3.12.6 – Standards for non-residential lighting
- 3.12.7 – Standards for residential lighting.

3.12.1 – Purpose

The purpose of this Ordinance is to provide regulations for outdoor lighting that will: permit the use of outdoor lighting that does not exceed the maximum levels specified in IES recommended practices for night-time safety, utility, security, productivity, enjoyment, and commerce; minimize adverse offsite impacts of lighting such as light trespass, and obtrusive light; curtail light pollution, reduce skyglow and improve the nighttime environment for astronomy; protect the natural environment from the adverse effects of night lighting from gas or electric sources; and conserve energy and resources to the greatest extent possible.

3.12.2 – Definitions

- A. Absolute Photometry. Photometric measurements (usually of a solid-state luminaire) that directly measures the footprint of the luminaire. Reference Standard IES LM-79.
- B. Architectural Lighting. Lighting designed to reveal architectural beauty, shape and/or form for which lighting for any other purpose is incidental.
- C. Authority. The adopting municipality, agency or other governing body.
- D. Astronomic Time Switch. An automatic lighting control device that switches outdoor lighting relative to time of solar day with time of year correction.
- E. Backlight. For an exterior luminaire, lumens emitted in the quarter sphere below horizontal and in the opposite direction of the intended orientation of the luminaire. For luminaires with symmetric distribution, backlight will be the same as front light.
- F. BUG. A luminaire classification system that classifies Backlight (B), Uplight (U), and Glare (G).



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- G. Canopy. A covered, unconditioned structure with at least one side open for pedestrian and/or vehicular access. (An unconditioned structure is one that may be open to the elements and has no heat or air conditioning.)
- H. Common Outdoor Areas. One or more of the following: a parking lot; a parking structure or covered vehicular entrance; a common entrance or public space shared by all occupants of a site; parks, plazas, and similar outdoor gathering and recreational areas.
- I. Curfew. A time defined by the authority when outdoor lighting is reduced or extinguished.
- J. Cutoff or 100% Cutoff. See definition for "Fully Shielded Luminaire" in this Section.
- K. Emergency Conditions. Generally, lighting that is only energized during an emergency; lighting fed from a backup power source; or lighting for illuminating the path of egress solely during a fire or other emergency situation; or lighting for security purposes used solely during an alarm.
- L. Footcandle. The unit of measure expressing the quantity of light received on a surface. One footcandle is the illuminance produced by a candle on a one foot square surface from a distance of one foot.
- M. Forward Light. For an exterior luminaire, lumens emitted in the quarter sphere below horizontal and in the direction of the intended orientation of the luminaire.
- N. Fully Shielded Luminaire. A luminaire constructed and installed in such a manner that all light emitted by the luminaire, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected below the horizontal plane through the luminaire's lowest light-emitting part.
- O. Glare. Lighting entering the eye directly from luminaires or indirectly from reflective surfaces that causes visual discomfort or reduced visibility.
- P. Hardscape. Stone, brick, concrete, asphalt or other similar finished surfaces intended primarily for walking, such as sidewalks and pathways.
- Q. Hardscape Area. The area measured in square feet of all hardscape. It is used to calculate the Total Site Lumen Limit in both the Prescriptive and Performance Method I methods. See Chapter 1.3 of the PLDC for a definition of hardscape.
- R. Hardscape Perimeter. The perimeter measured in linear feet is used to calculate the Total Site Lumen Limit in the Performance Method. See Chapter 1.3 of the PLDC for a definition of hardscape.
- S. IDA. International Dark-Sky Association.
- T. IESNA. Illuminating Engineering Society of North America.
- U. Industry Standard Lighting Software. Lighting software that calculates point-by-point illuminance that includes reflected light using either ray-tracing or radiosity methods.



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- V. Lamp. A generic term for a source of optical radiation (i.e. “light”), often called a “bulb” or “tube”. Examples include incandescent, fluorescent, high-intensity discharge (HID), low pressure sodium (LPS), light-emitting diode (LED), metal halide (MH), and induction.
- W. Landscape Lighting. Lighting of trees, shrubs, or other plant material as well as ponds and other landscape features.
- X. LED. Lighting Emitting Diode.
- Y. Light Pollution. Any adverse effect of artificial light including, but not limited to, glare, light trespass, skyglow, energy waste, compromised safety and security, and impacts on the nocturnal environment.
- Z. Light Trespass. Light that falls beyond the property it is intended to illuminate.
- AA. Lighting. “Electric” or “man-made” or “artificial” lighting. See “lighting equipment”.
- BB. Lighting Equipment. Equipment specifically intended to provide gas or electric illumination, including but not limited to, lamp(s), luminaire(s), ballast(s), poles, posts, lens(s), and related structures, electrical wiring, and other necessary or auxiliary components.
- CC. Lighting Zone. An overlay zoning system establishing legal limits for lighting for particular parcels, areas, or districts in a community.
- DD. Low Voltage Landscape Lighting. Landscape lighting powered at less than 15 volts and limited to luminaires having a rated initial luminaire lumen output of 525 lumens or less.
- EE. Lumen. The unit of measure used to quantify the amount of light produced by a lamp or emitted from a luminaire (as distinct from “watt,” a measure of power consumption).
- FF. Luminaire. The complete lighting unit (fixture), consisting of a lamp, or lamps and ballast(s) (when applicable), together with the parts designed to distribute the light (reflector, lens, diffuser), to position and protect the lamps, and to connect the lamps to the power supply.
- GG. Luminaire Lumens. For luminaires with relative photometry per IES, it is calculated as the sum of the initial lamp lumens for all lamps within an individual luminaire, multiplied by the luminaire efficiency. If the efficiency is not known for a residential luminaire, assume 70%. For luminaires with absolute photometry per IES LM-79, it is the total luminaire lumens. The lumen rating of a luminaire assumes the lamp or luminaire is new and has not depreciated in light output.
- HH. Lux. A unit of illuminance. One lux is one lumen per square meter. 1 Lux is a unit of incident illuminance approximately equal to 1/10 footcandle.



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- II. Mounting Height. The height of the photometric center of a luminaire above grade level.
- JJ. New lighting. Lighting for areas not previously illuminated; newly installed lighting of any type except for replacement lighting or lighting repairs.
- KK. Ornamental lighting. Lighting that does not impact the function and safety of an area but is purely decorative, or used to illuminate architecture and/or landscaping, and installed for aesthetic effect.
- LL. Ornamental Street Lighting. A luminaire intended for illuminating streets that serves a decorative function in addition to providing optics that effectively deliver street lighting. It has a historical period appearance or decorative appearance, and has the following design characteristics:
 - designed to mount on a pole using an arm, pendant, or vertical tenon;
 - opaque or translucent top and/or sides;
 - an optical aperture that is either open
 - or enclosed with a flat, sag or drop lens;
 - mounted in a fixed position; and
 - with its photometric output measured using Type C photometry per IESNA LM-75-01.
- MM. Outdoor Lighting. Lighting equipment installed within the property line and outside the building envelopes, whether attached to poles, building structures, the earth, or any other location; and any associated lighting control equipment.
- NN. Partly Shielded Luminaire. A luminaire with opaque top and translucent or perforated sides, designed to emit most light downward.
- OO. Photoelectric Switch. A control device employing a photocell or photodiode to detect daylight and automatically switch lights off when sufficient daylight is available.
- PP. Relative photometry. Photometric measurements made of the lamp plus luminaire, and adjusted to allow for light loss due to reflection or absorption within the luminaire. Reference standard: IES LM-63.
- QQ. Repair(s). The reconstruction or renewal of any part of an existing luminaire for the purpose of its ongoing operation, other than relamping or replacement of components including capacitor, ballast or photocell. Note that retrofitting a luminaire with new lamp and/or ballast technology is not considered a repair and for the purposes of this ordinance the luminaire shall be treated as if new.



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- “Repair” does not include normal relamping or replacement of components including capacitor, ballast or photocell.
- RR. Replacement Lighting. Lighting installed specifically to replace existing lighting that is sufficiently broken to be beyond repair.
- SS. Sales Area (Outdoor). Uncovered area used for sales of retail goods and materials, including but not limited to automobiles, boats, tractors and other farm equipment, building supplies, and gardening and nursery products.
- TT. Seasonal lighting. Temporary lighting installed and operated in connection with holidays or traditions.
- UU. Shielded Directional Luminaire. A luminaire that includes an adjustable mounting device allowing aiming in any direction and contains a shield, louver, or baffle to reduce direct view of the lamp.
- VV. Sky Glow. The brightening of the nighttime sky that results from scattering and reflection of artificial light by moisture and dust particles in the atmosphere. Skyglow is caused by light directed or reflected upwards or sideways and reduces one's ability to view the night sky.
- WW. Temporary lighting. Lighting installed and operated for periods not to exceed 60 days, completely removed and not operated again for at least 30 days.
- XX. Time Switch. An automatic lighting control device that switches lights according to time of day.
- YY. Translucent. Allowing light to pass through, diffusing it so that objects beyond cannot be seen clearly (not transparent or clear).
- ZZ. Unshielded Luminaire. A luminaire capable of emitting light in any direction including downwards.
- AAA. Uplight. For an exterior luminaire, flux radiated in the hemisphere at or above the horizontal plane.
- BBB. Vertical Illuminance. Illuminance measured or calculated in a plane perpendicular to the site boundary or property line.

3.12.3 – Lighting area classifications

Different types of land uses, activities, and operations require different levels of ambient lighting. Lighting zones are hereby determined according to the land use district in which a particular property is located. Table 3.12.3 defines lighting area classifications by land use district map designation and describes each lighting zone in terms of its purpose and suitability for certain types and intensities of outdoor lighting.

Greenway	R-1	R-2	R-3	CC	C-H	GI	LI	PUD
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LZ-1	LZ-1	LZ-1	LZ-2	LZ-2	LZ-3	LZ-3	LZ-3	Varies
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Table 3.12.3 Lighting Area Classifications.

3.12.4 – Applicability

Except as described below, all outdoor lighting installed after the date of effect of this section shall comply with these requirements. This includes, but is not limited to, new lighting, replacement lighting, or any other lighting whether attached to structures, poles, the earth, or any other location, including lighting installed by any third party. Where the provisions of this chapter conflict with other sections of the Land Development Code or other municipal codes, the more restrictive regulation shall control.

3.12.5 – Exemptions

The following types of lighting applications and operational procedures are explicitly exempt from the requirements of this chapter.

- A. Lighting within public right-of-way or easement for the principal purpose of illuminating streets or roads. No exemption shall apply to any lighting within the public right of way or easement when the purpose of the luminaire is to illuminate areas outside the public right of way or easement, unless regulated with a streetlighting ordinance;
- B. Lighting for public monuments and statuary;
- C. Lighting solely for signs (lighting for signs is regulated by the Sign Ordinance);
- D. Repairs to existing luminaires not exceeding 25% of total installed luminaires;
- E. Temporary lighting for theatrical, television, performance areas and construction sites lasting fewer than 3 days;
- F. Underwater lighting in swimming pools and other water features;
- G. Temporary lighting and seasonal lighting provided that individual lamps are less than 10 watts and 70 lumens;
- H. Lighting that is only used under emergency conditions;
- I. In lighting zones 2, 3 and 4, low voltage landscape lighting controlled by an automatic device that is set to turn the lights off at one hour after the site is closed to the public or at a time established by the City;
- J. Lighting specified or identified in a specific use permit;
- K. Lighting required by federal or state laws and regulations.

3.12.6 – Standards for non-residential lighting

- A. Prescriptive Method. An outdoor lighting installation complies with this section if it meets the requirements of subsections 1, 2, 3 below.

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1. Total Site Lumen Limit. The total installed initial luminaire lumens of all outdoor lighting shall not exceed the total site lumen limit. The total site lumen limit shall be determined using either the Parking Space Method (Table A) or the Hardscape Area Method (Table B and B-2). Only one method shall be used per permit application, and for sites with existing lighting, existing lighting shall be included in the calculation of total installed lumens. The total installed initial luminaire lumens is calculated as the sum of the initial luminaire lumens for all luminaires.

2. Limits of offsite impacts. All luminaires shall be rated and installed according to Table C.

3. Full or 100% cutoff lighting. All lighting shall be full cutoff and shall not emit light above 90 degrees.

4. Exceptions. Ornamental parking lighting shall be permitted by special permit only, and shall meet the requirements of Table D-1 for Backlight, Table D-2 for Uplight, and Table D-3 for Glare, without the need for external field-added modifications.

B. Performance Method I. An outdoor lighting installation complies with this section if it meets the requirements of subsections 1 and 2 below.

1. Total Site Lumen Limit. The total installed initial luminaire lumens of all lighting systems on the site shall not exceed the allowed total initial site lumens. The allowed total initial site lumens shall be determined using Tables D and E. For sites with existing lighting, existing lighting shall be included in the calculation of total installed lumens. The total installed initial luminaire lumens is calculated as the sum of the initial luminaire lumens for all luminaires.

2. Limits to Off Site Impacts. All luminaires shall be rated and installed using either





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Option A or Option B. Only one option may be used per permit application.

- a. Option A: All luminaires shall be rated and installed according to Table C.
- b. Option B: The entire outdoor lighting design shall be analyzed using industry standard lighting software including interreflections in the following manner:
 - i. Input data shall describe the lighting system including luminaire locations, mounting heights, aiming directions, and employing photometric data tested in accordance with IES guidelines. Buildings or other physical objects on the site within three object heights of the property line must be included in the calculations.
 - ii. Analysis shall utilize an enclosure comprised of calculation planes with zero reflectance values around the perimeter of the site. The top of the enclosure shall be no less than 33 feet (10 meters) above the tallest luminaire. Calculations shall include total lumens upon the inside surfaces of the box top and vertical sides and maximum vertical illuminance (footcandles and/or lux) on the sides of the enclosure.
 - iii. The proposed design complies if the total lumens on the inside surfaces of the virtual enclosure are less than 15% of the total site lumen limit; and the maximum vertical illuminance on any vertical surface is less than the allowed maximum illuminance per Table F.

C. Performance Method II. Sites under 1 acre that are within the LZ-2 and LZ-3 lighting area classes may demonstrate compliance with this Chapter by meeting the following requirements:

- 1. Full or 100% cutoff lighting. All lighting shall be full cutoff and shall not emit light above 90 degrees.
- 2. Photometric plan required. A photometric plan shall be submitted for review that accurately depicts the locations and types of lighting measures and illuminance in footcandles or lumens at final grade throughout the entire site and ten (10) feet beyond the perimeter of the site.
- 3. Maximum and minimum luminance. Illumination levels shall comply with those listed in the following Table 3.12.6.C:

Area/Activity Type	Min. Illuminance (FC)	Max. Illuminance (FC)
Building entrances/Exits	5	10
Parking Areas	1	5
Parking Structure	5	10
Other Outdoor Areas	1	5
Loading Areas and Platforms	10	15
Under canopies	5	15



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Heavy Equipment Operation	10	25
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Table 3.12.6 Illumination Levels.

4. Maximum illuminance at property line. Maximum illuminance at any point in the vertical plane of the property line shall be less than 0.2 foot-candles.

3.12.7 – Standards for residential lighting.

A. General Requirements. For residential properties including multiple family residential properties not having common areas, all outdoor luminaires shall be fully shielded, 100% cutoff and shall not exceed the allowed lumen output in Table G, row 2.

B. Exceptions.

1. One partly shielded or unshielded luminaire at the main entry, not exceeding the allowed lumen output in Table G row 2.
2. Any other partly shielded or unshielded luminaires not exceeding the allowed lumen output in Table G row 3.
3. Low voltage landscape lighting aimed away from adjacent properties and not exceeding the allowed lumen output in Table G row 4.
4. Shielded directional flood lighting aimed so that direct glare is not visible from adjacent properties and public and private streets and pedestrian ways and not exceeding the allowed lumen output in Table G row 5.
5. Open flame gas lamps.
6. Lighting installed with a vacancy sensor, where the sensor extinguishes the lights no more than 15 minutes after the area is vacated, provided that the luminaire is shielded, 100% cutoff.
7. Lighting exempt per Section III (B.).

C. Requirements for Residential Landscape Lighting.

1. Shall comply with Table G.
2. Shall not be aimed onto adjacent properties.

3.12.8 – Lighting by special permit

A. *High Intensity and Special Purpose Lighting.* The following lighting systems are prohibited from being installed or used except by special use permit:

1. Temporary lighting in which any single luminaire exceeds 20,000 initial luminaire lumens or the total lighting load exceeds 160,000 lumens.
2. Aerial Lasers.



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3. Searchlights.
 4. Other very intense lighting defined as having a light source exceeding 200,000 initial luminaire lumens or an intensity in any direction of more than 2,000,000 candelas.
 5. Focused light emitted by remotely operated aerial devices (drones). Warning and identification lights as required by state and federal laws and regulations for such devices are not subject to this requirement.
- B. Upon special permit issued by the Department, lighting not complying with the technical requirements of this ordinance but consistent with its intent may be installed for complex sites or uses or special uses including, but not limited to, the following applications:
1. Sports facilities, including but not limited to unconditioned rinks, open courts, fields, and stadiums.
 2. Construction lighting.
 3. Lighting for industrial sites having special requirements, such as petrochemical manufacturing or storage, shipping piers, etc.
 4. Parking structures.
 5. Urban parks
 6. Ornamental and architectural lighting of bridges, public monuments, statuary and public buildings.
 7. Theme and amusement parks.
 8. Correctional facilities.
- C. Standards for approval of special permit for lighting
1. Has sustained every reasonable effort to mitigate the effects of light on the environment and surrounding properties, supported by a signed statement describing the mitigation measures. Such statement shall be accompanied by the calculations required for the Performance Method.
 2. Employs lighting controls to reduce lighting at a Project Specific Curfew ("Curfew") time to be established in the Permit.
 3. Complies with the Performance Method after Curfew.
 4. The Authority shall review each such application. A permit may be granted if, upon review, the Authority believes that the proposed lighting will not create unwarranted glare, sky glow, or light trespass.



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3.12.8 – Existing Lighting. Lighting installed prior to the effective date of this ordinance shall comply with the following standards.

- A. Amortization. On or before January 1, 2029, all outdoor lighting shall comply with this Code.
- B. New Uses or Structures, or Change of Use. Whenever there is a new use of a property (zoning or variance change) or the use or occupancy category as defined by the applicable building code is changed, all outdoor lighting on the property shall be brought into compliance with this Ordinance before the new or changed use or occupancy commences.
- C. Additions or Alterations
 1. Major additions. If a major addition occurs on a property, lighting for the entire property shall comply with the requirements of this Code. For purposes of this section, the following are considered to be major additions:
 - a. Additions of 25 percent or more in terms of additional dwelling units, gross floor area, seating capacity, or parking spaces, either with a single addition or with cumulative additions after the effective date of this Ordinance.
 - b. Single or cumulative additions, modification or replacement of 25 percent or more of installed outdoor lighting luminaires existing as of the effective date of this Ordinance.
 2. Minor modifications, additions, or new lighting fixtures for non-residential and multifamily dwellings. For non-residential and multifamily dwellings, all additions, modifications, or replacement of more than 25 percent of outdoor lighting fixtures existing as of the effective date of this Ordinance shall require the submission of a complete inventory and site plan detailing all existing and any proposed new outdoor lighting. Any new lighting shall meet the requirements of this Ordinance.
 3. Resumption of Use after Abandonment. If a property with non-conforming lighting is not occupied for a period of six months or more, then all outdoor lighting shall be brought into compliance with this Ordinance before any further use of the property occurs.

3.12.8 – Violations and Enforcement.

Outdoor lighting installed or maintained in violation of any provision of this section, or other applicable provisions of the Phoenix Land Development Code (PLDC), shall be subject to the provisions of Chapter 1.4 – Enforcement of the PLDC.

3.12.9 Tables



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Table A - Allowed Total Initial Luminaire Lumens per Site for Nonresidential Outdoor Lighting, Per Parking Space Method. May only be applied to properties up to 10 parking spaces (including handicapped accessible spaces).

LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
350	490	630	840	1,050
lms/space	lms/space	lms/space	lms/space	lms/space

Table B - Allowed Total Initial Lumens for Nonresidential Sites, per Outdoor Lighting, Hardscape Area Method. May be used for any project. When lighting intersections of site drives and public streets or road, a total of 600 square feet for each intersection may be added to the actual site hardscape area to provide for intersection lighting.

LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Base Allowance				
0.5 lumens per SF of hardscape	1.25 lumens per SF of Hardscape	2.5 lumens per SF of hardscape	5.0 lumens per SF of hardscape	7.5 lumens per SF of hardscape

Table B-2 - Lumen Allowances for, in Addition to Base Allowance

	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Additional allowances for sales and service facilities. No more than two additional allowances per site, Use it or Lose it.					
Outdoor Sales Lots. This allowance is lumens per square foot of uncovered sales lots used exclusively for the display of vehicles or other merchandise for sale, and may not include driveways, parking or other non-sales areas. To use this allowance, luminaires must be within 2 mounting heights of sales lot area.	0	4 lumens per square foot of hardscape	8 lumens per square foot of hardscape	16 lumens per square foot of hardscape	16 lumens per square foot of hardscape
Outdoor Sales Frontage. This allowance is for lineal feet of sales frontage immediately adjacent to the principal viewing location(s) and unobstructed for its viewing length. A corner sales lot may include two adjacent sides provided that a different principal viewing location exists for each side. In order to use this allowance, luminaires must be located between the principal viewing	0	0	1,000 per LF	1,500 per LF	2,000 per LF



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location and the frontage outdoor sales area.					
Drive Up Windows. In order to use this allowance, luminaires must be within 20 feet horizontal distance of the center of the window.	0	2,000 lumens per drive-up window	4,000 lumens per drive-up window	8,000 lumens per drive-up window	8,000 lumens per drive-up window
Vehicle Service Station. This allowance is lumens per installed fuel pump.	0	4,000 lumens per pump (based on 5 fc horiz)	8,000 lumens per pump (based on 10 fc horiz)	16,000 lumens per pump (based on 20 fc horiz)	24,000 lumens per pump (based on 20 fc horiz)

Table C - Maximum Allowable Backlight, Uplight and Glare (BUG) Ratings. May be used for any project. A luminaire may be used if it is rated for the lighting zone of the site or lower in number for all ratings B, U and G. Luminaires equipped with adjustable mounting devices permitting alteration of luminaire aiming in the field shall not be permitted.

	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Allowed Backlight Rating*					
Greater than 2 mounting heights from property line	B1	B3	B4	B5	B5
1 to less than 2 mounting heights from property line and ideally oriented**	B1	B2	B3	B4	B4
0.5 to 1 mounting heights from property line and ideally oriented**	B0	B1	B2	B3	B3
Less than 0.5 mounting height to property line and properly oriented**	B0	B0	B0	B1	B2

*For property lines that abut public walkways, bikeways, plazas, and parking lots, the property line may be considered to be 5 feet beyond the actual property line for purpose of determining compliance with this section. For property lines that abut public roadways and public transit corridors, the property line may be considered to be the centerline of the public roadway or public transit corridor for the purpose of determining compliance with this section. NOTE: This adjustment is relative to Table C-1 and C-3 only and shall not be used to increase the lighting area of the site.

** To be considered 'ideally oriented', the luminaire must be mounted with the backlight portion of the light output oriented perpendicular and towards the property line of concern.

Table C - 2 Maximum Allowable Uplight (BUG) Ratings - Continued

Table C-2	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Allowed Uplight Rating	U0	U1	U2	U3	U4
Allowed % light emission above 90° for street or Area lighting	0%	0%	0%	0%	0%

Table C - 3 Maximum Allowable Glare (BUG) Ratings – Continued



Exhibit A
 PLDC as Amended by LDC 14-11
 Additions to existing text are underlined,
 deletions are ~~stricken~~;
 all other text appears as it will in the final,
 amended document.

Table C-3	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Allowed Glare Rating	G0	G1	G2	G3	G4
Any luminaire not ideally oriented*** with 1 to less than 2 mounting heights to any property line of concern	G0	G0	G1	G1	G2
Any luminaire not ideally oriented*** with 0.5 to 1 mounting heights to any property line of concern	G0	G0	G0	G1	G1
Any luminaire not ideally oriented*** with less than 0.5 mounting heights to any property line of concern	G0	G0	G0	G0	G1

*** Any luminaire that cannot be mounted with its backlight perpendicular to any property line within 2X the mounting heights of the luminaire location shall meet the reduced Allowed Glare Rating in Table C-3.

Table D Performance Method Allowed Total Initial Site Lumens *May be used on any project.*

Lighting Zone	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Allowed Lumens Per SF	0.5	1.25	2.5	5	7.5
Allowed Base Lumens Per Site	0	3500	7000	14000	21000

Table E Performance Method Additional Initial Luminaire Lumen Allowances. All of the following are “use it or lose it” allowances. All area and distance measurements in plan view unless otherwise noted.

Lighting Application	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Additional Lumens Allowances for All Buildings except service stations and outdoor sales facilities. A MAXIMUM OF THREE (3) ALLOWANCES ARE PERMITTED. THESE ALLOWANCES ARE “USE IT OR LOSE IT”.					
Building Entrances or Exits. This allowance is per door. In order to use this allowance, luminaires must be within 20 feet of the door.	400	1000	2000	4000	6000
Building Facades. This allowance is lumens per unit area of building façade that are illuminated. To use this allowance, luminaires must be aimed at the façade and capable of illuminating it without obstruction.	0	0	8/SF	16/SF	24/SF
Sales or Non-sales Canopies. This allowance is lumens per unit area for the total area within the drip line of the canopy. In order to qualify for this allowance, luminaires must be located under the canopy.	0	3/SF	6/SF	12/SF	18/SF
Guard Stations. This allowance is lumens per unit area of guardhouse plus 2000 sf per vehicle lane. In	0	6/SF	12/SF	24/SF	36/SF



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order to use this allowance, luminaires must be within 2 mounting heights of a vehicle lane or the guardhouse.					
Outdoor Dining. This allowance is lumens per unit area for the total illuminated hardscape of outdoor dining. In order to use this allowance, luminaires must be within 2 mounting heights of the hardscape area of outdoor dining	0	1/SF	5/SF	10/SF	15/SF
Drive Up Windows. This allowance is lumens per window. In order to use this allowance, luminaires must be within 20 feet of the center of the window.	0	2,000 lumens per drive-up window	4,000 lumens per drive-up window	8,000 lumens per drive-up window	8,000 lumens per drive-up window
Additional Lumens Allowances for Service Stations only. Service stations may not use any other additional allowances.					
Vehicle Service Station Hardscape. This allowance is lumens per unit area for the total illuminated hardscape area less area of buildings, area under canopies, area off property, or areas obstructed by signs or structures. In order to use this allowance, luminaires must be illuminating the hardscape area and must not be within a building, below a canopy, beyond property lines, or obstructed by a sign or other structure.	0	4/SF	8/SF	16/SF	24/SF
Additional Lumens Allowances for Outdoor Sales facilities only. Outdoor Sales facilities may not use any other additional allowances. NOTICE: lighting permitted by these allowances shall employ controls extinguishing this lighting after a curfew time to be determined by the Authority.					
Outdoor Sales Lots. This allowance is lumens per square foot of uncovered sales lots used exclusively for the display of vehicles or other merchandise for sale, and may not include driveways, parking or other non sales areas and shall not exceed 25% of the total hardscape area. To use this allowance, Luminaires must be within 2 mounting heights of the sales lot area.	0	4/SF	8/SF	12/SF	18/SF
Outdoor Sales Frontage. This allowance is for lineal feet of sales frontage immediately adjacent to the principal viewing location(s) and unobstructed for its viewing length. A corner sales lot may include two adjacent sides provided that a different principal viewing location exists for each side. In order to use this allowance, luminaires must be located between the principal viewing location and the frontage outdoor sales area.	0	0	1,000/LF	1,500/LF	2,000/LF

Table E - Performance Method Additional Initial Lumen Allowances (cont.)



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Lighting Application	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Vehicle Service Station Canopies. This allowance is lumens per unit area for the total area within the drip line of the canopy. In order to use this allowance, luminaires must be located under the canopy.	0	8/SF	16/SF	32/SF	32/SF
Additional Lumens Allowances for Outdoor Sales facilities only. Outdoor Sales facilities may not use any other additional allowances. NOTICE: lighting permitted by these allowances shall employ controls extinguishing this lighting after a curfew time to be determined by the Authority.					
Outdoor Sales Lots. This allowance is lumens per square foot of uncovered sales lots used exclusively for the display of vehicles or other merchandise for sale, and may not include driveways, parking or other non sales areas and shall not exceed 25% of the total hardscape area. To use this allowance, Luminaires must be within 2 mounting heights of the sales lot area.	0	3/SF	6/SF	12/SF	18/SF
Outdoor Sales Frontage. This allowance is for lineal feet of sales frontage immediately adjacent to the principal viewing location(s) and unobstructed for its viewing length. A corner sales lot may include two adjacent sides provided that a different principal viewing location exists for each side. In order to use this allowance, luminaires must be located between the principal viewing location and the frontage outdoor sales area.	0	0	1000/LF	1500/LF	2000/LF

Table F Maximum Vertical Illuminance at any point in the plane of the property line

LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
0.05 FC or 0.5 LUX	0.1 FC or 1.0 LUX	0.3 FC or 3.0 LUX	0.8 FC or 8.0 LUX	1.5 FC or 15.0 LUX

Table G - Residential Lighting Limits

Lighting Application	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Row 1 Maximum Allowed Luminaire Lumens* for Unshielded Luminaires at one entry only	Not permitted	420 lms	630 lms	630 lms	630 lms
Row 2 Maximum Allowed Luminaire Lumens* for each Fully Shielded Luminaire	630 lms	1,260 lms	1,260 lms	1,260 lms	1,260 lms
Row 3 Maximum Allowed Luminaire Lumens* for each	Not permitted	315 lms	315 lms	315 lms	315 lms



Exhibit A

PLDC as Amended by LDC 14-11

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Unshielded Luminaire excluding main entry					
Row 4 Maximum Allowed Luminaire Lumens* for each Landscape Lighting	Not permitted	Not permitted	1,050 lms	2,100 lms	2,100 lms
Row 5 Maximum Allowed Luminaire Lumens* for each Shielded Directional Flood Lighting	Not permitted	1,260 lms	1,260 lms	2,100 lms	2,100 lms
Row 6 Maximum Allowed Luminaire Lumens* for each Low Voltage Landscape Lighting	Not permitted	30 lms, max. of 10 luminaires	525 lms	525 lms	525 lms

* Luminaire lumens equals Initial Lamp Lumens for a lamp multiplied by the number of lamps in the luminaire.



NOTICE OF A PROPOSED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE

File No.:

Received:

Local governments are required to send notice of a proposed change to a comprehensive plan or land use regulation **at least 35 days before the first evidentiary hearing.** (See [OAR 660-018-0020](#) for a post-acknowledgment plan amendment and [OAR 660-025-0080](#) for a periodic review task). The rules require that the notice include a completed copy of this form.

Jurisdiction: **City of Phoenix**

Local file no.: **LDC 14-11, LDC 14-12**

Please check the type of change that best describes the proposal:

- Urban growth boundary (UGB) amendment** including more than 50 acres, by a city with a population greater than 2,500 within the UGB
- UGB amendment** over 100 acres by a metropolitan service district
- Urban reserve designation**, or amendment including over 50 acres, by a city with a population greater than 2,500 within the UGB
- Periodic review task** – Task no.:
- Any other change** to a comp plan or land use regulation (*e.g.*, a post-acknowledgement plan amendment)

Local contact person (name and title): **Matt Brinkley**

Phone: 541-535-2050 E-mail: matt.brinkley@phoenixoregon.gov

Street address: 112 W. 2nd City: Phoenix Zip: 97535

Briefly summarize the proposal in plain language. Please identify all chapters of the plan or code proposed for amendment (maximum 500 characters):

**New Chapter 3.11 Outdoor Lighting (design standards and review procedures for outdoor lighting measures)
Substantial amendment of Chapter 3.6 Signs to address content neutrality, design standards, and program implementation procedures.**

Date of first evidentiary hearing: **12/08/2014**

Date of final hearing:

This is a revision to a previously submitted notice. Date of previous submittal: **11/03/2014**

Check all that apply:

- Comprehensive Plan text amendment(s)
- Comprehensive Plan map amendment(s) – Change from _____ to _____
Change from _____ to _____
- New or amended land use regulation
- Zoning map amendment(s) – Change from _____ to _____
Change from _____ to _____
- An exception to a statewide planning goal is proposed – goal(s) subject to exception:
- Acres affected by map amendment:

Location of property, if applicable (site address and T, R, Sec., TL):

List affected state or federal agencies, local governments and special districts:

IDA FactSheet

International Dark-Sky Association

3225 North First Avenue, Tucson, AZ 85719-2103 USA • +1 520 293 3198 • FAX +1 520 293 3192 • www.darksky.org

What is the IDA?

Established in 1988, the International Dark-Sky Association is an educational, environmental 501(c)(3) nonprofit dedicated to protecting and preserving the nighttime environment and our heritage of dark skies through quality outdoor lighting.

Membership

Membership dues are annual unless otherwise noted.

Individual: \$35 (electronic Nightscape only), \$50 and up for printed Nightscape.

Corporate partnership opportunities are available. For information, please contact us at +1 520 293 3198 or ida@darksky.org.

Who Belongs?

IDA is rapidly growing, and currently has members from all 50 states in the USA and over 70 countries.

About 5% of memberships are organizations, including astronomy departments and amateur astronomy clubs. Others include lighting companies, engineering firms, architectural companies, observatories, cities, municipalities, and conservation entities. IDA is grateful for the generous and on going support of our membership.

Sections and Affiliates

Light pollution issues are local, regional, national, and international. Active IDA Sections are able to organize at the grass roots level, creating an effective route to progress in regions worldwide.

Affiliates are independent organizations that work with IDA to reduce light pollution across the globe.

Light Pollution

Any adverse effect of artificial light, including sky glow, glare, light trespass, light clutter, decreased visibility at night, and energy waste.

IDA's mission

To preserve and protect the nighttime environment and our heritage of dark skies. preserve and protect the nighttime environment and our heritage of dark skies through environmentally responsible outdoor lighting.

Contacts

Executive Director

Bob Parks

Senior Technical Advisor

Pete Strasser

Web site

www.darksky.org

Programs Director

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ida@darksky.org

Goals

1. Stop the adverse effects of light pollution
2. Raise awareness about light pollution, its global effects, and its solutions;
3. Educate about the values of quality outdoor lighting.

To achieve these goals, IDA takes an award-winning, unified approach that supports the individual efforts of our members and of others who advocate for quality outdoor lighting. In fighting light pollution we collaborate with a variety of communities, astronomers, ecologists, lighting professionals, and more. We are active on local, national, and international stages and have already accomplished much, but our work is not yet done.

Conferences & Meetings

Annual General Meeting
Annual Asia-Pacific Conference
Annual European Conference
Annual Fall Regional Meetings
Local Section Meetings

Programs

- * [Dark Sky Communities, Parks and Reserves](#)
- * [Educational Outreach](#)
- * [Fixture Seal of Approval \(FSA\)](#)

Resources

- * [Dark Sky Friendly Lighting Fixture Directory](#)
- * [Dark Sky Friendly Manufacturers Directory](#)
- * [Dark Sky Advocacy](#)
- * [Images & Multimedia](#)
- * [Information Sheets & Practical Guides](#)
- * [Lighting Laws](#)
- * [Simple Guidelines for Lighting Regulations](#)

Publications

- * [Bi-monthly e-News](#)
- * [Information Sheets](#)
- * [Nightscape—Award winning quarterly publication](#)
- * [Practical Guides](#)
- * [Specifier Bulletin For Dark Sky Applications](#)



Land Development Code Revision

Outdoor Lighting

Chapter 3.11 – Outdoor Lighting

Sections

- 3.11.1 – Purpose
- 3.11.2 – Definitions
- 3.11.3 – Lighting area classifications
- 3.11.4 – Applicability
- 3.11.5 – Exemptions
- 3.11.6 – Standards for non-residential lighting
- 3.11.7 – Standards for residential lighting.

3.11.1 – Purpose

The purpose of this Ordinance is to provide regulations for outdoor lighting that will: permit the use of outdoor lighting that does not exceed the minimum levels specified in IES recommended practices for night-time safety, utility, security, productivity, enjoyment, and commerce; minimize adverse offsite impacts of lighting such as light trespass, and obtrusive light; curtail light pollution, reduce skyglow and improve the nighttime environment for astronomy; help protect the natural environment from the adverse effects of night lighting from gas or electric sources; and conserve energy and resources to the greatest extent possible.

3.11.2 – Definitions

3.11.3 – Lighting area classifications

Different types of land uses, activities, and operations require different levels of ambient lighting. Lighting zones are hereby determined according to the land use district in which a particular property is located. Table _____ defines lighting area classifications by land use district map designation and describes each lighting zone in terms of its purpose and suitability for certain types and intensities of outdoor lighting.

Greenway	R-1	R-2	R-3	CC	C-H	GI	LI	PUD
LZ-1	LZ-1	LZ-1	LZ-2	LZ-2	LZ-3	LZ-3	LZ-3	Varies

*Lighting zone is established by the underlying land use district map designation.

3.11.4 – Applicability

Except as described below, all outdoor lighting installed after the date of effect of this section shall comply with these requirements. This includes, but is not limited to, new lighting, replacement lighting, or any other lighting whether attached to structures, poles, the earth, or any other location, including lighting installed by any third party. Where the provisions of this chapter conflict with other sections of the Land Development Code or other municipal codes, the more restrictive regulation shall control.



Land Development Code Revision

Outdoor Lighting

3.11.5 – Exemptions

The following types of lighting applications and operational procedures are explicitly exempt from the requirements of this chapter.

- A. Lighting within public right-of-way or easement for the principal purpose of illuminating streets or roads. No exemption shall apply to any lighting within the public right of way or easement when the purpose of the luminaire is to illuminate areas outside the public right of way or easement, unless regulated with a streetlighting ordinance;
- B. Lighting for public monuments and statuary;
- C. Lighting solely for signs (lighting for signs is regulated by the Sign Ordinance);
- D. Repairs to existing luminaires not exceeding 25% of total installed luminaires.
- E. Temporary lighting for theatrical, television, performance areas and construction sites;
- F. Underwater lighting in swimming pools and other water features;
- G. Temporary lighting and seasonal lighting provided that individual lamps are less than 10 watts and 70 lumens;
- H. Lighting that is only used under emergency conditions;
- I. In lighting zones 2, 3 and 4, low voltage landscape lighting controlled by an automatic device that is set to turn the lights off at one hour after the site is closed to the public or at a time established by the City.
- J. Lighting specified or identified in a specific use permit;
- K. Lighting required by federal, state, territorial, commonwealth or provincial laws or regulations.

3.11.6 – Standards for non-residential lighting

- A. Prescriptive Method. An outdoor lighting installation complies with this section if it meets the requirements of subsections 1, 2, 3 below.
 - 1. Total Site Lumen Limit. The total installed initial luminaire lumens of all outdoor lighting shall not exceed the total site lumen limit. The total site lumen limit shall be determined using either the Parking Space Method (Table A) or the Hardscape Area Method (Table B). Only one method shall be used per permit application, and for sites with existing lighting, existing lighting shall be included in the calculation of total installed lumens. The total installed initial luminaire lumens is calculated as the sum of the initial luminaire lumens for all luminaires.
 - 2. Limits of offsite impacts. All luminaires shall be rated and installed according to Table C.

Land Development Code Revision Outdoor Lighting

3. Full or 100% cutoff lighting. All lighting shall be full cutoff and shall not emit light above 90 degrees.
4. Exceptions. Ornamental parking lighting shall be permitted by special permit only, and shall meet the requirements of Table C-1 for Backlight, Table C-2 for Uplight, and Table C-3 for Glare, without the need for external field-added modifications.

B. Performance Method.

1. Total Site Lumen Limit. The total installed initial luminaire lumens of all lighting systems on the site shall not exceed the allowed total initial site lumens. The allowed total initial site lumens shall be determined using Tables D and E. For sites with existing lighting, existing lighting shall be included in the calculation of total installed lumens. The total installed initial luminaire lumens of all is calculated as the sum of the initial luminaire lumens for all luminaires.
2. Limits to Off Site Impacts. All luminaires shall be rated and installed using either Option A or Option B. Only one option may be used per permit application.
 - a. Option A: All luminaires shall be rated and installed according to Table C.
 - b. Option B: The entire outdoor lighting design shall be analyzed using industry standard lighting software including interreflections in the following manner:
 - i. Input data shall describe the lighting system including luminaire locations, mounting heights, aiming directions, and employing photometric data tested in accordance with IES guidelines. Buildings or other physical objects on the site within three object heights of the property line must be included in the calculations.
 - ii. Analysis shall utilize an enclosure comprised of calculation planes with zero reflectance values around the perimeter of the site. The top of the enclosure shall be no less than 33 feet (10 meters) above the tallest luminaire. Calculations shall include total lumens upon the inside surfaces of the box top and vertical sides and maximum vertical illuminance (footcandles and/or lux) on the sides of the enclosure.





Land Development Code Revision

Outdoor Lighting

- iii. The proposed design complies if the total lumens on the inside surfaces of the virtual enclosure are less than 15% of the total site lumen limit; and the maximum vertical illuminance on any vertical surface is less than the allowed maximum illuminance per Table F.

3.11.7 – Standards for residential lighting.

- A. General Requirements. For residential properties including multiple family residential properties not having common areas, all outdoor luminaires shall be fully shielded and shall not exceed the allowed lumen output in Table G, row 2.
- B. Exceptions.
 - 1. One partly shielded or unshielded luminaire at the main entry, not exceeding the allowed lumen output in Table G row.
 - 2. Any other partly shielded or unshielded luminaires not exceeding the allowed lumen output in Table G row 3.
 - 3. Low voltage landscape lighting aimed away from adjacent properties and not exceeding the allowed lumen output in Table G row 4.
 - 4. Shielded directional flood lighting aimed so that direct glare is not visible from adjacent properties and not exceeding the allowed lumen output in Table G row 5.
 - 5. Open flame gas lamps.
 - 6. Lighting installed with a vacancy sensor, where the sensor extinguishes the lights no more than 15 minutes after the area is vacated.
 - 7. Lighting exempt per Section III (B.).
- C. Requirements for Residential Landscape Lighting.
 - 1. Shall comply with Table G.
 - 2. Shall not be aimed onto adjacent properties.

3.11.8 – Lighting by special permit

- A. *High Intensity and Special Purpose Lighting.* The following lighting systems are prohibited from being installed or used except by special use permit:
 - 1. Temporary lighting in which any single luminaire exceeds 20,000 initial luminaire lumens or the total lighting load exceeds 160,000 lumens.
 - 2. Aerial Lasers.
 - 3. Searchlights.
 - 4. Other very intense lighting defined as having a light source exceeding 200,000 initial luminaire lumens or an intensity in any direction of more than 2,000,000 candelas.
- B. Upon special permit issued by the Department, lighting not complying with the technical requirements of this ordinance but consistent with its intent may be installed for complex sites or uses or special uses including, but not limited to, the following applications:
 - 1. Sports facilities, including but not limited to unconditioned rinks, open courts, fields, and stadiums.
 - 2. Construction lighting.
 - 3. Lighting for industrial sites having special requirements, such as petrochemical manufacturing or storage, shipping piers, etc.
 - 4. Parking structures.
 - 5. Urban parks



Land Development Code Revision

Outdoor Lighting

6. Ornamental and architectural lighting of bridges, public monuments, statuary and public buildings.
 7. Theme and amusement parks.
 8. Correctional facilities.
- C. Standards for approval of special permit for lighting
1. Has sustained every reasonable effort to mitigate the effects of light on the environment and surrounding properties, supported by a signed statement describing the mitigation measures. Such statement shall be accompanied by the calculations required for the Performance Method.
 2. Employs lighting controls to reduce lighting at a Project Specific Curfew (“Curfew”) time to be established in the Permit.
 3. Complies with the Performance Method after Curfew.
 4. The Authority shall review each such application. A permit may be granted if, upon review, the Authority believes that the proposed lighting will not create unwarranted glare, sky glow, or light trespass.

3.11.8 – Existing Lighting. Lighting installed prior to the effective date of this ordinance shall comply with the following standards.

- A. Amortization. On or before [amortization date], all outdoor lighting shall comply with this Code.
- B. New Uses or Structures, or Change of Use. Whenever there is a new use of a property (zoning or variance change) or the use on the property is changed, all outdoor lighting on the property shall be brought into compliance with this Ordinance before the new or changed use commences.
- C. Additions or Alterations
 1. Major additions. If a major addition occurs on a property, lighting for the entire property shall comply with the requirements of this Code. For purposes of this section, the following are considered to be major additions:
 - a. Additions of 25 percent or more in terms of additional dwelling units, gross floor area, seating capacity, or parking spaces, either with a single addition or with cumulative additions after the effective date of this Ordinance.
 - b. Single or cumulative additions, modification or replacement of 25 percent or more of installed outdoor lighting luminaires existing as of the effective date of this Ordinance.
 2. Minor modifications, additions, or new lighting fixtures for non-residential and multiple dwellings. For non-residential and multiple dwellings, all additions, modifications, or replacement of more than 25 percent of outdoor lighting fixtures existing as of the effective date of this Ordinance shall require the submission of a complete inventory and site plan detailing all existing and any proposed new outdoor lighting. Any new lighting shall meet the requirements of this Ordinance.
 3. Resumption of Use after Abandonment. If a property with non-conforming lighting is abandoned for a period of six months or more, then all outdoor lighting shall be brought into compliance with this Ordinance before any further use of the property occurs.



Land Development Code Revision Outdoor Lighting

3.11.8 – Violations and Enforcement.

3.11.9 Tables

Table A - Allowed Total Initial Luminaire Lumens per Site for Non-residential Outdoor Lighting, Per Parking Space Method.

May only be applied to properties up to 10 parking spaces (including handicapped accessible spaces).

LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
350 lms/space	490 lms/space	630 lms/space	840 lms/space	1,050 lms/space

Table B - Allowed Total Initial Lumens per Site for Nonresidential

Outdoor Lighting, Hardscape Area Method. May be used for any project. When lighting intersections of site drives and public streets or road, a total of 600 square feet for each intersection may be added to the actual site hardscape area to provide for intersection lighting.

LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Base Allowance				
0.5 lumens per SF of Hardscape	1.25 lumens per SF of Hardscape	2.5 lumens per SF of Hardscape	5.0 lumens per SF of Hardscape	7.5 lumens per SF of Hardscape



Land Development Code Revision

Outdoor Lighting

Table B - Lumen Allowances, in Addition to Base Allowance

	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Additional allowances for sales and service facilities. No more than two additional allowances per site, Use it or Lose it.					
Outdoor Sales Lots. This allowance is lumens per square foot of uncovered sales lots used exclusively for the display of vehicles or other merchandise for sale, and may not include driveways, parking or other non-sales areas. To use this allowance, luminaires must be within 2 mounting heights of sales lot area.	0	4 lumens per square foot	8 lumens per square foot	16 lumens per square foot	16 lumens per square foot
Outdoor Sales Frontage. This allowance is for lineal feet of sales frontage immediately adjacent to the principal viewing location(s) and unobstructed for its viewing length. A corner sales lot may include two adjacent sides provided that a different principal viewing location exists for each side. In order to use this allowance, luminaires must be located between the principal viewing location and the frontage outdoor sales area.	0	0	1,000 per LF	1,500 per LF	2,000 per LF
Drive Up Windows. In order to use this allowance, luminaires must be within 20 feet horizontal distance of the center of the window.	0	2,000 lumens per drive-up window	4,000 lumens per drive-up window	8,000 lumens per drive-up window	8,000 lumens per drive-up window
Vehicle Service Station. This allowance is lumens per installed fuel pump.	0	4,000 lumens per pump (based on 5 fc horiz)	8,000 lumens per pump (based on 10 fc horiz)	16,000 lumens per pump (based on 20 fc horiz)	24,000 lumens per pump (based on 20 fc horiz)



Land Development Code Revision

Outdoor Lighting

Table C - Maximum Allowable Backlight, Uplight and Glare (BUG) Ratings. May be used for any project. A luminaire may be used if it is rated for the lighting zone of the site or lower in number for all ratings B, U and G. Luminaires equipped with adjustable mounting devices permitting alteration of luminaire aiming in the field shall not be permitted.

Table C-1	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Allowed Backlight Rating*					
Greater than 2 mounting heights from property line	B1	B3	B4	B5	B5
1 to less than 2 mounting heights from property line and ideally oriented**	B1	B2	B3	B4	B4
0.5 to 1 mounting heights from property line and ideally oriented**	B0	B1	B2	B3	B3
Less than 0.5 mounting height to property line and properly oriented**	B0	B0	B0	B1	B2

*For property lines that abut public walkways, bikeways, plazas, and parking lots, the property line may be considered to be 5 feet beyond the actual property line for purpose of determining compliance with this section. For property lines that abut public roadways and public transit corridors, the property line may be considered to be the centerline of the public roadway or public transit corridor for the purpose of determining compliance with this section. NOTE: This adjustment is relative to Table C-1 and C-3 only and shall not be used to increase the lighting area of the site.

** To be considered 'ideally oriented', the luminaire must be mounted with the backlight portion of the light output oriented perpendicular and towards the property line of concern.

Table C - 2 Maximum Allowable Uplight (BUG) Ratings - Continued

Table C-2	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Allowed Uplight Rating	U0	U1	U2	U3	U4
Allowed % light emission above 90° for street or Area lighting	0%	0%	0%	0%	0%

Table C - 3 Maximum Allowable Glare (BUG) Ratings – Continued

Table C-3	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Allowed Glare Rating	G0	G1	G2	G3	G4
Any luminaire not ideally oriented*** with 1 to less than 2 mounting heights to any property line of concern	G0	G0	G1	G1	G2
Any luminaire not ideally oriented*** with 0.5 to 1 mounting heights to any property line of concern	G0	G0	G0	G1	G1
Any luminaire not ideally oriented*** with less than 0.5 mounting heights to any property line of concern	G0	G0	G0	G0	G1



Land Development Code Revision

Outdoor Lighting

*** Any luminaire that cannot be mounted with its backlight perpendicular to any property line within 2X the mounting heights of the luminaire location shall meet the reduced Allowed Glare Rating in Table C-3.

Table D Performance Method Allowed Total Initial Site Lumens *May be used on any project.*

Lighting Zone	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Allowed Lumens Per SF	0.5	1.25	2.5	5	7.5
Allowed Base Lumens Per Site	0	3500	7000	14000	21000

Table E Performance Method Additional Initial Luminaire Lumen Allowances. All of the following are “use it or lose it” allowances. All area and distance measurements in plan view unless otherwise noted.

Lighting Application	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Additional Lumens Allowances for All Buildings except service stations and outdoor sales facilities. A MAXIMUM OF THREE (3) ALLOWANCES ARE PERMITTED. THESE ALLOWANCES ARE “USE IT OR LOSE IT”.					
Building Entrances or Exits. This allowance is per door. In order to use this allowance, luminaires must be within 20 feet of the door.	400	1000	2000	4000	6000
Building Facades. This allowance is lumens per unit area of building façade that are illuminated. To use this allowance, luminaires must be aimed at the façade and capable of illuminating it without obstruction.	0	0	8/SF	16/SF	24/SF
Sales or Non-sales Canopies. This allowance is lumens per unit area for the total area within the drip line of the canopy. In order to qualify for this allowance, luminaires must be located under the canopy.	0	3/SF	6/SF	12/SF	18/SF
Guard Stations. This allowance is lumens per unit area of guardhouse plus 2000 sf per vehicle lane. In order to use this allowance, luminaires must be within 2 mounting heights of a vehicle lane or the guardhouse.	0	6/SF	12/SF	24/SF	36/SF
Outdoor Dining. This allowance is lumens per unit area for the total illuminated hardscape of outdoor dining. In order to use this allowance, luminaires must be within 2 mounting heights of the hardscape area of outdoor dining	0	1/SF	5/SF	10/SF	15/SF
Drive Up Windows. This allowance is lumens per window. In order to use this allowance, luminaires must be within 20 feet of the center of the window.	0	2,000 lumens per drive-up window	4,000 lumens per drive-up window	8,000 lumens per drive-up window	8,000 lumens per drive-up window
Additional Lumens Allowances for Service Stations only. Service stations may not use any other additional allowances.					
Vehicle Service Station Hardscape. This allowance is lumens per unit area for the total illuminated hardscape area less area of buildings, area under canopies, area off property, or areas obstructed by signs or structures. In order to use this	0	4/SF	8/SF	16/SF	24/SF



Land Development Code Revision

Outdoor Lighting

allowance, luminaires must be illuminating the hardscape area and must not be within a building, below a canopy, beyond property lines, or obstructed by a sign or other structure.					
Additional Lumens Allowances for Outdoor Sales facilities only. Outdoor Sales facilities may not use any other additional allowances. NOTICE: lighting permitted by these allowances shall employ controls extinguishing this lighting after a curfew time to be determined by the Authority.					
Outdoor Sales Lots. This allowance is lumens per square foot of uncovered sales lots used exclusively for the display of vehicles or other merchandise for sale, and may not include driveways, parking or other non sales areas and shall not exceed 25% of the total hardscape area. To use this allowance, Luminaires must be within 2 mounting heights of the sales lot area.	0	4/SF	8/SF	12/SF	18/SF
Outdoor Sales Frontage. This allowance is for lineal feet of sales frontage immediately adjacent to the principal viewing location(s) and unobstructed for its viewing length. A corner sales lot may include two adjacent sides provided that a different principal viewing location exists for each side. In order to use this allowance, luminaires must be located between the principal viewing location and the frontage outdoor sales area.	0	0	1,000/LF	1,500/LF	2,000/LF

Table E - Performance Method Additional Initial Lumen Allowances (cont.)

Lighting Application	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Vehicle Service Station Canopies. This allowance is lumens per unit area for the total area within the drip line of the canopy. In order to use this allowance, luminaires must be located under the canopy.	0	8/SF	16/SF	32/SF	32/SF
Additional Lumens Allowances for Outdoor Sales facilities only. Outdoor Sales facilities may not use any other additional allowances. NOTICE: lighting permitted by these allowances shall employ controls extinguishing this lighting after a curfew time to be determined by the Authority.					
Outdoor Sales Lots. This allowance is lumens per square foot of uncovered sales lots used exclusively for the display of vehicles or other merchandise for sale, and may not include driveways, parking or other non sales areas and shall not exceed 25% of the total hardscape area. To use this allowance, Luminaires must be within 2 mounting heights of the sales lot area.	0	3/SF	6/SF	12/SF	18/SF
Outdoor Sales Frontage. This allowance is for lineal feet of sales frontage immediately adjacent to the principal viewing location(s) and unobstructed for its viewing length. A corner sales lot may include two adjacent sides provided that a different principal viewing location exists for each side. In order to use this allowance, luminaires	0	0	1000/LF	1500/LF	2000/LF



Land Development Code Revision

Outdoor Lighting

must be located between the principal viewing location and the frontage outdoor sales area.					
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Table F Maximum Vertical Illuminance at any point in the plane of the property line

LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
0.05 FC or 0.5 LUX	0.1 FC or 1.0 LUX	0.3 FC or 3.0 LUX	0.8 FC or 8.0 LUX	1.5 FC or 15.0 LUX

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Land Development Code Revision

Outdoor Lighting

Table G - Residential Lighting Limits

Lighting Application	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Row 1 Maximum Allowed Luminaire Lumens* for Unshielded Luminaires at one entry only	Not permitted	420 lms	630 lms	630 lms	630 lms
Row 2 Maximum Allowed Luminaire Lumens* for each Fully Shielded Luminaire	630 lms	1,260 lms	1,260 lms	1,260 lms	1,260 lms
Row 3 Maximum Allowed Luminaire Lumens* for each Unshielded Luminaire excluding main entry	Not permitted	315 lms	315 lms	315 lms	315 lms
Row 4 Maximum Allowed Luminaire Lumens* for each Landscape Lighting	Not permitted	Not permitted	1,050 lms	2,100 lms	2,100 lms
Row 5 Maximum Allowed Luminaire Lumens* for each Shielded Directional Flood Lighting	Not permitted	Not permitted	1,260 lms	2,100 lms	2,100 lms
Row 6 Maximum Allowed Luminaire Lumens* for each Low Voltage Landscape Lighting	Not permitted	Not permitted	525 lms	525 lms	525 lms



**CITY OF PHOENIX
STATE OF OREGON**

**IN THE MATTER OF AN AMENDMENT) PLANNING COMMISSION
TO THE PHOENIX LAND DEVELOPMENT) RECOMMENDATION
CODE PERTAINING TO OUTDOOR)
LIGHTING REGULATIONS, AMENDING)
CHAPTER 3 BY ADDING SECTION 3.11)
)
)
FILE # LDC 14-11)**

WHEREAS, it has been brought to the attention of the Planning Commission and Planning Department staff that outdoor lighting installed at certain recent developments within the City of Phoenix is responsible for light pollution and glare; and

WHEREAS, Planning Department staff have further researched the problem of light pollution and outdoor site lighting and presented to the Planning Commission the following negative effects caused by light pollution:

- Unwanted spillage of light imposed on adjacent properties;
- visual irritation and impairment experienced by pedestrians and motorists;
- sky-glow and impairment of enjoyment of the natural night sky;
- degradation of local community character;
- inefficient, wasteful, and unnecessary consumption of energy, the depletion of nonrenewable natural resources used to produce energy, and the resulting atmospheric pollution by gaseous emissions (most notably carbon dioxide, carbon monoxide, sulfur dioxide, and nitrous oxide); and

WHEREAS, Planning Department staff have discovered deficiencies with current outdoor lighting design standards set forth by the Phoenix Land Development Code that render current design standards inadequate to address these effects; and

WHEREAS, the Planning Commission and Planning Department staff have researched and discussed alternative outdoor lighting design standards; and

WHEREAS, on December 8, 2014, the Planning Commission conducted a duly notice public hearing to receive public testimony, consider Findings of Fact, and deliberate on proposed amendments to the Phoenix Land Development Code,

Now Therefore, the Phoenix Planning Commission concludes that:

1. The Findings of Fact presented within the Staff Report dated December 1, 2014 are hereby affirmed.
2. The proposed amendment of the Phoenix Land Development code complies with the provisions of the Land Development Code and Phoenix Comprehensive Plan.
3. The proposed amendment of the Phoenix Land Development code with modifications as identified by the Planning Commission during a public hearing held on December 8, 2015, is in



Department

the public interest and should be ratified by the Phoenix City Council after a duly noticed public hearing has been conducted.

Signed this 8th day of December, 2014.

Micki Summerhays, Chair

David Lewin, Commissioner

Jason Couch, Commissioner

George Eisenhauer, Commissioner

Priscilla Atkin, Commissioner



Exhibit A
PLDC as Amended by LDC 14-11

Chapter 2.3.5 is amended as follows:

D. Open Space Design

1. Common open spaces shall include at least two of the following improvements:
 - a. benches for seating;
 - b. public art such as a statue;
 - c. a water feature such as a fountain;
 - d. a children's play structure;
 - e. a gazebo;
 - f. picnic tables;
 - g. gardens;
 - h. an indoor or outdoor sports court for one or more of the following: tennis, basketball, volleyball, badminton, racquetball, and handball/paddleball
2. Residential developments that may house children shall provide at least one common open space with a children's play structure.
3. For security purposes, all common open spaces shall be adequately illuminated in accordance with Chapter 3.11 – Outdoor Lighting ~~and shielded during hours of darkness~~. Landscaping shall be designed and maintained to avoid security risks.

Chapter 2.4.4 is amended as follows:

2.4.4 – Architectural Guidelines and Standards

A. Architectural Continuity and Quality. New and remodeled buildings may have their own architectural style but there must be some architectural continuity with the other structures located within the area. All building designs located within the Commercial Highway District must be of a high architectural quality and shall incorporate the following:

1. Continuous building walls of greater than 50 feet shall be avoided. Breaks in the wall plane shall be incorporated into the building design.
2. Entrances to the buildings shall be clearly defined architecturally. Entrances shall include decorative pavement treatments in order to tie into the parking lot pedestrian circulation systems.

Department

3. Exterior building materials shall be of high quality and shall be selected based upon their weathering properties. Generally, materials such as stucco, brick, or masonry block should be used for exterior walls.
 4. When the building is part of a larger complex, continuity of materials and design shall be required.
- B. Lighting.** Project lighting shall be provided ~~for in order to create safe low-light conditions, security reasons. Fixture types shall be down mounted or shielded when located adjacent to residential development~~ and in accordance with Chapter 3.11 – Outdoor Lighting.
- C. Roof-mounted equipment.** Roof-mounted mechanical equipment is not allowed unless completely screened within an equipment well or screened by a parapet wall.
- D. Detailing.** Architectural detailing shall be consistent on all elevations.
- E. Trash Enclosures.** Trash enclosures shall be constructed of 6-foot high masonry walls with solid metal gates. The floor of the enclosure shall be constructed of concrete with a 6-foot by 10-foot concrete apron placed in front of the enclosure. The masonry materials used shall be selected to match the materials used in the building or buildings that it serves. Trash enclosures shall not be located within 25 feet of a public entrance or a required pedestrian walkway.
- F. Parking lot lighting.** Parking lot lighting shall be provided for parking lots containing more than 10 spaces. ~~The light fixtures shall be designed to light the parking area using down mounted, low profile light fixtures.~~ Parking lots with more than 10 vehicle parking spaces shall also include ~~low profile~~ pedestrian scale lighting of pedestrian walkways and bicycle parking areas. All outdoor lighting shall comply with Chapter 3.11
- G. Bicycle Parking.** Bicycle parking shall be integrated into the design for development within the C-H zone district. The location of the spaces must be coordinated with the location and orientation of vehicle parking, bicycle lanes, and pedestrian walkways. Enclosed bicycle parking shall be designed to be architecturally compatible with the design of the building or buildings located on the site. (See the Parking chapter of this development code for other bicycle parking requirements.)
- H. Pedestrian Circulation.** Projects that require more than 50 vehicle parking spaces shall also be required to provide the following separate pedestrian circulation improvements:
1. Covered walkways, a trellis structure planted with vines or other solution that is designed to provide pedestrians with shade and protection from the weather.
 2. All pedestrian circulation areas must be lighted with pedestrian scale light fixtures in compliance with Chapter 3.11.



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3. Transit stops, on-site connections to transit stops, or designated passenger pick up areas shall be required if deemed appropriate by the Planning Department based upon the size of the project and input from the Rogue Valley Transit District (RVTD) or if requested by RVTD.
4. Driveway Improvements. Parking lots over three acres in size shall provide street improvements, including curbs, sidewalks, and street trees, in compliance with the local street standards in Table 3.5.2.

Chapter 2.4.5 is amended as follows:

F. Vehicle, Truck, Boat, Motorcycle, or RV Sales. These uses may be approved if it has been shown that the use incorporates the following:

1. Sales lots must include a minimum of a 20-foot landscape setback between the back of sidewalk and the edge of the vehicle parking, display area, or building.
2. No vehicle display will be allowed in the required landscape setback area.
3. Vehicle display areas shall not encroach upon the required customer and employee parking spaces.
4. ~~Outside project lighting must be designed to minimize light spillage onto adjacent properties.~~ Pole lighting must not be higher than 15 feet and must be shielded from the surrounding public streets and from I-5 and shall comply with Chapter 3.11 – Outdoor Lighting.
5. All repair and detailing activities must be conducted within an enclosed building.

G. Self-Storage Facilities. These uses may be approved if it has been shown that the following design requirements have been provided:

1. Architectural Standards:
 - a. Exterior materials used in the construction of the storage units shall be concrete masonry block with a decorative finish such as split-faced or fluted block.
 - b. Long exterior walls shall be broken up with masonry pilasters or insets or pop outs in the wall plane at a minimum of 30 feet on center.
 - c. The roof material may be metal but it shall have a non-glaring finish.
 - d. The roof eaves shall be finished and shall incorporate rain gutters and down spouts.
 - e. Security fencing shall be provided. The fencing shall be decorative wrought iron or other decorative metal. Chain link fencing is not permitted.

Site Development Standards:



Planning & Building

Department

- a. The following minimum building setbacks shall apply:
 - i. Front: 20 feet
 - ii. Side and rear: 0, except when adjacent to another street frontage in which case the minimum would be 15 feet or in the case where the development would be adjacent to a residential land use, in which case the minimum setback would be 5 feet.
- b. Landscaping: A dense landscape screen must be included on all elevations that abut a street frontage or abut residential land uses. The landscape treatment must include a combination of trees, shrubs, and ground cover. The area must be served by an automatic underground irrigation system. All landscaping shall meet the requirements of Chapter 3.3 – Landscaping, Street Trees, Fences, and Walls.
- c. Project Lighting: All project lighting shall ~~be designed not to spill onto adjacent properties~~ comply with Chapter 3.11 – Outdoor Lighting.

Chapter 2.5.9 is amended as follows:

E. Outdoor Lighting. ~~Building-mounted Outdoor lighting and aerial-mounted floodlighting shall be shielded from above in such a manner that the bottom edge of the shield shall be below the light source. Ground-mounted floodlighting or light projection above the horizontal plane is prohibited between midnight and sunrise. All lighting shall be shielded so that the direct illumination shall be confined to the property boundaries of the light source~~ shall comply with Chapter 3.11 – Outdoor Lighting.

Chapter 2.6.9 is amended as follows:

E. Outdoor Lighting. ~~Building-mounted Outdoor lighting and aerial-mounted floodlighting shall be shielded from above in such a manner that the bottom edge of the shield shall be below the light source. Ground-mounted floodlighting or light projection above the horizontal plane is prohibited between midnight and sunrise. All lighting shall be shielded so that the direct illumination shall be confined to the property boundaries of the light source~~ shall comply with Chapter 3.11 – Outdoor Lighting.



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Chapter 3 is amended by adding Section 3.11 – *Outdoor Lighting*, as follows:

Chapter 3.11 – Outdoor Lighting

Sections

- 3.11.1 – Purpose
- 3.11.2 – Definitions
- 3.11.3 – Lighting area classifications
- 3.11.4 – Applicability
- 3.11.5 – Exemptions
- 3.11.6 – Standards for non-residential lighting
- 3.11.7 – Standards for residential lighting.

3.11.1 – Purpose

The purpose of this Ordinance is to provide regulations for outdoor lighting that will: permit the use of outdoor lighting that does not exceed the maximum levels specified in IES recommended practices for night-time safety, utility, security, productivity, enjoyment, and commerce; minimize adverse offsite impacts of lighting such as light trespass, and obtrusive light; curtail light pollution, reduce skyglow and improve the nighttime environment for astronomy; protect the natural environment from the adverse effects of night lighting from gas or electric sources; and conserve energy and resources to the greatest extent possible.

3.11.2 – Definitions

- A. Absolute Photometry. Photometric measurements (usually of a solid-state luminaire) that directly measures the footprint of the luminaire. Reference Standard IES LM-79.
- B. Architectural Lighting. Lighting designed to reveal architectural beauty, shape and/or form for which lighting for any other purpose is incidental.
- C. Authority. The adopting municipality, agency or other governing body.
- D. Astronomic Time Switch. An automatic lighting control device that switches outdoor lighting relative to time of solar day with time of year correction.
- E. Backlight. For an exterior luminaire, lumens emitted in the quarter sphere below horizontal and in the opposite direction of the intended orientation of the luminaire. For luminaires with symmetric distribution, backlight will be the same as front light.
- F. BUG. A luminaire classification system that classifies Backlight (B), Uplight (U), and Glare (G).
- G. Canopy. A covered, unconditioned structure with at least one side open for pedestrian and/or vehicular access. (An unconditioned structure is one that may be open to the elements and has no heat or air conditioning.)

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- H. Common Outdoor Areas. One or more of the following: a parking lot; a parking structure or covered vehicular entrance; a common entrance or public space shared by all occupants of a site; parks, plazas, and similar outdoor gathering and recreational areas.
- I. Curfew. A time defined by the authority when outdoor lighting is reduced or extinguished.
- J. Cutoff or 100% Cutoff. See definition for “Fully Shielded Luminaire” in this Section.
- K. Emergency Conditions. Generally, lighting that is only energized during an emergency; lighting fed from a backup power source; or lighting for illuminating the path of egress solely during a fire or other emergency situation; or lighting for security purposes used solely during an alarm.
- L. Footcandle. The unit of measure expressing the quantity of light received on a surface. One footcandle is the illuminance produced by a candle on a one foot square surface from a distance of one foot.
- M. Forward Light. For an exterior luminaire, lumens emitted in the quarter sphere below horizontal and in the direction of the intended orientation of the luminaire.
- N. Fully Shielded Luminaire. A luminaire constructed and installed in such a manner that all light emitted by the luminaire, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected below the horizontal plane through the luminaire’s lowest light-emitting part.
- O. Glare. Lighting entering the eye directly from luminaires or indirectly from reflective surfaces that causes visual discomfort or reduced visibility.
- P. Hardscape. Stone, brick, concrete, asphalt or other similar finished surfaces intended primarily for walking, such as sidewalks and pathways.
- Q. Hardscape Area. The area measured in square feet of all hardscape. It is used to calculate the Total Site Lumen Limit in both the Prescriptive and Performance Method I methods. See Chapter 1.3 of the PLDC for a definition of hardscape.
- R. Hardscape Perimeter. The perimeter measured in linear feet is used to calculate the Total Site Lumen Limit in the Performance Method. See Chapter 1.3 of the PLDC for a definition of hardscape.
- S. IDA. International Dark-Sky Association.
- T. IESNA. Illuminating Engineering Society of North America.
- U. Industry Standard Lighting Software. Lighting software that calculates point-by-point illuminance that includes reflected light using either ray-tracing or radiosity methods.
- V. Lamp. A generic term for a source of optical radiation (i.e. “light”), often called a “bulb” or “tube”. Examples include incandescent, fluorescent, high-intensity discharge (HID), low pressure sodium (LPS), light-emitting diode (LED), metal halide (MH), and induction.



Department

- W. Landscape Lighting. Lighting of trees, shrubs, or other plant material as well as ponds and other landscape features.
- X. LED. Lighting Emitting Diode.
- Y. Light Pollution. Any adverse effect of artificial light including, but not limited to, glare, light trespass, skyglow, energy waste, compromised safety and security, and impacts on the nocturnal environment.
- Z. Light Trespass. Light that falls beyond the property it is intended to illuminate.
- AA. Lighting. “Electric” or “man-made” or “artificial” lighting. See “lighting equipment”.
- BB. Lighting Equipment. Equipment specifically intended to provide gas or electric illumination, including but not limited to, lamp(s), luminaire(s), ballast(s), poles, posts, lens(s), and related structures, electrical wiring, and other necessary or auxiliary components.
- CC. Lighting Zone. An overlay zoning system establishing legal limits for lighting for particular parcels, areas, or districts in a community.
- DD. Low Voltage Landscape Lighting. Landscape lighting powered at less than 15 volts and limited to luminaires having a rated initial luminaire lumen output of 525 lumens or less.
- EE. Lumen. The unit of measure used to quantify the amount of light produced by a lamp or emitted from a luminaire (as distinct from “watt,” a measure of power consumption).
- FF. Luminaire. The complete lighting unit (fixture), consisting of a lamp, or lamps and ballast(s) (when applicable), together with the parts designed to distribute the light (reflector, lens, diffuser), to position and protect the lamps, and to connect the lamps to the power supply.
- GG. Luminaire Lumens. For luminaires with relative photometry per IES, it is calculated as the sum of the initial lamp lumens for all lamps within an individual luminaire, multiplied by the luminaire efficiency. If the efficiency is not known for a residential luminaire, assume 70%. For luminaires with absolute photometry per IES LM-79, it is the total luminaire lumens. The lumen rating of a luminaire assumes the lamp or luminaire is new and has not depreciated in light output.
- HH. Lux. A unit of illuminance. One lux is one lumen per square meter. 1 Lux is a unit of incident illuminance approximately equal to 1/10 footcandle.
- II. Mounting Height. The height of the photometric center of a luminaire above grade level.
- JJ. New lighting. Lighting for areas not previously illuminated; newly installed lighting of any type except for replacement lighting or lighting repairs.



Department

- KK. Ornamental lighting. Lighting that does not impact the function and safety of an area but is purely decorative, or used to illuminate architecture and/or landscaping, and installed for aesthetic effect.
- LL. Ornamental Street Lighting. A luminaire intended for illuminating streets that serves a decorative function in addition to providing optics that effectively deliver street lighting. It has a historical period appearance or decorative appearance, and has the following design characteristics:
- designed to mount on a pole using an arm, pendant, or vertical tenon;
 - opaque or translucent top and/or sides;
 - an optical aperture that is either open
 - or enclosed with a flat, sag or drop lens;
 - mounted in a fixed position; and
 - with its photometric output measured using Type C photometry per IESNA LM-75-01.
- MM. Outdoor Lighting. Lighting equipment installed within the property line and outside the building envelopes, whether attached to poles, building structures, the earth, or any other location; and any associated lighting control equipment.
- NN. Partly Shielded Luminaire. A luminaire with opaque top and translucent or perforated sides, designed to emit most light downward.
- OO. Photoelectric Switch. A control device employing a photocell or photodiode to detect daylight and automatically switch lights off when sufficient daylight is available.
- PP. Relative photometry. Photometric measurements made of the lamp plus luminaire, and adjusted to allow for light loss due to reflection or absorption within the luminaire. Reference standard: IES LM-63.
- QQ. Repair(s). The reconstruction or renewal of any part of an existing luminaire for the purpose of its ongoing operation, other than relamping or replacement of components including capacitor, ballast or photocell. Note that retrofitting a luminaire with new lamp and/or ballast technology is not considered a repair and for the purposes of this ordinance the luminaire shall be treated as if new. "Repair" does not include normal relamping or replacement of components including capacitor, ballast or photocell.
- RR. Replacement Lighting. Lighting installed specifically to replace existing lighting that is sufficiently broken to be beyond repair.
- SS. Sales Area (Outdoor). Uncovered area used for sales of retail goods and materials, including but not limited to automobiles, boats, tractors and other farm equipment, building supplies, and gardening and nursery products.



Planning & Building

Department

- TT. Seasonal lighting. Temporary lighting installed and operated in connection with holidays or traditions.
- UU. Shielded Directional Luminaire. A luminaire that includes an adjustable mounting device allowing aiming in any direction and contains a shield, louver, or baffle to reduce direct view of the lamp.
- VV. Sky Glow. The brightening of the nighttime sky that results from scattering and reflection of artificial light by moisture and dust particles in the atmosphere. Skyglow is caused by light directed or reflected upwards or sideways and reduces one's ability to view the night sky.
- WW. Temporary lighting. Lighting installed and operated for periods not to exceed 60 days, completely removed and not operated again for at least 30 days.
- XX. Time Switch. An automatic lighting control device that switches lights according to time of day.
- YY. Translucent. Allowing light to pass through, diffusing it so that objects beyond cannot be seen clearly (not transparent or clear).
- ZZ. Unshielded Luminaire. A luminaire capable of emitting light in any direction including downwards.
- AAA. Uplight. For an exterior luminaire, flux radiated in the hemisphere at or above the horizontal plane.
- BBB. Vertical Illuminance. Illuminance measured or calculated in a plane perpendicular to the site boundary or property line.

3.11.3 – Lighting area classifications

Different types of land uses, activities, and operations require different levels of ambient lighting. Lighting zones are hereby determined according to the land use district in which a particular property is located. Table 3.11.3 defines lighting area classifications by land use district map designation and describes each lighting zone in terms of its purpose and suitability for certain types and intensities of outdoor lighting.

Greenway	R-1	R-2	R-3	CC	C-H	GI	LI	PUD
LZ-1	LZ-1	LZ-1	LZ-2	LZ-2	LZ-3	LZ-3	LZ-3	Varies

Table 3.11.3 Lighting Area Classifications.

3.11.4 – Applicability

Except as described below, all outdoor lighting installed after the date of effect of this section shall comply with these requirements. This includes, but is not limited to, new lighting, replacement lighting, or any other lighting whether attached to structures, poles, the earth, or any other location, including lighting installed by any third party. Where the provisions of this chapter conflict with other sections of the Land Development Code or other municipal codes, the more restrictive regulation shall control.



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Department

3.11.5 – Exemptions

The following types of lighting applications and operational procedures are explicitly exempt from the requirements of this chapter.

- A. Lighting within public right-of-way or easement for the principal purpose of illuminating streets or roads. No exemption shall apply to any lighting within the public right of way or easement when the purpose of the luminaire is to illuminate areas outside the public right of way or easement, unless regulated with a streetlighting ordinance;
- B. Lighting for public monuments and statuary;
- C. Lighting solely for signs (lighting for signs is regulated by the Sign Ordinance);
- D. Repairs to existing luminaires not exceeding 25% of total installed luminaires;
- E. Temporary lighting for theatrical, television, performance areas and construction sites lasting fewer than 3 days;
- F. Underwater lighting in swimming pools and other water features;
- G. Temporary lighting and seasonal lighting provided that individual lamps are less than 10 watts and 70 lumens;
- H. Lighting that is only used under emergency conditions;
- I. In lighting zones 2, 3 and 4, low voltage landscape lighting controlled by an automatic device that is set to turn the lights off at one hour after the site is closed to the public or at a time established by the City;
- J. Lighting specified or identified in a specific use permit;
- K. Lighting required by federal or state laws and regulations.

3.11.6 – Standards for non-residential lighting

- A. Prescriptive Method. An outdoor lighting installation complies with this section if it meets the requirements of subsections 1, 2, 3 below.
 - 1. Total Site Lumen Limit. The total installed initial luminaire lumens of all outdoor lighting shall not exceed the total site lumen limit. The total site lumen limit shall be determined using either the Parking Space Method (Table A) or the Hardscape Area Method (Table B and B-2). Only one method shall be used per permit application, and for sites with existing lighting, existing lighting shall be included in the calculation of total installed lumens. The total installed initial luminaire lumens is calculated as the sum of the initial luminaire lumens for all luminaires.
 - 2. Limits of offsite impacts. All luminaires shall be rated and installed according to Table C.

Department

3. Full or 100% cutoff lighting. All lighting shall be full cutoff and shall not emit light above 90 degrees.
4. Exceptions. Ornamental parking lighting shall be permitted by special permit only, and shall meet the requirements of Table D-1 for Backlight, Table D-2 for Uplight, and Table D-3 for Glare, without the need for external field-added modifications.

B. Performance Method I. An outdoor lighting installation complies with this section if it meets the requirements of subsections 1 and 2 below.

1. Total Site Lumen Limit. The total installed initial luminaire lumens of all lighting systems on the site shall not exceed the allowed total initial site lumens. The allowed total initial site lumens shall be determined using Tables D and E. For sites with existing lighting, existing lighting shall be included in the calculation of total installed lumens. The total installed initial luminaire lumens is calculated as the sum of the initial luminaire lumens for all luminaires.

2. Limits to Off Site Impacts. All luminaires shall be rated and installed using either Option A or Option B. Only one option may be used per permit application.

- a. Option A: All luminaires shall be rated and installed according to Table C.
- b. Option B: The entire outdoor lighting design shall be analyzed using industry standard lighting software including interreflections in the following manner:
 - i. Input data shall describe the lighting system including luminaire locations, mounting heights, aiming directions, and employing photometric data tested in accordance with IES guidelines. Buildings or other physical objects on the site within three object heights of the property line must be included in the calculations.





Planning & Building

Department

- ii. Analysis shall utilize an enclosure comprised of calculation planes with zero reflectance values around the perimeter of the site. The top of the enclosure shall be no less than 33 feet (10 meters) above the tallest luminaire. Calculations shall include total lumens upon the inside surfaces of the box top and vertical sides and maximum vertical illuminance (footcandles and/or lux) on the sides of the enclosure.
- iii. The proposed design complies if the total lumens on the inside surfaces of the virtual enclosure are less than 15% of the total site lumen limit; and the maximum vertical illuminance on any vertical surface is less than the allowed maximum illuminance per Table F.

C. Performance Method II. Sites under 1 acre that are within the LZ-2 and LZ-3 lighting area classes may demonstrate compliance with this Chapter by meeting the following requirements:

1. Full or 100% cutoff lighting. All lighting shall be full cutoff and shall not emit light above 90 degrees.
2. Photometric plan required. A photometric plan shall be submitted for review that accurately depicts the locations and types of lighting measures and illuminance in footcandles or lumens at final grade throughout the entire site and ten (10) feet beyond the perimeter of the site.
3. Maximum and minimum luminance. Illumination levels shall comply with those listed in the following Table 3.11.6.C:

Area/Activity Type	Min. Illuminance (FC)	Max. Illuminance (FC)
Building entrances/Exits	5	10
Parking Areas	1	5
Parking Structure	5	10
Other Outdoor Areas	1	5
Loading Areas and Platforms	10	15
Under canopies	5	15
Heavy Equipment Operation	10	25

Table 3.11.6 Illumination Levels.

4. Maximum illuminance at property line. Maximum illuminance at any point in the vertical plane of the property line shall be less than 0.2 foot-candles.

3.11.7 – Standards for residential lighting.

- A. General Requirements. For residential properties including multiple family residential properties not having common areas, all outdoor luminaires shall be fully shielded, 100% cutoff and shall not exceed the allowed lumen output in Table G, row 2.
- B. Exceptions.

Department

1. One partly shielded or unshielded luminaire at the main entry, not exceeding the allowed lumen output in Table G row 2.
2. Any other partly shielded or unshielded luminaires not exceeding the allowed lumen output in Table G row 3.
3. Low voltage landscape lighting aimed away from adjacent properties and not exceeding the allowed lumen output in Table G row 4.
4. Shielded directional flood lighting aimed so that direct glare is not visible from adjacent properties and public and private streets and pedestrian ways and not exceeding the allowed lumen output in Table G row 5.
5. Open flame gas lamps.
6. Lighting installed with a vacancy sensor, where the sensor extinguishes the lights no more than 15 minutes after the area is vacated, provided that the luminaire is shielded, 100% cutoff.
7. Lighting exempt per Section III (B.).

C. Requirements for Residential Landscape Lighting.

1. Shall comply with Table G.
2. Shall not be aimed onto adjacent properties.

3.11.8 – Lighting by special permit

- A. *High Intensity and Special Purpose Lighting.* The following lighting systems are prohibited from being installed or used except by special use permit:
1. Temporary lighting in which any single luminaire exceeds 20,000 initial luminaire lumens or the total lighting load exceeds 160,000 lumens.
 2. Aerial Lasers.
 3. Searchlights.
 4. Other very intense lighting defined as having a light source exceeding 200,000 initial luminaire lumens or an intensity in any direction of more than 2,000,000 candelas.
 5. Focused light emitted by remotely operated aerial devices (drones). Warning and identification lights as required by state and federal laws and regulations for such devices are not subject to this requirement.
- B. Upon special permit issued by the Department, lighting not complying with the technical requirements of this ordinance but consistent with its intent may be installed for complex sites or uses or special uses including, but not limited to, the following applications:



Department

1. Sports facilities, including but not limited to unconditioned rinks, open courts, fields, and stadiums.
2. Construction lighting.
3. Lighting for industrial sites having special requirements, such as petrochemical manufacturing or storage, shipping piers, etc.
4. Parking structures.
5. Urban parks
6. Ornamental and architectural lighting of bridges, public monuments, statuary and public buildings.
7. Theme and amusement parks.
8. Correctional facilities.

C. Standards for approval of special permit for lighting

1. Has sustained every reasonable effort to mitigate the effects of light on the environment and surrounding properties, supported by a signed statement describing the mitigation measures. Such statement shall be accompanied by the calculations required for the Performance Method.
2. Employs lighting controls to reduce lighting at a Project Specific Curfew (“Curfew”) time to be established in the Permit.
3. Complies with the Performance Method after Curfew.
4. The Authority shall review each such application. A permit may be granted if, upon review, the Authority believes that the proposed lighting will not create unwarranted glare, sky glow, or light trespass.

3.11.8 – Existing Lighting. Lighting installed prior to the effective date of this ordinance shall comply with the following standards.

- A. Amortization. On or before January 1, 2029, all outdoor lighting shall comply with this Code.
- B. New Uses or Structures, or Change of Use. Whenever there is a new use of a property (zoning or variance change) or the use or occupancy category as defined by the applicable building code is changed, all outdoor lighting on the property shall be brought into compliance with this Ordinance before the new or changed use or occupancy commences.

C. Additions or Alterations

1. Major additions. If a major addition occurs on a property, lighting for the entire property shall comply with the requirements of this Code. For purposes of this section, the following are considered to be major additions:



Department

- a. Additions of 25 percent or more in terms of additional dwelling units, gross floor area, seating capacity, or parking spaces, either with a single addition or with cumulative additions after the effective date of this Ordinance.
 - b. Single or cumulative additions, modification or replacement of 25 percent or more of installed outdoor lighting luminaires existing as of the effective date of this Ordinance.
2. Minor modifications, additions, or new lighting fixtures for non-residential and multifamily dwellings. For non-residential and multifamily dwellings, all additions, modifications, or replacement of more than 25 percent of outdoor lighting fixtures existing as of the effective date of this Ordinance shall require the submission of a complete inventory and site plan detailing all existing and any proposed new outdoor lighting. Any new lighting shall meet the requirements of this Ordinance.
 3. Resumption of Use after Abandonment. If a property with non-conforming lighting is not occupied for a period of six months or more, then all outdoor lighting shall be brought into compliance with this Ordinance before any further use of the property occurs.

3.11.8 – Violations and Enforcement.

Outdoor lighting installed or maintained in violation of any provision of this section, or other applicable provisions of the Phoenix Land Development Code (PLDC), shall be subject to the provisions of Chapter 1.4 – Enforcement of the PLDC.

3.11.9 Tables

Table A - Allowed Total Initial Luminaire Lumens per Site for Nonresidential Outdoor Lighting, Per Parking Space Method. May only be applied to properties up to 10 parking spaces (including handicapped accessible spaces).

LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
350 lms/space	490 lms/space	630 lms/space	840 lms/space	1,050 lms/space

Table B - Allowed Total Initial Lumens for Nonresidential Sites, per Outdoor Lighting, Hardscape Area Method. May be used for any project. When lighting intersections of site drives and public streets or road, a total of 600 square feet for each intersection may be added to the actual site hardscape area to provide for intersection lighting.

LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Base Allowance				
0.5 lumens per SF of hardscape	1.25 lumens per SF of Hardscape	2.5 lumens per SF of hardscape	5.0 lumens per SF of hardscape	7.5 lumens per SF of hardscape

Table B-2 - Lumen Allowances for, in Addition to Base Allowance

Department

	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Additional allowances for sales and service facilities. No more than two additional allowances per site, Use it or Lose it.					
Outdoor Sales Lots. This allowance is lumens per square foot of uncovered sales lots used exclusively for the display of vehicles or other merchandise for sale, and may not include driveways, parking or other non-sales areas. To use this allowance, luminaires must be within 2 mounting heights of sales lot area.	0	4 lumens per square foot of hardscape	8 lumens per square foot of hardscape	16 lumens per square foot of hardscape	16 lumens per square foot of hardscape
Outdoor Sales Frontage. This allowance is for lineal feet of sales frontage immediately adjacent to the principal viewing location(s) and unobstructed for its viewing length. A corner sales lot may include two adjacent sides provided that a different principal viewing location exists for each side. In order to use this allowance, luminaires must be located between the principal viewing location and the frontage outdoor sales area.	0	0	1,000 per LF	1,500 per LF	2,000 per LF
Drive Up Windows. In order to use this allowance, luminaires must be within 20 feet horizontal distance of the center of the window.	0	2,000 lumens per drive-up window	4,000 lumens per drive-up window	8,000 lumens per drive-up window	8,000 lumens per drive-up window
Vehicle Service Station. This allowance is lumens per installed fuel pump.	0	4,000 lumens per pump (based on 5 fc horiz)	8,000 lumens per pump (based on 10 fc horiz)	16,000 lumens per pump (based on 20 fc horiz)	24,000 lumens per pump (based on 20 fc horiz)

Table C - Maximum Allowable Backlight, Uplight and Glare (BUG) Ratings. May be used for any project. A luminaire may be used if it is rated for the lighting zone of the site or lower in number for all ratings B, U and G. Luminaires equipped with adjustable mounting devices permitting alteration of luminaire aiming in the field shall not be permitted.

	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Allowed Backlight Rating*					
Greater than 2 mounting heights from property line	B1	B3	B4	B5	B5
1 to less than 2 mounting heights from	B1	B2	B3	B4	B4



Department

property line and ideally oriented**					
0.5 to 1 mounting heights from property line and ideally oriented**	B0	B1	B2	B3r	B3r
Less than 0.5 mounting height to property line and properly oriented**	B0	B0	B0	B1	B2

*For property lines that abut public walkways, bikeways, plazas, and parking lots, the property line may be considered to be 5 feet beyond the actual property line for purpose of determining compliance with this section. For property lines that abut public roadways and public transit corridors, the property line may be considered to be the centerline of the public roadway or public transit corridor for the purpose of determining compliance with this section. NOTE: This adjustment is relative to Table C-1 and C-3 only and shall not be used to increase the lighting area of the site.

** To be considered 'ideally oriented', the luminaire must be mounted with the backlight portion of the light output oriented perpendicular and towards the property line of concern.

Table C - 2 Maximum Allowable Uplight (BUG) Ratings - Continued

Table C-2	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Allowed Uplight Rating	U0	U1	U2	U3	U4
Allowed % light emission above 90° for street or Area lighting	0%	0%	0%	0%	0%

Table C - 3 Maximum Allowable Glare (BUG) Ratings – Continued

Table C-3	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Allowed Glare Rating	G0	G1	G2	G3	G4
Any luminaire not ideally oriented*** with 1 to less than 2 mounting heights to any property line of concern	G0	G0	G1	G1	G2
Any luminaire not ideally oriented*** with 0.5 to 1 mounting heights to any property line of concern	G0	G0	G0	G1	G1
Any luminaire not ideally oriented*** with less than 0.5 mounting heights to any property line of concern	G0	G0	G0	G0	G1

*** Any luminaire that cannot be mounted with its backlight perpendicular to any property line within 2X the mounting heights of the luminaire location shall meet the reduced Allowed Glare Rating in Table C-3.

Table D Performance Method Allowed Total Initial Site Lumens *May be used on any project.*

Lighting Zone	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Allowed Lumens Per SF	0.5	1.25	2.5	5	7.5
Allowed Base Lumens Per Site	0	3500	7000	14000	21000



Department

Table E Performance Method Additional Initial Luminaire Lumen Allowances. All of the following are “use it or lose it” allowances. All area and distance measurements in plan view unless otherwise noted.

Lighting Application	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Additional Lumens Allowances for All Buildings except service stations and outdoor sales facilities. A MAXIMUM OF THREE (3) ALLOWANCES ARE PERMITTED. THESE ALLOWANCES ARE “USE IT OR LOSE IT”.					
Building Entrances or Exits. This allowance is per door. In order to use this allowance, luminaires must be within 20 feet of the door.	400	1000	2000	4000	6000
Building Facades. This allowance is lumens per unit area of building façade that are illuminated. To use this allowance, luminaires must be aimed at the façade and capable of illuminating it without obstruction.	0	0	8/SF	16/SF	24/SF
Sales or Non-sales Canopies. This allowance is lumens per unit area for the total area within the drip line of the canopy. In order to qualify for this allowance, luminaires must be located under the canopy.	0	3/SF	6/SF	12/SF	18/SF
Guard Stations. This allowance is lumens per unit area of guardhouse plus 2000 sf per vehicle lane. In order to use this allowance, luminaires must be within 2 mounting heights of a vehicle lane or the guardhouse.	0	6/SF	12/SF	24/SF	36/SF
Outdoor Dining. This allowance is lumens per unit area for the total illuminated hardscape of outdoor dining. In order to use this allowance, luminaires must be within 2 mounting heights of the hardscape area of outdoor dining	0	1/SF	5/SF	10/SF	15/SF
Drive Up Windows. This allowance is lumens per window. In order to use this allowance, luminaires must be within 20 feet of the center of the window.	0	2,000 lumens per drive-up window	4,000 lumens per drive-up window	8,000 lumens per drive-up window	8,000 lumens per drive-up window
Additional Lumens Allowances for Service Stations only. Service stations may not use any other additional allowances.					
Vehicle Service Station Hardscape. This allowance is lumens per unit area for the total illuminated hardscape area less area of buildings, area under canopies, area off property, or areas obstructed by signs or structures. In order to use this allowance, luminaires must be illuminating the hardscape area and must not be within a building, below a canopy, beyond property lines, or obstructed by a sign or other structure.	0	4/SF	8/SF	16/SF	24/SF
Additional Lumens Allowances for Outdoor Sales facilities only. Outdoor Sales facilities may not use any other additional allowances. NOTICE: lighting permitted by these allowances shall employ controls extinguishing					

this lighting after a curfew time to be determined by the Authority.					
Outdoor Sales Lots. This allowance is lumens per square foot of uncovered sales lots used exclusively for the display of vehicles or other merchandise for sale, and may not include driveways, parking or other non sales areas and shall not exceed 25% of the total hardscape area. To use this allowance, Luminaires must be within 2 mounting heights of the sales lot area.	0	4/SF	8/SF	12/SF	18/SF
Outdoor Sales Frontage. This allowance is for lineal feet of sales frontage immediately adjacent to the principal viewing location(s) and unobstructed for its viewing length. A corner sales lot may include two adjacent sides provided that a different principal viewing location exists for each side. In order to use this allowance, luminaires must be located between the principal viewing location and the frontage outdoor sales area.	0	0	1,000/LF	1,500/LF	2,000/LF

Table E - Performance Method Additional Initial Lumen Allowances (cont.)

Lighting Application	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Vehicle Service Station Canopies. This allowance is lumens per unit area for the total area within the drip line of the canopy. In order to use this allowance, luminaires must be located under the canopy.	0	8/SF	16/SF	32/SF	32/SF
Additional Lumens Allowances for Outdoor Sales facilities only. Outdoor Sales facilities may not use any other additional allowances. NOTICE: lighting permitted by these allowances shall employ controls extinguishing this lighting after a curfew time to be determined by the Authority.					
Outdoor Sales Lots. This allowance is lumens per square foot of uncovered sales lots used exclusively for the display of vehicles or other merchandise for sale, and may not include driveways, parking or other non sales areas and shall not exceed 25% of the total hardscape area. To use this allowance, Luminaires must be within 2 mounting heights of the sales lot area.	0	3/SF	6/SF	12/SF	18/SF
Outdoor Sales Frontage. This allowance is for lineal feet of sales frontage immediately adjacent to the principal viewing location(s) and unobstructed for its viewing length. A corner sales lot may include two adjacent sides provided that a different principal viewing location exists for each side. In order to use this allowance, luminaires must be located between the principal viewing location and the frontage outdoor sales area.	0	0	1000/LF	1500/LF	2000/LF

Table F Maximum Vertical Illuminance at any point in the plane of the property line



Planning & Building

Department

LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
0.05 FC or 0.5 LUX	0.1 FC or 1.0 LUX	0.3 FC or 3.0 LUX	0.8 FC or 8.0 LUX	1.5 FC or 15.0 LUX

Table G - Residential Lighting Limits

Lighting Application	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Row 1 Maximum Allowed Luminaire Lumens* for Unshielded Luminaires at one entry only	Not permitted	420 lms	630 lms	630 lms	630 lms
Row 2 Maximum Allowed Luminaire Lumens* for each Fully Shielded Luminaire	630 lms	1,260 lms	1,260 lms	1,260 lms	1,260 lms
Row 3 Maximum Allowed Luminaire Lumens* for each Unshielded Luminaire excluding main entry	Not permitted	315 lms	315 lms	315 lms	315 lms
Row 4 Maximum Allowed Luminaire Lumens* for each Landscape Lighting	Not permitted	Not permitted	1,050 lms	2,100 lms	2,100 lms
Row 5 Maximum Allowed Luminaire Lumens* for each Shielded Directional Flood Lighting	Not permitted	1,260 lms	1,260 lms	2,100 lms	2,100 lms
Row 6 Maximum Allowed Luminaire Lumens* for each Low Voltage Landscape Lighting	Not permitted	30 lms, max. of 10 luminaires	525 lms	525 lms	525 lms



**CITY OF PHOENIX
STATE OF OREGON**

IN THE MATTER OF AN AMENDMENT) TO THE PHOENIX LAND DEVELOPMENT) CODE PERTAINING TO OUTDOOR) LIGHTING REGULATIONS, AMENDING) CHAPTER 3 BY ADDING SECTION 3.11)) <u>FILE # LDC 14-11</u>)	PLANNING COMMISSION RECOMMENDATION
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WHEREAS, it has been brought to the attention of the Planning Commission and Planning Department staff that outdoor lighting installed at certain recent developments within the City of Phoenix is responsible for light pollution and glare; and

WHEREAS, Planning Department staff have further researched the problem of light pollution and outdoor site lighting and presented to the Planning Commission the following negative effects caused by light pollution:

- unwanted, spillage of light imposed on adjacent properties;
- visual irritation and impairment experienced by pedestrians and motorists;
- sky-glow and impairment of enjoyment of the natural night sky;
- degradation of local community character;
- inefficient, wasteful, and unnecessary consumption of energy, the depletion of nonrenewable natural resources used to produce energy, and the resulting atmospheric pollution by gaseous emissions (most notably carbon dioxide, carbon monoxide, sulfur dioxide, and nitrous oxide); and

WHEREAS, Planning Department staff have discovered deficiencies with current outdoor lighting design standards set forth by the Phoenix Land Development Code that render current design standards inadequate to address these effects; and

WHEREAS, the Planning Commission and Planning Department staff have researched and discussed alternative outdoor lighting design standards; and

WHEREAS, on December 8, 2014, the Planning Commission conducted a duly notice public hearing to receive public testimony, consider Findings of Fact, and deliberate on proposed amendments to the Phoenix Land Development Code,

Now Therefore, the Phoenix Planning Commission concludes that:

1. The Findings of Fact presented within the Staff Report dated December 1, 2014 are hereby affirmed.
2. The proposed amendment of the Phoenix Land Development code complies with the provisions of the Land Development Code and Phoenix Comprehensive Plan.



Department

3. The proposed amendment of the Phoenix Land Development code is in the public interest and should be ratified by the Phoenix City Council after a duly noticed public hearing has been conducted.

Signed this 8th day of December, 2014.

Micki Summerhays, Chair

David Lewin, Commissioner

Jason Couch, Commissioner

George Eisenhauer, Commissioner

Priscilla Atkin, Commissioner



Exhibit A
PLDC as Amended by LDC 14-11

Chapter 2.3.5 is amended as follows:

D. Open Space Design

1. Common open spaces shall include at least two of the following improvements:
 - a. benches for seating;
 - b. public art such as a statue;
 - c. a water feature such as a fountain;
 - d. a children's play structure;
 - e. a gazebo;
 - f. picnic tables;
 - g. gardens;
 - h. an indoor or outdoor sports court for one or more of the following: tennis, basketball, volleyball, badminton, racquetball, and handball/paddleball
2. Residential developments that may house children shall provide at least one common open space with a children's play structure.
3. For security purposes, all common open spaces shall be adequately illuminated in accordance with Chapter 3.11 – Outdoor Lighting ~~and shielded during hours of darkness~~. Landscaping shall be designed and maintained to avoid security risks.

Chapter 2.4.4 is amended as follows:

2.4.4 – Architectural Guidelines and Standards

A. Architectural Continuity and Quality. New and remodeled buildings may have their own architectural style but there must be some architectural continuity with the other structures located within the area. All building designs located within the Commercial Highway District must be of a high architectural quality and shall incorporate the following:

1. Continuous building walls of greater than 50 feet shall be avoided. Breaks in the wall plane shall be incorporated into the building design.
2. Entrances to the buildings shall be clearly defined architecturally. Entrances shall include decorative pavement treatments in order to tie into the parking lot pedestrian circulation systems.



Department

3. Exterior building materials shall be of high quality and shall be selected based upon their weathering properties. Generally, materials such as stucco, brick, or masonry block should be used for exterior walls.
 4. When the building is part of a larger complex, continuity of materials and design shall be required.
- B. Lighting.** Project lighting shall be provided for in order to create safe low-light conditions. ~~security reasons. Fixture types shall be down mounted or shielded when located adjacent to residential development~~ and in accordance with Chapter 3.11 – Outdoor Lighting.
- C. Roof-mounted equipment.** Roof-mounted mechanical equipment is not allowed unless completely screened within an equipment well or screened by a parapet wall.
- D. Detailing.** Architectural detailing shall be consistent on all elevations.
- E. Trash Enclosures.** Trash enclosures shall be constructed of 6-foot high masonry walls with solid metal gates. The floor of the enclosure shall be constructed of concrete with a 6-foot by 10-foot concrete apron placed in front of the enclosure. The masonry materials used shall be selected to match the materials used in the building or buildings that it serves. Trash enclosures shall not be located within 25 feet of a public entrance or a required pedestrian walkway.
- F. Parking lot lighting.** Parking lot lighting shall be provided for parking lots containing more than 10 spaces. ~~The light fixtures shall be designed to light the parking area using down mounted, low profile light fixtures.~~ Parking lots with more than 10 vehicle parking spaces shall also include ~~low profile~~ pedestrian scale lighting of pedestrian walkways and bicycle parking areas. All outdoor lighting shall comply with Chapter 3.11
- G. Bicycle Parking.** Bicycle parking shall be integrated into the design for development within the C-H zone district. The location of the spaces must be coordinated with the location and orientation of vehicle parking, bicycle lanes, and pedestrian walkways. Enclosed bicycle parking shall be designed to be architecturally compatible with the design of the building or buildings located on the site. (See the Parking chapter of this development code for other bicycle parking requirements.)
- H. Pedestrian Circulation.** Projects that require more than 50 vehicle parking spaces shall also be required to provide the following separate pedestrian circulation improvements:
1. Covered walkways, a trellis structure planted with vines or other solution that is designed to provide pedestrians with shade and protection from the weather.
 2. All pedestrian circulation areas must be lighted with pedestrian scale light fixtures.



Department

3. Transit stops, on-site connections to transit stops, or designated passenger pick up areas shall be required if deemed appropriate by the Planning Department based upon the size of the project and input from the Rogue Valley Transit District (RVTD) or if requested by RVTD.
4. Driveway Improvements. Parking lots over three acres in size shall provide street improvements, including curbs, sidewalks, and street trees, in compliance with the local street standards in Table 3.5.2.

Chapter 2.4.5 is amended as follows:

F. Vehicle, Truck, Boat, Motorcycle, or RV Sales. These uses may be approved if it has been shown that the use incorporates the following:

1. Sales lots must include a minimum of a 20-foot landscape setback between the back of sidewalk and the edge of the vehicle parking, display area, or building.
2. No vehicle display will be allowed in the required landscape setback area.
3. Vehicle display areas shall not encroach upon the required customer and employee parking spaces.
4. ~~Outside project lighting must be designed to minimize light spillage onto adjacent properties.~~ Pole lighting must not be higher than 15 feet and must be shielded from the surrounding public streets and from I-5 and shall comply with Chapter 3.11 – Outdoor Lighting.
5. All repair and detailing activities must be conducted within an enclosed building.

G. Self-Storage Facilities. These uses may be approved if it has been shown that the following design requirements have been provided:

1. Architectural Standards:
 - a. Exterior materials used in the construction of the storage units shall be concrete masonry block with a decorative finish such as split-faced or fluted block.
 - b. Long exterior walls shall be broken up with masonry pilasters or insets or pop outs in the wall plane at a minimum of 30 feet on center.
 - c. The roof material may be metal but it shall have a non-glaring finish.
 - d. The roof eaves shall be finished and shall incorporate rain gutters and down spouts.
 - e. Security fencing shall be provided. The fencing shall be decorative wrought iron or other decorative metal. Chain link fencing is not permitted.

Site Development Standards:



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Department

- a. The following minimum building setbacks shall apply:
 - i. Front: 20 feet
 - ii. Side and rear: 0, except when adjacent to another street frontage in which case the minimum would be 15 feet or in the case where the development would be adjacent to a residential land use, in which case the minimum setback would be 5 feet.
- b. Landscaping: A dense landscape screen must be included on all elevations that abut a street frontage or abut residential land uses. The landscape treatment must include a combination of trees, shrubs, and ground cover. The area must be served by an automatic underground irrigation system. All landscaping shall meet the requirements of Chapter 3.3 – Landscaping, Street Trees, Fences, and Walls.
- c. Project Lighting: All project lighting shall ~~be designed not to spill onto adjacent properties~~ comply with Chapter 3.11 – Outdoor Lighting.

Chapter 2.5.9 is amended as follows:

E. Outdoor Lighting. ~~Building-mounted Outdoor lighting and aerial-mounted floodlighting shall be shielded from above in such a manner that the bottom edge of the shield shall be below the light source. Ground-mounted floodlighting or light projection above the horizontal plane is prohibited between midnight and sunrise. All lighting shall be shielded so that the direct illumination shall be confined to the property boundaries of the light source~~ shall comply with Chapter 3.11 – Outdoor Lighting.

Chapter 2.6.9 is amended as follows:

E. Outdoor Lighting. ~~Building-mounted Outdoor lighting and aerial-mounted floodlighting shall be shielded from above in such a manner that the bottom edge of the shield shall be below the light source. Ground-mounted floodlighting or light projection above the horizontal plane is prohibited between midnight and sunrise. All lighting shall be shielded so that the direct illumination shall be confined to the property boundaries of the light source~~ shall comply with Chapter 3.11 – Outdoor Lighting.



Chapter 3 is amended by adding Section 3.11 – *Outdoor Lighting* as follows:

Chapter 3.11 – Outdoor Lighting

Sections

- 3.11.1 – Purpose
- 3.11.2 – Definitions
- 3.11.3 – Lighting area classifications
- 3.11.4 – Applicability
- 3.11.5 – Exemptions
- 3.11.6 – Standards for non-residential lighting
- 3.11.7 – Standards for residential lighting.

3.11.1 – Purpose

The purpose of this Ordinance is to provide regulations for outdoor lighting that will: permit the use of outdoor lighting that does not exceed the minimum levels specified in IES recommended practices for night-time safety, utility, security, productivity, enjoyment, and commerce; minimize adverse offsite impacts of lighting such as light trespass, and obtrusive light; curtail light pollution, reduce skyglow and improve the nighttime environment for astronomy; help protect the natural environment from the adverse effects of night lighting from gas or electric sources; and conserve energy and resources to the greatest extent possible.

3.11.2 – Definitions

- A. Absolute Photometry. Photometric measurements (usually of a solid-state luminaire) that directly measures the footprint of the luminaire. Reference Standard IES LM-79.
- B. Lighting designed to reveal architectural beauty, shape and/or form for which lighting for any other purpose is incidental.
- C. Authority. The adopting municipality, agency or other governing body.
- D. Astronomic Time Switch. An automatic lighting control device that switches outdoor lighting relative to time of solar day with time of year correction.
- E. Backlight. For an exterior luminaire, lumens emitted in the quarter sphere below horizontal and in the opposite direction of the intended orientation of the luminaire. For luminaires with symmetric distribution, backlight will be the same as front light.
- F. BUG. A luminaire classification system that classifies backlight (B), Uplight (U), and Glare (G).
- G. Canopy. A covered, unconditioned structure with at least one side open for pedestrian and/or vehicular access. (An unconditioned structure is one that may be open to the elements and has no heat or air conditioning.)



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- H. Common Outdoor Areas. One or more of the following: a parking lot; a parking structure or covered vehicular entrance; a common entrance or public space shared by all occupants of a site.
- I. Curfew. A time defined by the authority when outdoor lighting is reduced or extinguished.
- J. Cutoff or 100% Cutoff. See definition for “Fully Shielded Luminaire” in this Section.
- K. Emergency Conditions. Generally, lighting that is only energized during an emergency; lighting fed from a backup power source; or lighting for illuminating the path of egress solely during a fire or other emergency situation; or lighting for security purposes used solely during an alarm.
- L. Footcandle. The unit of measure expressing the quantity of light received on a surface. One footcandle is the illuminance produced by a candle on a surface one foot square from a distance of one foot.
- M. Forward Light. For an exterior luminaire, lumens emitted in the quarter sphere below horizontal and in the direction of the intended orientation of the luminaire.
- N. Fully Shielded Luminaire. A luminaire constructed and installed in such a manner that all light emitted by the luminaire, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected below the horizontal plane through the luminaire’s lowest light-emitting part.
- O. Glare. Lighting entering the eye directly from luminaires or indirectly from reflective surfaces that causes visual discomfort or reduced visibility.
- P. Hardscape Area. The area measured in square feet of all hardscape. It is used to calculate the Total Site Lumen Limit in both the Prescriptive and Performance Method I methods. See Chapter 1.3 of the PLDC for a definition of hardscape.
- Q. Hardscape Perimeter. The perimeter measured in linear feet is used to calculate the Total Site Lumen Limit in the Performance Method. See Chapter 1.3 of the PLDC for a definition of hardscape.
- R. IDA. International Dark-Sky Association.
- S. IESNA. Illuminating Engineering Society of North America.
- T. Industry Standard Lighting Software. Lighting software that calculates point-by-point illuminance that includes reflected light using either ray-tracing or radiosity methods.
- U. Lamp. A generic term for a source of optical radiation (i.e. “light”), often called a “bulb” or “tube”. Examples include incandescent, fluorescent, high-intensity discharge (HID), low pressure sodium (LPS), light-emitting diode (LED), metal halide (MH), and induction.

3.11.3 – Lighting area classifications

Different types of land uses, activities, and operations require different levels of ambient lighting. Lighting zones are hereby determined according to the land use district in which a particular property is located. Table 3.11.3 defines lighting area classifications



by land use district map designation and describes each lighting zone in terms of its purpose and suitability for certain types and intensities of outdoor lighting.

Greenway	R-1	R-2	R-3	CC	C-H	GI	LI	PUD
LZ-1	LZ-1	LZ-1	LZ-2	LZ-2	LZ-3	LZ-3	LZ-3	Varies

Table 3.11.3 Lighting Area Classifications.

3.11.4 – Applicability

Except as described below, all outdoor lighting installed after the date of effect of this section shall comply with these requirements. This includes, but is not limited to, new lighting, replacement lighting, or any other lighting whether attached to structures, poles, the earth, or any other location, including lighting installed by any third party. Where the provisions of this chapter conflict with other sections of the Land Development Code or other municipal codes, the more restrictive regulation shall control.

3.11.5 – Exemptions

The following types of lighting applications and operational procedures are explicitly exempt from the requirements of this chapter.

- A. Lighting within public right-of-way or easement for the principal purpose of illuminating streets or roads. No exemption shall apply to any lighting within the public right of way or easement when the purpose of the luminaire is to illuminate areas outside the public right of way or easement, unless regulated with a streetlighting ordinance;
- B. Lighting for public monuments and statuary;
- C. Lighting solely for signs (lighting for signs is regulated by the Sign Ordinance);
- D. Repairs to existing luminaires not exceeding 25% of total installed luminaires.
- E. Temporary lighting for theatrical, television, performance areas and construction sites;
- F. Underwater lighting in swimming pools and other water features;
- G. Temporary lighting and seasonal lighting provided that individual lamps are less than 10 watts and 70 lumens;
- H. Lighting that is only used under emergency conditions;
- I. In lighting zones 2, 3 and 4, low voltage landscape lighting controlled by an automatic device that is set to turn the lights off at one hour after the site is closed to the public or at a time established by the City.
- J. Lighting specified or identified in a specific use permit;
- K. Lighting required by federal, state, territorial, commonwealth or provincial laws or regulations.

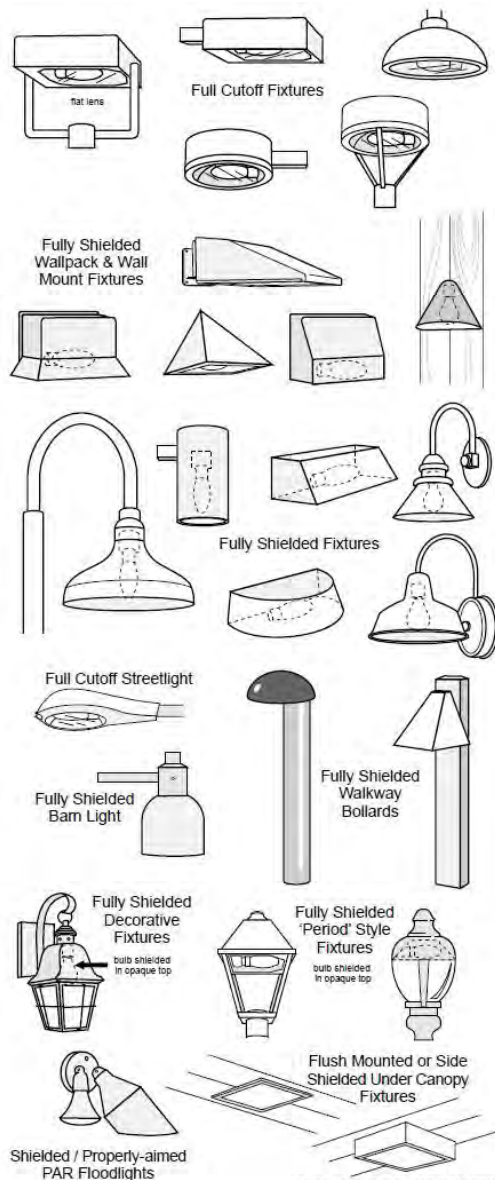
3.11.6 – Standards for non-residential lighting

A. Prescriptive Method. An outdoor lighting installation complies with this section if it meets the requirements of subsections 1, 2, 3 below.

1. Total Site Lumen Limit. The total installed initial luminaire lumens of all outdoor lighting shall not exceed the total site lumen limit. The total site lumen limit shall be determined using either the Parking Space Method (Table A) or the Hardscape Area Method (Table B). Only one method shall be used per permit application, and for sites with existing lighting, existing lighting shall be included in the calculation of total installed lumens. The total installed initial luminaire lumens is calculated as the sum of the initial luminaire lumens for all luminaires.
2. Limits of offsite impacts. All luminaires shall be rated and installed according to Table C.
3. Full or 100% cutoff lighting. All lighting shall be full cutoff and shall not emit light above 90 degrees.
4. Exceptions. Ornamental parking lighting shall be permitted by special permit only, and shall meet the requirements of Table C-1 for Backlight, Table C-2 for Uplight, and Table C-3 for Glare, without the need for external field-added modifications.

B. Performance Method I. An outdoor lighting installation complies with this section if it meets the requirements of subsections 1 and 2 below.

1. Total Site Lumen Limit. The total installed initial luminaire lumens of all lighting systems on the site shall not exceed the allowed total initial site lumens. The allowed total initial site lumens shall be determined using Tables D and E. For sites with existing lighting, existing lighting shall be included in the calculation of total installed lumens. The total installed initial luminaire lumens of all is calculated as the sum of the initial luminaire lumens for all luminaires.





Department

2. Limits to Off Site Impacts. All luminaires shall be rated and installed using either Option A or Option B. Only one option may be used per permit application.
 - a. Option A: All luminaires shall be rated and installed according to Table C.
 - b. Option B: The entire outdoor lighting design shall be analyzed using industry standard lighting software including interreflections in the following manner:
 - i. Input data shall describe the lighting system including luminaire locations, mounting heights, aiming directions, and employing photometric data tested in accordance with IES guidelines. Buildings or other physical objects on the site within three object heights of the property line must be included in the calculations.
 - ii. Analysis shall utilize an enclosure comprised of calculation planes with zero reflectance values around the perimeter of the site. The top of the enclosure shall be no less than 33 feet (10 meters) above the tallest luminaire. Calculations shall include total lumens upon the inside surfaces of the box top and vertical sides and maximum vertical illuminance (footcandles and/or lux) on the sides of the enclosure.
 - iii. The proposed design complies if the total lumens on the inside surfaces of the virtual enclosure are less than 15% of the total site lumen limit; and the maximum vertical illuminance on any vertical surface is less than the allowed maximum illuminance per Table F.

C. Performance Method II. Sites under 1 acre that are within the LZ-2 and LZ-3 lighting area classes may demonstrate compliance with this Chapter by meeting the following requirements:

1. Full or 100% cutoff lighting. All lighting shall be full cutoff and shall not emit light above 90 degrees.
2. Photometric plan required. A photometric plan shall be submitted for review that accurately depicts the locations and types of lighting measures and illuminance in footcandles or lumens at final grade throughout the entire site and ten (10) feet beyond the perimeter of the site.
3. Maximum and minimum luminance. Illumination levels shall comply with those listed in the following Table 3.11.6.C:

Area/Activity Type	Min. Illuminance (FC)	Max. Illuminance (FC)
Building entrances/Exits	5	10
Parking Areas	1	5
Parking Structure	5	10
Loading Areas and Platforms	10	15
Under canopies	5	15
Heavy Equipment Operation	10	25



Planning & Building

Department

Table 3.11.6 Illumination Levels.

4. Maximum illuminance at property line. Maximum illuminance at any point in the vertical plane of the property line shall be less than 0.2 foot-candles.

3.11.7 – Standards for residential lighting.

- A. General Requirements. For residential properties including multiple family residential properties not having common areas, all outdoor luminaires shall be fully shielded, 100% cutoff and shall not exceed the allowed lumen output in Table G, row 2.
- B. Exceptions.
 1. One partly shielded or unshielded luminaire at the main entry, not exceeding the allowed lumen output in Table G row 2.
 2. Any other partly shielded or unshielded luminaires not exceeding the allowed lumen output in Table G row 3.
 3. Low voltage landscape lighting aimed away from adjacent properties and not exceeding the allowed lumen output in Table G row 4.
 4. Shielded directional flood lighting aimed so that direct glare is not visible from adjacent properties and public and private streets and pedestrian ways and not exceeding the allowed lumen output in Table G row 5.
 5. Open flame gas lamps.
 6. Lighting installed with a vacancy sensor, where the sensor extinguishes the lights no more than 15 minutes after the area is vacated, provided that the luminaire is shielded, 100% cutoff.
 7. Lighting exempt per Section III (B.).
- C. Requirements for Residential Landscape Lighting.
 1. Shall comply with Table G.
 2. Shall not be aimed onto adjacent properties.

3.11.8 – Lighting by special permit

- A. *High Intensity and Special Purpose Lighting.* The following lighting systems are prohibited from being installed or used except by special use permit:
 1. Temporary lighting in which any single luminaire exceeds 20,000 initial luminaire lumens or the total lighting load exceeds 160,000 lumens.
 2. Aerial Lasers.
 3. Searchlights.



Department

4. Other very intense lighting defined as having a light source exceeding 200,000 initial luminaire lumens or an intensity in any direction of more than 2,000,000 candelas.
- B. Upon special permit issued by the Department, lighting not complying with the technical requirements of this ordinance but consistent with its intent may be installed for complex sites or uses or special uses including, but not limited to, the following applications:
1. Sports facilities, including but not limited to unconditioned rinks, open courts, fields, and stadiums.
 2. Construction lighting.
 3. Lighting for industrial sites having special requirements, such as petrochemical manufacturing or storage, shipping piers, etc.
 4. Parking structures.
 5. Urban parks
 6. Ornamental and architectural lighting of bridges, public monuments, statuary and public buildings.
 7. Theme and amusement parks.
 8. Correctional facilities.
- C. Standards for approval of special permit for lighting
1. Has sustained every reasonable effort to mitigate the effects of light on the environment and surrounding properties, supported by a signed statement describing the mitigation measures. Such statement shall be accompanied by the calculations required for the Performance Method.
 2. Employs lighting controls to reduce lighting at a Project Specific Curfew (“Curfew”) time to be established in the Permit.
 3. Complies with the Performance Method after Curfew.
 4. The Authority shall review each such application. A permit may be granted if, upon review, the Authority believes that the proposed lighting will not create unwarranted glare, sky glow, or light trespass.

3.11.8 – Existing Lighting. Lighting installed prior to the effective date of this ordinance shall comply with the following standards.

- A. Amortization. On or before January 1, 2029, all outdoor lighting shall comply with this Code.
- B. New Uses or Structures, or Change of Use. Whenever there is a new use of a property (zoning or variance change) or the use or occupancy category as defined by the applicable building code is changed, all outdoor lighting on the property shall



Department

be brought into compliance with this Ordinance before the new or changed use or occupancy commences.

C. Additions or Alterations

1. Major additions. If a major addition occurs on a property, lighting for the entire property shall comply with the requirements of this Code. For purposes of this section, the following are considered to be major additions:
 - a. Additions of 25 percent or more in terms of additional dwelling units, gross floor area, seating capacity, or parking spaces, either with a single addition or with cumulative additions after the effective date of this Ordinance.
 - b. Single or cumulative additions, modification or replacement of 25 percent or more of installed outdoor lighting luminaires existing as of the effective date of this Ordinance.
2. Minor modifications, additions, or new lighting fixtures for non-residential and multifamily dwellings. For non-residential and multifamily dwellings, all additions, modifications, or replacement of more than 25 percent of outdoor lighting fixtures existing as of the effective date of this Ordinance shall require the submission of a complete inventory and site plan detailing all existing and any proposed new outdoor lighting. Any new lighting shall meet the requirements of this Ordinance.
3. Resumption of Use after Abandonment. If a property with non-conforming lighting is not occupied for a period of six months or more, then all outdoor lighting shall be brought into compliance with this Ordinance before any further use of the property occurs.

3.11.8 – Violations and Enforcement.

Outdoor lighting installed or maintained in violation of any provision of this section, or other applicable provisions of the Phoenix Land Development Code (PLDC), shall be subject to the provisions of Chapter 1.4 – Enforcement of the PLDC.

3.11.9 Tables

Table A - Allowed Total Initial Luminaire Lumens per Site for Non-residential Outdoor Lighting, Per Parking Space Method. May only be applied to properties up to 10 parking spaces (including handicapped accessible spaces).

LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
350 lms/space	490 lms/space	630 lms/space	840 lms/space	1,050 lms/space

Table B - Allowed Total Initial Lumens per Site for Nonresidential. Outdoor Lighting, Hardscape Area Method. May be used for any project. When lighting intersections of site drives and public streets or road, a total of 600 square feet for each intersection may be added to the actual site hardscape area to provide for intersection lighting.

LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
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Base Allowance				
0.5 lumens per SF of Hardscape	1.25 lumens per SF of Hardscape	2.5 lumens per SF of Hardscape	5.0 lumens per SF of Hardscape	7.5 lumens per SF of Hardscape

Table B - Lumen Allowances, in Addition to Base Allowance

	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Additional allowances for sales and service facilities. No more than two additional allowances per site, Use it or Lose it.					
Outdoor Sales Lots. This allowance is lumens per square foot of uncovered sales lots used exclusively for the display of vehicles or other merchandise for sale, and may not include driveways, parking or other non-sales areas. To use this allowance, luminaires must be within 2 mounting heights of sales lot area.	0	4 lumens per square foot	8 lumens per square foot	16 lumens per square foot	16 lumens per square foot
Outdoor Sales Frontage. This allowance is for lineal feet of sales frontage immediately adjacent to the principal viewing location(s) and unobstructed for its viewing length. A corner sales lot may include two adjacent sides provided that a different principal viewing location exists for each side. In order to use this allowance, luminaires must be located between the principal viewing location and the frontage outdoor sales area.	0	0	1,000 per LF	1,500 per LF	2,000 per LF
Drive Up Windows. In order to use this allowance, luminaires must be within 20 feet horizontal distance of the center of the window.	0	2,000 lumens per drive-up window	4,000 lumens per drive-up window	8,000 lumens per drive-up window	8,000 lumens per drive-up window
Vehicle Service Station. This allowance is lumens per installed fuel pump.	0	4,000 lumens per pump (based on 5 fc horiz)	8,000 lumens per pump (based on 10 fc horiz)	16,000 lumens per pump (based on 20 fc horiz)	24,000 lumens per pump (based on 20 fc horiz)

Table C - Maximum Allowable Backlight, Uplight and Glare (BUG) Ratings. May be used for any project. A luminaire may be used if it is rated for the lighting zone of the site or lower in number for all ratings B, U and G. Luminaires equipped with adjustable mounting devices permitting alteration of luminaire aiming in the field shall not be permitted.

	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Allowed Backlight Rating*					
Greater than 2 mounting heights from property line	B1	B3	B4	B5	B5
1 to less than 2 mounting heights from property line and ideally oriented**	B1	B2	B3	B4	B4
0.5 to 1 mounting heights from property line and ideally oriented**	B0	B1	B2	B3r	B3r
Less than 0.5 mounting height to property line and properly oriented**	B0	B0	B0	B1	B2

*For property lines that abut public walkways, bikeways, plazas, and parking lots, the property line may be considered to be 5 feet beyond the actual property line for purpose of determining compliance with this section. For property lines that abut public roadways and public transit corridors, the property line may be considered to be the centerline of the public roadway or public transit corridor for the purpose of determining compliance with this section. NOTE: This adjustment is relative to Table C-1 and C-3 only and shall not be used to increase the lighting area of the site.

** To be considered 'ideally oriented', the luminaire must be mounted with the backlight portion of the light output oriented perpendicular and towards the property line of concern.

Table C - 2 Maximum Allowable Uplight (BUG) Ratings - Continued

Table C-2	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Allowed Uplight Rating	U0	U1	U2	U3	U4
Allowed % light emission above 90° for street or Area lighting	0%	0%	0%	0%	0%

Table C - 3 Maximum Allowable Glare (BUG) Ratings – Continued

Table C-3	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Allowed Glare Rating	G0	G1	G2	G3	G4
Any luminaire not ideally oriented*** with 1 to less than 2 mounting heights to any property line of concern	G0	G0	G1	G1	G2
Any luminaire not ideally oriented*** with 0.5 to 1 mounting heights to any property line of concern	G0	G0	G0	G1	G1
Any luminaire not ideally oriented*** with less than 0.5 mounting heights to any property line of concern	G0	G0	G0	G0	G1

*** Any luminaire that cannot be mounted with its backlight perpendicular to any property line within 2X the mounting heights of the luminaire location shall meet the reduced Allowed Glare Rating in Table C-3.

Table D Performance Method Allowed Total Initial Site Lumens *May be used on any project.*

Lighting Zone	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Allowed Lumens Per SF	0.5	1.25	2.5	5	7.5



Department

Allowed Base Lumens Per Site	0	3500	7000	14000	21000
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Table E Performance Method Additional Initial Luminaire Lumen Allowances. All of the following are “use it or lose it” allowances. All area and distance measurements in plan view unless otherwise noted.

Lighting Application	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Additional Lumens Allowances for All Buildings except service stations and outdoor sales facilities. A MAXIMUM OF THREE (3) ALLOWANCES ARE PERMITTED. THESE ALLOWANCES ARE “USE IT OR LOSE IT”.					
Building Entrances or Exits. This allowance is per door. In order to use this allowance, luminaires must be within 20 feet of the door.	400	1000	2000	4000	6000
Building Facades. This allowance is lumens per unit area of building façade that are illuminated. To use this allowance, luminaires must be aimed at the façade and capable of illuminating it without obstruction.	0	0	8/SF	16/SF	24/SF
Sales or Non-sales Canopies. This allowance is lumens per unit area for the total area within the drip line of the canopy. In order to qualify for this allowance, luminaires must be located under the canopy.	0	3/SF	6/SF	12/SF	18/SF
Guard Stations. This allowance is lumens per unit area of guardhouse plus 2000 sf per vehicle lane. In order to use this allowance, luminaires must be within 2 mounting heights of a vehicle lane or the guardhouse.	0	6/SF	12/SF	24/SF	36/SF
Outdoor Dining. This allowance is lumens per unit area for the total illuminated hardscape of outdoor dining. In order to use this allowance, luminaires must be within 2 mounting heights of the hardscape area of outdoor dining	0	1/SF	5/SF	10/SF	15/SF
Drive Up Windows. This allowance is lumens per window. In order to use this allowance, luminaires must be within 20 feet of the center of the window.	0	2,000 lumens per drive-up window	4,000 lumens per drive-up window	8,000 lumens per drive-up window	8,000 lumens per drive-up window
Additional Lumens Allowances for Service Stations only. Service stations may not use any other additional allowances.					
Vehicle Service Station Hardscape. This allowance is lumens per unit area for the total illuminated hardscape area less area of buildings, area under canopies, area off property, or areas obstructed by signs or structures. In order to use this allowance, luminaires must be illuminating the hardscape area and must not be within a building, below a canopy, beyond property lines, or obstructed by a sign or other structure.	0	4/SF	8/SF	16/SF	24/SF

Additional Lumens Allowances for Outdoor Sales facilities only. Outdoor Sales facilities may not use any other additional allowances. NOTICE: lighting permitted by these allowances shall employ controls extinguishing this lighting after a curfew time to be determined by the Authority.					
Outdoor Sales Lots. This allowance is lumens per square foot of uncovered sales lots used exclusively for the display of vehicles or other merchandise for sale, and may not include driveways, parking or other non sales areas and shall not exceed 25% of the total hardscape area. To use this allowance, Luminaires must be within 2 mounting heights of the sales lot area.	0	4/SF	8/SF	12/SF	18/SF
Outdoor Sales Frontage. This allowance is for lineal feet of sales frontage immediately adjacent to the principal viewing location(s) and unobstructed for its viewing length. A corner sales lot may include two adjacent sides provided that a different principal viewing location exists for each side. In order to use this allowance, luminaires must be located between the principal viewing location and the frontage outdoor sales area.	0	0	1,000/LF	1,500/LF	2,000/LF

Table E - Performance Method Additional Initial Lumen Allowances (cont.)

Lighting Application	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Vehicle Service Station Canopies. This allowance is lumens per unit area for the total area within the drip line of the canopy. In order to use this allowance, luminaires must be located under the canopy.	0	8/SF	16/SF	32/SF	32/SF
Additional Lumens Allowances for Outdoor Sales facilities only. Outdoor Sales facilities may not use any other additional allowances. NOTICE: lighting permitted by these allowances shall employ controls extinguishing this lighting after a curfew time to be determined by the Authority.					
Outdoor Sales Lots. This allowance is lumens per square foot of uncovered sales lots used exclusively for the display of vehicles or other merchandise for sale, and may not include driveways, parking or other non sales areas and shall not exceed 25% of the total hardscape area. To use this allowance, Luminaires must be within 2 mounting heights of the sales lot area.	0	3/SF	6/SF	12/SF	18/SF
Outdoor Sales Frontage. This allowance is for lineal feet of sales frontage immediately adjacent to the principal viewing location(s) and unobstructed for its viewing length. A corner sales lot may include two adjacent sides provided that a different principal viewing location exists for each side. In order to use this allowance, luminaires must be located between the principal viewing location and the frontage outdoor sales area.	0	0	1000/LF	1500/LF	2000/LF



Table F Maximum Vertical Illuminance at any point in the plane of the property line

LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
0.05 FC or 0.5 LUX	0.1 FC or 1.0 LUX	0.3 FC or 3.0 LUX	0.8 FC or 8.0 LUX	1.5 FC or 15.0 LUX

Table G - Residential Lighting Limits

Lighting Application	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Row 1 Maximum Allowed Luminaire Lumens* for Unshielded Luminaires at one entry only	Not permitted	420 lms	630 lms	630 lms	630 lms
Row 2 Maximum Allowed Luminaire Lumens* for each Fully Shielded Luminaire	630 lms	1,260 lms	1,260 lms	1,260 lms	1,260 lms
Row 3 Maximum Allowed Luminaire Lumens* for each Unshielded Luminaire excluding main entry	Not permitted	315 lms	315 lms	315 lms	315 lms
Row 4 Maximum Allowed Luminaire Lumens* for each Landscape Lighting	Not permitted	Not permitted	1,050 lms	2,100 lms	2,100 lms
Row 5 Maximum Allowed Luminaire Lumens* for each Shielded Directional Flood Lighting	Not permitted	Not permitted	1,260 lms	2,100 lms	2,100 lms
Row 6 Maximum Allowed Luminaire Lumens* for each Low Voltage Landscape Lighting	Not permitted	Not permitted	525 lms	525 lms	525 lms





Land Development Code Revision

TITLE: AMENDMENT TO THE PHOENIX LAND DEVELOPMENT CODE REGARDING THE ADDITION OF STANDARDS FOR OUTDOOR LIGHTING, AMENDING CHAPTER 3.

FILE NUMBER: LDC 14-11

APPLICANT: City of Phoenix

STAFF REPORT: Available December 1, 2014 at the City of Phoenix, 112 West 2nd Street, Phoenix, Oregon 97535, M-F, 8:00am – 5:00pm, or on the Planning & Building Department website (<http://www.phoenixoregon.gov/Page.asp?NavID=43>).

DATE OF PLANNING COMMISSION HEARING: December 8, 2014

STAFF RECOMMENDATION: Staff recommends that the Planning Commission accept the findings of this report and forward the proposed amendment to the City Council for its review of the amendment at a duly noticed and conducted public hearing and subsequent approval.

Note: Text excerpted from the PLDC appears below in italics.

I. PROJECT INFORMATION: The Planning Commission of the City of Phoenix has discussed problems related to outdoor lighting during several work sessions. The negative effects of “light pollution” have been well-documented since the 1970s, but the issue more recently came to the City’s attention after new outdoor lighting was installed at the new gas station at the corner of Fern Valley Road and OR-99. City staff received complaints from areas residents and the Jackson County fire department concerning glare and the overall intensity of illumination. According to some accounts, light from the gas station is plainly visible from two miles away.

Light pollution is, of course, not a local phenomenon. Many communities have struggled to resolve the challenge of providing well-lighted, safe low-light environments and the need to mitigate the following documented impacts:

- Unwanted spillage of light imposed on adjacent properties;
- visual irritation and impairment experienced by pedestrians and motorists;
- sky-glow and impairment of enjoyment of the natural night sky;
- degradation of local community character;
- inefficient, wasteful, and unnecessary consumption of energy, the depletion of nonrenewable natural resources used to produce energy, and the resulting atmospheric pollution by gaseous emissions (most notably carbon dioxide, carbon monoxide, sulfur dioxide, and nitrous oxide)

Land Development Code Revision

- negative impacts on the natural behavior of activities of plant and animal species.

In the case of Phoenix, specifically, unnecessary and excessive outdoor lighting undermines the community's small-town atmosphere that many of its residents hold so dear. Furthermore, the safest low-light environments are those occupied by people. By making parts of the City inhospitable and unattractive, light pollution achieves exactly the opposite effect of providing well lighted places: it discourages positive sentiment about a place and repels people.

Neither the City's Municipal, nor its Land Development Code, provides specific standards for outdoor lighting. A few, vague standards are included in sections of the PLDC that delineate special design requirements for properties within certain land use districts. Section 2.4.4, which discusses architectural guidelines within CH land use district, mentions outdoor lighting twice:

B. Lighting. Project lighting shall be provided for security reasons. Fixture types shall be down mounted or shielded when located adjacent to residential development.

F. Parking lot lighting. Parking lot lighting shall be provided for parking lots containing more than 10 spaces. The light fixtures shall be designed to light the parking area using down-mounted, low profile light fixtures. Parking lots with more than 10 vehicle parking spaces shall also include low profile lighting of pedestrian walkways and bicycle parking areas.

There are no design standards for "down mounted or shielded", nor are there any minimum illumination requirements or limits on the maximum amount of illumination. Lighting design standards for Industrial land use districts in Section 2.5.9 provide a slightly greater degree of explanation:

E. Outdoor Lighting. Building-mounted lighting and aerial-mounted floodlighting shall be shielded from above in such a manner that the bottom edge of the shield shall be below the light source. Ground-mounted floodlighting or light projection above the horizontal plane is prohibited between midnight and sunrise. All lighting shall be shielded so that the direct illumination shall be confined to the property boundaries of the light source.

These standards require "100% cutoff" lights (known as luminaires within the lighting industry), but fail again to provide standards for minimum and maximum levels of illumination. Lighting is only mentioned within site design standards in sections 3.2.3 and 3.6.3:



Land Development Code Revision

3.2.3.A.4. Pathways shall have adequate lighting for safety purposes. The City may require lighting as a condition of development review.

3.6.3.C.2. Glare reduction. No sign may be illuminated or use lighting where such lighting is directed at any portion of a traveled street or will otherwise cause glare or impair the vision of the driver of a motor vehicle or otherwise interfere with the operation thereof.

While the language addressing glare is helpful, methods for determining whether or not a particular light fixture complies with this specification are not discussed anywhere within the site design review standards. This ambiguity leaves an otherwise objective determination open to subjective observation and individual discretion. The PLDC does not address unusual or complex lighting configurations like those found at outdoor athletic and recreational facilities. Nor does it provide any standards for lighting in residential or environmentally sensitive areas.

Effective outdoor lighting regulation can achieve both goals of limiting light pollution to the greatest extent possible while creating safe outdoor spaces in low light conditions. To do so, specifications need to be established that allow for levels of illumination sufficient for particular types of land uses and activities. Standards of review and comprehensible methods for achieving compliance should also be included so that lighting contractors and designers can work with a high degree of certainty and City staff is empowered to make the best decisions on behalf of the greater community. Finally, implementation and enforcement should also be addressed so that standards are applied fairly, consistently, and are taken seriously.

II. PROPOSED AMENDMENTS: see Exhibit A in the attached draft Planning Commission Recommendation.

III. COMPLIANCE WITH DEVELOPMENT CODE PROVISIONS: Amendments to the Phoenix Land Development Code must comply with Section 4.7.2 of the Phoenix Land Development Code, which states that legislative amendments are policy decisions made by City Council. They are reviewed using the Type IV Procedure in Chapter 4.1.6 – Type IV Procedure (Legislative) and shall conform to Section 4.7.2.B and 4.7.6, as applicable.



Land Development Code Revision

Demonstration of compliance with section 4.7.2.

1. *The proposed amendment is consistent with the purpose of the subject section and article.*

FINDING: The proposed amendment addresses an important site design element and is consistent with the scope and application of other sections within Chapter 3. Placing the proposed additions to the PLDC within this Chapter should provide for ease of use. Someone searching for design specifications for outdoor lighting would likely expect to find that information within this Chapter. **Proposed amendment is consistent with the purpose of the subject section and article.**

2. *The proposed amendment is consistent with other Provisions of this Code.*

FINDING: The proposed amendment is supportive of other provisions within the PLDC, particularly Chapter 2. Chapter 2 primarily addresses the orderly and systematic development of land within the City. An important goal of the land development process is the promotion of the livability and stability of neighborhoods within the City, and the efficient and effective development of land. As mentioned above in the Project Information section of this report, the PLDC currently addresses outdoor lighting. For the reasons discussed above, those regulations have not been very effective due to substantial deficiencies. **Proposed amendment is consistent with other Provisions of this Code.**

FINDING: According to Section 4.1.6.D – *Notice of Hearing*, amendments to the PLDC must undergo a public hearing before the Planning Commission and the City Council. The Planning Commission will conduct a public hearing on the proposed amendment on December 8, 2014. If the Planning Commission affirmatively recommends the amendment to the City Council, a subsequent public hearing will be conducted in early 2015. **Proposed amendment is consistent with other Provisions of this Code.**

FINDING: According to Section 4.1.6.D.2, all Type IV decisions must be noticed in the following manner: 1) DLCD shall be notice at least 35 days before the 1st evidentiary hearing; 2) notices mailed to certain recipients at least 20 days and no more than 40 days before the 1st evidentiary hearing; 3) notice shall be posted on the City's website, at City Hall, and in other locations as deemed appropriate. All of these notice requirements have been met (or were not applicable given the nature of this action), and an affidavit of notice has been included in the official record.



Land Development Code Revision

Demonstration of compliance with Section 4.7.6 – Transportation Planning Rule Compliance.

FINDING: subsection 4.7.6.B states “Amendments [...] land use standards which significantly affect a transportation facility shall assure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the Transportation System Plan.” The proposed amendment is not anticipated to “significantly affect a transportation facility”. **Standard is not applicable to the land use action under consideration.**

3. The proposed amendment is consistent with the goals and policies of the Comprehensive Plan, and most effectively carries out those goals and policies of all alternatives considered.

FINDING: Goal #2 of the Energy Conservation element states that “The City will consider the possibility of additional landscaping provisions in the subdivision ordinance and appropriate sections of the zoning ordinance to help ensure energy-efficient development and to ensure attractive and usable open space, particularly in higher density residential developments” (p. 11). While the goal does not specifically mention energy efficient lighting measures, such measures would certainly be consistent with this goal. The proposed amendment is based on model ordinance language drafted the Illuminating Engineering Society and International Dark Sky Association. Energy conservation and other objectives were carefully balanced with public safety concerns in developing standards intended to eliminate unnecessarily high levels of illumination and the energy consumption. **Proposed amendment is consistent with the Comprehensive Plan.**

FINDING: State Planning Goal #5, which is incorporated into the Comprehensive Plan Natural Resources element by reference, charges cities with responsibility to “provide programs that will [...] protect scenic and historic areas and natural resources for future generations, and (3) promote healthy and visually attractive environments in harmony with the natural landscape character” (p.1). The chapter further discusses wildlife habitat that is found throughout the City, especially the Bear Creek corridor (p. 5). Thoughtful control of outdoor lighting is essential to mitigate the negative effects of unnatural lighting conditions on nocturnal animals and other species of plants and animals whose behavior and activity patterns are related to cyclical variations found in natural lighting. Light pollution has been shown to negatively affect migratory patterns for birds and insects and can disrupt natural reproductive cycles for a broad range of species. The proposed amendment, the first of its kind in the ecologically significant Bear Creek Valley, is designed to substantially mitigate these impacts. **Proposed amendment is consistent with the Comprehensive Plan.**



Land Development Code Revision

FINDING: The proposed amendment to the PLDC has been designed to provide clear guidelines to enable the greatest degree of compliance possible. This includes three (3) separate methods by which outdoor lighting measures can be engineered to provide adequate lighting that meets the other objectives of the amendment. It is reasonable, therefore, to conclude that this amendment most effectively attempts to achieve the goals of the Comprehensive Plan. **Proposed amendment is consistent with the Comprehensive Plan.**

III. STAFF RECOMMENDATION: Staff recommends that the Planning Commission accept these findings and, upon closure of the public hearing and after all due deliberation, move to approve the attached Planning Commission Recommendation, and forward the matter to the Phoenix City Council for review and ratification.



**CITY OF PHOENIX
STATE OF OREGON**

IN THE MATTER OF AN AMENDMENT) TO THE PHOENIX LAND DEVELOPMENT) CODE PERTAINING TO OUTDOOR) LIGHTING REGULATIONS, AMENDING) CHAPTER 3 BY ADDING SECTION 3.11)) <u>FILE # LDC 14-11</u>)	PLANNING COMMISSION RECOMMENDATION
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WHEREAS, it has been brought to the attention of the Planning Commission and Planning Department staff that outdoor lighting installed at certain recent developments within the City of Phoenix is responsible for light pollution and glare; and

WHEREAS, Planning Department staff have further researched the problem of light pollution and outdoor site lighting and presented to the Planning Commission the following negative effects caused by light pollution:

- unwanted, spillage of light imposed on adjacent properties;
- visual irritation and impairment experienced by pedestrians and motorists;
- sky-glow and impairment of enjoyment of the natural night sky;
- degradation of local community character;
- inefficient, wasteful, and unnecessary consumption of energy, the depletion of nonrenewable natural resources used to produce energy, and the resulting atmospheric pollution by gaseous emissions (most notably carbon dioxide, carbon monoxide, sulfur dioxide, and nitrous oxide); and

WHEREAS, Planning Department staff have discovered deficiencies with current outdoor lighting design standards set forth by the Phoenix Land Development Code that render current design standards inadequate to address these effects; and

WHEREAS, the Planning Commission and Planning Department staff have researched and discussed alternative outdoor lighting design standards; and

WHEREAS, on December 8, 2014, the Planning Commission conducted a duly notice public hearing to receive public testimony, consider Findings of Fact, and deliberate on proposed amendments to the Phoenix Land Development Code,

Now Therefore, the Phoenix Planning Commission concludes that:

1. The Findings of Fact presented within the Staff Report dated December 1, 2014 are hereby affirmed.
2. The proposed amendment of the Phoenix Land Development code complies with the provisions of the Land Development Code and Phoenix Comprehensive Plan.



Department

3. The proposed amendment of the Phoenix Land Development code is in the public interest and should be ratified by the Phoenix City Council after a duly noticed public hearing has been conducted.

Signed this 8th day of December, 2014.

Micki Summerhays, Chair

David Lewin, Commissioner

Jason Couch, Commissioner

George Eisenhauer, Commissioner

Priscilla Atkin, Commissioner



Exhibit A
PLDC as Amended by LDC 14-11

Chapter 2.3.5 is amended as follows:

D. Open Space Design

1. Common open spaces shall include at least two of the following improvements:
 - a. benches for seating;
 - b. public art such as a statue;
 - c. a water feature such as a fountain;
 - d. a children's play structure;
 - e. a gazebo;
 - f. picnic tables;
 - g. gardens;
 - h. an indoor or outdoor sports court for one or more of the following: tennis, basketball, volleyball, badminton, racquetball, and handball/paddleball
2. Residential developments that may house children shall provide at least one common open space with a children's play structure.
3. For security purposes, all common open spaces shall be adequately illuminated in accordance with Chapter 3.11 – Outdoor Lighting ~~and shielded during hours of darkness~~. Landscaping shall be designed and maintained to avoid security risks.

Chapter 2.4.4 is amended as follows:

2.4.4 – Architectural Guidelines and Standards

A. Architectural Continuity and Quality. New and remodeled buildings may have their own architectural style but there must be some architectural continuity with the other structures located within the area. All building designs located within the Commercial Highway District must be of a high architectural quality and shall incorporate the following:

1. Continuous building walls of greater than 50 feet shall be avoided. Breaks in the wall plane shall be incorporated into the building design.
2. Entrances to the buildings shall be clearly defined architecturally. Entrances shall include decorative pavement treatments in order to tie into the parking lot pedestrian circulation systems.



Department

3. Exterior building materials shall be of high quality and shall be selected based upon their weathering properties. Generally, materials such as stucco, brick, or masonry block should be used for exterior walls.
 4. When the building is part of a larger complex, continuity of materials and design shall be required.
- B. Lighting.** Project lighting shall be provided for in order to create safe low-light conditions. ~~security reasons. Fixture types shall be down mounted or shielded when located adjacent to residential development~~ and in accordance with Chapter 3.11 – Outdoor Lighting.
- C. Roof-mounted equipment.** Roof-mounted mechanical equipment is not allowed unless completely screened within an equipment well or screened by a parapet wall.
- D. Detailing.** Architectural detailing shall be consistent on all elevations.
- E. Trash Enclosures.** Trash enclosures shall be constructed of 6-foot high masonry walls with solid metal gates. The floor of the enclosure shall be constructed of concrete with a 6-foot by 10-foot concrete apron placed in front of the enclosure. The masonry materials used shall be selected to match the materials used in the building or buildings that it serves. Trash enclosures shall not be located within 25 feet of a public entrance or a required pedestrian walkway.
- F. Parking lot lighting.** Parking lot lighting shall be provided for parking lots containing more than 10 spaces. ~~The light fixtures shall be designed to light the parking area using down mounted, low profile light fixtures.~~ Parking lots with more than 10 vehicle parking spaces shall also include ~~low profile~~ pedestrian scale lighting of pedestrian walkways and bicycle parking areas. All outdoor lighting shall comply with Chapter 3.11
- G. Bicycle Parking.** Bicycle parking shall be integrated into the design for development within the C-H zone district. The location of the spaces must be coordinated with the location and orientation of vehicle parking, bicycle lanes, and pedestrian walkways. Enclosed bicycle parking shall be designed to be architecturally compatible with the design of the building or buildings located on the site. (See the Parking chapter of this development code for other bicycle parking requirements.)
- H. Pedestrian Circulation.** Projects that require more than 50 vehicle parking spaces shall also be required to provide the following separate pedestrian circulation improvements:
1. Covered walkways, a trellis structure planted with vines or other solution that is designed to provide pedestrians with shade and protection from the weather.
 2. All pedestrian circulation areas must be lighted with pedestrian scale light fixtures.



Department

3. Transit stops, on-site connections to transit stops, or designated passenger pick up areas shall be required if deemed appropriate by the Planning Department based upon the size of the project and input from the Rogue Valley Transit District (RVTD) or if requested by RVTD.
4. Driveway Improvements. Parking lots over three acres in size shall provide street improvements, including curbs, sidewalks, and street trees, in compliance with the local street standards in Table 3.5.2.

Chapter 2.4.5 is amended as follows:

F. Vehicle, Truck, Boat, Motorcycle, or RV Sales. These uses may be approved if it has been shown that the use incorporates the following:

1. Sales lots must include a minimum of a 20-foot landscape setback between the back of sidewalk and the edge of the vehicle parking, display area, or building.
2. No vehicle display will be allowed in the required landscape setback area.
3. Vehicle display areas shall not encroach upon the required customer and employee parking spaces.
4. ~~Outside project lighting must be designed to minimize light spillage onto adjacent properties.~~ Pole lighting must not be higher than 15 feet and must be shielded from the surrounding public streets and from I-5 and shall comply with Chapter 3.11 – Outdoor Lighting.
5. All repair and detailing activities must be conducted within an enclosed building.

G. Self-Storage Facilities. These uses may be approved if it has been shown that the following design requirements have been provided:

1. Architectural Standards:
 - a. Exterior materials used in the construction of the storage units shall be concrete masonry block with a decorative finish such as split-faced or fluted block.
 - b. Long exterior walls shall be broken up with masonry pilasters or insets or pop outs in the wall plane at a minimum of 30 feet on center.
 - c. The roof material may be metal but it shall have a non-glaring finish.
 - d. The roof eaves shall be finished and shall incorporate rain gutters and down spouts.
 - e. Security fencing shall be provided. The fencing shall be decorative wrought iron or other decorative metal. Chain link fencing is not permitted.

Site Development Standards:



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Department

- a. The following minimum building setbacks shall apply:
 - i. Front: 20 feet
 - ii. Side and rear: 0, except when adjacent to another street frontage in which case the minimum would be 15 feet or in the case where the development would be adjacent to a residential land use, in which case the minimum setback would be 5 feet.
- b. Landscaping: A dense landscape screen must be included on all elevations that abut a street frontage or abut residential land uses. The landscape treatment must include a combination of trees, shrubs, and ground cover. The area must be served by an automatic underground irrigation system. All landscaping shall meet the requirements of Chapter 3.3 – Landscaping, Street Trees, Fences, and Walls.
- c. Project Lighting: All project lighting shall ~~be designed not to spill onto adjacent properties~~ comply with Chapter 3.11 – Outdoor Lighting.

Chapter 2.5.9 is amended as follows:

E. Outdoor Lighting. ~~Building-mounted Outdoor lighting and aerial-mounted floodlighting shall be shielded from above in such a manner that the bottom edge of the shield shall be below the light source. Ground-mounted floodlighting or light projection above the horizontal plane is prohibited between midnight and sunrise. All lighting shall be shielded so that the direct illumination shall be confined to the property boundaries of the light source~~ shall comply with Chapter 3.11 – Outdoor Lighting.

Chapter 2.6.9 is amended as follows:

E. Outdoor Lighting. ~~Building-mounted Outdoor lighting and aerial-mounted floodlighting shall be shielded from above in such a manner that the bottom edge of the shield shall be below the light source. Ground-mounted floodlighting or light projection above the horizontal plane is prohibited between midnight and sunrise. All lighting shall be shielded so that the direct illumination shall be confined to the property boundaries of the light source~~ shall comply with Chapter 3.11 – Outdoor Lighting.



Chapter 3 is amended by adding Section 3.11 – *Outdoor Lighting* as follows:

Chapter 3.11 – Outdoor Lighting

Sections

- 3.11.1 – Purpose
- 3.11.2 – Definitions
- 3.11.3 – Lighting area classifications
- 3.11.4 – Applicability
- 3.11.5 – Exemptions
- 3.11.6 – Standards for non-residential lighting
- 3.11.7 – Standards for residential lighting.

3.11.1 – Purpose

The purpose of this Ordinance is to provide regulations for outdoor lighting that will: permit the use of outdoor lighting that does not exceed the minimum levels specified in IES recommended practices for night-time safety, utility, security, productivity, enjoyment, and commerce; minimize adverse offsite impacts of lighting such as light trespass, and obtrusive light; curtail light pollution, reduce skyglow and improve the nighttime environment for astronomy; help protect the natural environment from the adverse effects of night lighting from gas or electric sources; and conserve energy and resources to the greatest extent possible.

3.11.2 – Definitions

- A. Absolute Photometry. Photometric measurements (usually of a solid-state luminaire) that directly measures the footprint of the luminaire. Reference Standard IES LM-79.
- B. Lighting designed to reveal architectural beauty, shape and/or form for which lighting for any other purpose is incidental.
- C. Authority. The adopting municipality, agency or other governing body.
- D. Astronomic Time Switch. An automatic lighting control device that switches outdoor lighting relative to time of solar day with time of year correction.
- E. Backlight. For an exterior luminaire, lumens emitted in the quarter sphere below horizontal and in the opposite direction of the intended orientation of the luminaire. For luminaires with symmetric distribution, backlight will be the same as front light.
- F. BUG. A luminaire classification system that classifies backlight (B), Uplight (U), and Glare (G).
- G. Canopy. A covered, unconditioned structure with at least one side open for pedestrian and/or vehicular access. (An unconditioned structure is one that may be open to the elements and has no heat or air conditioning.)



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Department

- H. Common Outdoor Areas. One or more of the following: a parking lot; a parking structure or covered vehicular entrance; a common entrance or public space shared by all occupants of a site.
- I. Curfew. A time defined by the authority when outdoor lighting is reduced or extinguished.
- J. Cutoff or 100% Cutoff. See definition for “Fully Shielded Luminaire” in this Section.
- K. Emergency Conditions. Generally, lighting that is only energized during an emergency; lighting fed from a backup power source; or lighting for illuminating the path of egress solely during a fire or other emergency situation; or lighting for security purposes used solely during an alarm.
- L. Footcandle. The unit of measure expressing the quantity of light received on a surface. One footcandle is the illuminance produced by a candle on a surface one foot square from a distance of one foot.
- M. Forward Light. For an exterior luminaire, lumens emitted in the quarter sphere below horizontal and in the direction of the intended orientation of the luminaire.
- N. Fully Shielded Luminaire. A luminaire constructed and installed in such a manner that all light emitted by the luminaire, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected below the horizontal plane through the luminaire’s lowest light-emitting part.
- O. Glare. Lighting entering the eye directly from luminaires or indirectly from reflective surfaces that causes visual discomfort or reduced visibility.
- P. Hardscape Area. The area measured in square feet of all hardscape. It is used to calculate the Total Site Lumen Limit in both the Prescriptive and Performance Method I methods. See Chapter 1.3 of the PLDC for a definition of hardscape.
- Q. Hardscape Perimeter. The perimeter measured in linear feet is used to calculate the Total Site Lumen Limit in the Performance Method. See Chapter 1.3 of the PLDC for a definition of hardscape.
- R. IDA. International Dark-Sky Association.
- S. IESNA. Illuminating Engineering Society of North America.
- T. Industry Standard Lighting Software. Lighting software that calculates point-by-point illuminance that includes reflected light using either ray-tracing or radiosity methods.
- U. Lamp. A generic term for a source of optical radiation (i.e. “light”), often called a “bulb” or “tube”. Examples include incandescent, fluorescent, high-intensity discharge (HID), low pressure sodium (LPS), light-emitting diode (LED), metal halide (MH), and induction.

3.11.3 – Lighting area classifications

Different types of land uses, activities, and operations require different levels of ambient lighting. Lighting zones are hereby determined according to the land use district in which a particular property is located. Table 3.11.3 defines lighting area classifications



by land use district map designation and describes each lighting zone in terms of its purpose and suitability for certain types and intensities of outdoor lighting.

Greenway	R-1	R-2	R-3	CC	C-H	GI	LI	PUD
LZ-1	LZ-1	LZ-1	LZ-2	LZ-2	LZ-3	LZ-3	LZ-3	Varies

Table 3.11.3 Lighting Area Classifications.

3.11.4 – Applicability

Except as described below, all outdoor lighting installed after the date of effect of this section shall comply with these requirements. This includes, but is not limited to, new lighting, replacement lighting, or any other lighting whether attached to structures, poles, the earth, or any other location, including lighting installed by any third party. Where the provisions of this chapter conflict with other sections of the Land Development Code or other municipal codes, the more restrictive regulation shall control.

3.11.5 – Exemptions

The following types of lighting applications and operational procedures are explicitly exempt from the requirements of this chapter.

- A. Lighting within public right-of-way or easement for the principal purpose of illuminating streets or roads. No exemption shall apply to any lighting within the public right of way or easement when the purpose of the luminaire is to illuminate areas outside the public right of way or easement, unless regulated with a streetlighting ordinance;
- B. Lighting for public monuments and statuary;
- C. Lighting solely for signs (lighting for signs is regulated by the Sign Ordinance);
- D. Repairs to existing luminaires not exceeding 25% of total installed luminaires.
- E. Temporary lighting for theatrical, television, performance areas and construction sites;
- F. Underwater lighting in swimming pools and other water features;
- G. Temporary lighting and seasonal lighting provided that individual lamps are less than 10 watts and 70 lumens;
- H. Lighting that is only used under emergency conditions;
- I. In lighting zones 2, 3 and 4, low voltage landscape lighting controlled by an automatic device that is set to turn the lights off at one hour after the site is closed to the public or at a time established by the City.
- J. Lighting specified or identified in a specific use permit;
- K. Lighting required by federal, state, territorial, commonwealth or provincial laws or regulations.

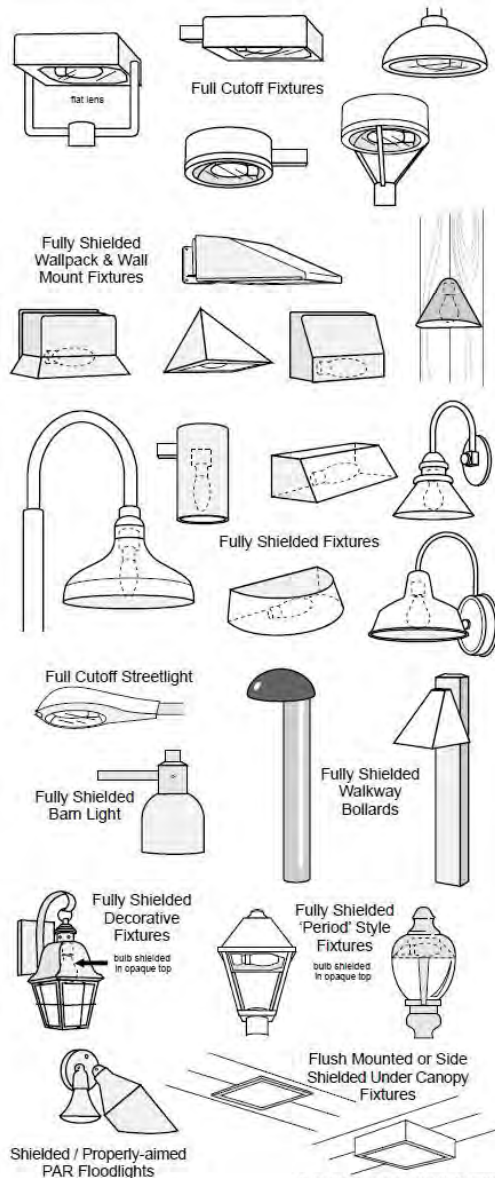
3.11.6 – Standards for non-residential lighting

A. Prescriptive Method. An outdoor lighting installation complies with this section if it meets the requirements of subsections 1, 2, 3 below.

1. Total Site Lumen Limit. The total installed initial luminaire lumens of all outdoor lighting shall not exceed the total site lumen limit. The total site lumen limit shall be determined using either the Parking Space Method (Table A) or the Hardscape Area Method (Table B). Only one method shall be used per permit application, and for sites with existing lighting, existing lighting shall be included in the calculation of total installed lumens. The total installed initial luminaire lumens is calculated as the sum of the initial luminaire lumens for all luminaires.
2. Limits of offsite impacts. All luminaires shall be rated and installed according to Table C.
3. Full or 100% cutoff lighting. All lighting shall be full cutoff and shall not emit light above 90 degrees.
4. Exceptions. Ornamental parking lighting shall be permitted by special permit only, and shall meet the requirements of Table C-1 for Backlight, Table C-2 for Uplight, and Table C-3 for Glare, without the need for external field-added modifications.

B. Performance Method I. An outdoor lighting installation complies with this section if it meets the requirements of subsections 1 and 2 below.

1. Total Site Lumen Limit. The total installed initial luminaire lumens of all lighting systems on the site shall not exceed the allowed total initial site lumens. The allowed total initial site lumens shall be determined using Tables D and E. For sites with existing lighting, existing lighting shall be included in the calculation of total installed lumens. The total installed initial luminaire lumens of all is calculated as the sum of the initial luminaire lumens for all luminaires.





Department

2. Limits to Off Site Impacts. All luminaires shall be rated and installed using either Option A or Option B. Only one option may be used per permit application.
 - a. Option A: All luminaires shall be rated and installed according to Table C.
 - b. Option B: The entire outdoor lighting design shall be analyzed using industry standard lighting software including interreflections in the following manner:
 - i. Input data shall describe the lighting system including luminaire locations, mounting heights, aiming directions, and employing photometric data tested in accordance with IES guidelines. Buildings or other physical objects on the site within three object heights of the property line must be included in the calculations.
 - ii. Analysis shall utilize an enclosure comprised of calculation planes with zero reflectance values around the perimeter of the site. The top of the enclosure shall be no less than 33 feet (10 meters) above the tallest luminaire. Calculations shall include total lumens upon the inside surfaces of the box top and vertical sides and maximum vertical illuminance (footcandles and/or lux) on the sides of the enclosure.
 - iii. The proposed design complies if the total lumens on the inside surfaces of the virtual enclosure are less than 15% of the total site lumen limit; and the maximum vertical illuminance on any vertical surface is less than the allowed maximum illuminance per Table F.

C. Performance Method II. Sites under 1 acre that are within the LZ-2 and LZ-3 lighting area classes may demonstrate compliance with this Chapter by meeting the following requirements:

1. Full or 100% cutoff lighting. All lighting shall be full cutoff and shall not emit light above 90 degrees.
2. Photometric plan required. A photometric plan shall be submitted for review that accurately depicts the locations and types of lighting measures and illuminance in footcandles or lumens at final grade throughout the entire site and ten (10) feet beyond the perimeter of the site.
3. Maximum and minimum luminance. Illumination levels shall comply with those listed in the following Table 3.11.6.C:

Area/Activity Type	Min. Illuminance (FC)	Max. Illuminance (FC)
Building entrances/Exits	5	10
Parking Areas	1	5
Parking Structure	5	10
Loading Areas and Platforms	10	15
Under canopies	5	15
Heavy Equipment Operation	10	25



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Table 3.11.6 Illumination Levels.

4. Maximum illuminance at property line. Maximum illuminance at any point in the vertical plane of the property line shall be less than 0.2 foot-candles.

3.11.7 – Standards for residential lighting.

- A. General Requirements. For residential properties including multiple family residential properties not having common areas, all outdoor luminaires shall be fully shielded, 100% cutoff and shall not exceed the allowed lumen output in Table G, row 2.
- B. Exceptions.
 1. One partly shielded or unshielded luminaire at the main entry, not exceeding the allowed lumen output in Table G row 2.
 2. Any other partly shielded or unshielded luminaires not exceeding the allowed lumen output in Table G row 3.
 3. Low voltage landscape lighting aimed away from adjacent properties and not exceeding the allowed lumen output in Table G row 4.
 4. Shielded directional flood lighting aimed so that direct glare is not visible from adjacent properties and public and private streets and pedestrian ways and not exceeding the allowed lumen output in Table G row 5.
 5. Open flame gas lamps.
 6. Lighting installed with a vacancy sensor, where the sensor extinguishes the lights no more than 15 minutes after the area is vacated, provided that the luminaire is shielded, 100% cutoff.
 7. Lighting exempt per Section III (B.).
- C. Requirements for Residential Landscape Lighting.
 1. Shall comply with Table G.
 2. Shall not be aimed onto adjacent properties.

3.11.8 – Lighting by special permit

- A. *High Intensity and Special Purpose Lighting.* The following lighting systems are prohibited from being installed or used except by special use permit:
 1. Temporary lighting in which any single luminaire exceeds 20,000 initial luminaire lumens or the total lighting load exceeds 160,000 lumens.
 2. Aerial Lasers.
 3. Searchlights.



Department

4. Other very intense lighting defined as having a light source exceeding 200,000 initial luminaire lumens or an intensity in any direction of more than 2,000,000 candelas.
- B. Upon special permit issued by the Department, lighting not complying with the technical requirements of this ordinance but consistent with its intent may be installed for complex sites or uses or special uses including, but not limited to, the following applications:
1. Sports facilities, including but not limited to unconditioned rinks, open courts, fields, and stadiums.
 2. Construction lighting.
 3. Lighting for industrial sites having special requirements, such as petrochemical manufacturing or storage, shipping piers, etc.
 4. Parking structures.
 5. Urban parks
 6. Ornamental and architectural lighting of bridges, public monuments, statuary and public buildings.
 7. Theme and amusement parks.
 8. Correctional facilities.
- C. Standards for approval of special permit for lighting
1. Has sustained every reasonable effort to mitigate the effects of light on the environment and surrounding properties, supported by a signed statement describing the mitigation measures. Such statement shall be accompanied by the calculations required for the Performance Method.
 2. Employs lighting controls to reduce lighting at a Project Specific Curfew (“Curfew”) time to be established in the Permit.
 3. Complies with the Performance Method after Curfew.
 4. The Authority shall review each such application. A permit may be granted if, upon review, the Authority believes that the proposed lighting will not create unwarranted glare, sky glow, or light trespass.

3.11.8 – Existing Lighting. Lighting installed prior to the effective date of this ordinance shall comply with the following standards.

- A. Amortization. On or before January 1, 2029, all outdoor lighting shall comply with this Code.
- B. New Uses or Structures, or Change of Use. Whenever there is a new use of a property (zoning or variance change) or the use or occupancy category as defined by the applicable building code is changed, all outdoor lighting on the property shall



Department

be brought into compliance with this Ordinance before the new or changed use or occupancy commences.

C. Additions or Alterations

1. Major additions. If a major addition occurs on a property, lighting for the entire property shall comply with the requirements of this Code. For purposes of this section, the following are considered to be major additions:
 - a. Additions of 25 percent or more in terms of additional dwelling units, gross floor area, seating capacity, or parking spaces, either with a single addition or with cumulative additions after the effective date of this Ordinance.
 - b. Single or cumulative additions, modification or replacement of 25 percent or more of installed outdoor lighting luminaires existing as of the effective date of this Ordinance.
2. Minor modifications, additions, or new lighting fixtures for non-residential and multifamily dwellings. For non-residential and multifamily dwellings, all additions, modifications, or replacement of more than 25 percent of outdoor lighting fixtures existing as of the effective date of this Ordinance shall require the submission of a complete inventory and site plan detailing all existing and any proposed new outdoor lighting. Any new lighting shall meet the requirements of this Ordinance.
3. Resumption of Use after Abandonment. If a property with non-conforming lighting is not occupied for a period of six months or more, then all outdoor lighting shall be brought into compliance with this Ordinance before any further use of the property occurs.

3.11.8 – Violations and Enforcement.

Outdoor lighting installed or maintained in violation of any provision of this section, or other applicable provisions of the Phoenix Land Development Code (PLDC), shall be subject to the provisions of Chapter 1.4 – Enforcement of the PLDC.

3.11.9 Tables

Table A - Allowed Total Initial Luminaire Lumens per Site for Non-residential Outdoor Lighting, Per Parking Space Method. May only be applied to properties up to 10 parking spaces (including handicapped accessible spaces).

LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
350 lms/space	490 lms/space	630 lms/space	840 lms/space	1,050 lms/space

Table B - Allowed Total Initial Lumens per Site for Nonresidential. Outdoor Lighting, Hardscape Area Method. May be used for any project. When lighting intersections of site drives and public streets or road, a total of 600 square feet for each intersection may be added to the actual site hardscape area to provide for intersection lighting.

LZ-0	LZ-1	LZ-2	LZ-3	LZ-4



Base Allowance				
0.5 lumens per SF of Hardscape	1.25 lumens per SF of Hardscape	2.5 lumens per SF of Hardscape	5.0 lumens per SF of Hardscape	7.5 lumens per SF of Hardscape

Table B - Lumen Allowances, in Addition to Base Allowance

	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Additional allowances for sales and service facilities. No more than two additional allowances per site, Use it or Lose it.					
Outdoor Sales Lots. This allowance is lumens per square foot of uncovered sales lots used exclusively for the display of vehicles or other merchandise for sale, and may not include driveways, parking or other non-sales areas. To use this allowance, luminaires must be within 2 mounting heights of sales lot area.	0	4 lumens per square foot	8 lumens per square foot	16 lumens per square foot	16 lumens per square foot
Outdoor Sales Frontage. This allowance is for lineal feet of sales frontage immediately adjacent to the principal viewing location(s) and unobstructed for its viewing length. A corner sales lot may include two adjacent sides provided that a different principal viewing location exists for each side. In order to use this allowance, luminaires must be located between the principal viewing location and the frontage outdoor sales area.	0	0	1,000 per LF	1,500 per LF	2,000 per LF
Drive Up Windows. In order to use this allowance, luminaires must be within 20 feet horizontal distance of the center of the window.	0	2,000 lumens per drive-up window	4,000 lumens per drive-up window	8,000 lumens per drive-up window	8,000 lumens per drive-up window
Vehicle Service Station. This allowance is lumens per installed fuel pump.	0	4,000 lumens per pump (based on 5 fc horiz)	8,000 lumens per pump (based on 10 fc horiz)	16,000 lumens per pump (based on 20 fc horiz)	24,000 lumens per pump (based on 20 fc horiz)

Table C - Maximum Allowable Backlight, Uplight and Glare (BUG) Ratings. May be used for any project. A luminaire may be used if it is rated for the lighting zone of the site or lower in number for all ratings B, U and G. Luminaires equipped with adjustable mounting devices permitting alteration of luminaire aiming in the field shall not be permitted.

	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Allowed Backlight Rating*					
Greater than 2 mounting heights from property line	B1	B3	B4	B5	B5
1 to less than 2 mounting heights from property line and ideally oriented**	B1	B2	B3	B4	B4
0.5 to 1 mounting heights from property line and ideally oriented**	B0	B1	B2	B3r	B3r
Less than 0.5 mounting height to property line and properly oriented**	B0	B0	B0	B1	B2

*For property lines that abut public walkways, bikeways, plazas, and parking lots, the property line may be considered to be 5 feet beyond the actual property line for purpose of determining compliance with this section. For property lines that abut public roadways and public transit corridors, the property line may be considered to be the centerline of the public roadway or public transit corridor for the purpose of determining compliance with this section. NOTE: This adjustment is relative to Table C-1 and C-3 only and shall not be used to increase the lighting area of the site.

** To be considered 'ideally oriented', the luminaire must be mounted with the backlight portion of the light output oriented perpendicular and towards the property line of concern.

Table C - 2 Maximum Allowable Uplight (BUG) Ratings - Continued

Table C-2	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Allowed Uplight Rating	U0	U1	U2	U3	U4
Allowed % light emission above 90° for street or Area lighting	0%	0%	0%	0%	0%

Table C - 3 Maximum Allowable Glare (BUG) Ratings – Continued

Table C-3	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Allowed Glare Rating	G0	G1	G2	G3	G4
Any luminaire not ideally oriented*** with 1 to less than 2 mounting heights to any property line of concern	G0	G0	G1	G1	G2
Any luminaire not ideally oriented*** with 0.5 to 1 mounting heights to any property line of concern	G0	G0	G0	G1	G1
Any luminaire not ideally oriented*** with less than 0.5 mounting heights to any property line of concern	G0	G0	G0	G0	G1

*** Any luminaire that cannot be mounted with its backlight perpendicular to any property line within 2X the mounting heights of the luminaire location shall meet the reduced Allowed Glare Rating in Table C-3.

Table D Performance Method Allowed Total Initial Site Lumens *May be used on any project.*

Lighting Zone	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Allowed Lumens Per SF	0.5	1.25	2.5	5	7.5



Department

Allowed Base Lumens Per Site	0	3500	7000	14000	21000
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Table E Performance Method Additional Initial Luminaire Lumen Allowances. All of the following are “use it or lose it” allowances. All area and distance measurements in plan view unless otherwise noted.

Lighting Application	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Additional Lumens Allowances for All Buildings except service stations and outdoor sales facilities. A MAXIMUM OF THREE (3) ALLOWANCES ARE PERMITTED. THESE ALLOWANCES ARE “USE IT OR LOSE IT”.					
Building Entrances or Exits. This allowance is per door. In order to use this allowance, luminaires must be within 20 feet of the door.	400	1000	2000	4000	6000
Building Facades. This allowance is lumens per unit area of building façade that are illuminated. To use this allowance, luminaires must be aimed at the façade and capable of illuminating it without obstruction.	0	0	8/SF	16/SF	24/SF
Sales or Non-sales Canopies. This allowance is lumens per unit area for the total area within the drip line of the canopy. In order to qualify for this allowance, luminaires must be located under the canopy.	0	3/SF	6/SF	12/SF	18/SF
Guard Stations. This allowance is lumens per unit area of guardhouse plus 2000 sf per vehicle lane. In order to use this allowance, luminaires must be within 2 mounting heights of a vehicle lane or the guardhouse.	0	6/SF	12/SF	24/SF	36/SF
Outdoor Dining. This allowance is lumens per unit area for the total illuminated hardscape of outdoor dining. In order to use this allowance, luminaires must be within 2 mounting heights of the hardscape area of outdoor dining	0	1/SF	5/SF	10/SF	15/SF
Drive Up Windows. This allowance is lumens per window. In order to use this allowance, luminaires must be within 20 feet of the center of the window.	0	2,000 lumens per drive-up window	4,000 lumens per drive-up window	8,000 lumens per drive-up window	8,000 lumens per drive-up window
Additional Lumens Allowances for Service Stations only. Service stations may not use any other additional allowances.					
Vehicle Service Station Hardscape. This allowance is lumens per unit area for the total illuminated hardscape area less area of buildings, area under canopies, area off property, or areas obstructed by signs or structures. In order to use this allowance, luminaires must be illuminating the hardscape area and must not be within a building, below a canopy, beyond property lines, or obstructed by a sign or other structure.	0	4/SF	8/SF	16/SF	24/SF

Additional Lumens Allowances for Outdoor Sales facilities only. Outdoor Sales facilities may not use any other additional allowances. NOTICE: lighting permitted by these allowances shall employ controls extinguishing this lighting after a curfew time to be determined by the Authority.					
Outdoor Sales Lots. This allowance is lumens per square foot of uncovered sales lots used exclusively for the display of vehicles or other merchandise for sale, and may not include driveways, parking or other non sales areas and shall not exceed 25% of the total hardscape area. To use this allowance, Luminaires must be within 2 mounting heights of the sales lot area.	0	4/SF	8/SF	12/SF	18/SF
Outdoor Sales Frontage. This allowance is for lineal feet of sales frontage immediately adjacent to the principal viewing location(s) and unobstructed for its viewing length. A corner sales lot may include two adjacent sides provided that a different principal viewing location exists for each side. In order to use this allowance, luminaires must be located between the principal viewing location and the frontage outdoor sales area.	0	0	1,000/LF	1,500/LF	2,000/LF

Table E - Performance Method Additional Initial Lumen Allowances (cont.)

Lighting Application	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Vehicle Service Station Canopies. This allowance is lumens per unit area for the total area within the drip line of the canopy. In order to use this allowance, luminaires must be located under the canopy.	0	8/SF	16/SF	32/SF	32/SF
Additional Lumens Allowances for Outdoor Sales facilities only. Outdoor Sales facilities may not use any other additional allowances. NOTICE: lighting permitted by these allowances shall employ controls extinguishing this lighting after a curfew time to be determined by the Authority.					
Outdoor Sales Lots. This allowance is lumens per square foot of uncovered sales lots used exclusively for the display of vehicles or other merchandise for sale, and may not include driveways, parking or other non sales areas and shall not exceed 25% of the total hardscape area. To use this allowance, Luminaires must be within 2 mounting heights of the sales lot area.	0	3/SF	6/SF	12/SF	18/SF
Outdoor Sales Frontage. This allowance is for lineal feet of sales frontage immediately adjacent to the principal viewing location(s) and unobstructed for its viewing length. A corner sales lot may include two adjacent sides provided that a different principal viewing location exists for each side. In order to use this allowance, luminaires must be located between the principal viewing location and the frontage outdoor sales area.	0	0	1000/LF	1500/LF	2000/LF



Table F Maximum Vertical Illuminance at any point in the plane of the property line

LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
0.05 FC or 0.5 LUX	0.1 FC or 1.0 LUX	0.3 FC or 3.0 LUX	0.8 FC or 8.0 LUX	1.5 FC or 15.0 LUX

Table G - Residential Lighting Limits

Lighting Application	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Row 1 Maximum Allowed Luminaire Lumens* for Unshielded Luminaires at one entry only	Not permitted	420 lms	630 lms	630 lms	630 lms
Row 2 Maximum Allowed Luminaire Lumens* for each Fully Shielded Luminaire	630 lms	1,260 lms	1,260 lms	1,260 lms	1,260 lms
Row 3 Maximum Allowed Luminaire Lumens* for each Unshielded Luminaire excluding main entry	Not permitted	315 lms	315 lms	315 lms	315 lms
Row 4 Maximum Allowed Luminaire Lumens* for each Landscape Lighting	Not permitted	Not permitted	1,050 lms	2,100 lms	2,100 lms
Row 5 Maximum Allowed Luminaire Lumens* for each Shielded Directional Flood Lighting	Not permitted	Not permitted	1,260 lms	2,100 lms	2,100 lms
Row 6 Maximum Allowed Luminaire Lumens* for each Low Voltage Landscape Lighting	Not permitted	Not permitted	525 lms	525 lms	525 lms



City Council 2nd Reading and Public Hearing
May 4, 2015

Outdoor Lighting Standards

Statement of need

- The negative effects of “light pollution” have been well-documented since the 1970s. These effects include
 - unwanted, spillage of light imposed on adjacent properties;
 - visual irritation and impairment experienced by pedestrians and motorists;
 - sky-glow and impairment of enjoyment of the natural night sky;
 - degradation of local community character;
 - inefficient, wasteful, and unnecessary consumption of energy, the depletion of nonrenewable natural resources used to produce energy, and the resulting atmospheric pollution by gaseous emissions (most notably carbon dioxide, carbon monoxide, sulfur dioxide, and nitrous oxide)

Statement of need

- Outdoor lighting can create visual distractions and cause momentary blindness



Statement of need

- Outdoor lighting can create visual distractions and cause momentary blindness



Statement of need

- Outdoor lighting can create visual distractions and cause momentary blindness



Statement of need

- Outdoor lighting can spillover onto adjacent properties



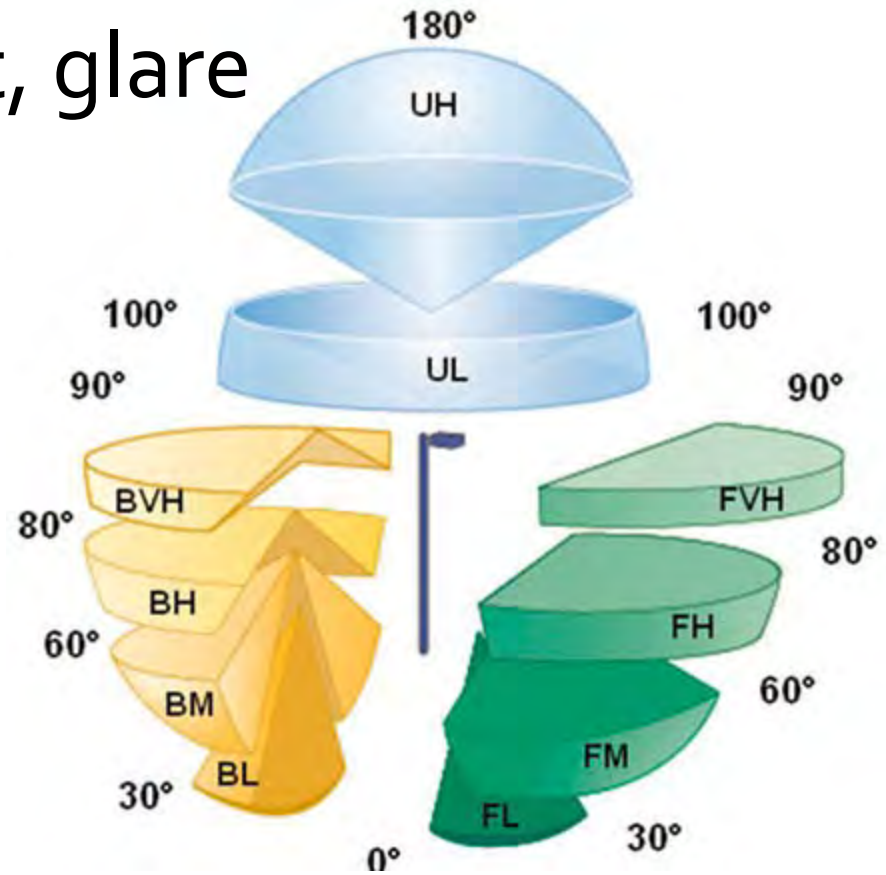
Statement of need

- Outdoor lighting can degrade views of night sky and community character, and harm nocturnal animals



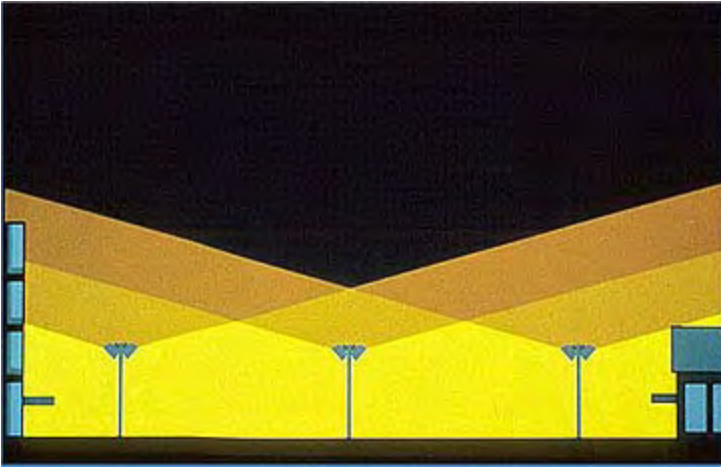
Things to consider

- Backlight, upright, glare



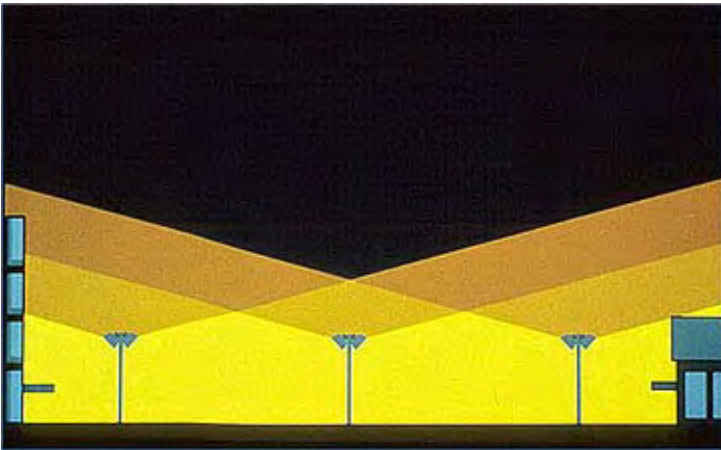
Things to consider

NO

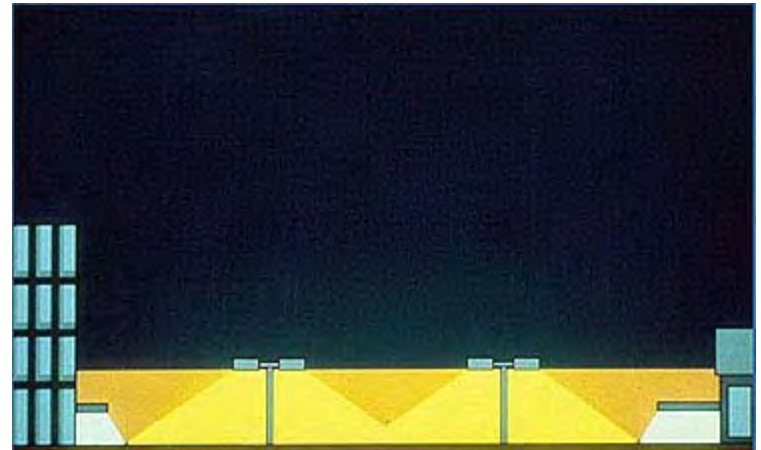


Things to consider

NO



YES



Current standards

- 2.4.4 C-H zone, architectural guidelines and standards:
 - B. Lighting.*** *Project lighting shall be provided for security reasons. Fixture types shall be down mounted or shielded when located adjacent to residential development.*
 - F. Parking lot lighting.*** *Parking lot lighting shall be provided for parking lots containing more than 10 spaces. The light fixtures shall be designed to light the parking area using down-mounted, low profile light fixtures. Parking lots with more than 10 vehicle parking spaces shall also include low profile lighting of pedestrian walkways and bicycle parking areas.*

Current standards

- 2.4.5 C-H zone, special standards:

***F. Parking lot lighting.** Parking lot lighting shall be provided for parking lots containing more than 10 spaces. The light fixtures shall be designed to light the parking area using down-mounted, low profile light fixtures. Parking lots with more than 10 vehicle parking spaces shall also include low profile lighting of pedestrian walkways and bicycle parking areas.*

Current standards

- 2.5.9 Industrial design standards:

***E. Outdoor Lighting.** Building-mounted lighting and aerial-mounted floodlighting shall be shielded from above in such a manner that the bottom edge of the shield shall be below the light source. Ground-mounted floodlighting or light projection above the horizontal plane is prohibited between midnight and sunrise. All lighting shall be shielded so that the direct illumination shall be confined to the property boundaries of the light source.*

Current standards

- 3.2.3 Design standards, access & circulation:

A.4. Pathways shall have adequate lighting for safety purposes. The City may require lighting as a condition of development review.

- 3.6.3 Definitions and calculation standards

C.2. Glare reduction. No sign may be illuminated or use lighting where such lighting is directed at any portion of a traveled street or will otherwise cause glare or impair the vision of the driver of a motor vehicle or otherwise interfere with the operation thereof.

Current standards

- 3.2.3 Design standards, access & circulation:

A.4. Pathways shall have adequate lighting for safety purposes. The City may require lighting as a condition of development review.

- 3.6.3 Definitions and calculation standards

C.2. Glare reduction. No sign may be illuminated or use lighting where such lighting is directed at any portion of a traveled street or will otherwise cause glare or impair the vision of the driver of a motor vehicle or otherwise interfere with the operation thereof.

Current standards

- No design standard or specification for ...
 - Maximum illuminance
 - “Unusual” or complex lighting applications like athletic facilities
 - Size and scale of luminaires, poles, amertures, etc.

Proposed standards

- Based on model regulations developed by IES and IDO, allows flexibility, based on scientific research
- 3 methods to achieve compliance
 - Prescriptive—simplest, doesn't need engineer
 - Performance—most flexible, for more complex designs, requires an engineer
 - Performance #2—maybe easiest for larger, commercial projects, requires an engineer

Example #1 Non-residential

- 3,500 square foot commercial building with 10 parking spaces
- Prescriptive method (3.11.6.A)
 - Number of parking spaces * Lumens/space
 $10 * 840 = 8,400 \text{ total lmns}$
 - Must comply with BUG ratings, 100% cutoff lighting

Example #2 Non-residential

- 10,000 square foot commercial building on 1 acre
- Performance Method I (3.11.6.B)
 - Total hardscape area * Lumens/square foot
 $24,848 * 5 = 124,240 \text{ lmns}$
 - Must comply with BUG ratings, 100% cutoff lighting

Example #3 Residential

- Maximum 1,260 lms/luminaire
- Additional maximum luminaire allowances for landscaping, entrance, directional flood lighting, etc.
- Must comply with other restrictions
 - No glare, light spillage limits

Review process

- Type IV process
- Reviewed by Planning Commission during work sessions and Public Hearing, recommended adoption by City Council after deliberation at Public Hearing on December 8, 2014

Minor/typographical corrections

- 3.11 changed to 3.12
- Add “*Luminaire lumens equals Initial Lamp Lumens for a lamp, multiplied by the number of lamps in a luminaire” after Table G
- Delete “for,” after “Table B-2 – Lumen Allowances”

Planning Commission Discussion

October 13, 2014

Outdoor Lighting/Dark Skies

Statement of need

- Outdoor lighting can
 - Create visual distractions and cause momentary blindness



Statement of need

- Outdoor lighting can
 - Create visual distractions and cause momentary blindness



Statement of need

- Outdoor lighting can
 - Create visual distractions and cause momentary blindness



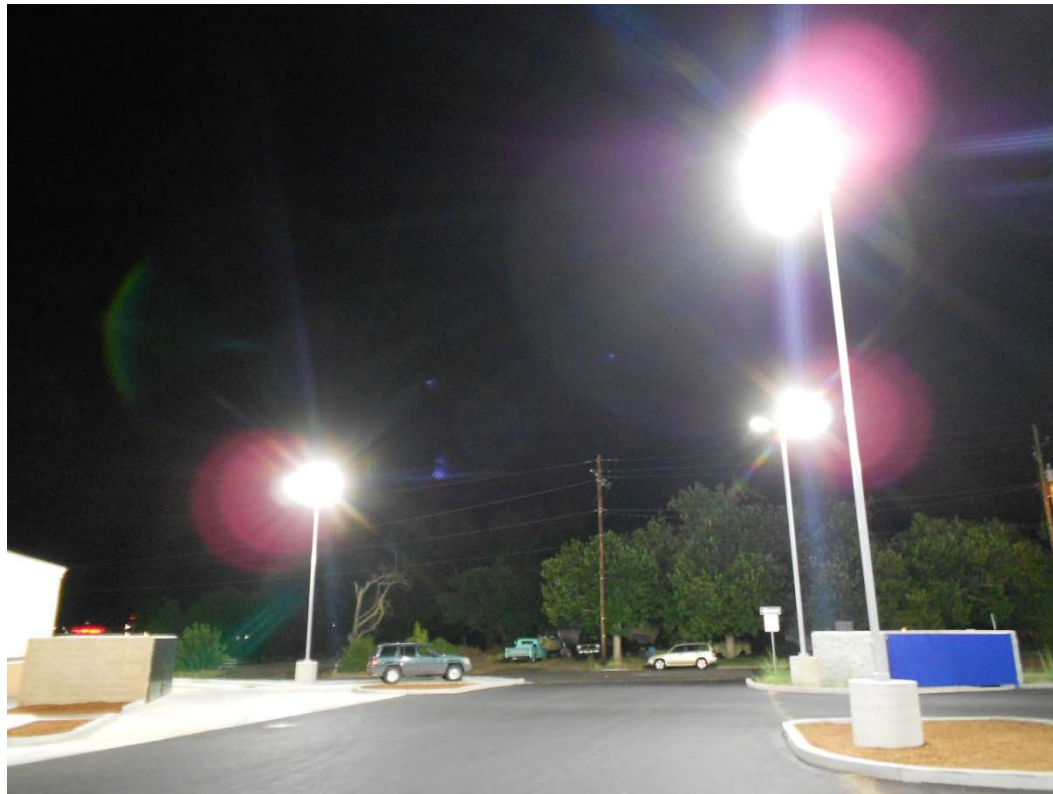
Statement of need

- Outdoor lighting can
 - Create visual distractions and cause momentary blindness



Statement of need

- Outdoor lighting can
 - Spillover onto adjacent properties



Statement of need

- Outdoor lighting can
 - Degrade views of night sky and community character, and harm nocturnal animals

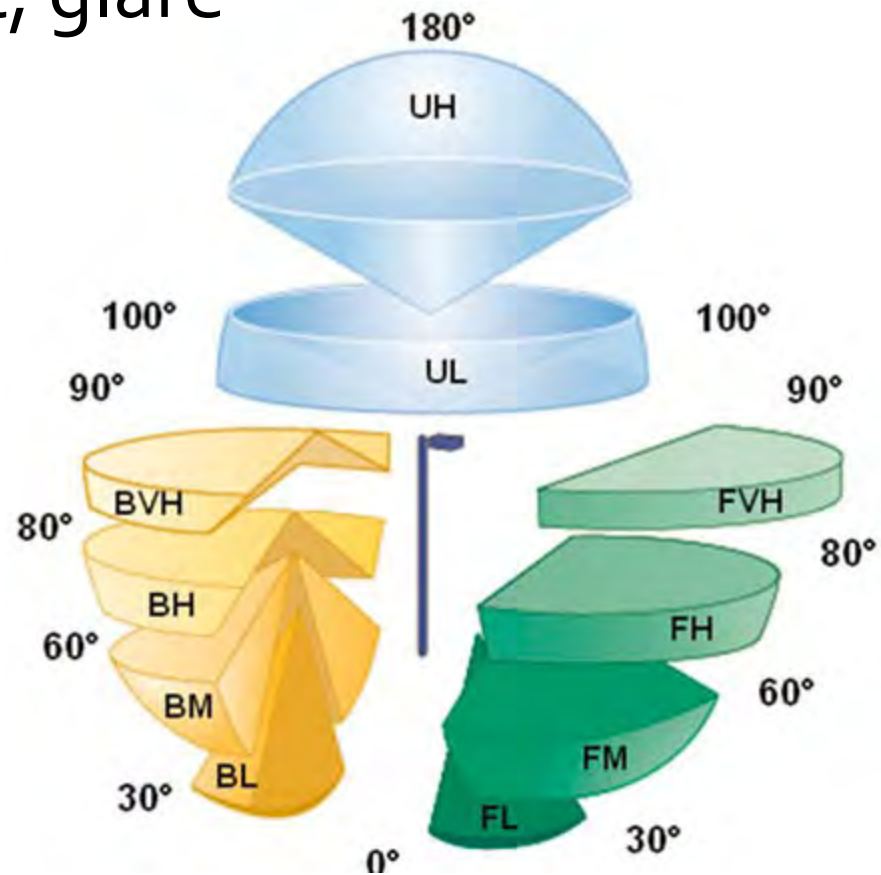


Statement of need

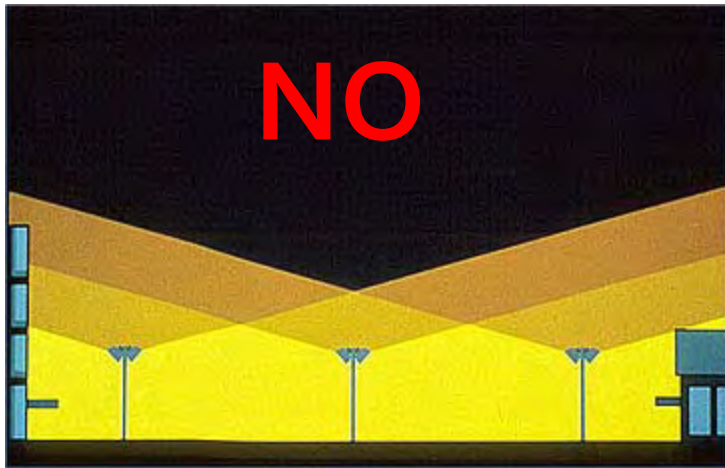
- To establish standards for outdoor lighting that
 - Reduce unnecessary ambient light that impairs unobstructed viewing of the night sky
 - Promote that is consistent with Phoenix's identity as a small town
 - Eliminate outdoor lighting that creates unsafe conditions for motorists

Things to consider

- Backlight, upright, glare



Things to consider



Current standards

- 2.4.4 C-H zone, architectural guidelines and standards:

B. Lighting. *Project lighting shall be provided for security reasons. Fixture types shall be down mounted or shielded when located adjacent to residential development.*

F. Parking lot lighting. *Parking lot lighting shall be provided for parking lots containing more than 10 spaces. The light fixtures shall be designed to light the parking area using down-mounted, low profile light fixtures. Parking lots with more than 10 vehicle parking spaces shall also include low profile lighting of pedestrian walkways and bicycle parking areas.*

Current standards

- 2.4.5 C-H zone, special standards:

F. Parking lot lighting. Parking lot lighting shall be provided for parking lots containing more than 10 spaces. The light fixtures shall be designed to light the parking area using down-mounted, low profile light fixtures. Parking lots with more than 10 vehicle parking spaces shall also include low profile lighting of pedestrian walkways and bicycle parking areas.

Current standards

- 2.5.9 Industrial design standards:

***E. Outdoor Lighting.** Building-mounted lighting and aerial-mounted floodlighting shall be shielded from above in such a manner that the bottom edge of the shield shall be below the light source. Ground-mounted floodlighting or light projection above the horizontal plane is prohibited between midnight and sunrise. All lighting shall be shielded so that the direct illumination shall be confined to the property boundaries of the light source.*

Current standards

- 3.2.3 Design standards, access & circulation:

A.4. Pathways shall have adequate lighting for safety purposes. The City may require lighting as a condition of development review.

- 3.6.3 Definitions and calculation standards

C.2. Glare reduction. No sign may be illuminated or use lighting where such lighting is directed at any portion of a traveled street or will otherwise cause glare or impair the vision of the driver of a motor vehicle or otherwise interfere with the operation thereof.

Current standards

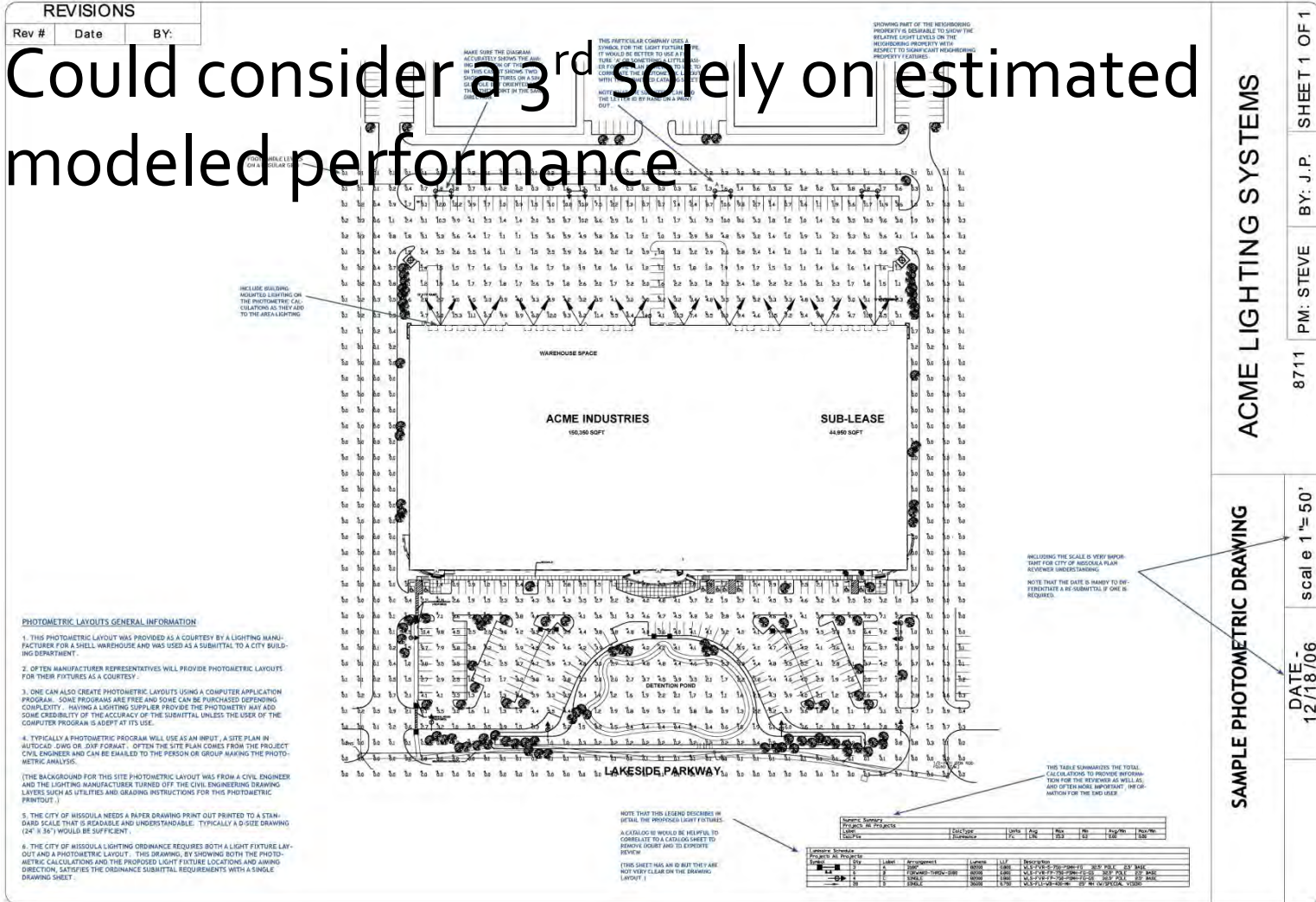
- No standards for ...
 - Maximum illumination
 - Size and scale of luminaires and armatures
 - No standards for “unusual” or complex lighting applications like sports stadiums

Draft standards

- Draft ordinance is produced by IES and IDO, allows flexibility, based on science
- 2 methods
- Could consider a 3rd solely on estimated modeled performance

Draft standards

- Could consider a 3rd solely on estimated modeled performance





Next steps

- Public hearings



Illuminating
ENGINEERING SOCIETY



JOINT IDA - IES

MODEL

LIGHTING

ORDINANCE

(MLO)

with USER'S GUIDE

June 15, 2011

The User Notes

The User Notes are intended to clarify the sections of the MLO for the various audiences who will use it: lighting designers, city officials, engineers, citizen groups, and others. Every effort has been made to keep the language technically accurate and clear, but since different disciplines may use the same term in different ways, or have different interpretations, some guidance may be helpful. While these Notes can not be a full tutorial on modern lighting design, it is hoped that the Notes will help facilitate the dialogue necessary to adopt the MLO.

Background

The problems of light pollution first became an issue in the 1970s when astronomers identified the degradation of the night sky due to the increase in lighting associated with development and growth. As more impacts to the environment by lighting have been identified, an international “dark sky” movement is advocating for the precautionary approach to outdoor lighting design.

Many communities have passed anti-light-pollution laws and ordinances. However, there is little or no agreement among these laws, and they vary considerably in language, technical quality, and stringency. This is confusing for designers, engineers, and code officials. The lack of a common basis prevents the development of standards, educational programs, and other means of achieving the goal of effective lighting control.

This MLO will allow communities to drastically reduce light pollution and glare and lower excessive light levels. The recommended practices of the IES can be met using readily available, reasonably priced lighting equipment. However, many conventional lighting practices will no longer be permitted, or will require special permits.

This Model Lighting Ordinance (MLO) is the result of extensive efforts by the International Dark Sky Association (IDA) and the Illuminating

Engineering Society of North America (IES). Among its features is the use of lighting zones (LZ0-4) which allow each governing body to vary the stringency of lighting restrictions according to the sensitivity of the area as well as accommodating community intent. In this way, communities can fine-tune the impact of the MLO without having to customize the MLO. The MLO also incorporates the Backlight-Uplight-Glare (BUG) rating system for luminaires, which provides more effective control of unwanted light.

Joint IDA-IESNA
Model Outdoor Lighting
Ordinance (MLO)

June 15, 2011

CONTENTS

- I. Preamble.....5
- II. Lighting Zones.....5
- III. General Requirements for All Outdoor Lighting.....8
- IV. Requirements for Non-Residential Outdoor Lighting.....11
- V. Requirements for Residential Outdoor Lighting.....19
- VI. Lighting by Special Permit Only.....20
- VII. Existing Lighting.....21
- VIII. Enforcement and Penalties (Reserved).....22
- IX. Tables.....23
- X. Definitions.....32
- XI. (Optional) Street Lighting Ordinance.....38

General Notes in Adopting this Model Ordinance

Adoption of this ordinance should follow the established development, review, and approval processes of the adopting authority. If no such processes are in place, this ordinance may be adopted as a new independent section of the Municipal Code.

The MLO is probably best adopted as an “overlay zoning” ordinance. This means that it overlays, but is different from, land-use zoning. It can be added to or integrated into existing ordinances or codes and cross-referenced to other applicable codes and ordinances such as the electrical code, the sign code, planning ordinances, etc.

The MLO may best be managed by assigning it to planning officials and using existing administrative structures.

Because of the diverse community and lighting needs across large areas, this MLO is not intended for adoption as a state, provincial or national ordinance. Regional coordination is encouraged. Light pollution knows no boundaries, and the effects of polluting light persist as far as 200 kilometers (about 120 miles) from the source. One large city could adopt the MLO and dramatically affect a region, but adoption in suburbs and small towns must be part of a regional effort to achieve significant improvements in the overall quality of the night sky.

Adopting agencies should also consider that the MLO, like all other modern codes, is designed to evolve over time. Lighting technology will change, and MLO changes will be needed every few years. On-going renewal cycles are strongly recommended as any part of an adopting ordinance.

MLO Development and Task Force Members

This Model Lighting Ordinance has been developed as a joint undertaking by the Illuminating Engineering Society and the International Dark-Sky Association.

The Joint Task Force responsible for developing the MLO include

IDA
Co-Chair: Jim Benya
Co-Chair: Nancy Clanton
Leslie Lipstein
Leo Smith
Michael Mutmansky

IES
Naomi Miller
Cheryl English
Denis Lavoie
Eric Gibson

John Walter representing the electric utility industry also contributed as a member of the Joint Task Force.

I. PREAMBLE - User's Guide

In general, the preamble is part of the ordinance but is typically not part of the code. It establishes the reasons why the municipality is undertaking these regulations.

Local governments may add other purposes to the Preamble including established local government environmental or energy goals that support the model lighting ordinance. The environmental impacts of outdoor lighting fall into two categories: carbon footprint (energy used in the life of a lighting product) and obtrusive light.

CARBON FOOTPRINT	OBTRUSIVE LIGHT
Cost & Impact of Mining the Materials Used	Impact on Humans
Energy Used in Production	Impact on the Environment
Energy Used during Product Life	
Disposal/Recycling Costs	

II. LIGHTING ZONES - User's Guide

Lighting zones reflect the base (or ambient) light levels desired by a community. The use of lighting zones (LZ) was originally developed by the International Commission on Illumination (CIE) and appeared first in the US in IES Recommended Practice for Exterior Environmental Lighting, RP-33-99.

It is recommended that lower lighting zone(s) be given preference when establishing zoning criteria. Selection of lighting zone or zones should be based not on existing conditions but rather on the type of lighting environments the jurisdiction seeks to achieve. For instance, new development on previously rural or undeveloped land may be zoned as LZ-1. Using lighting zones allows a great deal of flexibility and customization without the burden of excessive regulation. For example, a jurisdiction may choose to establish vertical lighting zones with the lighting zone at street level at a higher zone than the residential housing on upper levels.

I. PREAMBLE - Ordinance Text

The purpose of this Ordinance is to provide regulations for outdoor lighting that will:

- a. Permit the use of outdoor lighting that does not exceed the minimum levels specified in IES recommended practices for night-time safety, utility, security, productivity, enjoyment, and commerce.
- b. Minimize adverse offsite impacts of lighting such as light trespass, and obtrusive light.
- c. Curtail light pollution, reduce skyglow and improve the nighttime environment for astronomy.
- d. Help protect the natural environment from the adverse effects of night lighting from gas or electric sources.
- e. Conserve energy and resources to the greatest extent possible.

II. LIGHTING ZONES - Ordinance Text

The Lighting Zone shall determine the limitations for lighting as specified in this ordinance. The Lighting Zones shall be as follows:

LZ0: No ambient lighting

Areas where the natural environment will be seriously and adversely affected by lighting. Impacts include disturbing the biological cycles of flora and fauna and/or detracting from human enjoyment and appreciation of the natural environment. Human activity is subordinate in importance to nature. The vision of human residents and users is adapted to the darkness, and they expect to see little or no lighting. When not needed, lighting should be extinguished.

II. LIGHTING ZONES (cont.) - User's Guide

II. LIGHTING ZONES (cont.) - Ordinance Text

However, if an adjacent use could be adversely impacted by allowable lighting, the adopting authority may require that a particular site meet the requirements for a lower lighting zone. For example, the authority could specify Lighting Zone 1 or 2 requirements if a commercial development were adjacent to a residence, hospital or open space, or to any land assigned to a lower zone.

LZ1: Low ambient lighting

Areas where lighting might adversely affect flora and fauna or disturb the character of the area. The vision of human residents and users is adapted to low light levels. Lighting may be used for safety and convenience but it is not necessarily uniform or continuous. After curfew, most lighting should be extinguished or reduced as activity levels decline.

Lighting zones are best implemented as an overlay to the established zoning especially in communities where a variety of zone districts exists within a defined area or along an arterial street. Where zone districts are cohesive, it may be possible to assign lighting zones to established land use zoning. It is recommended that the lighting zone includes churches, schools, parks, and other uses embedded within residential communities.

LZ2: Moderate ambient lighting

Areas of human activity where the vision of human residents and users is adapted to moderate light levels. Lighting may typically be used for safety and convenience but it is not necessarily uniform or continuous. After curfew, lighting may be extinguished or reduced as activity levels decline.

LZ3: Moderately high ambient lighting

Areas of human activity where the vision of human residents and users is adapted to moderately high light levels. Lighting is generally desired for safety, security and/or convenience and it is often uniform and/or continuous. After curfew, lighting may be extinguished or reduced in most areas as activity levels decline.

LZ4: High ambient lighting

Areas of human activity where the vision of human residents and users is adapted to high light levels. Lighting is generally considered necessary for safety, security and/or convenience and it is mostly uniform and/or continuous. After curfew, lighting may be extinguished or reduced in some areas as activity levels decline.

Zone	Recommended Uses or Areas	Zoning Considerations
LZ-0	Lighting Zone 0 should be applied to areas in which permanent lighting is not expected and when used, is limited in the amount of lighting and the period of operation. LZ-0 typically includes undeveloped areas of open space, wilderness parks and preserves, areas near astronomical observatories, or any other area where the protection of a dark environment is critical. Special review should be required for any permanent lighting in this zone. Some rural communities may choose to adopt LZ-0 for residential areas.	Recommended default zone for wilderness areas, parks and preserves, and undeveloped rural areas. Includes protected wildlife areas and corridors.
LZ-1	Lighting Zone 1 pertains to areas that desire low ambient lighting levels. These typically include single and two family residential communities, rural town centers, business parks, and other commercial or industrial/storage areas typically with limited nighttime activity. May also include the developed areas in parks and other natural settings.	Recommended default zone for rural and low density residential areas. Includes residential single or two family; agricultural zone districts; rural residential zone districts; business parks; open space include preserves in developed areas.

II. LIGHTING ZONES (cont.) - User's Guide

Zone	Recommended Uses or Areas	Zoning Considerations
LZ-2	Lighting Zone 2 pertains to areas with moderate ambient lighting levels. These typically include multifamily residential uses, institutional residential uses, schools, churches, hospitals, hotels/motels, commercial and/or businesses areas with evening activities embedded in predominately residential areas, neighborhood serving recreational and playing fields and/or mixed use development with a predominance of residential uses. Can be used to accommodate a district of outdoor sales or industry in an area otherwise zoned LZ-1.	<p>Recommended default zone for light commercial business districts and high density or mixed use residential districts.</p> <p>Includes neighborhood business districts; churches, schools and neighborhood recreation facilities; and light industrial zoning with modest nighttime uses or lighting requirements.</p>
LZ-3	Lighting Zone 3 pertains to areas with moderately high lighting levels. These typically include commercial corridors, high intensity suburban commercial areas, town centers, mixed use areas, industrial uses and shipping and rail yards with high night time activity, high use recreational and playing fields, regional shopping malls, car dealerships, gas stations, and other nighttime active exterior retail areas.	<p>Recommended default zone for large cities' business district.</p> <p>Includes business zone districts; commercial mixed use; and heavy industrial and/or manufacturing zone districts.</p>
LZ-4	Lighting zone 4 pertains to areas of very high ambient lighting levels. LZ-4 should only be used for special cases and is not appropriate for most cities. LZ-4 may be used for extremely unusual installations such as high density entertainment districts, and heavy industrial uses.	<p>Not a default zone.</p> <p>Includes high intensity business or industrial zone districts.</p>

III. GENERAL REQUIREMENTS - User's Guide

This Section sets out the requirements that apply to all lighting, both residential and non-residential.

Each adopting jurisdiction should incorporate their existing standards as to when compliance with new regulations is required, when repair or remodeling triggers compliance and if the new ordinance will be retroactive to existing development. The Applicability section of this model ordinance should serve as a guide if the adopting jurisdiction does not have standards or policies in place. Likewise, the adopting jurisdiction should use their existing policies and definitions of what constitutes public monuments, and temporary and/or emergency lighting. Community attitudes and precedents should be taken into account in deciding to regulate seasonal holiday lighting.

EXEMPTIONS - User's Guide

This is standard language intended to prevent conflict of laws and to give the community the ability to set specific lighting requirements in special plans and under use permits. It can be amended to conform to similar language in other ordinances. For example, while public monuments, statuary, and flags should be lighted, the lighting also should be limited to avoid excess.

Lighting for streets, roads, and highways is usually regulated by a street lighting ordinance, and is not covered by this model ordinance. However, since street lighting can affect nearby areas, some recognition of its effect is appropriate. (See Section XI)

SIGN LIGHTING - User's Guide

A sign lighting ordinance is strongly recommended if not already in place. It should carefully limit lighting to prevent over-lighted signs from being used to circumvent lighting ordinances.

III. GENERAL REQUIREMENTS - Ordinance Text

A. *Conformance with All Applicable Codes*

All outdoor lighting shall be installed in conformance with the provisions of this Ordinance, applicable Electrical and Energy Codes, and applicable sections of the Building Code.

B. *Applicability*

Except as described below, all outdoor lighting installed after the date of effect of this Ordinance shall comply with these requirements. This includes, but is not limited to, new lighting, replacement lighting, or any other lighting whether attached to structures, poles, the earth, or any other location, including lighting installed by any third party.

Exemptions from III.(B.) The following are not regulated by this Ordinance

- a. Lighting within public right-of-way or easement for the principal purpose of illuminating streets or roads. No exemption shall apply to any lighting within the public right of way or easement when the purpose of the luminaire is to illuminate areas outside the public right of way or easement, unless regulated with a streetlighting ordinance.

Note to adopting agency: if using the street lighting ordinance (Section XI), this exemption should read as follows:

Lighting within the public right-of-way or easement for the principal purpose of illuminating roads and highways. No exemption shall apply to any street lighting and to any lighting within the public right of way or easement when the purpose of the luminaire is to illuminate areas outside of the public right of way or easement.

- b. Lighting for public monuments and statuary.
- c. Lighting solely for signs (lighting for signs is regulated by the Sign Ordinance).
- d. Repairs to existing luminaires not exceeding 25% of total installed luminaires.

III. GENERAL REQUIREMENTS (cont.) - Ordinance Text

- e. Temporary lighting for theatrical, television, performance areas and construction sites;
- f. Underwater lighting in swimming pools and other water features
- g. Temporary lighting and seasonal lighting provided that individual lamps are less than 10 watts and 70 lumens.
- h. Lighting that is only used under emergency conditions.
- i. In lighting zones 2, 3 and 4, low voltage landscape lighting controlled by an automatic device that is set to turn the lights off at one hour after the site is closed to the public or at a time established by the authority.

Exceptions to III. (B.) All lighting shall follow provisions in this ordinance; however, any special requirements for lighting listed in a) and b) below shall take precedence.

- a. Lighting specified or identified in a specific use permit.
- b. Lighting required by federal, state, territorial, commonwealth or provincial laws or regulations.

C. Lighting Control Requirements

- 1. Automatic Switching Requirements
Controls shall be provided that automatically extinguish all outdoor lighting when sufficient daylight is available using a control device or system such as a photoelectric switch, astronomic time switch or equivalent functions from a program-mable lighting controller, building automation system or lighting energy management system, all with battery or similar backup power or device.

LIGHTING CONTROLS - User's Guide

This section requires all outdoor lighting to have lighting controls that prohibit operation when sufficient daylight is available, and to include the capability, either through circuiting, dimming or alternating sources, to be able to reduce lighting without necessarily turning all lighting off.

III. GENERAL REQUIREMENTS (cont.) - Ordinance Text

CURFEW REQUIREMENTS - User's Guide

The intent is to reduce or eliminate lighting after a given time. Benefits include reduced environmental impact, longer hours of improved astronomy, energy savings, and improved sleeping conditions for residents. Additionally, some police departments have indicated that post-curfew light reductions make drive-by patrolling easier because it allows them to see further into and through a site.

The authority should determine the time of curfew and the amount of lighting reduction based on the character, norms and values of the community.

Typically, curfews go into effect one hour after the close of business. Restaurants, bars and major entertainment facilities such as sports stadiums, may require the curfew go into effect two hours after the close of business. The authority may elect to have no curfew for facilities with shift workers and 24 hour operations, or to extend the curfew time to meet specific needs. The MLO can be modified to address those concerns.

Areas without street lights or with very low ambient light levels should consider turning off all non-emergency lighting at curfew while commercial areas or urban areas may prefer a reduction in lighting levels. A reduction of at least 30% is recommended for most uses.

Exceptions to III.(C.) 1. Automatic lighting controls are not required for the following:

- a. Lighting under canopies.
- b. Lighting for tunnels, parking garages, garage entrances, and similar conditions.

2. Automatic Lighting Reduction Requirements
The Authority shall establish curfew time(s) after which total outdoor lighting lumens shall be reduced by at least 30% or extinguished.

Exceptions to III.(C.) 2. Lighting reductions are not required for any of the following:

- a. With the exception of landscape lighting, lighting for residential properties including multiple residential properties not having common areas.
- b. When the outdoor lighting consists of only one luminaire.
- c. Code required lighting for steps, stairs, walkways, and building entrances.
- d. When in the opinion of the Authority, lighting levels must be maintained.
- e. Motion activated lighting.
- f. Lighting governed by special use permit in which times of operation are specifically identified.
- g. Businesses that operate on a 24 hour basis.

IV. NON-RESIDENTIAL LIGHTING - User's Guide

This section addresses non-residential lighting and multiple-family residences having common spaces, such as lobbies, interior corridors or parking. Its intent is to:

- Limit the amount of light that can be used
- Minimize glare by controlling the amount of light that tends to create glare
- Minimize sky glow by controlling the amount of uplight
- Minimize the amount of off-site impacts or light trespass

This MLO provides two methods for determining compliance. The *prescriptive method* contains precise and easily verifiable requirements for luminaire light output and fixture design that limit glare, uplight, light trespass and the amount of light that can be used. The *performance method* allows greater flexibility and creativity in meeting the intent of the ordinance. Note that both the prescriptive and the performance method limit the *amount* of light that can be used, but do not control *how* the lighting is to be used.

Most outdoor lighting projects that do not involve a lighting professional will use the prescriptive method, because it is simple and does not require engineering expertise.

For the prescriptive method, the initial luminaire lumen allowances defined in Table A (Parking Space Method) or B (Hardscape Area Method) will provide basic lighting (parking lot and lighting at doors and/or sensitive security areas) that is consistent with the selected lighting zone. The prescriptive method is intended to provide a safe lighting environment while reducing sky glow and other adverse offsite impacts. The Per Parking Space Method is applicable in small rural towns and is a simple method for small retail “mom and pop” operations without drive lane access and where the parking lot is immediately adjacent to the road. A jurisdiction may

IV. NON-RESIDENTIAL LIGHTING - Ordinance Text

For all non-residential properties, and for multiple residential properties of seven domiciles or more and having common outdoor areas, all outdoor lighting shall comply either with Part A or Part B of this section.

PRESCRIPTIVE METHOD - User's Guide

also allow a prescriptive method for classes of sites, such as car dealerships, gas stations, or other common use areas.

Note that the values are for initial luminaire lumens, not footcandles on the target (parking lot, sidewalk, etc). Variables such as the efficiency of the luminaire, dispersion, and lamp wear can affect the actual amount of light so the lumens per square foot allowance is not equal to footcandles on the site. By specifying initial luminaire lumen values, it is easier for officials to verify that the requirement is being met. Initial luminaire lumens are available from photometric data. Each initial luminaire lumens calculation should be supplied on the submittal form.

Solid state luminaires, such as LEDs, do not have initial lamp lumens, only initial luminaire lumens (absolute photometry). Other luminaires tested with relative photometry will have initial luminaire lumens which can be calculated by multiplying initial lamp lumens by the luminaire efficiency. In this example, three types of luminaires are used to light a parking area and building entry in a light commercial area. Two of these three luminaires use metal halide lamps: 70 watt wall mounted area lights and 150 watt pole mounted area lights. For these, the Initial Luminaire Lumens is equal to the initial lamp lumens multiplied by the luminaire efficiency. These values are entered into the compliance chart. The lumen value for the building mounted LED luminaires is equal to the lumens exiting the luminaire. Therefore, the value already represents the Initial Luminaire Lumens and no luminaire efficiency is needed. The total Luminaire Lumens for the site is equal to 247,840.

The allowable lumens are based on the lighting zone and the total hardscape area. Referencing Table B, the allowed lumens are 2.5/SF for LZ2. Multiplying this by the total hardscape square footage gives a value of 250,000 lumens allowed. Because this value is greater than the value calculated for the site, the project complies. Listed below is an example on a typical compliance worksheet for the Prescriptive Method.

IV. NON-RESIDENTIAL LIGHTING (cont.) - Ordinance Text***A. Prescriptive Method***

An outdoor lighting installation complies with this section if it meets the requirements of subsections 1 and 2, below.

1. Total Site Lumen Limit

The total installed initial luminaire lumens of all outdoor lighting shall not exceed the total site lumen limit. The total site lumen limit shall be determined using either the Parking Space Method (Table A) or the Hardscape Area Method (Table B). Only one method shall be used per permit application, and for sites with existing lighting, existing lighting shall be included in the calculation of total installed lumens.

The total installed initial luminaire lumens is calculated as the sum of the initial luminaire lumens for all luminaires.

IV. NON-RESIDENTIAL LIGHTING (cont.) - User's Guide

IV. NON-RESIDENTIAL LIGHTING (cont.) - Ordinance Text

In this example, three types of luminaires are used to light a parking area and building entry in a light commercial area. Two of these three luminaires use metal halide lamps: 70 watt wall mounted area lights and 150 watt pole mounted area lights. For these, the Initial Luminaire Lumens is equal to the initial lamp lumens multiplied by the luminaire efficiency. These values are entered into the compliance chart. The lumen value for the building mounted LED luminaires is equal to the lumens exiting the luminaire. Therefore, the value already represents the Initial Luminaire Lumens and no luminaire efficiency is needed. The total Luminaire Lumens for the site is equal to 247,840. The allowable lumens are based on the lighting zone and the total hardscape area. Referencing Table B, the allowed lumens are 2.5/SF for LZ2. Multiplying this by the total hardscape square footage gives a value of 250,000 lumens allowed. Because this value is greater than the value calculated for the site, the project complies.

PRESCRIPTIVE METHOD EXAMPLE - COMPLIANCE CHART			
<i>Lamp Descriptions</i>	<i>QTY</i>	<i>Initial Luminaire Lumens</i>	<i>Total</i>
70 W Metal Halide	8	3,920	31,360
150 W Metal Halide	20	9,600	192,000
18 W LED	24	1,020	24,480
TOTAL INITIAL LUMINAIRE LUMENS			247,840
SITE ALLOWED TOTAL INITIAL LUMENS*			250,000
PROJECT IS COMPLIANT?			YES

* Listed below is the method of determining the allowed total initial lumen for non-residential outdoor lighting using the hardscape areamethod. (Table B).

SITE ALLOWED TOTAL INITIAL LUMENS	
<i>Site Description</i>	Light Commercial
<i>Lighting Zone</i>	LZ-2
<i>Hardscape Area (SF)</i>	100,000
<i>Allowed Lumens per SF of Hardscape (Table B)</i>	2.5
<i>Site Allowed Total Initial Lumens (lumens per SF X hardscape area)</i>	250,000

PRESCRIPTIVE METHOD (cont.) - User's Guide

IV. NON-RESIDENTIAL LIGHTING (cont.) - Ordinance Text

LIMITS TO OFFSITE IMPACTS

PRESCRIPTIVE METHOD

The prescriptive method of the MLO restricts uplighting, including upward light emitted by decorative luminaires. A jurisdiction may choose to preserve some types of lighting, including lighting of monuments or historic structures. In this case, the adopting jurisdiction should exempt or otherwise regulate these types of lighting carefully so that it does not inadvertently allow glaring or offensive lighting systems.

Offsite effects of light pollution include glare, light trespass, sky glow, and impacts on the nocturnal environment . All of these are functions of the fixture or luminaire design and installation. This document replaces the previous luminaire classification terminology of full cut-off, semi cut-off, and cut-off because those classifications were not as effective in controlling offsite impacts as with the new IESNA luminaire classification system as described in TM-15-07.

A traditional method of defining light trespass is to identify a maximum light level at or near the property line. However, this method does not address offensive light that is not directed toward the ground, or the intensity of glaring light shining into adjacent windows. The requirements defined in Table C limit the amount of light in all quadrants that is directed toward or above the property line. The Backlight/Uplight/ Glare (BUG) rating will help limit both light trespass and glare. (A detailed explanation of the BUG system is provided in the section on Table C.)

The limits for light distribution established in Table C (for the BUG rating system) prevent or severely limit all direct upward light. A small amount of uplight reflected by snow, light-colored pavement or a luminaire's supporting arms is inevitable and is not limited by the prescriptive method of this ordinance.

2. Limits to Off Site Impacts

All luminaires shall be rated and installed according to Table C.

3. Light Shielding for Parking Lot Illumination

All parking lot lighting shall have no light emitted above 90 degrees.

Exception:

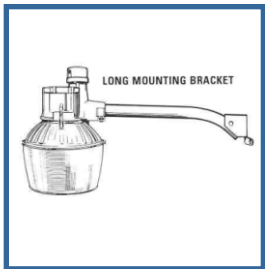
a) Ornamental parking lighting shall be permitted by special permit only, and shall meet the requirements of Table C-1 for Backlight, Table C-2 for Uplight, and Table C-3 for Glare, without the need for external field-added modifications.

PRESCRIPTIVE METHOD (cont.) - User's Guide

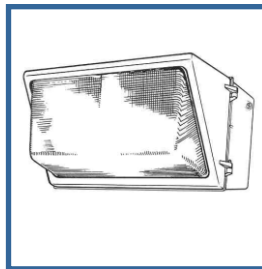
IV. NON-RESIDENTIAL LIGHTING (cont.) - Ordinance Text

LIMITS TO OFFSITE IMPACTS

A seemingly non-compliant fixture, such as a post-top translucent acorn luminaire, may in certain cases meet the BUG ratings, as long as it has proper interior baffling within the acorn globe. However, the BUG ratings in Table C will limit the use of the following types of luminaires in all lighting zones:



Barn Lights



**Non-Shielded
Wall Packs**



**Floodlights or
lights not aimed
downward**

PERFORMANCE METHOD - User's Guide

The performance method is best for projects with complex lighting requirements or when the applicant wants or needs more flexibility in lighting design. The performance method is also used when any lighting designer plans to aim or direct any light fixture upward (above 90 degrees). An engineer or lighting professional generally will be required to design within the performance method. An adopting jurisdiction may also wish to hire an engineer or lighting professional to review and approve projects using this method and/or incorporate review of the performance method into special review procedures.

The Performance Method is also best for projects where higher lighting levels are required compared to typical area lighting. An example might be a car sales lot where more light might be required on the new cars than would be needed for a standard parking lot. Another example is a gas station canopy requiring more light than a building entrance canopy.

The first step in the Performance Method regulates overlighting by establishing the Total Initial Site Lumens (Table D) that are allowed.

Allowances include the summation of the following (Table D):

- 1) Initial lumen allowance per site
- 2) Per area (SF) of hardscape

Table E allows additional lumens for unique site conditions.

Examples of allowances include:

- 1) Per building entrance/exit
- 2) Per length (linear feet) of Outdoor Sales Frontage Perimeter
- 3) Per area (SF) of Vehicle Service Station Canopy
- 4) Plus more ...

The Site Total Initial Site Lumens allowed are a combination of allowances from Table D and Table E.

IV. NON-RESIDENTIAL LIGHTING (cont.) - Ordinance Text***B. Performance Method*****1. Total Site Lumen Limit**

The total installed initial luminaire lumens of all lighting systems on the site shall not exceed the allowed total initial site lumens. The allowed total initial site lumens shall be determined using Tables D and E. For sites with existing lighting, existing lighting shall be included in the calculation of total installed lumens.

The total installed initial luminaire lumens of all is calculated as the sum of the initial luminaire lumens for all luminaires.

IV. NON-RESIDENTIAL LIGHTING (cont.) - User's Guide

IV. NON-RESIDENTIAL LIGHTING (cont.) - Ordinance Text

LIMITS TO OFFSITE IMPACTS (cont.)

PERFORMANCE METHOD

The second step in the Performance Method is to determine if the proposed luminaires are producing off site impacts such as glare, sky glow and light trespass. One may either use Option A which are the Maximum Allowable BUG Ratings in Table C, or Option B through computer lighting calculations show compliance with Maximum Vertical Illuminance at any point in the plane of the property line in Table F. Option B will be required for all non-residential luminaires that

- A) do not have BUG ratings, or
- B) exceed the BUG ratings,
- C) are not fully shielded, or
- D) have adjustable mountings.

For the performance method, Option B (2) requires photometric calculations for the site perimeter, to a height of no less than 33 feet (10 meters) above the tallest luminaire. Vertical illuminances at eye height (5 feet above grade) will give values that can be used to verify compliance by comparing actual site conditions to the photometric plan submitted during review.

Note that the MLO specifies 'total initial luminaire lumens' as a measurement in addition to footcandles/lux. The footcandle (lux) is equal to one lumen per square meter. Lux is the metric unit and is equal to one lumen per square meter.

2. Limits to Off Site Impacts

All luminaires shall be rated and installed using either Option A or Option B. Only one option may be used per permit application.

Option A: All luminaires shall be rated and installed according to Table C.

Option B: The entire outdoor lighting design shall be analyzed using industry standard lighting software including inter-reflections in the following manner:

- 1) Input data shall describe the lighting system including luminaire locations, mounting heights, aiming directions, and employing photometric data tested in accordance with IES guidelines. Buildings or other physical objects on the site within three object heights of the property line must be included in the calculations.
- 2) Analysis shall utilize an enclosure comprised of calculation planes with zero reflectance values around the perimeter of the site. The top of the enclosure shall be no less than 33 feet (10 meters) above the tallest luminaire. Calculations shall include total lumens upon the inside surfaces of the box top and vertical sides and maximum vertical illuminance (footcandles and/or lux) on the sides of the enclosure.

The design complies if:

- a) The total lumens on the inside surfaces of the virtual enclosure are less than 15% of the total site lumen limit; and
- b) The maximum vertical illuminance on any vertical surface is less than the allowed maximum illuminance per Table F.

DESIGN COMPLIANCE - User's Guide

The application form will require information about the number of luminaires, the number of lamps in each luminaire, the initial luminaire lumens for each luminaire and the initial lumen output for each lamp (based on the wattage and type of lamp selected) as well as plans showing the site area measurements. This will allow the reviewer to verify that the lumen output of all the luminaires does not exceed the allowance.

Field verification can be achieved by asking the applicant and/or owner to verify that the luminaire type, lamp type and wattages specified have been used. Also ask the applicant for photometric data for each luminaire, since the initial luminaire lumens and B-U-G ratings are stated on the photometric report.

However, if a jurisdiction requires additional on-site verification, it may also request a point-by-point photometric plan. While this will not be a true measure of compliance with the criteria of this Ordinance, comparing the actual measured levels on site to the photometric plan can be an indication whether or not the installed lighting varies from the approved design.

V. RESIDENTIAL LIGHTING - User's Guide

This section applies to single family home, duplexes, row houses, and low rise multi-family buildings of 6 dwelling units or less.

RESIDENTIAL LIGHTING EXCEPTIONS

The exceptions allow for typical lighting that might exceed the specified limits.

Landscape Lighting - While not common in residential areas, it can cause light pollution and light trespass if it is not controlled.

Lighting controlled by Vacancy (Motion) Sensor - Reduces light pollution and light trespass and should be encouraged.

RESIDENTIAL LIGHTING EXAMPLE

In this example on the following page, five different luminaires are used on a residential property. Each luminaire must comply to meet the requirements. The site plan following shows luminaire types followed by a tabulation of each uminaire, whether or not it is fully shielded, lamp type, and initial luminaire lumens. If the luminaire lumens are not known, multiply the initial lamp lumens by the luminaire efficiency. If the efficiency is not known, multiply the initial lamp lumens by 0.7 as a reasonable assumption. The maximum allowable lumen values come from Table G, based on the shielding classification and location on the site. In this case, each luminaire complies with the requirements of Table G.

Comparison of efficacy by power
(120 Volt Incandescent lamps)

Output (Lumens)	Power (Watt)		
	Incan	CFL	LED
500	40	8 - 10	9
850	60	13 - 18	12 - 15
1,200	75	18 - 22	15
1,700	100	23 - 28	18

V. RESIDENTIAL LIGHTING - Ordinance Text

A. General Requirements

For residential properties including multiple residential properties not having common areas, all outdoor luminaires shall be fully shielded and shall not exceed the allowed lumen output in Table G, row 2.

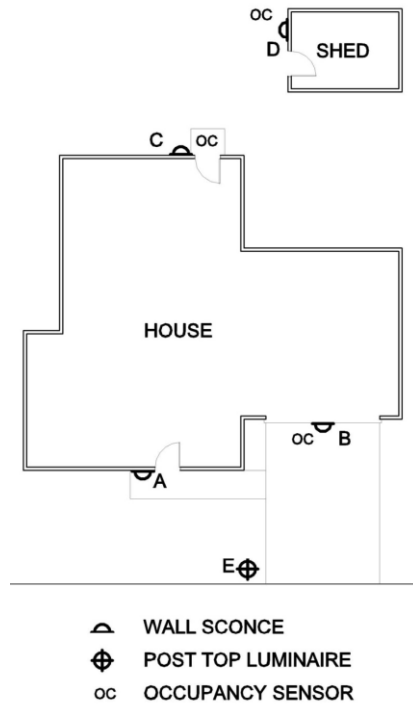
Exceptions

1. One partly shielded or unshielded luminaire at the main entry, not exceeding the allowed lumen output in Table G row 1.
2. Any other partly shielded or unshielded luminaires not exceeding the allowed lumen output in Table G row 3.
3. Low voltage landscape lighting aimed away from adjacent properties and not exceeding the allowed lumen output in Table G row 4.
4. Shielded directional flood lighting aimed so that direct glare is not visible from adjacent properties and not exceeding the allowed lumen output in Table G row 5.
5. Open flame gas lamps.
6. Lighting installed with a vacancy sensor, where the sensor extinguishes the lights no more than 15 minutes after the area is vacated.
7. Lighting exempt per Section III (B.).

B. Requirements for Residential Landscape Lighting

1. Shall comply with Table G.
2. Shall not be aimed onto adjacent properties.

V. RESIDENTIAL LIGHTING - User's Guide



Property Type: Residential Lighting Zone 1								
Luminaire Type	Location	Luminaire Description	Fully Shielded	Lamp Type	Initial Luminaire Lumens*	Maximum Allowed Initial Luminaire Lumens (Table G)	Controls	Compliant
A	Front Entry	Decorative wall sconce	No	9W CFL	420	420	None	Yes
B	Garage Door	Fully shielded wall pack	Yes	23W CFL	1050	1260	Occupancy Sensor	Yes
C	Back Entry	Decorative wall sconce	No	7W CFL	280	315	Occupancy Sensor	Yes
D	Shed Entry	Fully shielded wall pack	Yes	40W INC	343	1260	Occupancy Sensor	Yes
E	Driveway	Fully shielded post top	Yes	13W CFL	1260	1260	None	Yes

*Initial Luminaire Lumens are calculated by multiplying the total initial lamp lumens by the luminaire efficiency. If the luminaire efficiency is not known, assume an efficiency of 70% and multiply the lamp lumens value by 0.7.

VI. LIGHTING BY SPECIAL PERMIT ONLY - User's Guide

VI. LIGHTING BY SPECIAL PERMIT ONLY - Ordinance Text

This section addresses types of lighting that are intrusive or complex in their impacts and need a higher level of scrutiny and/or site sensitivity.

It should be noted that safety could be compromised if lighting conforming to this ordinance is located adjacent to excessively bright and/or glaring lighting.

It is important that the authority set clear and reasonable guidelines for applying for a special lighting use permit, and establish rules and procedures for granting or refusing them. They may differ from existing special use policies, in which case one or the other may be changed to achieve the overall goal of effective lighting without glare, sky glow, or light trespass.

SPORTS FIELD LIGHTING

For athletic and sports fields, the appropriate level of lighting will depend on the Class of Play and Facilities. Class of Play is divided into 4 categories, depending on the number of fixed spectator seats. (Competition play intended for nighttime TV broadcast may require higher lighting levels).

CLASS I: Competition play at facilities with 5,000 or more fixed spectator seats. (Professional, Colleges & Universities, some Semi-Professional & Large Sports Cubs)

CLASS II: Games at facilities with over 1,500 fixed spectator seats. (Smaller Universities and Colleges, some Semi-pro, large amateur leagues and high schools with large spectator facilities)

CLASS III: Games at facilities with over 500 fixed spectator seats. (Sports Clubs and amateur leagues, some high schools and large training professional training facilities with spectator sections)

CLASS IV: Competition or recreational play at facilities with 500 fixed spectator seats or less. Class IV Class of Play applies to games at which family and close friends of the players and staff are usually the majority of spectators. (Smaller amateur leagues, park and recreation department facilities, most Little Leagues smaller high schools, elementary and middle schools, and social events)

A. High Intensity and Special Purpose Lighting

The following lighting systems are prohibited from being installed or used except by special use permit:

1. Temporary lighting in which any single luminaire exceeds 20,000 initial luminaire lumens or the total lighting load exceeds 160,000 lumens.
2. Aerial Lasers.
3. Searchlights.
4. Other very intense lighting defined as having a light source exceeding 200,000 initial luminaire lumens or an intensity in any direction of more than 2,000,000 candelas.

B. Complex and Non-Conforming Uses

Upon special permit issued by the Authority, lighting not complying with the technical requirements of this ordinance but consistent with its intent may be installed for complex sites or uses or special uses including, but not limited to, the following applications:

1. Sports facilities, including but not limited to unconditioned rinks, open courts, fields, and stadiums.
2. Construction lighting.
3. Lighting for industrial sites having special requirements, such as petrochemical manufacturing or storage, shipping piers, etc.
4. Parking structures.
5. Urban parks
6. Ornamental and architectural lighting of bridges, public monuments, statuary and public buildings.
7. Theme and amusement parks.
8. Correctional facilities.

To obtain such a permit, applicants shall demonstrate that the proposed lighting installation:

- a. Has sustained every reasonable effort to mitigate the effects of light on the environment and surrounding properties, supported by a signed statement describing the mitigation measures. Such statement shall be accompanied by the calculations required for the Performance Method.

SPORTS FIELD LIGHTING

When Class of Play is above Class IV, a dual control should be installed to limit illumination to Class IV levels during practices where spectators are fewer than 500.

(See IES Recommended Practice for Sports and Recreational Area Lighting RP-6)

VII. EXISTING LIGHTING - User's Guide

Adoption of this section on existing lighting is strongly encouraged.

If the adopting jurisdiction has criteria in place that require a property to come into compliance with the current zoning ordinance, it is recommended that the criteria also be applied to bringing existing lighting into compliance. If there are no established criteria, this section of the MLO is recommended.

Amortization allows existing lighting to gradually and gracefully come into compliance. Substantial changes or additions to existing properties are considered the same as new construction, and must comply.

Most outdoor lighting can be fully depreciated once it is fully amortized, usually no longer than 10 years, if not sooner, from the date of initial installation. Some jurisdictions may prefer to require phase-out in a substantially shorter period. The Authority may also wish to require compliance much sooner for "easy fixes" such as re-aiming or lowering lumen output of lamps. Where lighting is judged to be a safety hazard, immediate compliance can be required.

VI. LIGHTING BY SPECIAL PERMIT ONLY (cont.) - Ordinance Text

- b. Employs lighting controls to reduce lighting at a Project Specific Curfew ("Curfew") time to be established in the Permit.
- c. Complies with the Performance Method after Curfew.

The Authority shall review each such application. A permit may be granted if, upon review, the Authority believes that the proposed lighting will not create unwarranted glare, sky glow, or light trespass.

VII. EXISTING LIGHTING - Ordinance Text

Lighting installed prior to the effective date of this ordinance shall comply with the following.

A. Amortization

On or before [amortization date], all outdoor lighting shall comply with this Code.

B. New Uses or Structures, or Change of Use

Whenever there is a new use of a property (zoning or variance change) or the use on the property is changed, all outdoor lighting on the property shall be brought into compliance with this Ordinance before the new or changed use commences.

C. Additions or Alterations

1. Major Additions.

If a major addition occurs on a property, lighting for the entire property shall comply with the requirements of this Code. For purposes of this section, the following are considered to be major additions:

VII. EXISTING LIGHTING (cont.) - Ordinance Text

Additions of 25 percent or more in terms of additional dwelling units, gross floor area, seating capacity, or parking spaces, either with a single addition or with cumulative additions after the effective date of this Ordinance.

Single or cumulative additions, modification or replacement of 25 percent or more of installed outdoor lighting luminaires existing as of the effective date of this Ordinance.

2. Minor Modifications, Additions, or New Lighting Fixtures for Non-residential and Multiple Dwellings

For non-residential and multiple dwellings, all additions, modifications, or replacement of more than 25 percent of outdoor lighting fixtures existing as of the effective date of this Ordinance shall require the submission of a complete inventory and site plan detailing all existing and any proposed new outdoor lighting.

Any new lighting shall meet the requirements of this Ordinance.

3. Resumption of Use after Abandonment

If a property with non-conforming lighting is abandoned for a period of six months or more, then all outdoor lighting shall be brought into compliance with this Ordinance before any further use of the property occurs.

VIII. ENFORCEMENT & PENALTIES - Ordinance Text

(Reserved)

VIII. ENFORCEMENT AND PENALTIES - User's Guide

Enforcement and penalties will vary by jurisdiction. There are, however, certain practices that will promote compliance with lighting regulations. Education is a key tool in promoting compliance. Proactive enforcement procedures can include providing a copy of the lighting regulations to every contractor at the time they visit to obtain a building permit. Another effective tool is a requirement that the builder or developer acknowledge in writing that the he or she is familiar with the lighting requirements and will submit a lighting plan for approval.

VIII. ENFORCEMENT AND PENALTIES (cont.) - User's Guide

Submission of the Lighting Plan should be required as a precondition to any approvals. The Lighting Plan should include the location and BUG rating for each luminaire, specify whether compliance is by the performance or prescriptive method, and a worksheet to show that the luminaires and their BUG ratings are compliant.

IX. TABLES - User's Guide

The tables are to be reviewed periodically by a joint committee of the IES and IDA, and adjusted as standards and technology permit. If more research on the impacts of outdoor lighting shows the effects of light pollution to be a significant concern, then the values in the tables may be modified. Such changes will have no significant impact to the balance of the language of the Ordinance or Code.

VIII. ENFORCEMENT & PENALTIES - Ordinance Text

IX. TABLES - Ordinance Text

Table A - Allowed Total Initial Luminaire Lumens per Site for Non-residential Outdoor Lighting, Per Parking Space Method

May only be applied to properties up to 10 parking spaces (including handicapped accessible spaces).

LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
350 lms/space	490 lms/space	630 lms/space	840 lms/space	1,050 lms/space

Table B - Allowed Total Initial Lumens per Site for Non-residential Outdoor Lighting, Hardscape Area Method

May be used for any project. When lighting intersections of site drives and public streets or road, a total of 600 square feet for each intersection may be added to the actual site hardscape area to provide for intersection lighting.

LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Base Allowance				
0.5 lumens per SF of Hardscape	1.25 lumens per SF of Hardscape	2.5 lumens per SF of Hardscape	5.0 lumens per SF of Hardscape	7.5 lumens per SF of Hardscape

IX. TABLES - Ordinance Text

Table B - Lumen Allowances, in Addition to Base Allowance

	LZ 0	LZ 1	LZ 2	LZ 3	LZ 4
Additional allowances for sales and service facilities. No more than two additional allowances per site, Use it or Lose it.					
Outdoor Sales Lots. This allowance is lumens per square foot of uncovered sales lots used exclusively for the display of vehicles or other merchandise for sale, and may not include driveways, parking or other non sales areas. To use this allowance, luminaires must be within 2 mounting heights of sales lot area.	0	4 lumens per square foot	8 lumens per square foot	16 lumens per square foot	16 lumens per square foot
Outdoor Sales Frontage. This allowance is for lineal feet of sales frontage immediately adjacent to the principal viewing location(s) and unobstructed for its viewing length. A corner sales lot may include two adjacent sides provided that a different principal viewing location exists for each side. In order to use this allowance, luminaires must be located between the principal viewing location and the frontage outdoor sales area	0	0	1,000 per LF	1,500 per LF	2,000 per LF
Drive Up Windows. In order to use this allowance, luminaires must be within 20 feet horizontal distance of the center of the window.	0	2,000 lumens per drive-up window	4,000 lumens per drive-up window	8,000 lumens per drive-up window	8,000 lumens per drive-up window
Vehicle Service Station. This allowance is lumens per installed fuel pump.	0	4,000 lumens per pump (based on 5 fc horiz)	8,000 lumens per pump (based on 10 fc horiz)	16,000 lumens per pump (based on 20 fc horiz)	24,000 lumens per pump (based on 20 fc horiz)

IX. TABLES - TABLE C BUG RATING - User's Guide

Work on the BUG system started in 2005 when the IES upgraded the roadway cutoff classification system. The original system, which included the ratings full cutoff, cutoff, semi-cutoff and non cutoff, had been designed as a rating system focused on brightness and glare control. However, with increasing demand for control of uplight and light trespass in addition to glare, IES realized that a more comprehensive system was needed. IES developed *TM-15 Luminaire Classification System for Outdoor Luminaires*.

As this is a relatively new rating system, and many people may not be familiar with it, more explanation of how the rating system works is provided here. For example, some people are familiar with terms such as "full cutoff" and they may expect the MLO to include those terms. It will be very important that all groups recognize that older terms and concepts are inadequate for the complex tasks of controlling light pollution. It is recommended that the new rating system adopted in TM-15, as followed herein by the MLO, be used intact and exclusively.

BUG requires downlight only with low glare (better than full cut off) in lighting zones 0, 1 and 2, but allows a minor amount of uplight in lighting zones 3 and 4. In lighting zones 3 and 4, the amount of allowed uplight is enough to permit the use of very well shielded luminaires that have a decorative drop lens or chimney so that dark sky friendly lighting can be installed in places that traditional-appearing luminaires are required. BUG typically cannot be used for residential luminaires unless they have been photometrically tested. For non-photometrically tested residential luminaires, shielding description is used instead.

The lumen limits established for each lighting zone apply to all types of lighting within that zone. This includes, but is not limited to, specialty lighting, façade lighting, security lighting and the front row lighting for auto dealerships. BUG rating limits are defined for each luminaire and

IX. TABLES (cont.) - Ordinance Text

Table C - Maximum Allowable Backlight, Uplight and Glare (BUG) Ratings

May be used for any project. A luminaire may be used if it is rated for the lighting zone of the site or lower in number for all ratings B, U and G. Luminaires equipped with adjustable mounting devices permitting alteration of luminaire aiming in the field shall not be permitted.

TABLE C-1	Lighting Zone 0	Lighting Zone 1	Lighting Zone 2	Lighting Zone 3	Lighting Zone 4
Allowed Backlight Rating*					
Greater than 2 mounting heights from property line	B1	B3	B4	B5	B5
1 to less than 2 mounting heights from property line and ideally oriented**	B1	B2	B3	B4	B4
0.5 to 1 mounting heights from property line and ideally oriented**	B0	B1	B2	B3	B3
Less than 0.5 mounting height to property line and properly oriented**	B0	B0	B0	B1	B2

*For property lines that abut public walkways, bikeways, plazas, and parking lots, the property line may be considered to be 5 feet beyond the actual property line for purpose of determining compliance with this section. For property lines that abut public roadways and public transit corridors, the property line may be considered to be the center-line of the public roadway or public transit corridor for the purpose of determining compliance with this section. NOTE: This adjustment is relative to Table C-1 and C-3 only and shall not be used to increase the lighting area of the site.

** To be considered 'ideally oriented', the luminaire must be mounted with the backlight portion of the light output oriented perpendicular and towards the property line of concern.

IX. TABLES - TABLE C BUG RATING (cont.) - User's Guide

IX. TABLES (cont.) - Ordinance Text

are based on the internal and external design of the luminaire, its aiming, and the initial luminaire lumens of the specified luminaires. The BUG rating limits also take into consideration the distance the luminaire is installed from the property line in multiples of the mounting height (See Table C).

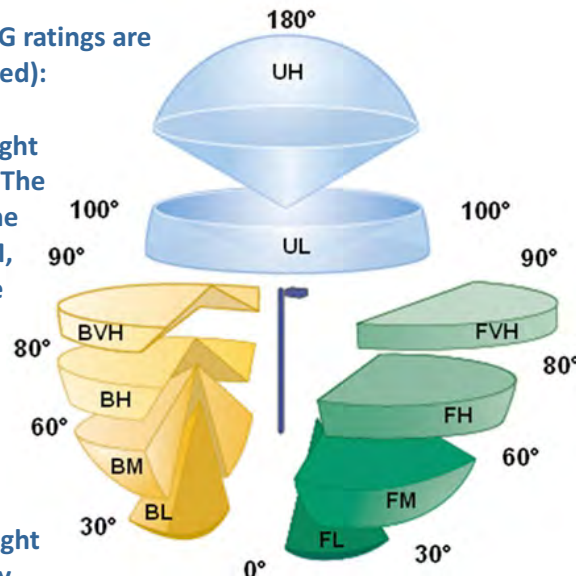
The three components of BUG ratings are based on IES TM-15-07 (revised):

Backlight, which creates light trespass onto adjacent sites. The B rating takes into account the amount of light in the BL, BM, BH and BVH zones, which are in the direction of the luminaire OPPOSITE from the area intended to be lighted.

Uplight, which causes artificial sky glow. Lower uplight (zone UL) causes the most sky glow and negatively affects professional and academic astronomy. Upper uplight (UH) not reflected off a surface is mostly energy waste. The U rating defines the amount of light into the upper hemisphere with greater concern for the light at or near the horizontal angles (UL).

Glare, which can be annoying or visually disabling. The G rating takes into account the amount of frontlight in the FH and FVH zones as well as BH and BVH zones.

BUG ratings apply to the Lighting Zone of the property under consideration.



IX. TABLES - TABLE C BUG RATING (cont.) - User's Guide

(Key: UH=Uplight High, UL=Uplight Low, BVH=Backlight Very High, BH=Backlight High, BM=Backlight Medium, BL=Backlight Low, FVH=Forward Light Very High, FH=Forward Light High, FM=Forward Light Medium, FL=Forward Light Low.)

In general, a higher BUG rating means more light is allowed in solid angles, and the rating increases with the lighting zone. However, a higher B (backlight) rating simply indicates that the luminaire directs a significant portion of light behind the pole, so B ratings are designated based on the location of the luminaire with respect to the property line. A high B rating luminaire maximizes the spread of light, and is effective and efficient when used far from the property line. When luminaires are located near the property line, a lower B rating will prevent unwanted light from interfering with neighboring properties.

At the 90-180 degree ranges:

- Zone 0 allows no light above 90 degrees.
- Zone 1 allows only 10 lumens in the UH and UL zones, 20 lumens total in the complete upper hemisphere. (This is roughly equivalent to a 5 W incandescent lamp).
- Zone 2 allows only 50 lumens in the UH and UL zones, 100 lumens total (less than a 25W incandescent lamp).
- Zone 3 allows only 500 lumens in the UH and UL zones, 1000 lumens total (about the output of a 75W incandescent bulb).
- Zone 4 allows only 1,000 lumens in the UH and UL zones, 2000 lumens total (about the output of a 100W incandescent bulb).

IX. TABLES (cont.) - Ordinance Text

Table C - 2 Maximum Allowable Uplight (BUG) Ratings - Continued

TABLE C-2	Lighting Zone 0	Lighting Zone 1	Lighting Zone 2	Lighting Zone 3	Lighting Zone 4
Allowed Uplight Rating	U0	U1	U2	U3	U4
Allowed % light emission above 90° for street or Area lighting	0%	0%	0%	0%	0%

Table C - 3 Maximum Allowable Glare (BUG) Ratings - Continued

TABLE C-3	Lighting Zone 0	Lighting Zone 1	Lighting Zone 2	Lighting Zone 3	Lighting Zone 4
Allowed Glare Rating	G0	G1	G2	G3	G4
Any luminaire not ideally oriented*** with 1 to less than 2 mounting heights to any property line of concern	G0	G0	G1	G1	G2
Any luminaire not ideally oriented*** with 0.5 to 1 mounting heights to any property line of concern	G0	G0	G0	G1	G1
Any luminaire not ideally oriented*** with less than 0.5 mounting heights to any property line of concern	G0	G0	G0	G0	G1

*** Any luminaire that cannot be mounted with its backlight perpendicular to any property line within 2X the mounting heights of the luminaire location shall meet the reduced Allowed Glare Rating in Table C-3.

TABLE D EXAMPLE - PERFORMANCE METHOD - User's Guide

The first step in the Performance Method is to establish the Site Total Initial Site Lumens which regulates overlighting. The performance method allows layers of light depending on the complexity of the site.

Table D establishes the basic total initial site lumens allowed. These lumen allowances are added together for a total initial site lumen allowance. Allowances include:

- 1) Initial lumen allowance per site
- 2) Per area (SF) of hardscape

IX. TABLES (cont.) - Ordinance Text

Table D Performance Method Allowed Total Initial Site Lumens

May be used on any project.

Lighting Zone	LZ 0	LZ 1	LZ 2	LZ 3	LZ 4
Allowed Lumens Per SF	0.5	1.25	2.5	5.0	7.5
Allowed Base Lumens Per Site	0	3,500	7,000	14,000	21,000

Table E Performance Method Additional Initial Luminaire Lumen Allowances. All of the following are “use it or lose it” allowances.

All area and distance measurements in plan view unless otherwise noted.

Lighting Application	LZ 0	LZ 1	LZ 2	LZ 3	LZ 4
Additional Lumens Allowances for All Buildings except service stations and outdoor sales facilities. A MAXIMUM OF THREE (3) ALLOWANCES ARE PERMITTED. THESE ALLOWANCES ARE “USE IT OR LOSE IT”.					
Building Entrances or Exits. This allowance is per door. In order to use this allowance, luminaires must be within 20 feet of the door.	400	1,000	2,000	4,000	6,000
Building Facades. This allowance is lumens per unit area of building façade that are illuminated. To use this allowance, luminaires must be aimed at the façade and capable of illuminating it without obstruction.	0	0	8/SF	16/SF	24/SF

TABLE E PERFORMANCE METHOD - User's Guide

The allowable light levels for these uses defined in Table E may be used to set a prescriptive lighting allowance for these uses in each lighting zone. It should be noted that the lighting allowance defined in Table E is only applicable for the area defined for that use and cannot be transferred to another area of the site. For some uses, such as outdoor sales, the jurisdiction is encouraged to define a percentage of the total hardscape area that is eligible for the additional lighting allowance. For example, a set percentage of a car dealership's lot may be considered a display area and receive the additional lighting allowance where the remainder of the lot would be considered storage, visitor parking, etc. and cannot exceed the base light levels defined in Table A.

TABLE E EXAMPLE - PERFORMANCE METHOD - User's Guide

IX. TABLES (cont.) - Ordinance Text

Table E - Performance Method Additional Initial Lumen Allowances (cont.)

Lighting Application	LZ 0	LZ 1	LZ 2	LZ 3	LZ 4
Sales or Non-sales Canopies. This allowance is lumens per unit area for the total area within the drip line of the canopy. In order to qualify for this allowance, luminaires must be located under the canopy.	0	3/SF	6/SF	12/SF	18/SF
Guard Stations. This allowance is lumens per unit area of guardhouse plus 2000 sf per vehicle lane. In order to use this allowance, luminaires must be within 2 mounting heights of a vehicle lane or the guardhouse.	0	6/SF	12/SF	24/SF	36/SF
Outdoor Dining. This allowance is lumens per unit area for the total illuminated hardscape of outdoor dining. In order to use this allowance, luminaires must be within 2 mounting heights of the hardscape area of outdoor dining	0	1/SF	5/SF	10/SF	15/SF
Drive Up Windows. This allowance is lumens per window. In order to use this allowance, luminaires must be within 20 feet of the center of the window.	0	2,000 lumens per drive-up window	4,000 lumens per drive-up window	8,000 lumens per drive-up window	8,000 lumens per drive-up window
Additional Lumens Allowances for Service Stations only. Service stations may not use any other additional allowances.					
Vehicle Service Station Hardscape. This allowance is lumens per unit area for the total illuminated hardscape area less area of buildings, area under canopies, area off property, or areas obstructed by signs or structures. In order to use this allowance, luminaires must be illuminating the hardscape area and must not be within a building, below a canopy, beyond property lines, or obstructed by a sign or other structure.	0	4/SF	8/SF	16/SF	24/SF

IX. TABLES (cont.) - Ordinance Text

Table E - Performance Method Additional Initial Lumen Allowances (cont.)

Lighting Application	LZ 0	LZ 1	LZ 2	LZ 3	LZ 4
<p>Vehicle Service Station Canopies. This allowance is lumens per unit area for the total area within the drip line of the canopy. In order to use this allowance, luminaires must be located under the canopy.</p>	0	8/SF	16/SF	32/SF	32/SF
<p>Additional Lumens Allowances for Outdoor Sales facilities only. Outdoor Sales facilities may not use any other additional allowances. NOTICE: lighting permitted by these allowances shall employ controls extinguishing this lighting after a curfew time to be determined by the Authority.</p>					
<p>Outdoor Sales Lots. This allowance is lumens per square foot of uncovered sales lots used exclusively for the display of vehicles or other merchandise for sale, and may not include driveways, parking or other non sales areas and shall not exceed 25% of the total hardscape area. To use this allowance, Luminaires must be within 2 mounting heights of the sales lot area.</p>	0	4/SF	8/SF	12/SF	18/SF
<p>Outdoor Sales Frontage. This allowance is for lineal feet of sales frontage immediately adjacent to the principal viewing location(s) and unobstructed for its viewing length. A corner sales lot may include two adjacent sides provided that a different principal viewing location exists for each side. In order to use this allowance, luminaires must be located between the principal viewing location and the frontage outdoor sales area.</p>	0	0	1,000/LF	1,500/LF	2,000/LF

IX. TABLES (cont.) - Ordinance Text

Table F Maximum Vertical Illuminance at any point in the plane of the property line

Lighting Zone 0	Lighting Zone 1	Lighting Zone 2	Lighting Zone 3	Lighting Zone 4
0.05 FC or 0.5 LUX	0.1 FC or 1.0 LUX	0.3 FC or 3.0 LUX	0.8 FC or 8.0 LUX	1.5 FC or 15.0 LUX

IX. TABLES (cont.) - Ordinance Text

Table G - Residential Lighting Limits

Lighting Application	LZ 0	LZ 1	LZ 2	LZ 3	LZ 4
Row 1 Maximum Allowed Luminaire Lumens* for Unshielded Luminaires at one entry only	Not allowed	420 lumens	630 lumens	630 lumens	630 lumens
Row 2 Maximum Allowed Luminaire Lumens* for each Fully Shielded Luminaire	630 lumens	1,260 lumens	1,260 lumens	1,260 lumens	1,260 lumens
Row 3 Maximum Allowed Luminaire Lumens* for each Unshielded Luminaire excluding main entry	Not allowed	315 lumens	315 lumens	315 lumens	315 lumens
Row 4 Maximum Allowed Luminaire Lumens* for each Landscape Lighting	Not allowed	Not allowed	1,050 lumens	2,100 lumens	2,100 lumens
Row 5 Maximum Allowed Luminaire Lumens* for each Shielded Directional Flood Lighting	Not allowed	Not allowed	1,260 lumens	2,100 lumens	2,100 lumens
Row 6 Maximum Allowed Luminaire Lumens* for each Low Voltage Landscape Lighting	Not allowed	Not allowed	525 lumens	525 lumens	525 lumens

* Luminaire lumens equals Initial Lamp Lumens for a lamp, multiplied by the number of lamps in the luminaire

TABLE G RESIDENTIAL LIGHTING - User's Guide

Residential Light Levels

Most residential lighting has traditionally used incandescent lamps which are identified by their wattage. However, since new technologies provide more light for fewer watts, it is no longer possible to regulate residential lighting solely by providing a maximum wattage. Table G, therefore, lists maximum initial luminaire lumens only.

X. DEFINITIONS - User's Guide

Definitions are typically generally added to any code when new code sections are added. The definitions are legally required and play a significant role in the interpretation of the ordinance and code.

Most city attorneys will not accept references to outside sources regardless of credibility, such as the IES Handbook. Thus as a general rule, a definition for an unfamiliar term (e.g. lumens) must be added by the adopting ordinance.

When adopting or integrating the MLO definitions, be sure to retire conflicting technical terminology. In particular, the latest IES Luminaire Classification System as defined in IES TM-15-07 is likely to need attention.

X. DEFINITIONS - Ordinance Text

<i>Absolute Photometry</i>	Photometric measurements (usually of a solid-state luminaire) that directly measures the footprint of the luminaire. Reference Standard IES LM-79
<i>Architectural Lighting</i>	Lighting designed to reveal architectural beauty, shape and/or form and for which lighting for any other purpose is incidental.
<i>Authority</i>	The adopting municipality, agency or other governing body.
<i>Astronomic Time Switch</i>	An automatic lighting control device that switches outdoor lighting relative to time of solar day with time of year correction.
<i>Backlight</i>	For an exterior luminaire, lumens emitted in the quarter sphere below horizontal and in the opposite direction of the intended orientation of the luminaire. For luminaires with symmetric distribution, backlight will be the same as front light.
<i>BUG</i>	A luminaire classification system that classifies backlight (B), uplight (U) and glare (G).
<i>Canopy</i>	A covered, unconditioned structure with at least one side open for pedestrian and/or vehicular access. (An unconditioned structure is one that may be open to the elements and has no heat or air conditioning.)
<i>Common Outdoor Areas</i>	One or more of the following: a parking lot; a parking structure or covered vehicular entrance; a common entrance or public space shared by all occupants of the domiciles.
<i>Curfew</i>	A time defined by the authority when outdoor lighting is reduced or extinguished.



X. DEFINITIONS - Ordinance Text

Emergency conditions	Generally, lighting that is only energized during an emergency; lighting fed from a backup power source; or lighting for illuminating the path of egress solely during a fire or other emergency situation; or, lighting for security purposes used solely during an alarm.
Footcandle	The unit of measure expressing the quantity of light received on a surface. One footcandle is the illuminance produced by a candle on a surface one foot square from a distance of one foot.
Forward Light	For an exterior luminaire, lumens emitted in the quarter sphere below horizontal and in the direction of the intended orientation of the luminaire.
Fully Shielded Luminaire	A luminaire constructed and installed in such a manner that all light emitted by the luminaire, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected below the horizontal plane through the luminaire's lowest light-emitting part.
Glare	Lighting entering the eye directly from luminaires or indirectly from reflective surfaces that causes visual discomfort or reduced visibility.
Hardscape	Permanent hardscape improvements to the site including parking lots, drives, entrances, curbs, ramps, stairs, steps, medians, walkways and non-vegetated landscaping that is 10 feet or less in width. Materials may include concrete, asphalt, stone, gravel, etc.
Hardscape Area	The area measured in square feet of all hardscape. It is used to calculate the Total Site Lumen Limit in both the Prescriptive Method and Performance Methods. Refer to Hardscape definition.

X. DEFINITIONS - Ordinance Text

<i>Hardscape Perimeter</i>	The perimeter measured in linear feet is used to calculate the Total Site Lumen Limit in the Performance Method. Refer to Hardscape definition.
<i>IDA</i>	International Dark-Sky Association.
<i>IESNA</i>	Illuminating Engineering Society of North America.
<i>Impervious Material</i>	Sealed to severely restrict water entry and movement
<i>Industry Standard Lighting Software</i>	Lighting software that calculates point-by-point illuminance that includes reflected light using either ray-tracing or radiosity methods.
<i>Lamp</i>	A generic term for a source of optical radiation (i.e. “light”), often called a “bulb” or “tube”. Examples include incandescent, fluorescent, high-intensity discharge (HID) lamps, and low pressure sodium (LPS) lamps, as well as light-emitting diode (LED) modules and arrays.
<i>Landscape Lighting</i>	Lighting of trees, shrubs, or other plant material as well as ponds and other landscape features.
<i>LED</i>	Light Emitting Diode.
<i>Light Pollution</i>	Any adverse effect of artificial light including, but not limited to, glare, light trespass, sky-glow, energy waste, compromised safety and security, and impacts on the nocturnal environment.

X. DEFINITIONS - Ordinance Text

<i>Light Trespass</i>	Light that falls beyond the property it is intended to illuminate.
<i>Lighting</i>	“Electric” or “man-made” or “artificial” lighting. See “lighting equipment”.
<i>Lighting Equipment</i>	Equipment specifically intended to provide gas or electric illumination, including but not limited to, lamp(s), luminaire(s), ballast(s), poles, posts, lens(s), and related structures, electrical wiring, and other necessary or auxiliary components.
<i>Lighting Zone</i>	An overlay zoning system establishing legal limits for lighting for particular parcels, areas, or districts in a community.
<i>Lighting Equipment</i>	Equipment specifically intended to provide gas or electric illumination, including but not limited to, lamp(s), luminaire(s), ballast(s), poles, posts, lens(s), and related structures, electrical wiring, and other necessary or auxiliary components.
<i>Low Voltage Landscape Lighting</i>	Landscape lighting powered at less than 15 volts and limited to luminaires having a rated initial luminaire lumen output of 525 lumens or less.
<i>Lumen</i>	The unit of measure used to quantify the amount of light produced by a lamp or emitted from a luminaire (as distinct from “watt,” a measure of power consumption).
<i>Luminaire</i>	The complete lighting unit (fixture), consisting of a lamp, or lamps and ballast(s) (when applicable), together with the parts designed to distribute the light (reflector, lens, diffuser), to position and protect the lamps, and to connect the lamps to the power supply.

X. DEFINITIONS - Ordinance Text

Mounting Height: The horizontal spacing of poles is often measured in units of “mounting height”. Example: “The luminaires can be spaced up to 4 mounting heights apart.”

<i>Luminaire Lumens</i>	For luminaires with relative photometry per IES, it is calculated as the sum of the initial lamp lumens for all lamps within an individual luminaire, multiplied by the luminaire efficiency. If the efficiency is not known for a residential luminaire, assume 70%. For luminaires with absolute photometry per IES LM-79, it is the total luminaire lumens. The lumen rating of a luminaire assumes the lamp or luminaire is new and has not depreciated in light output.
<i>Lux</i>	The SI unit of illuminance. One lux is one lumen per square meter. 1 Lux is a unit of incident illuminance approximately equal to 1/10 footcandle.
<i>Mounting height</i>	The height of the photometric center of a luminaire above grade level.
<i>New lighting</i>	Lighting for areas not previously illuminated; newly installed lighting of any type except for replacement lighting or lighting repairs.
<i>Object</i>	A permanent structure located on a site. Objects may include statues or artwork, garages or canopies, outbuildings, etc.
<i>Object Height</i>	The highest point of an entity, but shall not include antennas or similar structures.
<i>Ornamental lighting</i>	Lighting that does not impact the function and safety of an area but is purely decorative, or used to illuminate architecture and/or landscaping, and installed for aesthetic effect.

X. DEFINITIONS - Ordinance Text

<p><i>Ornamental Street Lighting</i></p>	<p>A luminaire intended for illuminating streets that serves a decorative function in addition to providing optics that effectively deliver street lighting. It has a historical period appearance or decorative appearance, and has the following design characteristics:</p> <ul style="list-style-type: none"> · designed to mount on a pole using an arm, pendant, or vertical tenon; · opaque or translucent top and/or sides; · an optical aperture that is either open or enclosed with a flat, sag or drop lens; · mounted in a fixed position; and · with its photometric output measured using Type C photometry per IESNA LM-75-01.
<p><i>Outdoor Lighting</i></p>	<p>Lighting equipment installed within the property line and outside the building envelopes, whether attached to poles, building structures, the earth, or any other location; and any associated lighting control equipment.</p>
<p><i>Partly shielded luminaire</i></p>	<p>A luminaire with opaque top and translucent or perforated sides, designed to emit most light downward.</p>
<p><i>Pedestrian Hardscape</i></p>	<p>Stone, brick, concrete, asphalt or other similar finished surfaces intended primarily for walking, such as sidewalks and pathways.</p>
<p><i>Photoelectric Switch</i></p>	<p>A control device employing a photocell or photodiode to detect daylight and automatically switch lights off when sufficient daylight is available.</p>
<p><i>Property line</i></p>	<p>The edges of the legally-defined extent of privately owned property.</p>

X. DEFINITIONS - Ordinance Text

<i>Relative photometry</i>	Photometric measurements made of the lamp plus luminaire, and adjusted to allow for light loss due to reflection or absorption within the luminaire. Reference standard: IES LM-63.
<i>Repair(s)</i>	The reconstruction or renewal of any part of an existing luminaire for the purpose of its on-going operation, other than relamping or replacement of components including capacitor, ballast or photocell. Note that retrofitting a luminaire with new lamp and/or ballast technology is not considered a repair and for the purposes of this ordinance the luminaire shall be treated as if new. "Repair" does not include normal relamping or replacement of components including capacitor, ballast or photocell.
<i>Replacement Lighting</i>	Lighting installed specifically to replace existing lighting that is sufficiently broken to be beyond repair.
<i>Sales area</i>	Uncovered area used for sales of retail goods and materials, including but not limited to automobiles, boats, tractors and other farm equipment, building supplies, and gardening and nursery products.
<i>Seasonal lighting</i>	Temporary lighting installed and operated in connection with holidays or traditions.
<i>Shielded Directional Luminaire</i>	A luminaire that includes an adjustable mounting device allowing aiming in any direction and contains a shield, louver, or baffle to reduce direct view of the lamp.
<i>Sign</i>	Advertising, directional or other outdoor promotional display of art, words and/or pictures.

X. DEFINITIONS - Ordinance Text

<i>Sky Glow</i>	The brightening of the nighttime sky that results from scattering and reflection of artificial light by moisture and dust particles in the atmosphere. Skyglow is caused by light directed or reflected upwards or sideways and reduces one's ability to view the night sky.
<i>Temporary lighting</i>	Lighting installed and operated for periods not to exceed 60 days, completely removed and not operated again for at least 30 days.
<i>Third Party</i>	A party contracted to provide lighting, such as a utility company.
<i>Time Switch</i>	An automatic lighting control device that switches lights according to time of day.
<i>Translucent</i>	Allowing light to pass through, diffusing it so that objects beyond cannot be seen clearly (not transparent or clear).
<i>Unshielded Luminaire</i>	A luminaire capable of emitting light in any direction including downwards.
<i>Uplight</i>	For an exterior luminaire, flux radiated in the hemisphere at or above the horizontal plane.
<i>Vertical Illuminance</i>	Illuminance measured or calculated in a plane perpendicular to the site boundary or property line.

XI. OPTIONAL STREETLIGHT ORDINANCE - User's Guide

This section was added since the first public review. It is designed to work closely with the proposed revision to ANSI/IES RP-8 Standard Practice for Roadway and Street Lighting.

Street and roadway lighting is one of the world's largest causes of artificial skyglow. Many adopting agencies will recognize that the MLO will make privately owned lighting more efficient and environmentally responsible than their street lighting systems. But because the process of designing street lighting often requires more precise lighting calculations, applying the MLO directly to street lighting is not advised. Using existing standards of street lighting is recommended, particularly IES RP-8 and AASHTO standards.

Until a new recommended practice for street lighting can be developed, this section can serve to prevent most of the uplift of street lighting systems without setting specific requirements for the amount of light, uniformity of light, or other performance factors. Adopting agencies should include these basic improvements to street lighting along with regulations to private lighting.

Lighting streets with "period" ornamental luminaires that evoke the look of a time when the light source was a gas flame can cause glare if high-lumen lamps are used. Such ornamental street lights should not exceed a BUG rating of G1. If additional illuminance and/or uniformity is desired, the ornamental fixtures should be supplemented by higher mounted fully shielded luminaires, as illustrated in RP-33-99.

Few street lighting warranting processes exist. The adopting agency needs to gauge whether a complex warranting systems is required, or if a simple one using posted speeds, presence of pedestrians, or other practical considerations is sufficient.

Examples of a current street lighting warranting system are included in the Transportation Association of Canada's Guide for the Design of Roadway Lighting 2006.

XI. OPTIONAL STREETLIGHT ORDINANCE - Ordinance Text

Note to the adopting authority: the intent of this section is that it only applies to streets and not to roadways or highways.

A. Preamble

The purpose of this Ordinance is to control the light pollution of street lighting, including all collectors, local streets, alleys, sidewalks and bike-ways, as defined by ANSI/IES RP-8 Standard Practice for Roadway and Street Lighting and in a manner consistent with the Model Lighting Ordinance.

B. Definitions

Roadway or Highway lighting is defined as lighting provided for freeways, expressways, limited access roadways, and roads on which pedestrians, cyclists, and parked vehicles are generally not present. The primary purpose of roadway or highway lighting is to help the motorist remain on the roadway and help with the detection of obstacles within and beyond the range of the vehicle's headlights.

Street lighting is defined as lighting provided for major, collector, and local roads where pedestrians and cyclists are generally present. The primary purpose of street lighting is to help the motorist identify obstacles, provide adequate visibility of pedestrians and cyclists, and assist in visual search tasks, both on and adjacent to the roadway.

Ornamental Street Lighting is defined as a luminaire intended for illuminating streets that serves a decorative function in addition to providing optics that effectively deliver street lighting. It has a historical period appearance or decorative appearance, and has the following design characteristics:

- designed to mount on a pole using an arm, pendant, or vertical tenon;
- opaque or translucent top and/or sides;
- an optical aperture that is either open or enclosed with a flat, sag or drop lens;
- mounted in a fixed position; and
- with its photometric output measured using Type C photometry per IESNA LM-75-01.

XI. OPTIONAL STREETLIGHT ORDINANCE - Ordinance Text***C. Scope***

All street lighting not governed by regulations of federal, state or other superceding jurisdiction.

EXCEPTION: lighting systems mounted less than 10.5 feet above street level and having less than 1000 initial lumens each.

D. Master Lighting Plan

The Authority shall develop a Master Lighting Plan based on the American Association of State Highway and Transportation Officials (AASHTO) Roadway Lighting Design Guide GL-6, October 2005, Chapter 2. Such plan shall include, but not be limited to, the Adoption of Lighting Zones and:

1. Goals of street lighting in the jurisdiction by Lighting Zone
2. Assessment of the safety and security issues in the jurisdiction by Lighting Zone
3. Environmentally judicious use of resources by Lighting Zone
4. Energy use and efficiency by Lighting Zone
5. Curfews to reduce or extinguish lighting when no longer needed by Lighting Zone

E. Warranting

The Authority shall establish a warranting process to determine whether lighting is required. Such warranting process shall not assume the need for any lighting nor for continuous lighting unless conditions warrant the need. Lighting shall only be installed where warranted.

XI. OPTIONAL STREETLIGHT ORDINANCE - Ordinance Text

F. Light Shielding and Distribution

All street lighting shall have no light emitted above 90 degrees.

Exception: Ornamental street lighting for specific districts or projects shall be permitted by special permit only, and shall meet the requirements of Table H below without the need for external field-added modifications.

Table H - Uplight Control Requirements for Ornamental Street Lights - by Special Permit Only

Lighting Zone	Maximum Uplight Rating
LZ-0	U-0
LZ-1	U-1
LZ-2	U-2
LZ-3	U-3
LZ-4	U-4



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Published: November 2008

Our Vanishing Night

Most city skies have become virtually empty of stars.

By Verlyn Klinkenborg

If humans were truly at home under the light of the moon and stars, we would go in darkness happily, the midnight world as visible to us as it is to the vast number of nocturnal species on this planet. Instead, we are diurnal creatures, with eyes adapted to living in the sun's light. This is a basic evolutionary fact, even though most of us don't think of ourselves as diurnal beings any more than we think of ourselves as primates or mammals or Earthlings. Yet it's the only way to explain what we've done to the night: We've engineered it to receive us by filling it with light.

This kind of engineering is no different than damming a river. Its benefits come with consequences—called light pollution—whose effects scientists are only now beginning to study. Light pollution is largely the result of bad lighting design, which allows artificial light to shine outward and upward into the sky, where it's not wanted, instead of focusing it downward, where it is. Ill-designed lighting washes out the darkness of night and radically alters the light levels—and light rhythms—to which many forms of life, including ourselves, have adapted. Wherever human light spills into the natural world, some aspect of life—migration, reproduction, feeding—is affected.

For most of human history, the phrase "light pollution" would have made no sense. Imagine walking toward London on a moonlit night around 1800, when it was Earth's most populous city. Nearly a million people lived there, making do, as they always had, with candles and rushlights and torches and lanterns. Only a few houses were lit by gas, and there would be no public gaslights in the streets or squares for another seven years. From a few miles away, you would have been as likely to *smell* London as to see its dim collective glow.

Now most of humanity lives under intersecting domes of reflected, refracted light, of scattering rays from overlit cities and suburbs, from light-flooded highways and factories. Nearly all of nighttime Europe is a nebula of light, as is most of the United States and all of Japan. In the south Atlantic the glow from a single fishing fleet—squid fishermen luring their prey with metal halide lamps—can be seen from space, burning brighter, in fact, than Buenos Aires or Rio de Janeiro.

In most cities the sky looks as though it has been emptied of stars, leaving behind a vacant haze that mirrors our fear of the dark and resembles the urban glow of dystopian science fiction. We've grown so used to this pervasive orange haze that the original glory of an unlit night—dark enough for the planet Venus to throw shadows on Earth—is wholly beyond our experience, beyond memory almost. And yet above the city's pale ceiling lies the rest of the universe, utterly undiminished by the light we waste—a bright shoal of stars and planets and galaxies, shining in seemingly infinite darkness.

We've lit up the night as if it were an unoccupied country, when nothing could be further from the truth. Among mammals alone, the number of nocturnal species is astonishing. Light is a powerful biological force, and on many species it acts as a magnet, a process being studied by researchers such as Travis Longcore and Catherine Rich, co-founders of the Los Angeles-based Urban Wildlands Group. The effect is so powerful that scientists speak of songbirds and seabirds being "captured" by searchlights on land or by the light from gas flares on marine oil platforms, circling and circling in the thousands until they drop. Migrating at night, birds are apt to collide with brightly lit tall buildings; immature birds on their first journey suffer disproportionately.

Insects, of course, cluster around streetlights, and feeding at those insect clusters is now ingrained in the lives of many bat species. In some Swiss valleys the European lesser horseshoe bat began to vanish after streetlights were installed, perhaps because those valleys were suddenly filled with light-feeding pipistrelle bats. Other nocturnal mammals—including desert rodents, fruit bats, opossums, and badgers—forage more cautiously under the permanent full moon of light pollution because they've become easier targets for predators.

Some birds—blackbirds and nightingales, among others—sing at unnatural hours in the presence of artificial light. Scientists have determined that long

artificial days—and artificially short nights—induce early breeding in a wide range of birds. And because a longer day allows for longer feeding, it can also affect migration schedules. One population of Bewick's swans wintering in England put on fat more rapidly than usual, priming them to begin their Siberian migration early. The problem, of course, is that migration, like most other aspects of bird behavior, is a precisely timed biological behavior. Leaving early may mean arriving too soon for nesting conditions to be right.

Nesting sea turtles, which show a natural predisposition for dark beaches, find fewer and fewer of them to nest on. Their hatchlings, which gravitate toward the brighter, more reflective sea horizon, find themselves confused by artificial lighting behind the beach. In Florida alone, hatchling losses number in the hundreds of thousands every year. Frogs and toads living near brightly lit highways suffer nocturnal light levels that are as much as a million times brighter than normal, throwing nearly every aspect of their behavior out of joint, including their nighttime breeding choruses.

Of all the pollutions we face, light pollution is perhaps the most easily remedied. Simple changes in lighting design and installation yield immediate changes in the amount of light spilled into the atmosphere and, often, immediate energy savings.

It was once thought that light pollution only affected astronomers, who need to see the night sky in all its glorious clarity. And, in fact, some of the earliest civic efforts to control light pollution—in Flagstaff, Arizona, half a century ago—were made to protect the view from Lowell Observatory, which sits high above that city. Flagstaff has tightened its regulations since then, and in 2001 it was declared the first International Dark Sky City. By now the effort to control light pollution has spread around the globe. More and more cities and even entire countries, such as the Czech Republic, have committed themselves to reducing unwanted glare.

Unlike astronomers, most of us may not need an undiminished view of the night sky for our work, but like most other creatures we do need darkness. Darkness is as essential to our biological welfare, to our internal clockwork, as light itself. The regular oscillation of waking and sleep in our lives—one of our circadian rhythms—is nothing less than a biological expression of the regular oscillation of light on Earth. So fundamental are these rhythms to our being that altering them is like altering gravity.

For the past century or so, we've been performing an open-ended experiment on ourselves, extending the day, shortening the night, and short-circuiting the human body's sensitive response to light. The consequences of our bright new world are more readily perceptible in less adaptable creatures living in the peripheral glow of our prosperity. But for humans, too, light pollution may take a biological toll. At least one new study has suggested a direct correlation between higher rates of breast cancer in women and the nighttime brightness of their neighborhoods.

In the end, humans are no less trapped by light pollution than the frogs in a pond near a brightly lit highway. Living in a glare of our own making, we have cut ourselves off from our evolutionary and cultural patrimony—the light of the stars and the rhythms of day and night. In a very real sense, light pollution causes us to lose sight of our true place in the universe, to forget the scale of our being, which is best measured against the dimensions of a deep night with the Milky Way—the edge of our galaxy—arching overhead.

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#	Date	BY:

REVISIONS

THIS PARTICULAR COMPANY USES A SYMBOL FOR THE LIGHT FIXTURE TYPE. IT WOULD BE BETTER TO USE A FLOOR PLAN OR SKETCHING A LITTLE FAIRER FOR THE PLAN REVIEWER TO USE TO CORRELATE THE PHOTO-METRIC LAYOUT WITH THE SUBMITTED CATALOG SHEET. NOTE THAT THE SUBMITTER CAN ADD THE LETTER ID BY HAND ON A PRINT OUT.

MAKE SURE THE DIAGRAM ACCURATELY SHOWS THE LIGHTING DIRECTION OF THE LIGHTS. IN THIS CASE IT SHOWS TWO SHOE FIXTURES ON A SINGLE POLE BUT ORIENTED SO THAT THEIR POINT IN THE SAME DIRECTION.

NOTE THAT THE SUBMITTER CAN ADD THE LETTER ID BY HAND ON A PRINT OUT.

FOOTCANDLE LEVELS ON A REGULAR GRID

INCLUDE BUILDINGS MOUNTED LIGHTING OR THE PHOTO-METRIC CALCULATIONS AS THEY ADD TO THE AREA LIGHTING.

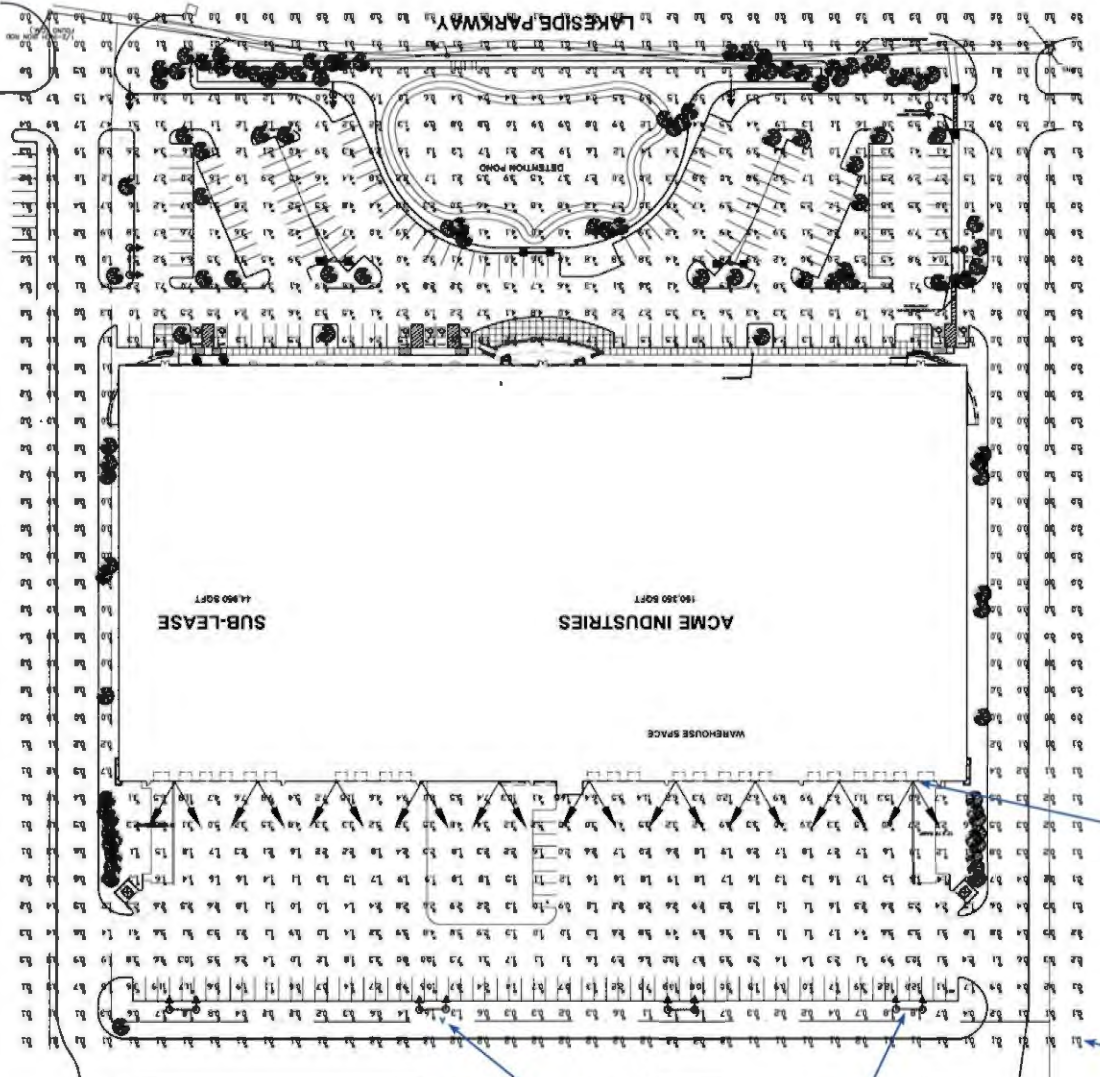


PHOTO-METRIC LAYOUTS GENERAL INFORMATION

PHOTO-METRIC LAYOUT WAS PROVIDED AS A COURTESY BY A LIGHTING MANUFACTURER FOR A SHELL WAREHOUSE AND WAS USED AS A SUBMITTAL TO A CITY BUILDING DEPARTMENT.
 THEIR MANUFACTURER REPRESENTATIVES WILL PROVIDE PHOTO-METRIC LAYOUTS OF THEIR FIXTURES AS A COURTESY.
 IT CAN ALSO CREATE PHOTO-METRIC LAYOUTS USING A COMPUTER APPLICATION PROGRAM. SOME PROGRAMS ARE FREE AND SOME CAN BE PURCHASED DEPENDING ON THE QUALITY OF THE SUBMITTAL UNLESS THE USER OF THE PHOTO-METRIC PROGRAM IS ADEPT AT ITS USE.
 CAD, DWG OR DXF FORMAT. OFTEN THE SITE PLAN COMES FROM THE PROJECT ARCHITECTS.
 BACKGROUND FOR THIS SITE PHOTO-METRIC LAYOUT WAS FROM A CIVIL ENGINEER LIGHTING MANUFACTURER TURNED OFF THE CIVIL ENGINEERING SOFTWARE SUCH AS UTILITIES AND GRADING INSTRUCTIONS FOR THIS PHOTO-METRIC LAYOUT.)
 CITY OF MISSOURIA NEEDS A PAPER DRAWING PRINT OUT PRINTED TO A STANDARD SCALE THAT IS READABLE AND UNDERSTANDABLE. TYPICALLY A D-SIZE DRAWING (36") WOULD BE SUFFICIENT.
 CITY OF MISSOURIA LIGHTING ORDINANCE REQUIRES BOTH A LIGHT FIXTURE LAYOUT AND A PHOTO-METRIC LAYOUT. THIS DRAWING, BY SHOWING BOTH THE PHOTO-METRIC CALCULATIONS AND THE PROPOSED LIGHT FIXTURE LOCATIONS AND AIMING DIRECTIONS, SATISFIES THE ORDINANCE SUBMITTAL REQUIREMENTS WITH A SINGLE SHEET.

NOTE THAT THIS LEGEND DESCRIBES IN DETAIL THE PROPOSED LIGHT FIXTURES. A CATALOG ID WOULD BE HELPFUL TO CORRELATE TO A CATALOG SHEET TO REMOVE DOUBT AND TO EXPEDITE REVIEW.
 (THIS SHEET HAS AN ID BUT THEY ARE NOT VERY CLEAR ON THE DRAWING LAYOUT.)

NO.	DESCRIPTION	DATE	BY	CHKD.
1	ISSUED FOR PERMIT	10/15/11		
2	REVISED PER CITY COMMENTS	10/20/11		
3	REVISED PER CITY COMMENTS	10/25/11		
4	REVISED PER CITY COMMENTS	10/30/11		
5	REVISED PER CITY COMMENTS	11/05/11		
6	REVISED PER CITY COMMENTS	11/10/11		
7	REVISED PER CITY COMMENTS	11/15/11		
8	REVISED PER CITY COMMENTS	11/20/11		
9	REVISED PER CITY COMMENTS	11/25/11		
10	REVISED PER CITY COMMENTS	12/01/11		
11	REVISED PER CITY COMMENTS	12/05/11		
12	REVISED PER CITY COMMENTS	12/10/11		
13	REVISED PER CITY COMMENTS	12/15/11		
14	REVISED PER CITY COMMENTS	12/20/11		
15	REVISED PER CITY COMMENTS	12/25/11		
16	REVISED PER CITY COMMENTS	1/01/12		
17	REVISED PER CITY COMMENTS	1/05/12		
18	REVISED PER CITY COMMENTS	1/10/12		
19	REVISED PER CITY COMMENTS	1/15/12		
20	REVISED PER CITY COMMENTS	1/20/12		
21	REVISED PER CITY COMMENTS	1/25/12		
22	REVISED PER CITY COMMENTS	1/30/12		
23	REVISED PER CITY COMMENTS	2/01/12		
24	REVISED PER CITY COMMENTS	2/05/12		
25	REVISED PER CITY COMMENTS	2/10/12		
26	REVISED PER CITY COMMENTS	2/15/12		
27	REVISED PER CITY COMMENTS	2/20/12		
28	REVISED PER CITY COMMENTS	2/25/12		
29	REVISED PER CITY COMMENTS	2/28/12		
30	REVISED PER CITY COMMENTS	3/01/12		

THIS TABLE SUMMARIZES THE TOTAL FOOTCANDLE LEVELS AS WELL AS, AND OFTEN MORE IMPORTANT, INFO. FOR THE REVIEWER FOR THE END USER. INCLUDING THE SCALE IS VERY IMPORTANT FOR CITY OF MISSOURIA PLAN REVIEWER UNDERSTANDING. NOTE THAT THE DATE IS HANDY TO REFERENCE A RE-SUBMITTAL IF ONE IS REQUIRED.

SAMPLE PHOTOMETRIC DRAWING

ACME LIGHTING SYSTEMS



**CITY OF PHOENIX
STATE OF OREGON**

**IN THE MATTER OF AN AMENDMENT) PLANNING COMMISSION
TO THE PHOENIX LAND) RECOMMENDATION
DEVELOPMENT CODE PERTAINING)
TO SIGN REGULATIONS)
AMENDING CHAPTER 3.6.)
FILE # LDC 14-12)**

WHEREAS, the Planning Commission has identified certain deficiencies within the current sign regulations; and

WHEREAS, Planning Department staff have researched best practices for sign regulations and presented its findings to the Planning Commission; and

WHEREAS, on December 8, 2014, the Planning Commission opened a duly noticed public hearing to receive public testimony, consider Findings of Fact, and deliberate on proposed amendments to the Phoenix Land Development Code, and continued to take public testimony at its regular meeting on January 26, 2015.

Now Therefore, the Phoenix Planning Commission concludes that:

1. The Findings of Fact presented within the Staff Report dated December 1, 2014 are hereby affirmed.
2. The proposed amendment of the Phoenix Land Development code complies with the provisions of the Land Development Code and Phoenix Comprehensive Plan.
3. The proposed amendment of the Phoenix Land Development code is in the public interest and should be ratified by the Phoenix City Council after a duly noticed public hearing has been conducted.

Signatures on Next Page

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Planning Commission Recommendation for LDC 14-12 signed this 26th day of January, 2015.

Micki Summerhays, Commissioner

David Lewin, Commissioner

Jason Couch, Commissioner

George Eisenhauer, Commissioner

Priscilla Atkin, Commissioner

Adrienne Weiss, Commissioner

Ben Farlow, Commissioner

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Exhibit A
PLDC as Amended by LDC 14-12

Chapter 3.6 – Signs

Sections:

- 3.6.1 – Purpose
3.6.2 – Definitions
3.6.3 – Applicability and Exemptions
3.6.4 – Prohibited Signs
3.6.5 – Permitted Signs
3.6.6 – Permitted Signs, Standards of Review
3.6.7 – Nonconforming Sign and Abandoned Signs
3.6.8 – Sign Variance Criteria
3.6.9 – Landmark Sign Program, Procedures and Standards of Review
3.6.10 – Wayfinding Sign Program Procedures and Standards of Review
3.6.11 – Public Art Program Procedures and Standards of Review
3.6.12 – Enforcement

3.6.1 – Purpose

The City finds that signs are an important means of communication by and between individuals, organizations, and other bodies corporate. It further finds, however, that signs can create conditions that are unsafe for drivers and pedestrians, that signs can degrade the aesthetic quality of roadsides and neighborhoods, and can be otherwise disruptive to efforts to improve quality of life throughout the community and for all City residents.

Therefore, the standards contained in this chapter are intended to balance the needs of businesses and individuals to convey messages through signs with the rights and interests of the community-at-large to maintain the orderly and pleasant appearance of the City's streets and neighborhoods and to eliminate conditions along City streets that are hazardous to drivers and pedestrians. The purpose of this Chapter is to

- A. Improve the aesthetic quality of Phoenix's built environment, in particular streetscapes along its commercial corridors through the equal application of standards regulating the number, size, illumination, and placement of signs;
B. Provide sufficient opportunities for the conveyance of information to the public;
C. Protect public safety by providing the legal authority to eliminate hazardous signs;
D. Ensure application of content neutral standards.

3.6.2 – Definitions

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Department

- A. Abandoned Sign. Any sign or sign structure that: 1) is no longer used by the property owner or sign permit holder. Discontinuance of use may be demonstrated through cessation of the use of the property upon which the sign is located; OR 2) ~~if~~ any sign or sign structure ~~is~~ in a state of disrepair and repairs or restoration has not been initiated within forty-five (45) calendar days of the date when the sign was found to have been damaged or was discovered in a state of disrepair OR necessary repair has not been completed within 90 days of initiation of said repairs.
- B. Accessory Sign. Signage which is an integral part of commercial and industrial equipment such as soft drink machines, gas pumps, newspaper dispensers, and other similar structures and equipment.
- C. Alteration. Any change in the size, shape, method of illumination, construction, or supporting structure of a sign. The change of a sign face or message shall not constitute an alteration.
- D. Architectural Feature, Element or Detail. A part of a building, being integral to the structure and consistent with the overall design of a building, whether decorative in nature or not, that may possess or may be interpreted to convey visual information whether wholly or partly symbolic or textual.
- E. Average Surrounding Elevation. The average elevation of an area with a radius of no less than fifteen (15) feet and no more than thirty (30) from a central point of measurement.
- F. Awning. A secondary covering attached to the exterior wall of a building. The location of an awning on a building may be above a window, a door, or over a sidewalk. An awning is often painted with information as to the name of the business, thereby acting as a sign, in addition to providing protection from weather.
- G. Banner. A sign made of fabric or any nonrigid material with no enclosing framework.
- H. Business Frontage. The linear dimension of the façade of a nonresidential building or portion thereof, as measured at grade, devoted to a specific business or enterprise.
- I. Business License. A license issued to a person or corporation according to Chapter 5.04 of the Phoenix Municipal Code.
- J. Business Premises. Real property at or upon which an individual or corporation engages in the trade, production, or provision of goods or services, whether for monetary compensation or not.

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Planning & Building

Department

- K. Electronic Changeable Message Sign. A sign whose informational content, copy and/or message can be changed or altered by means of electronically-controlled electronic impulses. In contradistinction to videoboards defined below, electronic changeable message signs shall not, under any circumstances, display full motion images.
- L. Festoon. A string of ribbons, tinsel, small flags, or pinwheels.
- M. Ground Sign. A sign erected on a freestanding frame, mast, or pole and not attached to any building, also known as a freestanding sign. Monument and pole signs are different types of ground signs.
- N. Kiosk. A multi-sided structure designed for the display of messages and other content including images which are intended to be viewed by and to be comprehensible to pedestrian passersby within ten (10) feet of the kiosk.
- O. Handheld Sign. A sign held by or affixed to a person, including costumes. Personal items of clothing that are customarily worn by an individual in the course of routine activities shall not be considered as such. Handheld signs are considered to be temporary signs as defined and regulated herein.
- P. Hazardous Sign. A sign which is detrimental to the public safety, including but not limited to: any sign that has a design, color, or lighting which may be mistaken for a traffic light, signal, or directional sign; any sign which is located in such a manner as to obstruct free and clear vision to motorists or pedestrians at intersections and driveways; any sign which, because of its location, would prevent free ingress to or egress from any door, window, or fire escape; any sign that is attached to a standpipe or fire escape; any sign which has lighting which temporarily blinds or impairs one's vision; or any sign which is in a leaning, sagging, fallen, decayed, deteriorated, or other unsafe condition.
- Q. Illegal Sign. A sign which is installed or maintained in violation of this Chapter.
- R. Incidental Sign. A small sign, emblem, or decal typically used to inform the public of goods, facilities, or services available on the premises (e.g., a credit card sign or a sign indicating hours of business).
- S. Landmark Sign. A sign found to be of historical or local significance by the Planning Commission.

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Department

- T. Master Sign Program. A single, comprehensive sign permit that establishes design standards and other regulations for multiple signs located upon and within a retail, office, or industrial development consisting of a group of two or more duly licensed businesses sharing common parking and circulation facilities , landscaping or open space facilities, whether under common or multiple individual ownership. Neighborhood commercial “strip” centers, shopping centers, office campuses, special commercial districts, and business parks are representative examples of sites that may be eligible to participate in a Master Sign Program.
- U. Monument Sign. A freestanding sign that does not have exposed pole or pylon structural support and is attached to a continuous structural base. The base shall not be less than half the width of the message portion of the sign and is permanently affixed to the ground. Monument sign bases include material consistent with the principle structure, including brick, block, and concrete, or metal.
- V. Nonconforming Sign. An existing sign, lawful at the time of the enactment of this ordinance, which does not conform to the requirements of this code.
- W. Permanent Sign. For the purposes of this Chapter, a sign shall be considered permanent when it is designed in such a way and then, according to its approved design, attached mechanically to a building, permanent structure, or the ground so as to remain in that state according to its approved design for a more or less indeterminable period of time, and relying only on routine maintenance and repair in order to remain in that state.
- X. Pole Sign. A freestanding sign that is supported by one or more exposed poles, pylons, or similar structural element. These supporting structural elements shall be anchored directly to the ground or to a solid structural base.
- Y. Projecting and Suspended Signs. Projected signs are attached to a building or wall in such a manner that its leading edge extends more than six (6) inches beyond the surface of such building. Suspended signs are suspended from the underside of a horizontal plane surface.
- Z. Public Art. A two or three-dimensional object or other visual presentation of information, whether textual, visual, or graphic in nature, that is viewable by the general public and has been so designated after review by the Phoenix Arts Council.
- AA. Sign. Any message, identification, description, illustration, symbol, device, or sculptured matter, including forms shaped to resemble any human, animal, or product, which is affixed directly or indirectly upon a building, vehicle, structure, or land.
- BB. Sign Face. The surface of a sign upon which or containing the message to be communicated.

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Deleted: <#>Sculpture. A type of visual artwork that is fundamentally three dimensional in nature; may be freestanding or relief; and is achieved through the carving, modeling, casting, forging, or assembly of materials such as stone, metal, ceramics, wood, fibers, found objects and other materials. Other forms of sculpture include sound and landscapes, light and kinetic sculptures.¶

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- | CC. Sign Height. The vertical distance from average surrounding elevation to the highest point of a sign or sign structure.
- | DD. Sign Structure. The supports, uprights, braces, framework, and other structural components of the sign that are not used, or able to be used, to communicate information of a textual or graphic nature.
- | EE. Site. A property (or group of adjacent parcels or lots) that is subject to a permit application under this Code.
- | FF. Street Frontage. The total linear dimension of a property along a public street, including curb cuts, access drives, and building facades.
- | GG. Videoboard. Electronic changeable message signs, video displays and other projection devices that are used to display moving images, by light-emitting diode or other technology, and that are intended for viewing by pedestrians from sidewalks and similar public and quasi-public spaces.
- | HH. Temporary Sign. A sign that is not designed and/or constructed to be permanently affixed to a building, permanent structure, or the ground. Examples include banners, sandwich boards and similar temporarily anchored freestanding signs.
- | II. Wall Signs. A sign painted or attached to any part of a building, or mounted/painted upon the inside of windows within all commercial or industrial zoning districts. Wall signs include parapet signs, awning/canopy signs, projecting/suspended signs, and marquee signs that are attached to the marquee.
- | JJ. Wayfinding Sign or Device. A sign, landmarks or other visual graphic communication that are part of a coordinated program that has been reviewed and approved by the City according to the standards set forth in Section 3.6.10 of this Chapter. Typical wayfinding signs include gateways, vehicular directional, destination, parking lot identification, parking trailblazer, pedestrian directional vehicular directional and pedestrian kiosk.
- | KK. Window Sign. An unlighted sign installed inside a window or painted on a window and intended to be viewed from the outside.

3.6.3 – Applicability and Exemptions

- A. Sign Permit Required.** All signs visible from the public right-of-way or private areas accessible to the public within the City of Phoenix shall be subject to the provisions of this Chapter. Except as otherwise provided in section 3.6.3.B, Sign Permit, Exemptions of this Chapter, it shall be unlawful for any person to construct, erect, alter or relocate a sign, or direct an employee or agent to do same within the City without first obtaining a permit for each separate sign from the Planning Department.
- B. Sign Permit, Exemptions.** The following signs may be installed, and related activities performed, without a Sign Permit:

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1. General Sign Exemptions -- All Land Use Districts

- a. Maintenance and repair of signs for which a permit has been issued, that does not alter the sign face or sign structure. This exemption also applies to change of face, where an existing sign is modified by change of message or design on the sign face, without any change to size or shape of the sign framework or structure.
- b. One temporary, non-illuminated sign installed by or on the behalf of a contractor or service provider while a building permit is active and work is proceeding on the premises, from the date of issuance of the building permit and up until one (1) week after work the relevant building permit has been closed, has expired, or a stop work order has been issued. The sign may consist of two (2) faces, neither of which shall exceed sixteen (16) square feet. The sign shall not exceed the maximum height of four (4) feet as measured from average surrounding elevation. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.
- c. Flags of national, state, or local government.
- d. Holiday decorations and lights installed during national and local holidays for a period of beginning sixty (60) days before the holiday and ending fourteen (14) days after the holiday.
- e. Public signs. Signs constructed or placed in a public right-of-way by or with the approval of a governmental agency having legal control or ownership over the right-of-way, including signs owned or constructed under the direction of the City, and signs placed by a public utility.
- f. Signs located within sports stadiums that are intended for viewing primarily by persons within said stadium.
- g. Signs that are a part of an approved Wayfinding Sign Package, pursuant to 3.6.10– *Wayfinding Sign Program Procedures and Standards of Review*.
- h. Public art installations as reviewed and approved according to the policies of the Phoenix Arts Council Section 3.6.11 – *Public Art Program Procedures and Standards of Review*.
- i. Landmark signs as reviewed and approved by the Planning Commission or its designee in accordance with 3.6.9 – *Landmark Sign Program, Procedures and Standards of Review*.
- j. Handheld signs carried by an individual who has not received any form of remuneration in the performance of this activity.

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- k. Architectural features, provided that they substantially conform to the design standards enumerated within this Chapter, and do not create or cause hazardous conditions.
- l. Vehicular signs. Any sign permanently or temporarily placed on or attached to a motor vehicle or trailer, where the vehicle or trailer is used in the regular course of business for purposes other than the display of signs, subject to compliance with the following conditions:
 - i. Vehicles and equipment shall be in operating condition, currently registered and licensed to operate on public streets when applicable, and are actively used in the daily operation of a business or land use.
 - ii. Vehicles and equipment engaged in active construction projects.
 - iii. Vehicles and equipment stored on the premises of a business that is duly licensed to offer said vehicles and equipment to the general public for sale or lease.
 - iv. Vehicles parked at the owner's residence provided that they meet 3.6.3.B.g.i of this Chapter.

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2. Sign Exemptions, Residential Land Use Districts

- a. Window signs.
- b. Accessory and incidental signs two (2) square feet in size or less.
- c. Parking lot signs up to three (3) square feet in area and up to five (5) feet in height may be constructed or placed within a parking lot.
- d. One non-illuminated, temporary sign per street frontage, with a maximum height of four (4) feet and consisting of no more than two (2) faces, neither of which shall exceed sixteen (16) square feet, during periods of time when the premises or a portion thereof is actively marketed for sale or lease. The sign shall be removed within fourteen (14) days of the cessation of marketing activities. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.
- e. Temporary non-illuminated signs, with a maximum height of four (4) feet and consisting of no more than two (2) faces for each sign, neither of which shall exceed twelve (12) square feet in surface area, located on private property with the consent of the property owner, during the period from (sixty) 60 days before to five (5) days after any public election held in Oregon. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.

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- f. One banner may be installed on the exterior wall of an approved conditional use (schools, churches, public buildings, etc.) within a residential land map district (R-1, R-2, or R-3) where an event is being held. The banner may be installed for up to fifteen (15) calendar days before the event and shall be removed five (5) days after the event. It shall be a flat wall mounted sign made from plastic, wood, metal, fabric, or other durable material, and may be up to thirty-two (32) square feet in surface area. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.
 - g. One temporary non-illuminated sign, with a maximum height of 4 feet and consisting of not more than two (2) faces, neither of which shall exceed twelve (12) square feet in surface area, installed by the owner or tenant of real property upon which the sign is installed. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.
 - h. Balloons used during an event or special occasion, provided that the balloons are removed after the event has been concluded.
3. Sign Exemptions, Commercial, Industrial, and Mixed Use Land Use Districts
- a. Accessory and incidental signs two (2) square feet in size or less.
 - b. Window signs that cover 50% or less the window.
 - c. Parking lot signs up to three (3) square feet in area and up to five (5) feet in height may be constructed or placed within a parking lot.
 - d. One temporary sign per street frontage, consisting of no more than two (2) faces, neither of which exceeds thirty-two (32) square feet in area, not to exceed four (4) feet in height during periods of time when the premises or a portion thereof is actively marketed for sale or lease. The sign shall be removed within fourteen (14) days of cessation of marketing activities. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.
 - e. Temporary, non-illuminated signs, with a maximum height of 4 feet and consisting of not more than two (2) faces, neither of which shall exceed twelve (12) square feet of surface area, located on private property with the consent of the property owner, during the period from 60 days before to five days after any public election to be held in Oregon. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.

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- f. One temporary sign, consisting of no more than two (2) signs faces, neither of which shall exceed sixteen (16) square feet in surface area, not to exceed four (4) feet in height, installed by or on the behalf of the holder of a business license which has been issued within the fourteen (14) prior to sign installation upon business premises for which the business license was issued. The sign may be installed for sixty (60) days from the date of issuance of the business license, and must be removed promptly thereafter.

These exemptions shall not be interpreted so as to release any individual or body corporate from the responsibility to obtain any permits or licenses as required by the building code and any and all other local, state, and federal statutes and regulations. Nor shall they be interpreted so as to release any individual or body corporate from the responsibility to abide by other requirements of this Land Development Code including applicable yard setbacks and clear vision areas.

3.6.4 Prohibited signs. The following signs are prohibited in all land use districts; are unlawful, and shall be considered nuisances per se:

- A. Any sign constructed, maintained, or altered in a manner not in compliance with the sign standards contained within this Chapter.
- B. A permanent ground, pole, or wall sign placed on undeveloped or vacant property (property without a permanent occupiable structure) unless otherwise exempt from this restriction according to the provisions delineated in section 3.6.3.B *Sign Permit, Exemptions* or Section 3.6.5 *Permitted Signs* of this Chapter.
- C. Any sign constructed or maintained that, because of its size, location, movement, coloring or manner of illumination, may be confused with or construed as a traffic control device, or which impairs the view of any traffic control device.
- D. Permanent and temporary balloons, and anchored balloons, unless otherwise exempt from this restriction according to the provisions delineated in section 3.6.3.B *Sign Permit, Exemptions* or Section 3.6.5 *Permitted Signs* of this Chapter.
- E. Flashing signs. A sign incorporating intermittent electrical impulses to a source of illumination or revolving in a manner which creates the perception of flashing, or which changes colors or intensity of illumination.
- F. Signs in the public right-of-way that are not authorized by the relevant public agency.
- G. Signs placed on or affixed to trees and utility infrastructure including utility poles, switch gear housing, pump houses, etc. that are located in the public right-of-way or on publicly owned property.
- H. Moving or rotating signs.

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- I. Signs made from materials that cannot withstand routine elements of the weather such as wind, rain, and solar radiation.
- J. Festoons, pennants, and similar signs which are suspended from a rope, wire, or string, usually in series, and designed to move in the wind.
- K. Inflatable signs, unless the sign is affixed to or part of inflatable recreational apparatus or equipment.
- L. Roof Signs are not allowed to extend vertically above the highest portion of the roof. Roof signs must comply with Section 3.6.6 for measuring roof elevations.
- M. Any ground sign that is to be installed as to extend through a portion of a building or roof, with the sign being mounted above the roof, and appearing similar to a roof sign.

Sign permits shall not be issued for any prohibited sign as a means of establishing it as a legal sign; sign permits issued in error or on the basis of erroneous or misleading information shall not establish a prohibited sign as a legally permitted sign.

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3.6.5 – Permitted Signs

No sign permit shall be issued for any sign unless specifically identified as an allowable sign within the land use district map or otherwise allowed under Chapter 3.6.3.B – *Sign Permit, Exemptions*.

A. Permitted Signs in the Residential Land Use Districts

- 1. Purpose. Except as otherwise allowed by Chapter 3.6.3.B – *Sign Permit, Exemptions*, signage is limited to preserve the residential character of these districts by allowing signs only for single and multi-family residential developments and neighborhoods and for those uses that are allowed under conditional use permits such as churches, schools, bed and breakfasts, and community centers.
- 2. Types of Permitted Signs Allowed.
 - a. Permanent ground signs within a landscaped bed.
 - b. Permanent wall signs.
 - c. Temporary ground signs.
- 3. Maximum Number of Permitted Signs. The number of signs on a property in a residential land use map district shall be limited to no more than the following number:
 - a. One(1) wall sign, consisting of no more than one (1) sign face, per building frontage or street frontage, with a total not to exceed two (2) signs per multi-family residential building.

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- b. One (1) ground sign for each residential subdivision or PUD site, approved as such by the Planning Commission, for each location where a street providing access to an internal street or other type of site circulation network intersects with a public local, collector, or arterial street.
4. Maximum Sign Area and Maximum Height.
- a. Ground or monument signs shall be no more than sixteen (16) square feet per sign face with a limit of two (2) faces no more than 18" in depth, and shall be no more than five (5) feet in height, and setback a minimum of five (5) feet from any street right-of-way, and shall not be located within any clear vision areas.
 - b. Wall signs shall be no more than twelve (12) square feet in area.
 - c. Temporary undeveloped Subdivision/Planned Unit Development Signs: Two (2) non-illuminated ground signs, consisting of not more than two (2) sign faces, neither of which shall exceed thirty-two (32) square feet in area, and eight (8) feet in height as measured from the average surrounding elevation and setback a minimum of twenty (20) feet from any property line are permitted upon undeveloped land within a residential land use map district where a subdivision or planned unit development has been approved by the Planning Commission. These signs must be removed no later than two years after installation, unless the [Planning Director](#), upon due application prior to expiration of the two-year period, determines that the continued maintenance of the sign is consistent with the purpose of this code, in which case a single one (1) year extension may be granted by the Planning [Director](#). [This decision may be appealed to the Planning Commission.](#)
 - d. Institutional Land Use Signs: Each lot occupied by public uses, including schools and churches, are allowed a maximum of one half (0.50) square foot of sign area per linear foot of street frontage. The maximum area may include a combination of permanent wall and monument signs. If a monument sign is included, the sign shall be located at least fifteen (15) feet from any property line, and be no more than eighteen (18) inches in depth, with a maximum height of eight (8) feet. Signs within public parks, schools, or stadiums, which are generally placed and located so as not to be viewed from a street, are exempt from this provision.
 - e. A permanent ground sign, no more than six (6) square feet in total surface area, with no more than two (2) faces, and a maximum of three (3) feet in height may be issued to a [business](#), duly licensed and permitted by the City as a Bed and Breakfast Inn. No part of the sign may obstruct a clear vision area.

B. Permitted Signs in the Bear Creek Greenway District (BCG). The BCG ensures the protection of wildlife habitat and open space. Only the City or other public

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agency, or its authorized agents, with an established ownership or regulatory interest in the BCG or surrounding protected area may install signs in the BCG.

C. Permitted Signs in the C-H, Commercial Highway District

1. Temporary signs, subject to the following standards:
 - a. For single tenant commercial properties, one (1) temporary non-illuminated sign with a maximum height of four (4) feet, and consisting of no more than two (2) sign faces, neither of which shall exceed twelve (12) square feet in surface area.
 - b. For multitenant commercial properties, for each tenant one (1) temporary non-illuminated sign, with a maximum height of four feet (4) feet and consisting of no more than two (2) sign faces, neither of which shall exceed twelve (12) square feet in surface area provided that only one (1) such sign may be placed along every twenty (20) feet of street frontage.
 - c. Signs shall be freestanding, and not attached to other ground or pole signs, or other permanent structures or buildings.
 - d. Though not permanently affixed, the sign shall be anchored to the ground so as to resist the forces of gravity, wind, and other natural phenomena, shall be constructed of durable materials that are weather resistant, and shall be maintained in good condition.
 - e. The sign shall not encroach upon any sidewalk and shall be placed so as to maintain a minimum five (5) foot wide pedestrian travel way at all times.
 - f. The sign shall be removed from its outdoor location and stored indoors between the hours of 9:00PM and 7:00AM.
2. Wall Signs, Awning/Canopy and Marquee Signs, subject to using the calculation standards set forth in Section 3.6.6 and the following standards:
 - a. The aggregate area of all wall signs shall not exceed one and a half (1.5) square feet for each (1) linear foot of business frontage, except if the building is set back more than twenty (20) feet from the right-of-way, in which case the aggregate area of all signs shall not exceed two (2) square feet for each (1) linear foot of business frontage.
 - b. No part of any sign shall be higher than the roof height as defined in Section 3.6.6 of this chapter.
 - c. The sign may be an electronic changeable message sign or videoboard pursuant to the standards established in Sections 3.6.6.G and H. However, videoboards are only permitted in the C-H district as a part of an approved Planned Unit Development (PUD) or as part of a kiosk.
3. Projecting Signs. These signs are permitted, subject to standards set forth in Chapter 3.6.6 and the following standards:

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- a. A maximum of one (1) projecting sign for each business frontage.
 - b. No sign shall project more than four (4) feet into the public right-of-way.
 - c. The sign shall not exceed sixteen (16) square feet per sign face with a maximum of two (2) faces.
 - d. No part of any sign shall be higher than the approved roof height as defined in Section 3.6.6, no part of the sign shall be lower than 8 feet from the elevation of top of any public pedestrian way. No part of the sign shall in any way obstruct a public right-of-way or pedestrian way whether on public or private land.
 - e. No part of the sign may obstruct a clear vision area (see Section 3.6.6.I)
4. Ground and Pole Signs Standards for freestanding commercial buildings and commercial developments under 10,000 square feet GLA. Each site is permitted one (1) ground or pole sign per street frontage, locating only one (1) sign on each street frontage, with a maximum of two (2) signs per parcel, subject to the standards set forth in Section 3.6.6.E, and the following standards:
- a. No part of the sign shall exceed a maximum height of eighteen (18) feet above average surrounding elevation, and the lowest point on the sign shall be at least 8 feet above average surrounding elevation if it hangs over the public right-of-way or a pedestrian way whether on public or private land.
 - b. The maximum surface of each sign face shall be thirty-two (32) square feet per sign with a maximum of two (2) faces, and not more than eighteen (18) inches in depth.
 - c. No part of the sign shall in any way obstruct a public right-of-way or pedestrian way whether on public or private land.
 - d. No part of the sign may obstruct a clear vision area (see Section 3.6.6.H).
 - e. The sign may be an electronic changeable message sign or videoboard pursuant to the standards established in Sections 3.6.6.G and H. Videoboards are only permitted in the C-H district as a part of an approved Planned Unit Development (PUD) or as part of a kiosk.
5. Ground and Pole Sign Standards for shopping centers, office campuses, mixed-use commercial developments, and business parks. In instances where multiple tenants, buildings, and/or commercial or industrial uses operate within a single development site and share parking, internal circulation, and access facilities, one monument sign is permitted at each location where a site access drive, whether public or private, intersects with a public collector, local, or arterial road. One (1) or two (2) pole signs may also be permitted in addition to monument signs, all subject to the following standards:

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- a. All such commercial multiple tenant developments consisting of 10,000 square feet or more of gross leasable area (GLA) are required to apply for sign permits through a master sign program.
- b. The master sign program for the site shall preserve for all tenants the ability to use monument and pole signs.
- c. The maximum size of monument and pole signs shall be determined as follows:
 - i. For centers/complexes with a gross leasable area (GLA) of 10,000 square feet or more but less than 25,000 square feet of GLA, one (1) pole sign with a maximum surface area of forty (40) square feet for each of two (2) sign faces, and a maximum height of twenty (20) feet, and a monument sign or signs no larger than thirty-two (32) square feet for each of two (2) sign faces and a maximum height of eight (8) feet and located in a landscaped bed.
 - ii. For centers/complexes that have a GLA between 25,000 square feet and 50,000 square feet, one pole sign with a maximum surface area of seventy-five (75) square feet for each of 2 sign faces, and a maximum height of thirty-five (35) feet, and a monument sign or signs no larger than thirty-two (32) square feet for each of two (2) sign faces and a maximum height of eight (8) feet and located in a landscaped bed.
 - iii. For centers/complexes that have a GLA that exceeds 50,000 square feet, a maximum of two (2) pole signs each with a maximum of seventy-five (75) square feet in surface area for each sign for each of two (2) sign faces and a maximum height of thirty-five (35) feet, and no less than fifty (50) feet apart, and a monument sign or signs no larger than thirty-two (32) square feet for each of two (2) sign faces and a maximum height of eight (8) feet and located in a landscaped bed.
- d. No sign shall obstruct clear vision areas (see Section 3.6.6.J).
- e. No part of the sign shall in any way obstruct a public right-of-way or pedestrian facility whether on public or private land.
- f. Signs may use electronic changeable message signs or videoboards pursuant to the standards established 3.6.6.G and H. Videoboards are only permitted in the C-H district as a part of an approved Planned Unit Development (PUD) or as part of a kiosk.

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D. Permitted signs in the I-5 Overlay District. I-5 (Interstate 5) overlay zone is established to permit signs visible to travelers on I-5. It recognizes a special dependence of freeway-oriented businesses on this market. Freeway signs shall be regulated in order to avoid adverse scenic impacts on the vista east of Phoenix and the Bear Creek Greenway. The I-5 overlay zone shall be applied to lots within one

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quarter of a mile of the center-line of the Interstate 5 interchange and that are zoned Commercial Highway.

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I-5 is not considered a street and cannot be counted as street frontage. A larger pole sign located upon the premises shall be permitted. This pole sign shall not be permitted in addition to pole signs that may be permitted in the underlying land use district, but rather as a substitute for any pole sign allowed within that district. A ground or pole sign in the freeway overlay zone is subject to the basic regulations in the underlying zone with the following exceptions and conditions:

1. One (1) pole sign (the freeway sign), consisting of not more than two (2) sign faces, neither of which shall exceed 150 square feet in surface area and fifty (50) feet in height is permitted on each parcel of land located within the I-5 Overlay District.
2. The pole sign may utilize an electronic changeable message sign, pursuant to the standards established 3.6.6.G. Videoboards are expressly prohibited.

E. Permitted Signs in the City Center District. The City Center Plan provides for mixed residential and commercial land uses and provides linkages to the Bear Creek Greenway and to older established residential neighborhoods located adjacent to its downtown.

1. Signage Objectives:
 - a. To include a non-obtrusive variety of signs that are designed at both pedestrian and vehicular scales;
 - b. Signs should be in the character of a small downtown, usually painted on buildings or painted on signboards hung off buildings with metal or wood brackets.
2. Wall Signs, Awning/Canopy, and Marquee signs. These signs may be permitted, subject to the standards set forth in 3.6.6.E *Sign Design Standards, Methods of Calculating Area*, and the following standards:
 - a. Signs are to be painted or sculptural metal, wood, awning, or canopy signs;
 - b. The aggregate area of all wall signs shall not exceed one (1) square foot for each (1) linear foot of business frontage, except if the building is set back more than twenty (20) feet from the right-of-way, in which case the aggregate area of all signs shall not exceed one and one-half (1.5) square foot for each (1) linear foot of business frontage. No part of any sign shall be higher than the roof height as defined in 3.6.6.E *Sign Design Standards, Methods of Calculating Area*.

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- c. Electronic Changeable Message signs are permitted, subject to the standards in Section 3.6.6.G. Videoboards are only permitted in the City Center district as a part of an approved Planned Unit Development (PUD) or as part of a kiosk.
- 3. Projecting Signs: A projecting sign may be permitted, subject to standards set forth in Section 3.6.6.E *Sign Design Standards, Methods of Calculating Area of this Chapter*, and the following standards:
 - a. No sign shall project more than four (4) feet into the public right-of-way;
 - b. The sign shall not exceed sixteen (16) square feet per sign face with a maximum of two (2) sign faces;
 - c. No part of any sign shall be higher than the approved roof height as defined in Section 3.6.6, no part of the sign shall be lower than eight (8) feet from average surrounding elevation, and no part of the sign shall in any way obstruct a public right-of-way or pedestrian facility whether on public or private land.
 - d. No part of the sign may obstruct a clear vision area.
 - e. Electronic Changeable Message signs are permitted, subject to the standards in Section 3.6.6.G.
- 4. Monument Signs: Each parcel of land is permitted one (1) monument sign per street frontage to be located within a landscaped bed, subject to the standards set forth in 3.6.6.E *Sign Design Standards, Methods of Calculating Area*, and the following standards:
 - a. Maximum Height: eight (8) feet;
 - b. Maximum Square Footage: twenty (20) square feet per sign face per sign with a maximum of two (2) faces not more than eighteen (18) inches in depth back-to-back;
 - c. Signs shall not project into public right-of-way;
 - d. Electronic Changeable Message signs are permitted, subject to the standards in Section 3.6.6.G.
- 5. Temporary Signs: Each business with a storefront or principal entrance located on an arterial, collector, or local street may permit one (1) temporary sign meeting the following standards:
 - a. Signs shall not be illuminated, shall not exceed a maximum height of four (4) feet, and shall consist of no more than two (2) sign faces, neither of which shall exceed twelve (12) square feet in surface area;
 - b. Signs shall be freestanding, and not attached to other ground or pole signs, or other permanent structures or buildings;

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- c. Though not permanently affixed, the sign shall be anchored to the ground or a frame so as to resist the forces of gravity, wind, and other natural phenomena, shall be constructed of durable materials that are weather resistant, and shall be maintained in good condition;
- d. The sign shall not encroach upon any sidewalk or pedestrian way, whether public or private, and shall be placed so as to maintain a minimum five (5) foot wide pedestrian travel way at all times;
- e. The sign shall be removed from its location and stored indoors between the hours of 9:00PM and 7:00AM.

F. Permitted Signs in Industrial Land Use Districts

1. Monument or Pole Signs are subject to using the calculation standards set forth in 3.6.6.E Sign Design Standards, Methods of Calculating Area, and the following standards:
 - a. Maximum Height: twenty-four (24) feet.
 - b. Maximum Sign Face Square Footage: one-hundred (100) square feet per sign for each sign face.
 - c. Minimum Setback: Sign shall not project into the public right-of-way.
 - d. Maximum Number of Sign Faces: two (2).
 - e. Maximum Number of Signs: No more than one (1) monument or pole sign shall be permitted on any single lot, except when the lot has more than one (1) street frontage, two (2) signs may be permitted, locating only one (1) sign on each street.
 - f. The sign may utilize an electronic changeable message sign, pursuant to the standards established 3.6.6.G, and consisting of a maximum of two (2) signs faces, neither of which shall be larger than thirty-two (32) square feet in surface area, except in instances where the ECMS can be viewed from property located within a residential land use district. In such cases, the ECMS shall have a maximum of two (2) sign faces, neither of which shall exceed sixteen (16) square feet in surface area.
2. Wall, Parapet, Awning/Canopy, or Marquee Signs. The aggregate area of all wall signs shall not exceed one and one-half (1.5) square feet for each (1) linear foot of business frontage, except if the building is set back more than twenty (20) feet from the right-of-way, in which case the aggregate area of all signs shall not exceed two (2) square feet for each (1) linear foot of business frontage. No part of any sign shall be higher than the roof height as defined in 3.6.6.E Sign Design Standards, Methods of Calculating Area. The sign may utilize an electronic message or videoboard pursuant to the standards established in Section 3.6.6.G and H.
3. Projecting Signs:

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- a. Maximum number of signs: one (1) for every 200 linear feet of business frontage.
 - b. Maximum number of sign faces: two (2).
 - c. Maximum surface area for each sign face: twenty-four (24) square feet in area.
 - d. No sign shall project more than eighteen (18) inches into the public right-of-way.
 - e. No part of any sign shall be higher than the roof height as defined in Section 3.6.6.
4. Ground and Pole Sign Standards for office campuses, mixed-use commercial/industrial developments, and business parks that are located within an industrial land use map district where multiple tenants, buildings, and/or uses operate within a single development site and share parking, internal circulation, and access facilities, one (1) monument sign is permitted at each location where a site access drive, whether public or private, intersects with a public collector or arterial road. One (1) or two (2) poles sign may also be permitted in addition to monument signs, all subject to the standards set forth above in Section 3.6.5.C.5.

G. Special Permitted Signs for Commercial and Industrial Land Use Districts

1. Service Station Signs: A business, duly licensed as a facility for refueling motor vehicles may permit one (1) additional ground sign not to exceed fifty (50) square feet in surface area for each of no more than two (2) sign faces, and nine (9) feet maximum in height. Such signs may not project into or encroach upon the public right-of-way or clear vision areas.
2. Drive-up Window Business Sign: Two additional ground signs, consisting of no more than one (1) sign face for each sign, each sign face not to exceed thirty-two (32) square feet in area and six (6) feet in height for a business licensed and permitted to operate a drive-through or drive-up service window or similar service delivery apparatus (for example, remote-operated pneumatic tubes). The signs shall be along the route of drive lanes used to access the drive-through window or service apparatus. Such signs may not project into public right-of-way or clear vision areas. Temporary signs are prohibited and may not be substituted for this type of sign.
3. Kiosks.

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4. Temporary Sign during Construction: Up to two (2) temporary non-illuminated signs may be installed after a building permit has been obtained for a construction project and must be removed not later than one (1) year after issuance of the building permit for the project or upon completion of the project, whichever is sooner. Each sign shall consist of no more than two (2) sign faces, neither of which shall exceed seventy-five (75) square feet, and the top of the sign shall not be more than ten (10) feet above average surrounding elevation. Signs shall be subject to the same setback requirements as are imposed for structures in this zone. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.
5. Temporary Signs: One (1) temporary sign may be installed if the business owner has a valid sign permit but is waiting for the completion of the permanent sign. Display period is limited to thirty (30) days, but may be extended with permission from the Planning Department. The sign shall consist of no more than two (2) sign faces, neither of which shall exceed thirty-two (32) square feet of surface.
6. Temporary Sign for Nonrecurring Events: One (1) temporary sign may be installed upon the premises where an event is being held. The sign shall consist of no more than two (2) sign faces, neither of which shall exceed thirty-two (32) square feet in surface area. No part of any sign shall be higher than the roof height as defined in Section 3.6.6, Display period is limited to fifteen (15) days and the sign shall be removed immediately after the event. A particular property may permit four (4) such temporary signs in one (1) calendar year. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.

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3.6.6 – Permit Administration, Standards of Review, and Issuance.

No application shall be considered, nor permit issued, until the applicant has submitted a complete application. When required, the applicant shall submit proof that work will be done by a contractor licensed in compliance with local or state law to perform the specialized tasks required for construction of the proposed sign.

Application for a permit shall be made to the Planning Department upon a form provided by the City with signatures of the property owner of record, the business owner, and the sign company.

A. Individual Sign Permit Application Requirements.

1. A set of plans for the proposed sign and structural calculations where required.
2. Location of the sign on the building or building site.
3. Dimensions of the sign.
4. Construction materials and a color rendering or photograph of each sign.

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5. Method of attachment and character of structural members to which attachment is to be made.
6. Electrical wiring and components or U.L. approved number.
7. Ingress and egress and clear vision areas.
8. Sign permit review fee as established by resolution of the City Council.
9. Any other additional required for specific types of signs as delineated in Section 3.6.6.E.
10. Proof of current City of Phoenix business license.

B. Master Sign Programs Permit Application Requirements.

1. An accurate plot plan of the parcel at scale.
2. Elevations and square footage computations of the buildings.
3. Ingress and Egress and sight visibility triangles.
4. An accurate location of each present and future sign.
5. Computation of the total number of ground signs, total sign area, and the elevation and height of the ground signs.
6. To scale drawings, sign lettering, dimensions, color renderings, method of attachment, footings and electrical wiring and components or U.L. approved number requirements for each sign.
7. Sign permit review fee as established by resolution of the City Council.
8. Any other additional required for specific types of signs as delineated in Section 3.6.6.E.
9. Proof of current City of Phoenix business license.

The Building Safety Official may also require that a licensed engineer furnish information concerning structural design and proposed attachments. Signs more than 10 feet above grade, except wall signs painted on walls, shall be structurally designed by an architect or engineer licensed in the state of Oregon and bearing the architect's or engineer's seal. All signs, except for signs painted directly upon a building, are also subject to Building Department requirements.

C. Permit Application Review Procedures.

1. The Planning and Building Departments shall approve a sign permit upon finding that the applicant has met all requirements of the sign standards.
2. No sign construction shall begin unless the approved permit has been issued and the applicant has paid all fees.

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3. Unless the permit holder requests an extension of the permit and demonstrates good cause for such an extension, a sign permit shall expire if the sign construction or other work authorized by a sign permit is not completed within one (1) year of the date of issuance.
4. No sign construction shall be considered complete until the permit holder has notified the city that work is finished and the City is satisfied that the sign construction has been completed in conformity with the approved plans and otherwise complies with the sign standards.
5. If a permit is denied, the applicant shall receive a notice of denial in writing, setting forth the reasons for the denial. A decision granting or denying a sign permit may be appealed to the Planning Commission in accordance with the variance and appeal process defined in Chapter 5 of the Phoenix Land Development Code.
6. No additional permits shall be issued for signs on businesses or uses with signs not already in compliance with the sign code unless the applicant can prove existing signs are legal nonconforming.

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D. Indemnification of City. As a condition to the issuance of a sign permit as required by this Chapter, all persons engaged in the hanging or painting of signs, which involves, in whole or in part, the erection, alteration, relocation, maintenance, or other sign work in, over, or immediately adjacent to a public right-of-way or public property if used or encroached upon by the sign hanger or painter in the said sign work, shall agree to hold harmless and indemnify the City, its officers, agents, and employees from liability for damages resulting from said erection, alteration, relocation, maintenance or other sign work.

E. Sign Design Standards, Methods of Calculating Area

1. Wall Signs
 - a. No part of the sign shall extend vertically above the highest portion of the roof's calculated elevations (except for parapet signs).
 - b. Marquee signs. A marquee is any permanent roof-like structure projecting beyond the perimeter wall of a building, and signs shall not be located above the top of the marquee.
 - c. Parapet Signs. Parapets or false fronts are measured by the linear frontage of the parapet.
 - d. Roof Elevations. Signs are not allowed above the roofline's elevation, which is determined by the highest point of the roof surface for flat roofs; and to the average height between eaves and ridges for gable, hip, gambrel roofs, and mansard roofs.

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- e. The area of a wall sign without a border shall be computed by enclosing the entire sign within sets of parallel lines touching the outer limits of the sign message.
 - f. Perimeter walls. The exterior wall of a building shall be measured at the floor level of each floor, including the ground floor. Alcoves, entryways and extruding portions shall be treated by measuring through such areas as though along the flat wall of a building.
2. Ground and Pole Signs.
- a. The area of a ground or pole sign shall be calculated by adding the area of all the sign faces presenting a message. Pole covers and columns shall not be included in the area of the measurement if they do not bear any message. Double-faced signs will be considered as one sign only when placed back to back and separated by eighteen 18 inches or less.
 - b. Street frontage. Development sites fronting on two or more streets are allowed the number of signs permitted for each street frontage. However, the total number of signs that are oriented toward a particular street may not exceed street frontage allotment. Interstate 5 is not considered a street for sign purposes, and cannot be counted towards frontage allotments.
3. Flags. Any fabric, banner, or bunting flags containing distinctive colors, patterns, or symbols, other than U.S., state, and local government flags, shall be limited to the wall and ground/pole sign allotments, unless otherwise approved by the Planning Commission. Flags on poles may be counted towards the ground sign allotment. Flags on buildings (not on poles) may be calculated as part of the building's or business's linear footage allotment and may not be placed above the roofline.
4. Kiosks.
- a. Maximum Size. Kiosks shall not exceed seven (7) feet in height and an area of thirty-five (35) square feet per side.
 - b. Minimum Spacing. Kiosks shall be placed no less than two hundred (200) feet apart unless closer proximity can be demonstrated to serve a public purpose.
 - c. Content displayed on the kiosk shall be sized appropriately for view by pedestrian passersby within ten (10) feet of the kiosk, and shall never display messages that could distract the attention of motorists.
 - d. Architectural Features. Kiosks shall be consistent with the architecture of surrounding built environment.

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- e. ECMS and videoboards may be used in kiosks, provided that no more than ten (10) square feet of any one side of a kiosk is used for an ECMS or videoboard.
- f. Lighting. Kiosks shall not be illuminated by an external, detached lighting source.
- g. Location. Kiosks shall be located within or along pedestrian walkways, plazas, and other areas designed for pedestrian travel and public assembly in accordance with the following requirements:
 - i. An unobstructed pedestrian area or sidewalk with a minimum width of ten (10) feet shall be maintained on any side of a kiosk with a message area;
 - ii. An unobstructed sidewalk width of seven (7) feet shall be maintained on any side of a kiosk without a message area;
 - iii. An unobstructed pedestrian area or sidewalk with a minimum width of ten (10) feet is maintained between any side with a message area and the back of curb of any adjacent road, drive, or parking facility;
 - iv. The distances referred to above shall be measured from the surface of the display at a ninety (90) degree angle across the entire display.

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F. Illumination Standards.

- 1. Maximum illumination. In residential land use districts, or in instances where a property in a nonresidential land use district abuts a residential land use district OR a property that is a legally nonconforming residential building located in a nonresidential land use district, no sign may exceed a maximum illumination of 0.5 footcandles above ambient light level as measured fifty (50) feet from the sign's face. In all other districts, no sign may exceed a maximum illumination of 1.0 footcandle above ambient light level as measured fifty (50) feet from the sign's face. Under no circumstances shall this standard be interpreted to allow light spillage from a site in excess of the standards delineated in Chapter 3.11 *Outdoor Lighting*.
- 2. Glare reduction. No sign may be illuminated or use lighting where such lighting is directed at any portion of a traveled street or will otherwise cause glare or impair the vision of the driver of a motor vehicle or otherwise interfere with the operation thereof. External illumination shall be shielded so that the light source elements are not directly visible an adjacent property.

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Illumination from signs on nonresidential property. Illumination resulting from all signs and lighting on any property in a non-residential zoning district shall not cause glare towards the residential zoning districts.

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Illumination from signs on residentially zoned property. No internally illuminated sign shall be allowed on property in a residential zoning district. Lighting from all light sources operated for the purposes of sign illumination on property in a residential zoning district shall be shielded from other property in the residential zoning district.

G. Electronic Changeable Message Signs.

- 1. Electronic changeable message signs shall not have any moving patterns of light, other than the transition between messages. Moving patterns of light include, but shall not be limited to, pulsating, flashing, scrolling, animation and/or blinking at any time. All light emitting devices in an ECMS display shall activate

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simultaneously, remain activated for not less than twenty (20) seconds and deactivate simultaneously.

2. Maximum size for electronic changeable message signs shall be determined by the maximum size of a sign allowed within the land use district in which it is located, but shall never exceed thirty-two (32) square feet in surface area for each sign face allowed.
3. Use of two (2) or more successive screens or “sequencing” to convey a message that will not fit at one time on the sign face screen shall be prohibited.
4. The maximum amount of text-based information displayed within a single message shall be limited to the maximum number of words that a driver can reasonably be expected to read from a distance from the electronic changeable message sign of 800 feet at a rate of one (1) word per second. The following table provides examples of the maximum number of words on a sign for commonly encountered traffic speed limits.

Posted Speed Limit (MPH)	Posted Speed (FT/S)	Time to Travel 800 Feet (in seconds)	Maximum # of Words in a Message
25	36.67	21.82	21
35	51.33	15.58	15
45	66.00	12.12	12
55	80.67	9.92	9

Table 3.3.6.F.4

5. Content displayed on an Electronic Changeable Message sign may not resemble or simulate any lights or traffic control device used to control traffic in accordance with the MUTCD unless such content is directly related to the dissemination of information during times of emergency.
6. The City may require emergency information to be displayed, within appropriate message rotation, on an electronic changeable message sign.

H. Videoboards. Videoboards may display moving patterns, images, text animation, and video content similar to television images only in accordance with the following standards, restrictions and requirements:

1. Videoboards shall not be visible from any public road or any private road except those roads that primarily function to provide traffic circulation through parking lots.
2. No more than one (1) videoboard with a display area of more than twenty-four (24) square feet shall be located within four hundred (400) feet of another videoboard with a display area of more than twenty-four (24) square feet.

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3. A videoboard shall not obscure or in any way detract from prominent architectural and design features of a building or structure on which the videoboard is located. Videoboards shall be designed so that they are integrated into the overall design of the building or structure and compliment architectural details such as the overall mass and dimensions of the building to which it is affixed, the size, position and dimensions of openings including doors and windows.
4. Maximum size for videoboards shall be determined by the maximum size of a sign allowed within the land use district in which it is located, but shall never exceed thirty-two (32) square feet in surface area for each sign face allowed.
5. Where a videoboard is located within three hundred (300) feet of any traffic signal, all applications for a Sign Permit for a videoboard must include a report from a traffic engineer stating that the placement of the sign will not interfere with the effectiveness of a traffic signal within three hundred (300) feet of the sign. At no time and in no way shall messages displayed on a videoboard be intended and designed for viewing by motorists traveling on any public road or any private road except those roads that primarily function to provide traffic circulation through parking lots.
6. Content displayed on a videoboard sign may not resemble or simulate lights or traffic control devices used to control traffic in accordance with the MUTCD unless such content is directly related to the dissemination of information during times of emergency.
7. The City may require emergency information to be displayed, within appropriate message rotation, on a videoboard.
8. Operational Standards—Display. All videoboards:
 - a. Must contain a default mechanism that freezes an image in one position in case of a malfunction or deactivates the display in its entirety.
 - b. Must automatically adjust the sign brightness based on natural ambient light conditions in compliance with the following formula:
 - i. the ambient light level measured in luxes, divided by 256 and then rounded down to the nearest whole number, equals the dimming level; then
 - ii. the dimming level, multiplied by .0039 equals the brightness level; then
 - iii. the brightness level, multiplied by the maximum brightness of the specific sign measured in nits, equals the allowed sign brightness, measured in nits.
 - c. Must be turned off between 1:00 a.m. and 6:00 a.m. Monday through Friday and 2:00 a.m. and 8:00 a.m. on Saturday and Sunday. Videoboards may be

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required to be turned off earlier in instances where a videoboard faces a residential land use including overnight accommodations like hotels.

- d. May not display light of such intensity or brilliance to cause glare, impair the vision of an ordinary driver, or constitute a nuisance.
- e. Must have a full color display able to display a minimum of 281 trillion color shades.
- f. Must be able to display a high quality image with a minimum resolution equivalent to the following table:

Viewing Distance (FT)	Max. Pixel Size (mm)
36 to 45 feet	12 to 16
> 45	14.25 to 19

Table 3.6.6.G.7.f

- g. Light intensity. Before the issuance of a videoboard sign permit, the applicant shall provide written certification from the sign manufacturer or distributor that:
 - i. The light intensity has been factory programmed to comply with the maximum brightness and dimming standards in table; and
 - ii. The light intensity is protected from end-user manipulation by password-protected software, or other method satisfactory to the Planning Director; and
 - iii. The sign's light intensity has been factory pre-set not to exceed 7,000 nits
- h. Changes of text messages, not containing video, must comply with the following:
 - i. Any messages that display text must be displayed for a minimum of five (5) seconds.
 - ii. Changes of text-based messages not containing video content must be accomplished within two (2) seconds.
 - iii. Changes of text-based messages not containing video content must occur simultaneously on the entire sign face.
 - iv. No flashing, dimming, or brightening of message is permitted except to accommodate changes of message.
 - v. Ticker tape streaming is permitted at all times when the videoboard is operating. Ticker tape streaming must be located within the bottom ten (10) percent of the effective area.

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- i. Malfunction. The videoboard operator must respond to a malfunction or safety issue within one hour after notification.

I. Vision Clearance and Safety Standards

1. Signs must comply with the sight visibility standards within the Development Code (see Chapter 3.2.2.M).
2. The minimum clearance of all signs projecting over a pedestrian way shall be eight (8) feet.
3. Clearance over vehicle use area. The minimum clearance of all signs projecting over any portion of a vehicle use area shall be seventeen (17) feet.

J. Duration of Permits.

1. Permits for permanent signs shall be valid, without renewal, until such a time as they are altered. Upon such an event, the original permit shall expire.
2. Unless otherwise stated in this Chapter, permits for temporary signs shall be valid for a period of one (1) fiscal year or portion thereof. Where this standard differs with another stated elsewhere in this Chapter, the standard which defines a more limited duration for a temporary sign permit shall control. A temporary sign permit shall be renewed at least thirty (30) days prior to its expiration on the 30th day of June of each fiscal year. Permitted temporary signs shall be removed prior to or upon that day if the permit has not been renewed.

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3.6.7 – Nonconforming Sign, Abandoned Signs, Good Standing Status

A. Nonconforming Signs

1. Nonconforming signs may be maintained subject to the following conditions:
 - a. No additions or enlargements may be made to a nonconforming sign except additions or enlargements required by law.
 - b. If any nonconforming sign is moved, that sign shall thereafter conform to the requirements of the sign standards as a newly constructed sign.
 - c. Any sign that is constructed to replace a nonconforming sign shall be constructed in compliance with all applicable provisions of the sign standards.
2. Except where only a change of face is made, any nonconforming sign, which is structurally altered (excluding routine maintenance), shall be brought into compliance with all applicable provisions of the sign standards within ninety (90) days of written notice sent by the City and shall thereafter be kept in compliance with the sign standards.

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3. Any nonconforming or abandoned sign and supporting structure shall be removed by the owner of the sign or owner of the premises within three months following the closure of the business which licensed the sign, vacation or change of occupancy at the premises for which the sign was licensed, condemnation or demolition of a structure or building for which a sign was licensed, or completion of an event that has concluded thirty (30) days of more prior to the date on which the violation was discovered. The Planning Director may, upon written request of the owner of the sign or the premises upon which the sign is located, allow structural components of a sign to remain in place under the following conditions:
 - a. The sign structure shall be maintained in good condition, according to Section 3.6.7.B;
 - b. The sign shall be used in the active marketing of the property for sale, lease, or redevelopment;
 - c. The structure may remain in place for a period of time not to exceed twelve (12) months from the date upon which the Planning Director issues a final determination allowing the sign structure to remain in place. This period may be extended at the Planning Director's discretion upon written request by the owner of the sign or the premises upon which the sign is located, provided that the sign meets subparts 3.a. and 3.b above.

B. Good Standing Status. In order to remain in good standing, the holder of a sign permit shall comply with the requirements of this Chapter throughout the period during which the permit is valid. Additionally, the permit holder shall comply with the following requirements:

1. All signs, together with all of their supports, braces, guys, anchors and electrical equipment, shall be kept fully operable, in good repair and maintained in safe condition, free from excessive rust, corrosion, peeling paint or other surface deterioration.
2. A sign permit holder shall maintain a current City of Phoenix business license. Failure to maintain a current business license shall render the sign permit invalid and constitutes a violation of this Chapter. The permit holder shall be required to reapply for a sign permit once a new business license has been issued.

3.6.8 – Sign Variance Criteria

The most minimal variance possible shall be granted using a Type II – Administrative procedure when, and only when an applicant is able to demonstrate the following:

- A. The variance is necessary because of special circumstances relating to the size, shape, topography, location, or surroundings of the subject property to provide it with use rights and privileges permitted to other properties in the vicinity and zone in which the subject property is located.

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- B. The special circumstances of the subject property are not the result of the actions of the applicant, the owner of the property, or a self induced hardship.
- C. The authorization of such variances will not be materially detrimental to the public welfare, not injurious to nearby property, nor essentially different from the provisions of the zoning district in which it is located.
- D. The type of the proposed sign is not a type prohibited by these regulations.
- E. The Variance would not result in a special advertising advantage in relation to neighboring businesses or businesses of a similar nature. The desire to match standard sign sizes (for example, chain store signs) shall not be listed or considered as a reason for a Variance.
- F. Granting of the Variance would not obstruct views of other buildings or signs, cover unique architectural features of a building, or detract from landscape areas.
- G. The granting of the Variance would not create a traffic or safety hazard.

The City may designate conditions to ensure conformance with the Development Code. Guarantees and evidence that such conditions will be complied with may be required.

3.6.9 – Landmark Sign Program, Procedures and Standards of Review

The owner of an existing sign may apply for a determination by the Planning Commission or its designee that the sign qualifies as a Landmark Sign, pursuant to the following provisions:

- A. The sign is or would be nonconforming as it is in its current condition or as proposed.
- B. The sign is unique in its design, method and materials of construction, and/or is associated with a historically significant event, commercial enterprise, organization, person.
- C. The applicant shall provide the same information describing the sign as is required by Section 3.6.6.A -- Individual Sign Permit Application Requirements.
- D. A Hazardous Sign may not, under any circumstances, qualify as a Landmark Sign unless the hazardous condition of the sign has been or will be abated prior to u, or conditionally upon designation as a Landmark Sign.
- E. The Planning Commissioner or its designee may require financial assurance from the applicant in the form of a performance bond, escrow, or other financial device in accordance with Section 4.3.9 – *Performance, Maintenance Guarantee and Development Agreement*, that the City may use in order to abate, remove, or demolish any Hazardous Sign that has been conditionally approved for Landmark Sign status.
- F. The Building Official may require additional building and trades permits.

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- G. The fee, set by resolution of the City Council, for application review and determination shall be paid by the application at the time of application.

3.6.10—Wayfinding Sign Program Procedures and Standards of Review

A single property owner, group of property owners, public agency, organization, homeowners association, or other parties with vested property interests may request that the City create a Wayfinding Sign Program pursuant to the following provisions:

- A. The applicant shall submit a Wayfinding Sign Plan for review by the Planning Commission or its designee. The plan shall provide substantially the same information describing all proposed signs as is required by Section 3.6.6.B—Master Sign Programs Permit Application Requirements.
- B. The plan shall substantially comply with the other requirements of this ordinance (including but not limited to standards for illumination, clear vision areas, etc.), but may allow for divergence in the design of individual signs provided that none of the signs in the proposed plan would create conditions that are hazardous as defined within this Chapter.
- C. Wayfinding Signs shall be designed in a way that is consistent with desirable aesthetic characteristics of the surrounding neighborhood and community.
- D. Wayfinding Signs shall be designed to effectively communicate directional information to the general public through the use of color, scale, placement and other design elements.
- E. Wayfinding Signs shall be designed so as to improve the visual quality of the built environment of the surrounding neighborhood and community. This shall be achieved through the use of architectural features and high quality materials including wood, natural stone, brick, wrought iron and other high quality metal millwork.
- F. The Planning Commission or its designee shall review the plan and determine whether to approve, approve with conditions, or deny the application and proposed plan using the aforementioned criteria.
- G. The Planning Commissioner or its designee may require financial assurance from the applicant in the form of a performance bond, escrow, or other financial device in accordance with Section 4.3.9 – *Performance, Maintenance Guarantee and Development Agreement*, that the City may use in order to abate, remove, or demolish any Hazardous Sign that has been approved as a part of a Wayfinding Sign Plan.
- H. The Building Official may require additional building and trades permits.
- I. The fee, set by resolution of the City Council, for application review and determination shall be paid by the applicant at the time of application.

3.6.11 – Public Art Program, Procedures and Standards of Review

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A. The applicant shall submit a Public Art Plan for review by the Phoenix Arts Council or its designee that shall, at minimum, address the following:

1. The location, dimensions, and method of installation or construction of the artwork.
2. A maintenance plan describing activities and procedures to ensure that the artwork remains in its intended condition over the course of its functional lifetime.
3. A sketch or other accurate representation of the artwork to be installed or constructed.
4. A legally binding and enforcement agreement enabling the City of Phoenix to maintain, repair, and remove the artwork if its condition violates the terms and conditions set forth in the Public Art Plan, fails to substantially comply with other requirements of this ordinance, or becomes hazardous.

B. The plan shall substantially comply with the other requirements of this ordinance (including but not limited to standards for illumination, clear vision areas, etc.), but may diverge from these standards to allow for creative, artistic expression provided that none of artwork in the proposed plan would create conditions that are hazardous as defined within this Chapter.

3.6.12 – Enforcement.

A. When a sign is removed, altered, and/or stored under these enforcement provisions, removal and storage costs may be collected against the sign owner and the person responsible for the placement of the sign. The city council shall establish the fees for removal and storage of signs, and for other associated fees, by resolution, from time to time.

B. Any sign installed or placed in the public right-of-way or on City-owned property, except in conformance with the requirements of this chapter or other applicable provisions of this code, may be removed by the Planning Director or his/her designee as follows:

1. Immediate confiscation without prior notice to the owner of the sign.
2. If the City can ascertain contact information for the owner of the sign or for any person or business responsible therefore, the City shall contact that person or business and advise that: a) the sign was found in a location that the City believes to be a public right-of-way or City-owned property; b) that no permit was issued for the placement of the sign in that location, and that the sign is not otherwise legally permitted to be in that location; and c) that the City has confiscated the sign and shall destroy it after thirty (30) days from the time notice was sent to the person or business responsible for the sign, unless either i) the sign is claimed and the removal and notice costs are reimbursed to the City in full

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or ii) a request for hearing is submitted by the person or business responsible for the sign to the Planning Department.

- 3. If notification is not possible, the city shall store the sign for thirty (30) days from date of confiscation. The sign may then be destroyed.
- 4. The city shall continue to store the sign for any additional period during which an appeal or review thereon is conducted.

C. Signs found to be erected or maintained on private property in violation of the provisions of this section or other applicable provisions of the Phoenix Land Development Code are subject to the provisions of Chapter 1.4 – *Enforcement*, and any other means of enforcement afforded to the City and agents by the Municipal Code of the City of Phoenix. A sign may be removed by the Planning Director or his/her designee under the following conditions:

- a. If a sign is a hazardous sign as defined herein and poses an immediate threat to public safety, it may be removed from private property and confiscated by the City without prior notification to the owner of the sign.
- b. If a sign violates this Chapter but does not pose an immediate threat to public safety, it may be removed and confiscated by the City only after the City has notified the owner of the sign of the violation and provided a period of not less than sixty (60) days for the owner of the sign to abate any and all violations described in the notice or apply for a variance.
- c. If a sign has been removed under the conditions described in Section 3.6.12.C.1 and 2, and the City can ascertain contact information for the owner of the sign or for any person or business responsible therefore, the City shall contact that person or business and advise that:
 - i. The sign was found to violate this Chapter and notification of such was attempted by the City.
 - ii. That the City has confiscated the sign and shall destroy it after thirty (30) days from the time notice was sent to the person or business responsible for the sign, unless the sign is claimed and the removal and notice costs are reimbursed to the City in full.

3. If notification is not possible, the City shall store the sign for at least thirty (30) days from date of confiscation. The sign may then be destroyed.

4. The City shall continue to store the sign for any additional period during which a variance is considered by the Planning Commission.

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Planning Commission Recommendation for LDC 14-12 signed this 8th day of December, 2014.

Micki Summerhays, Chair

David Lewin, Commissioner

Jason Couch, Commissioner

George Eisenhauer, Commissioner

Priscilla Atkin, Commissioner



Exhibit A

PLDC as Amended by LDC 14-12

Chapter 3.6 is amended to read as follows:

Chapter 3.6 – Signs

Sections:

- 3.6.1 – Purpose
- 3.6.2 – Definitions
- 3.6.3 – Applicability and Exemptions
- 3.6.4 – Prohibited Signs
- 3.6.5 – Permitted Signs
- 3.6.6 – Permitted Signs, Standards of Review
- 3.6.7 – Nonconforming Sign and Abandoned Signs
- 3.6.8 – Sign Variance Criteria
- 3.6.9 – Landmark Sign Program, Procedures and Standards of Review
- 3.6.10 – Wayfinding Sign Program Procedures and Standards of Review
- 3.6.11 – Public Art Program Procedures and Standards of Review
- 3.6.12 -- Enforcement

3.6.1 – Purpose

The City finds that signs are an important means of communication by and between individuals, organizations, and other bodies corporate. It further finds, however, that signs can create conditions that are unsafe for drivers and pedestrians, that signs can degrade the aesthetic quality of the roadsides and neighborhoods, and can be otherwise disruptive to efforts to improve quality of life throughout the community and for all City residents.

Therefore, the standards contained in this chapter are intended to balance the needs of businesses and individuals to convey messages through signs with the rights and interests of the community-at-large to maintain the orderly and pleasant appearance of the City's streets and neighborhoods and to eliminate conditions along City streets that are hazardous to drivers and pedestrians. The purpose of this Chapter is to

- A. Improve the aesthetic quality of Phoenix's built environment, in particular its the streetscape along its commercial corridors through the equal application of standards regulating the number, size, illumination, and placement of signs;



- B. Provide sufficient opportunities for the conveyance of information to the public;
- C. Protect public safety by providing the legal authority to eliminate hazardous signs.
- D. Ensure application of content neutral standards.

3.6.2 – Definitions

- A. Abandoned Sign. Any sign or sign structure that: 1) is no longer used by the property owner or sign permit holder. Discontinuance of use may be demonstrated through cessation of the use of the property upon which the sign is located; OR 2) has any sign or sign structure that is in a state of disrepair and repairs or restoration has not been initiated within forty-five (45) days of the date the sign was found to have been damaged or was discovered in a state of disrepair OR necessary repair has not been completed within 90 days of initiation of repairs.
- B. Accessory Sign. Signage which is an integral part of commercial and industrial equipment such as soft drink machines, gas pump, newspaper dispensers, and other similar structures.
- C. Alteration. Any change in the size, shape, method of illumination, construction, or supporting structure of a sign. The change of a sign face or message shall not constitute an alteration.
- D. Architectural Feature, Element or Detail. A part of a building, being integral to the structure and consistent with the overall design of a building, whether decorative in nature or not, that may possess or may be interpreted to convey visual information whether wholly or partly symbolic or textual.
- E. Average Surrounding Elevation. The average elevation of an area with a radius of no less than fifteen (15) feet and no more than thirty (30) from a central point of measurement.
- F. Awning. A secondary covering attached to the exterior wall of a building. The location of an awning on a building may be above a window, a door, or over a sidewalk. An awning is often painted with information as to the name of the business, thereby acting as a sign, in addition to providing protection from weather.
- G. Banner. A sign made of fabric or any nonrigid material with no enclosing framework.
- H. Business frontage. The linear dimension of the façade of a nonresidential building or portion thereof, as measured at grade, devoted to a specific business or enterprise.
- I. Business License. A license issued to a person or corporation according to Chapter 5.04 of the Phoenix Municipal Code.
- J. Business Premises. Real property at or upon which an individual or corporation engages in the trade, production, or provision of goods or services, whether for monetary compensation or not.



Planning & Building

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- K. Electronic changeable message sign. A sign whose informational content, copy and/or message can be changed or altered by means of electronically-controlled electronic impulses. In contradistinction to videoboards defined below, electronic changeable message signs shall not, under any circumstances, display full motion images.
- L. Festoons. A string of ribbons, tinsel, small flags, or pinwheels.
- M. Ground Signs. A sign erected on a freestanding frame, mast, or pole and not attached to any building, also known as a freestanding sign. Monument and pole signs are different types of ground signs.
- N. Kiosk. A multi-sided structure designed for the display of messages and other content including images which are intended to be viewed by and to be comprehensible to pedestrian passersby within 10 feet of the kiosk.
- O. Handheld Signs. A sign held by or affixed to a person, including costumes. Personal items of clothing that are customarily worn by an individual in course of routine activities shall not be considered as such. Handheld signs are considered to be temporary signs as defined and regulated herein.
- P. Hazardous Sign. A sign which is detrimental to the public safety, including but not limited to: any sign that has a design, color, or lighting which may be mistaken for a traffic light, signal, or directional sign; any sign which is located in such a manner as to obstruct free and clear vision to motorists or pedestrians at intersections and driveways; any sign which, because of its location, would prevent free ingress to or egress from any door, window, or fire escape; any sign that is attached to a standpipe or fire escape; any sign which has lighting which temporarily blinds or impairs one's vision; or any sign which is in a leaning, sagging, fallen, decayed, deteriorated, or other unsafe condition.
- Q. Illegal Sign. A sign which is installed or maintained in violation of this Chapter.
- R. Incidental Sign. A small sign, emblem, or decal typically used to inform the public of goods, facilities, or services available on the premises (e.g., a credit card sign or a sign indicating hours of business).
- S. Landmark Sign. A sign found to be of historical or local significance by the Planning Commission.
- T. Master Sign Program. A single, comprehensive sign permit that establishes design standards and other regulations for multiple signs located upon and within a retail, office, or industrial development consisting of a group of two or more duly licensed businesses sharing common parking and circulation facilities, landscaping or open space facilities, whether under common or multiple individual ownership. Neighborhood commercial "strip" centers, shopping centers, office campuses, special commercial districts, and business parks are representative examples of sites that may be eligible to participate in a Master Sign Program.



Department

- U. Monument Sign. A freestanding sign that does not have exposed pole or pylon and is attached to a continuous structural base. The base is not less than half the width of the message portion of the sign and is permanently affixed to the ground. Monument sign bases include material consistent with the principle structure, including brick, block, and concrete, but excluding metal.
- V. Nonconforming Sign. An existing sign, lawful at the time of the enactment of this ordinance, which does not conform to the requirements of this code.
- W. Permanent Sign. For the purposes of this Chapter, a sign shall be considered permanent when it is designed in such a way and then, according to its approved design, attached mechanically to a building, permanent structure, or the ground so as to remain in that state according to its approved design for a more or less indeterminable period of time, and relying only on routine maintenance and repair in order to remain in that state.
- X. Projecting and Suspended Signs. Projected signs are attached to a building or wall in such a manner that its leading edge extends more than six (6) inches beyond the surface of such building. Suspended signs are suspended from the underside of a horizontal plane surface.
- Y. Public Art. A two or three-dimensional object or other visual presentation of information, whether textual, visual, or graphic in nature, that is viewable by the general public and has been so designated after review by the Phoenix Arts Council.
- Z. Sculpture. A type of visual artwork that is fundamentally three dimensional in nature; may be freestanding or relief; and is achieved through the carving, modeling, casting, forging, or assembly of materials such as stone, metal, ceramics, wood, fibers, found objects and other materials. Other forms of sculpture include sound and landscapes, light and kinetic sculptures.
- AA. Sign. Any message, identification, description, illustration, symbol, device, or sculptured matter, including forms shaped to resemble any human, animal, or product, which is affixed directly or indirectly upon a building, vehicle, structure, or land.
- BB. Sign Face. The surface of a sign upon which or containing the message to be communicated.
- CC. Sign Height. The vertical distance from average surrounding elevation to the highest point of a sign or sign structure.
- DD. Sign structure. The supports, uprights, braces, framework, and other structural components of the sign that are not used, or able to be used, to communicate information of a textual or graphic nature.
- EE. Site. A lot, parcel, or tract of land under common ownership and/or developed together as a single development site, regardless of how many uses occupy the site.



- FF. Street Frontage. The total linear dimension of a property along a public street, including curb cuts, access drives, and building facades.
- GG. Videoboard. Electronic changeable message signs, video displays and other projection devices that are capable of displaying moving images similar to television images, by light-emitting diode or other technology, and that are intended for viewing by pedestrians from sidewalks and similar public and quasi-public spaces.
- HH. Temporary Sign. A sign that is not designed and/or constructed to be permanently affixed to a building, permanent structure, or the ground. Examples include banners, sandwich boards and similar unanchored freestanding signs.
- II. Wall Signs. A sign painted or attached to any part of a building, or mounted/painted upon the inside of windows within all commercial or industrial zoning districts. Wall signs include parapet signs, awning/canopy signs, projecting/suspended signs, and marquee signs that are attached to the marquee.
- JJ. Wayfinding Sign or Device. A sign, landmarks or other visual graphic communication that are part of a coordinated program that has been reviewed and approved by the City according to the standards set forth in Section 3.6.10 of this Chapter. Typical wayfinding signs include gateways, vehicular directional, destination, parking lot identification, parking trailblazer, pedestrian directional vehicular directional and pedestrian kiosk.
- KK. Window Sign. An unlighted sign installed inside a window or painted on a window and intended to be viewed from the outside.

3.6.3 – Applicability and Exemptions

- A. Sign Permit Required.** All signs visible from the public right-of-way or private areas accessible to the public within the City of Phoenix shall be subject to the provisions of this Chapter. Except as otherwise provided in section 3.6.3.B, Sign Permit, Exemptions of this Chapter, it shall be unlawful for any person to construct, erect, alter or relocate a sign, or direct an employee or agent to do same within the City without first obtaining a permit for each separate sign from the Planning Department.
- B. Sign Permit, Exemptions.** The following signs may be installed, and related activities performed, without a Sign Permit:
1. General Sign Exemptions -- All Land Use Districts
 - a. Maintenance and repair of signs for which a permit has been issued, that does not alter the sign face or sign structure. This exemption also applies to change of face, where an existing sign is modified by change of message or design on the sign face, without any change to size or shape of the sign framework or structure.



Department

- b. One temporary, non-illuminated sign installed by or on the behalf of a contractor or service provider while a building permit is active and work is proceeding on the premises, from the date of issuance of the building permit and up until one (1) week after work the relevant building permit has been closed, has expired, or a stop work order has been issued. The sign may consist of two (2) faces, neither of which shall not exceed sixteen (16) square feet. The sign may have a maximum height of four (4) feet as measured from average surrounding elevation. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.
- c. Flags of national, state, or local government.
- d. Holiday decorations and lights installed during national and local holidays for a period of beginning sixty (60) days before the holiday and ending fourteen (14) days after the holiday.
- e. Public signs. Signs constructed or placed in a public right-of-way by or with the approval of a governmental agency having legal control or ownership over the right-of-way, signs owned or constructed under the direction of the city, and signs placed by a public utility.
- f. Signs located within a sport stadium that are intended for viewing primarily by persons within said stadium.
- g. Signs that are a part of an approved Wayfinding Sign Package, pursuant to 3.6.10– *Wayfinding Sign Program Procedures and Standards of Review*.
- h. Public art installations as reviewed and approved according to the policies of the Phoenix Arts Commission Section 3.6.11 – *Public Art Program Procedures and Standards of Review*.
- i. Landmark signs as reviewed and approved by the Planning Commission or its designee in accordance with 3.6.9 – *Landmark Sign Program, Procedures and Standards of Review*.
- j. Handheld signs carried by an individual who has not received any form of remuneration in the performance of this activity.
- k. Sculpture, provided that they substantially conform to the design standards enumerated within this Chapter, do not create or cause hazardous conditions, and are in compliance with Chapter 8.04.060, 8.04.080, and 8.04.110 of the Phoenix Municipal Code.
- l. Architectural features, provided that they substantially conform to the design standards enumerated within this Chapter, do not create or cause hazardous conditions.



Department

- m. Vehicular signs. Any sign permanently or temporarily placed on or attached to a motor vehicle or trailer, where the vehicle or trailer is used in the regular course of business for purposes other than the display of signs, subject to compliance with the following conditions:
 - i. Vehicles and equipment shall be in operating condition, currently registered and licensed to operate on public streets when applicable, and are actively used in the daily operation of a business/or land use.
 - ii. Vehicles and equipment engaged in active construction projects.
 - iii. Vehicles and equipment stored on the premises of a business that is duly licensed to offer said vehicles and equipment to the general public for sale or lease.
 - iv. Vehicles parked at the owner's residence provided that they meet .3.6.3.B.g.i of this Chapter.
2. Sign Exemptions, Residential Land Use Districts
- a. Windows signs.
 - b. Accessory and incidental signs two (2) square feet in size or less.
 - c. Parking lot signs up to three (3) square feet in area and up to five (5) feet in height may be constructed or placed within a parking lot.
 - d. One non-illuminated, temporary sign per street frontage, with a maximum height of four (4) feet and consisting of no more than two (2) faces, neither of which shall exceed sixteen (16) square feet, during periods of time when the premises or a portion thereof is actively marketed for sale or lease. The sign shall be removed within fourteen (14) days of the cessation of marketing activities. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.
 - e. Temporary non-illuminated signs, with a maximum height of four (4) feet and consisting of no more than two (2) faces for each sign, neither of which shall exceed twelve (12) square feet in surface area, located on private property with the consent of the property owner, during the period from (sixty) 60 days before to five (5) days after any public election held in Oregon. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.



Department

- f. One banner may be installed on the exterior wall of an approved conditional use (schools, churches, public buildings, etc.) within a residential land map district (R-1, R-2, or R-3) where an event is being held. The banner may be installed for up to fifteen (15) days for the event and shall be removed five (5) days after the event. It shall be a flat wall mounted plastic or canvas sign, and may be up to thirty-two (32) square feet in surface area. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.
 - g. One temporary non-illuminated sign, with a maximum height of 4 feet and consisting of not more than two (2) faces, neither of which shall exceed twelve (12) square feet in surface area, installed by the owner or tenant of real property upon which the sign is installed. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.
3. Sign Exemptions, Commercial, Industrial, and Mixed Use Land Use Districts
- a. Accessory and incidental signs.
 - b. Windows signs that cover 50% or less the window.
 - c. Parking lot signs up to three (3) square feet in area and up to five (5) feet in height may be constructed or placed within a parking lot.
 - d. One temporary sign per street frontage, consisting of no more than two (2) faces, neither of which exceeds thirty-two (32) square feet in area, not to exceed four (4) feet in height during periods of time when the premises or a portion thereof is actively marketed for sale or lease. The sign shall be removed within fourteen (14) days of cessation of marketing activities. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.
 - e. Temporary, non-illuminated signs, with a maximum height of 4 feet and consisting of not more than two (2) faces, neither of which shall exceed twelve (12) square feet of surface area, located on private property with the consent of the property owner, during the period from 60 days before to five days after any public election to be held in Oregon. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.



Department

- f. One temporary sign, consisting of no more than two (2) signs faces, neither of which shall exceed sixteen (16) square feet in surface area, not to exceed four (4) feet in height, installed by or on the behalf of the holder of a business license which has been issued within the fourteen (14) prior to sign installation upon business premises for which the business license was issued. The sign may be installed for sixty (60) days from the date of issuance of the business license, and must be removed promptly thereafter.

These exemptions shall not be interpreted so as to release the any individual or body corporate from the responsibility to obtain any permits or licenses as required by the building code and any and all other local, state, and federal statutes and regulations. Nor shall they be interpreted so as to release any individual or body corporate from the responsibility to abide by other requirements of this Land Development Code including applicable yard setbacks and clear vision areas.

3.6.4 Prohibited signs. The following signs are prohibited in all land use districts; are unlawful, and shall be considered nuisances per se:

1. Any sign constructed, maintained, or altered in a manner not in compliance with the sign standards contained within this Chapter.
2. A permanent ground, pole, or wall sign placed on undeveloped or vacant property (property without a permanent occupiable structure) unless otherwise exempt from this restriction according the provisions delineated in section 3.6.3.B *Sign Permit, exemptions* or Section 3.6.5 *Permitted Signs* of this Chapter.
3. Any sign constructed or maintained that, because of its size, location, movement, coloring or manner of illumination, may be confused with or construed as a traffic control device, or which impairs the view any traffic control device.
4. Permanent and temporary balloons and anchored balloons.
5. Flashing signs. A sign incorporating intermittent electrical impulses to a source of illumination or revolving in a manner which creates the perception of flashing, or which changes colors or intensity of illumination.
6. Signs in the public right-of-way that are not authorized by the relevant public agency.
7. Signs placed on or affixed to trees and utility infrastructure including utility poles, switch gear housing, pump houses, etc.
8. Moving or rotating signs.
9. Signs made from materials that cannot withstand routine elements of the weather such as wind, rain, and solar radiation.
10. Festoons, pennants, and similar signs which are suspended from a rope, wire, or string, usually in series, and designed to move in the wind.



Department

11. Inflatable signs, unless the sign is affixed to or part of inflatable recreational apparatus or equipment.
12. Roof Signs are not allowed to extend vertically above the highest portion of the roof. Roof signs must comply with Section 3.6.6 for measuring roof elevations.
13. Any ground sign that is to be installed as to extend through a portion of a building or roof, with the sign being mounted above the roof, and appearing similar to a roof sign.

Sign permits shall not be issued for any prohibited sign as a means of establishing it as a legal sign; sign permits issued in error or on the basis of erroneous or misleading information shall not establish a prohibited sign as a legally permitted sign.

3.6.5 – Permitted Signs

No sign permit shall be issued for any sign unless specifically identified as an allowable sign within the land use district map or otherwise allowed under Chapter 3.6.3.B – *Sign Permit, Exemptions*.

A. Permitted Signs in the Residential Land Use Districts

1. Purpose. Except as otherwise allowed by Chapter 3.6.3.B – *Sign Permit, Exemptions*, signage is limited to preserve the residential character of these districts by allowing signs only for single and multi-family residential developments and neighborhoods and for those uses that are allowed under conditional use permits such as churches, schools, bed and breakfasts, and community centers.
2. Types of Permitted Signs Allowed.
 - a. Permanent ground signs within a landscaped bed.
 - b. Permanent wall signs.
 - c. Temporary ground signs.
3. Maximum Number of Permitted Signs. The number of signs on a property in a residential land use map district shall be limited to no more than the following number:
 - a. One(1) wall sign, consisting of no more than one (1) sign face, per building frontage or street frontage, with a total not to exceed two (2) signs per residential site.
 - b. One (1) ground sign for each residential subdivision or PUD site, approved as such by the Planning Commission, for each location where a street providing access to an internal street or other type of site circulation network intersects with a public local, collector, or arterial street..



Department

4. Maximum Sign Area and Maximum Height.

- a. Ground or monument signs shall be no more than sixteen (16) square feet per sign face with a limit of two (2) faces no more than 18" in depth, and shall be no more than five (5) feet in height, and setback a minimum of five (5) feet from any street right-of-way, and shall not be located within any clear vision areas.
- b. Wall signs shall be no more than twelve (12) square feet in area.
- c. Temporary undeveloped Subdivision/Planned Unit Development Signs: Two (2) non-illuminated ground signs, consisting of not more than two (2) sign faces, neither of which shall exceed thirty-two (32) square feet in area, and eight (8) feet in height as measured from the average surrounding elevation and setback a minimum of twenty (20) feet from any property line are permitted within upon undeveloped land within a residential land use map district where a subdivision/planned unit development has been approved by the Planning Commission. These signs must be removed no later than two years after installation, unless the Planning Commission, upon due application prior to expiration of the two-year period, determines that the continued maintenance of the sign is consistent with the purpose of this code, in which case a single one (1) year extension may be granted by the Planning Commission.
- d. Institutional Land Use Signs: Each lot occupied by public uses, including schools and churches, are allowed a maximum of one half (0.50) square foot of sign area per linear foot of street frontage. The maximum area may include a combination of permanent wall and monument signs. If a monument sign is included, the sign shall be located at least fifteen (15) feet from any property line, and be no more than eighteen (18) inches in depth, with a maximum height of eight (8) feet. Signs within public parks, schools, or stadiums, which are generally placed and located so as not to be viewed from a street, are exempt from this provision.
- e. A permanent ground sign, no more than six (6) square feet in total surface area, with no more than two (2) faces, and a maximum of three (3) feet in height may be issued to a Business, duly licensed and permitted by the City as a Bed and Breakfast Inn. No part of the sign may obstruct a clear vision area.

B. Permitted Signs in the Bear Creek Greenway District (BCG). The BCG ensures the protection of wildlife habitat and open space. Only the City or other public agency, or its authorized agents, with an established ownership or regulatory interest in the BCG or surrounding protected area may install signs in the BCG.

C. Permitted Signs in the C-H, Commercial Highway District

1. Temporary signs, subject to the following standards:



Department

- a. For single tenant commercial properties, one (1) temporary non-illuminated sign with a maximum height of four (4) feet, and consisting of no more than two (2) sign faces, neither of which shall exceed twelve (12) square feet in surface area.
 - b. For multitenant commercial properties, for each tenant one (1) temporary non-illuminated sign, with a maximum height of four feet (4) feet and consisting of no more than two (2) sign faces, neither of which shall exceed twelve (12) square feet in surface area provided that only one (1) such sign may be placed along every twenty (20) feet of street frontage.
 - c. Signs shall be freestanding, and not attached to other ground or pole signs, or other permanent structures or buildings.
 - d. Though not permanently affixed, the sign shall be anchored to the ground or a frame so as to resist the forces of gravity, wind, and other natural phenomena, shall be constructed of durable materials that are weather resistant, and shall be maintained in good condition.
 - e. The sign shall not encroach upon any sidewalk and shall be placed so as to maintain a minimum five (5) foot wide pedestrian travel way at all times.
 - f. The sign shall be removed from its location and stored indoors between the hours of 9:00PM and 7:00AM.
2. Wall Signs, Awning/Canopy and Marquee Signs, subject to using the calculation standards set forth in Section 3.6.6 and the following standards:
- a. The aggregate area of all wall signs shall not exceed one and a half (1.5) square feet for each (1) linear foot of business frontage, except if the building is set back more than twenty (20) feet from the right-of-way, in which case the aggregate area of all signs shall not exceed two (2) square feet for each (1) linear foot of business frontage.
 - b. No part of any sign shall be higher than the roof height as defined in Section 3.6.6 of this chapter.
 - c. The sign may be an electronic changeable message sign or videoboard pursuant to the standards established in Sections 3.6.6.F and G.
3. Projecting Signs: These signs are permitted, subject to standards set forth in Chapter 3.6.6 and the following standards:
- a. A maximum of one (1) projecting sign for each business frontage.
 - b. No sign shall project more than four (4) feet into the public right-of-way.
 - c. The sign shall not exceed 16 square feet per sign face with a maximum of two (2) faces.



Department

- d. No part of any sign shall be higher than the approved roof height as defined in Section 3.6.6, no part of the sign shall be lower than 8 feet from from the elevation of top of any public pedestrian way. No part of the sign shall in any way obstruct a public right-of-way or pedestrian way whether on public or private land.
 - e. No part of the sign may obstruct a clear vision area (see Section 3.6.6.H)
3. Ground and Pole Signs Standards for freestanding commercial buildings and commercial developments under 10,000 square feet GLA.. Each site is permitted one (1) ground or pole sign per street frontage, locating only one sign on each street frontage, with a maximum of two (2) signs per parcel, subject to the standards set forth in Section 3.6.6.E, and the following standards:
 - a. No part of the sign shall exceed a maximum height of 18 feet above average surrounding grade, and the lowest point on the sign shall be at least 8 feet above average surrounding elevation if it hangs over the public right-of-way or a pedestrian way whether on public or private land.
 - b. The maximum surface of each sign face shall be thirty-two (32) square feet per sign with a maximum of two faces, and not more than 18 inches in depth.
 - c. No part of the sign shall in any way obstruct a public right-of-way or pedestrian way whether on public or private land.
 - d. No part of the sign may obstruct a clear vision area (see Section 3.6.6.H).
 - e. The sign may be an electronic changeable message sign or videoboard pursuant to the standards established in Sections 3.6.6.F and G.
 4. Ground and Pole Sign Standards for shopping centers, office campuses, mixed-use commercial developments, and business/industrial parks. In instances, where multiple tenants, buildings, and/or commercial or industrial uses operate within a single development site and share parking, internal circulation, and access facilities, one monument sign is permitted at each location where a site access drive, whether public or private, intersects with a public collector or arterial road. One (1) or two (2) poles sign may also be permitted in addition to monument signs, all subject to the following standards:
 - a. All such commercial or industrial multiple tenant developments consisting of 10,000 square feet or more of gross leasable area (GLA) are required to apply for sign permits through a master sign program.
 - b. The master sign program for the site shall preserve for all tenants the ability to use monument and pole signs.
 - c. The maximum size of monument and pole signs shall be determined as follows:



Department

- i. For centers/complexes with a gross leasable area (GLA) of 10,000 square feet or more but less than 25,000 square feet of GLA, one pole sign with a maximum surface area of 40 square feet for each of 2 sign faces, and a maximum height of 20 feet, and a monument sign or signs no larger than thirty-two (32) square feet for each of two (2) sign faces and a maximum height of eight (8) feet and located in a landscaped bed.
 - ii. For centers/complexes that have a GLA between 25,000 square feet and 50,000 square feet, one pole sign with a maximum surface area of seventy-five (75) square feet for each of 2 sign faces, and a maximum height of thirty-five (35) feet, and a monument sign or signs no larger than thirty-two (32) square feet for each of two (2) sign faces and a maximum height of eight (8) feet and located in a landscaped bed.
 - iii. For centers/complexes that have a GLA that exceeds 50,000 square feet, a maximum of two pole signs each with a maximum of 75 square feet in surface area for each sign for each of 2 sign faces and a maximum height of thirty-five (35) feet, and no less than fifty (50) feet apart, and a monument sign or signs no larger than thirty-two (32) square feet for each of two (2) sign faces and a maximum height of eight (8) feet and located in a landscaped bed.
- d. No sign shall obstruct clear vision areas (see Section 3.6.6.H).
 - e. No part of the sign shall in any way obstruct a public right-of-way or pedestrian facility whether on public or private land.
 - f. The sign may be an electronic changeable message sign or videoboard pursuant to the standards established 3.6.6.F and G. In addition, videoboards are only permitted in the CH district as a part of an approved Planned Unit Development (PUD).

D. Permitted signs in the I-5 Overlay District. The I-5 (Interstate 5) overlay zone is established to permit signs visible to travelers on the I-5. It recognizes a special dependence of freeway-oriented businesses to this market. Freeway signs shall be regulated in order to avoid adverse scenic impacts on the vista east of Phoenix and the Bear Creek Greenway. The I-5 overlay zone shall be applied to lots within one quarter of a mile of the center of Interstate 5 interchange that are zoned Commercial Highway.

I-5 is not considered a street and cannot be counted as street frontage. A larger pole sign located upon the premises shall be permitted. This pole sign shall not be permitted in addition to pole signs that may be permitted in the underlying land use district, but rather as a substitute for any pole signs allowed within that district. A ground or pole sign in the freeway overlay zone is subject to the basic regulations in the underlying zone with the following exceptions:



Department

1. One pole sign (the freeway sign), consisting of not more than two (2) sign faces, neither of which shall exceed 150 square feet in surface area and 50 feet in height is permitted on each parcel of land located within the I-5 Overlay District.
2. The pole sign may utilize an electronic changeable message sign, pursuant to the standards established 3.6.6.F. Videoboards are expressly prohibited.

E. Permitted Signs in the City Center District. The City Center Plan provides for mixed residential and commercial land uses and provides linkages to the Bear Creek Greenway and to older established residential neighborhoods located adjacent to the downtown core.

1. Signage Objectives:
 - a. To include a non-obtrusive variety of signs that are designed at both pedestrian and vehicular scales.
 - b. Signs should be in the character of a small downtown, usually painted on buildings or painted on signboards hung off buildings with metal or wood brackets.
2. Wall Signs, Awning/Canopy, and Marquee signs. These signs may be permitted, subject to the standards set forth in 3.6.6.E Sign Design Standards, Methods of Calculating Area, and the following standards:
 - a. Signs are to be painted or sculptural metal, wood, awning, or canopy signs.
 - b. The aggregate area of all wall signs shall not exceed one (1) square foot for each (1) linear foot of business frontage, except if the building is set back more than twenty (20) feet from the right-of-way, in which case the aggregate area of all signs shall not exceed one and one-half (1.5) square foot for each (1) linear foot of business frontage. No part of any sign shall be higher than the roof height as defined in 3.6.6.E Sign Design Standards, Methods of Calculating Area.
3. Projecting Signs: A projecting sign may be permitted, subject to standards set forth in Section 3.6.6.E Sign Design Standards, Methods of Calculating Area of this Chapter, and the following standards:
 - a. No sign shall project more than four (4) feet into the public right-of-way.
 - b. The sign shall not exceed sixteen (16) square feet per sign face with a maximum of two (2) sign faces.
 - c. No part of any sign shall be higher than the approved roof height as defined in Section 3.6.6, no part of the sign shall be lower than eight (8) feet from grade, and no part of the sign shall in any way obstruct a public right-of-way or pedestrian facility whether on public or private land.
 - d. No part of the sign may obstruct a clear vision area.



Department

4. Monument Signs: Each parcel of land is permitted one (1) ground/monument sign per street frontage to be located within a landscaped bed, subject to the standards set forth in 3.6.6.E Sign Design Standards, Methods of Calculating Area, and the following standards:
 - a. Maximum Height: eight (8) feet
 - b. Maximum Square Footage: twenty (20) square feet per sign face per sign with a maximum of two (2) faces not more than eighteen (18) inches in depth back-to-back
 - c. Sign shall not project into public right-of-way.
5. Temporary Signs: Each business with a storefront or principal entrance located on an arterial or collector street may permit one (1) temporary sign meeting the following standards:
 - a. Signs shall not be illuminated with a maximum height of four (4) feet, and consisting of no more than two (2) sign faces, neither of which shall exceed twelve (12) square feet in surface area.
 - b. Signs shall be freestanding, and not attached to other ground or pole signs, or other permanent structures or buildings.
 - c. Though not permanently affixed, the sign shall be anchored to the ground or a frame so as to resist the forces of gravity, wind, and other natural phenomena, shall be constructed of durable materials that are weather resistant, and shall be maintained in good condition.
 - d. The sign shall not encroach upon any sidewalk or pedestrian way, whether public or private, and shall be placed so as to maintain a minimum five (5) foot wide pedestrian travel way at all times.
 - e. The sign shall be removed from its location and stored indoors between the hours of 9:00PM and 7:00AM.
6. Electronic message boards and videoboards are prohibited in the City Center land use district.

F. Permitted Signs in Industrial Land Use Districts

1. Ground or Pole Signs are subject to using the calculation standards set forth in 3.6.6.E Sign Design Standards, Methods of Calculating Area, and the following limitations:
 - a. Maximum Height: twenty (24) feet
 - b. Maximum Sign Face Square Footage: one-hundred (100) square feet per sign for each sign face
 - c. Minimum Setback: Sign shall not project into the public right-of-way.



Department

- d. Maximum Number of Sign Faces: two (2)
 - e. Maximum Number of Signs: No more than one (1) ground or pole sign shall be permitted on any single lot, except if the lot has more than one (1) street frontage, two (2) signs may be permitted, locating only one (1) sign on each street.
 - f. The sign may utilize an electronic changeable message sign, pursuant to the standards established 3.6.6.G, and consisting of a maximum of two (2) signs faces, neither of which shall be larger than thirty-two (32) square feet in surface area, except in instances where the ECMS can be viewed from property located within a residential land use district. In such cases, the ECMS shall have a maximum of two (2) sign faces, neither of which shall exceed sixteen (16) square feet in surface area.
2. Wall, Parapet, Awning/Canopy, or Marquee Signs. The aggregate area of all wall signs shall not exceed one and one-half (1.5) square feet for each (1) linear foot of business frontage, except if the building is set back more than 20 feet from the right-of-way, in which case the aggregate area of all signs shall not exceed two (2) square feet for each (1) linear foot of business frontage. No part of any sign shall be higher than the roof height as defined in 3.6.6.E Sign Design Standards, Methods of Calculating Area. The sign may utilize an electronic message or videoboard pursuant to the standards established in _____.
3. Projecting Signs:
- a. Maximum number of signs: 1/every 200LF of business frontage.
 - b. Maximum number of sign faces: 2.
 - c. Maximum surface area for each sign face: 24 square feet in area.
 - d. No sign shall project more than 18 inches into the public right-of-way.
 - e. No part of any sign shall be higher than the roof height as defined in Section 3.6.6.

G. Special Permitted Signs for Commercial and Industrial Land Use Districts

1. Service Station Signs: A business, duly licensed as a facility for refueling motor vehicles may permit one (1) additional ground sign not to exceed 50 square feet in surface area for each of no more than two (2) sign faces, and nine (9) feet maximum in height. Such signs may not project into or encroach upon the public right-of-way.



Department

2. Drive-up Window Business Sign: Two additional ground signs, consisting of no more than 1 signs face for each sign, each sign face not to exceed thirty-two (32) square feet in area and six (6) feet in height for a business licensed and permitted to operate a drive-through or drive-up service window or similar service delivery apparatus (for example, remote-operated pneumatic tubes). The signs shall be along the route of drive lanes used to access the drive-through window or service apparatus. Such signs may not project into public right-of-way. Portable signs are prohibited and may not be substituted for this type of sign.
3. Kiosks.
4. Temporary Sign During Construction: Up to two temporary non-illuminated signs may be installed after a building permit has been obtained for a construction project and must be removed not later than one (1) year after issuance of the building permit for the project or upon completion of the project, whichever is sooner. Each sign shall consist of no more than 2 sign faces, neither of which shall exceed 75 square feet, and the top of the sign shall not be more than 10 feet above average surrounding grade. Signs shall be subject to the same setback requirements as are imposed for structures in this zone. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.
5. Temporary Signs: One temporary sign may be installed if the business owner has a valid sign permit but is waiting for the completion of the permanent sign. Display period is limited to thirty (30) days, but may be extended with permission from the Planning Department. The sign shall consist of no more than two (2) sign faces, neither of which shall exceed thirty-two (32) square feet of surface.
6. Temporary Sign for Nonrecurring Events: One temporary sign may be installed upon the premises where an event is being held. The sign shall consist of no more than two (2) sign faces, neither of which shall exceed thirty-two (32) square feet in surface area. No part of any sign shall be higher than the roof height as defined in Section 3.6.6, Display period is limited to fifteen (15) days and the sign shall be removed immediately after the event. A particular property may permit four (4) such temporary signs in one calendar year. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.

3.6.6 – Permit Administration, Standards of Review, and Issuance.

No application shall be considered, nor permit issued, until the applicant has submitted a complete application. When required, the applicant shall submit proof that work will be done by a contractor licensed in compliance with local or state law to perform the specialized tasks required for construction of the proposed sign.



Application for a permit shall be made to the Planning Department upon a form provided by the City with signatures of the property owner of record, the business owner, and the sign company. A complete application shall include the following:

A.. Individual Sign Permit Application Requirements:

1. A set of plans for the proposed sign and structural calculations where required.
2. Location of the sign on the building or building site.
3. Dimensions of the sign.
4. Construction materials and a color rendering or photograph of each sign.
5. Method of attachment and character of structural members to which attachment is to be made.
6. Electrical wiring and components or U.L. approved number.
7. Ingress and Egress and sight visibility triangles.
8. Sign permit review fee as established by resolution of the City Council.

B. Master Sign Programs Permit Application Requirements:

1. An accurate plot plan of the parcel at scale.
2. Elevations and square footage computations of the buildings.
3. Ingress and Egress and sight visibility triangles.
4. An accurate location of each present and future sign.
5. Computation of the total number of ground signs, total sign area, and the elevation and height of the ground signs.
6. To scale drawings, sign lettering, dimensions, color renderings, method of attachment, footings and electrical wiring and components or U.L. approved number requirements for each sign.
7. Sign permit review fee as established by resolution of the City Council.

The Building Safety Official may also require that a licensed engineer furnish information concerning structural design and proposed attachments. Signs more than 10 feet above grade, except wall signs painted on walls, shall be structurally designed by an architect or engineer licensed in the state of Oregon and bearing the architect's or engineer's seal. All signs, except for signs painted directly upon a building, are also subject to Building Department requirements.

C. Permit Application Review Procedures.

1. The Planning and Building Departments shall approve a sign permit upon finding that the applicant has met all requirements of the sign standards.



Department

2. No sign construction shall begin unless the approved permit has been issued and the applicant has paid all fees.
3. Unless the permit holder requests an extension of the permit and demonstrates good cause for such an extension, a sign permit shall expire if the sign construction or other work authorized by a sign permit is not completed within one year of the date of issue.
4. No sign construction shall be considered complete until the permit holder has notified the city that work is finished and the City is satisfied that the sign construction has been completed in conformity with the approved plans and otherwise complies with the sign standards.
5. If a permit is denied, the applicant shall receive a notice of denial in writing, setting forth the reasons for the denial. A decision granting or denying a sign permit may be appealed to the Planning Commission in accord with the variance and appeal process defined in Chapter 5 of the Development Code.
6. No additional permits shall be issued for signs on businesses or uses with signs not already in compliance with the sign code unless the applicant can prove existing signs are legal nonconforming.

D. Indemnification of City. As a condition to the issuance of a sign permit as required by this Chapter, all persons engaged in the hanging or painting of signs, which involves, in whole or in part, the erection, alteration, relocation, maintenance, or other sign work in, over, or immediately adjacent to a public right-of-way or public property if used or encroached upon by the sign hanger or painter in the said sign work, shall agree to hold harmless and indemnify the City, its officers, agents, and employees from liability for damages resulting from said erection, alteration, relocation, maintenance or other sign work.

E. Sign Design Standards, Methods of Calculating Area

1. Wall Signs
 - a. No part of the sign shall extend vertically above the highest portion of the roof's calculated elevations (except for parapet signs).
 - b. Marquee signs. A marquee is any permanent roof-like structure projecting beyond the perimeter wall of a building, and signs shall not be located above the top of the marquee.
 - c. Parapet Signs. Parapets or false fronts are measured by the linear frontage of the parapet.
 - d. Roof Elevations. Signs are not allowed above the roofline's elevation, which is determined by the highest point of the roof surface for flat roofs; and to the average height between eaves and ridges for gable, hip, gambrel roofs, and mansard roofs.



Department

- e. The area of a wall sign without a border shall be computed by enclosing the entire sign within sets of parallel lines touching the outer limits of the sign message.
 - f. Perimeter walls. The exterior wall of a building shall be measured at the floor level of each floor, including the ground floor. Alcoves, entryways and extruding portions shall be treated by measuring through such areas as though along the flat wall of a building.
2. Ground and Pole Signs.
- a. The area of a ground or pole sign shall be calculated by adding the area of all the sign faces presenting a message. Pole covers, and columns shall not be included in the area of the measurement if they do not bear any message. Double-faced signs will be considered as one sign only when placed back to back and separated by eighteen 18 inches or less.
 - b. Street frontage. Development sites fronting on two or more streets are allowed the number of signs permitted for each street frontage. However, the total number of signs that are oriented toward a particular street may not exceed street frontage allotment. Interstate 5 is not considered a street for sign purposes, and cannot be counted towards frontage allotments.
3. Flags. Any fabric, banner, or bunting flags containing distinctive colors, patterns, or symbols, other than U.S., state, and local government flags, shall be limited to the wall and ground/pole sign allotments, unless otherwise approved by the Planning Commission. Flags on poles may be counted towards the ground sign allotment. Flags on buildings (not on poles) may be calculated as part of the building's or business's linear footage allotment and may not be placed above the roofline.
4. Kiosks.
- a. Maximum Size. Kiosks shall not exceed seven (7) feet in height and thirty-five (35) per side.
 - b. Minimum Spacing. Kiosks shall be placed no less than two hundred (200) feet apart unless closer proximity can be demonstrated to serve a public purpose.
 - c. Content displayed on the kiosk shall be sized appropriately for view by pedestrian passersby within 10 feet of the kiosk, and shall never display messages that could distract the attention of motorists.
 - d. Architectural Features. Kiosks shall be consistent with the architecture of surrounding built environment.
 - e. ECMS and Videoboards may be used in kiosks, provided that no more than 10 square of the any one side of a kiosk is used for an ECMS or videoboard.



Department

- f. Lighting. Kiosks shall not be illuminated by an external, detached lighting source;
- g. Location. Kiosks shall be located within or along pedestrian walkways, plazas, and other areas designed for pedestrian travel and public assembly in accordance with the following requirements:
 - i. An unobstructed pedestrian area or sidewalk with a minimum width of 10 feet shall be maintained on any side of a kiosk with a message area;
 - ii. An unobstructed sidewalk width of seven feet shall be maintained on any side of a kiosk without a message area;
 - iii. An unobstructed pedestrian area or sidewalk with a minimum width of 10 feet is maintained between any side with a message area and the back of curb of any adjacent road, drive, or parking facility;
 - iv. the distances referred to above shall be measured from the surface of the display at a 90 degree angle across the entire display.

F. Illumination Standards.

1. Maximum illumination. In residential land use districts, or in instances where a property in a nonresidential land use district abuts a residential land use district OR a property that is a legally nonconforming residential building located in a nonresidential land use district, no sign may exceed a maximum illumination of 0.5 footcandle above ambient light level as measured fifty (50) feet from the sign's face. In all other districts, no sign may exceed a maximum illumination of 1.0 footcandle above ambient light level as measured fifty (100) feet from the sign's face.
2. Glare reduction. No sign may be illuminated or use lighting where such lighting is directed at any portion of a traveled street or will otherwise cause glare or impair the vision of the driver of a motor vehicle or otherwise interfere with the operation thereof.
3. Illumination from signs on nonresidential property. Illumination resulting from all signs and lighting on any property in a non-residential zoning district shall not cause glare towards the residential zoning districts. External illumination shall be shielded so that the light source elements are not directly visible from property in a residential zoning district that is adjacent to or across a street from the property in the non-residential zoning district.
4. Illumination from signs on residentially zoned property. No internally illuminated sign shall be allowed on property in a residential zoning district. Lighting from all light sources operated for the purposes of sign illumination on property in a residential zoning district shall be shielded from other property in the residential zoning district.



Planning & Building

Department

G. Electronic Changeable Message Signs.

1. Electronic changeable message signs shall not have any moving patterns of light, other than the transition between messages. Moving patterns of light shall include, but shall not be limited to, pulsating, flashing, scrolling, animation and/or blinking at any time. All lights in a display shall activate simultaneously, remain activated for not less than 20 seconds and deactivate simultaneously.
2. Maximum size for electronic changeable message signs shall be determined by the maximum size of a sign allowed within the land use district in which it is located, but shall never exceed thirty-two (32) square feet in surface area for each sign face allowed.
3. Use of 2 or more successive screens or “sequencing” to convey a message that will not fit on one (1) screen shall be prohibited.
4. The maximum amount of text-based information displayed shall be limited to the maximum number of words that a driver can reasonably be expected to read from a distance from the electronic changeable message sign of 800 feet at a rate of 1 word per second. The following table provides examples of the maximum number of words on a sign for commonly encountered traffic speed limits.

Posted Speed Limit (MPH)	Posted Speed (FT/S)	Time to Travel 800 Feet (in seconds)	Maximum # of Words in a Message
25	36.67	21.82	21
35	51.33	15.58	15
45	66.00	12.12	12
55	80.67	9.92	9

Table 3.3.6.F.4

5. Content displayed on an Electronic Changeable Message sign may not resemble or simulate any lights or traffic control device used to control traffic in accordance with the MUTCD unless such content is directly related to the dissemination of information during times of emergency.
6. The City may require emergency information to be displayed, within appropriate message rotation, on an electronic changeable message sign.

H. Videoboards. Videoboards may display moving patterns, images, text animation, and video content similar to television images only in accordance with the following standards, restrictions and requirements:



Department

1. Videoboards shall not be visible from any public road or any private road except those private roads that primarily function to provide traffic circulation through parking lots.
2. No more than one (1) videoboard with a display area of more than twenty-four (24) square feet shall be located within seven hundred (400) feet of another videoboard with a display area of more than twenty-four (24) square feet.
3. A videoboard shall not obscure or in any way detract from prominent architectural and design features of a building or structure on which the videoboard is located. Videoboards shall be designed so that they are integrated into the overall design of the building or structure and compliment architectural details such as the overall mass and dimensions of the building to which it is affixed; the size, position and dimensions of openings including doors and windows.
4. Maximum size for videoboards shall be determined by the maximum size of a sign allowed within the land use district in which it is located, but shall never exceed thirty-two (32) square feet in surface area for each sign face allowed.
5. Where a videoboard is located within three hundred (300) feet of any traffic signal, all applications for a Sign Permit for a videoboard must include a report from a traffic engineer stating that the placement of the sign will not interfere with the effectiveness of a traffic signal within 300 feet of the sign. At no time and in no way shall messages displayed on a videoboard be intended and designed for viewing by motorists traveling on an arterial or more heavily travelled road.
6. Content displayed on a videoboard sign may not resemble or simulate lights or traffic control devices used to control traffic in accordance with the MUTCD unless such content is directly related to the dissemination of information during times of emergency.
7. The City may require emergency information to be displayed, within appropriate message rotation, on a videoboard.
8. Operational Standards--Display. All videoboards:
 - a. Must contain a default mechanism that freezes an image in one position in case of a malfunction or deactivates the display in its entirety.
 - b. Must automatically adjust the sign brightness based on natural ambient light conditions in compliance with the following formula:
 - i. the ambient light level measured in luxes, divided by 256 and then rounded down to the nearest whole number, equals the dimming level; then
 - ii. the dimming level, multiplied by .0039 equals the brightness level; then



Planning & Building

Department

- iii. the brightness level, multiplied by the maximum brightness of the specific sign measured in nits, equals the allowed sign brightness, measured in nits.
- c. Must be turned off between 1:00 a.m. and 6:00 a.m. Monday through Friday and 2:00 a.m. and 8:00 a.m. on Saturday and Sunday. Videoboards may be required to be turned off earlier in instances where a videoboard faces a residential land use including overnight accommodations like hotels.
- d. May not display light of such intensity or brilliance to cause glare, impair the vision of an ordinary driver, or constitute a nuisance.
- e. Must have a full color display able to display a minimum of 281 trillion color shades.
- f. Must be able to display a high quality image with a minimum resolution equivalent to the following table:

Viewing Distance (FT)	Max. Pixel Size (mm)
36 to 45 feet	12 to 16
> 45	14.25 to 19

Table 3.6.6.G.7.f

- g. Light intensity. Before the issuance of a videoboard sign permit, the applicant shall provide written certification from the sign manufacturer that:
 - i. The light intensity has been factory programmed to comply with the maximum brightness and dimming standards in table; and
 - ii. The light intensity is protected from end-user manipulation by password-protected software, or other method satisfactory to the Planning Director; and
 - iii. The sign's light intensity has been factory pre-set not to exceed 7,000 nits
- h. Changes of text messages, not containing video, must comply with the following:
 - i. Any messages that display text must be displayed for a minimum of five seconds.
 - ii. Changes of text-based messages not containing video content must be accomplished within two (2) seconds.
 - iii. Changes of text-based messages not containing video content must occur simultaneously on the entire sign face.
 - iv. No flashing, dimming, or brightening of message is permitted except to accommodate changes of message.



Planning & Building

Department

- v. Ticker tape streaming is permitted at all times when the videoboard is operating. Ticker tape streaming must be located within the bottom 10 percent of the effective area.
- i. Malfunction. The videoboard operator must respond to a malfunction or safety issue within one hour after notification.

I. Vision Clearance and Safety Standards

1. Signs must comply with the sight visibility standards within the Development Code (see Chapter 3.2.2.M).
2. The minimum clearance of all signs projecting over a pedestrian way shall be eight (8) feet.
3. Clearance over vehicle use area. The minimum clearance of all signs projecting over any portion of a vehicle use area shall be 17 feet.

J. Duration of Permits.

1. Permits for permanent signs shall be valid, without renewal, until such a time as they are altered. Upon such an event, the original permit shall expire.
2. Unless otherwise stated in this Chapter, permits for temporary signs shall be valid for a period of one (1) fiscal year or portion thereof. Where this standard differs with another stated elsewhere in this Chapter, the standard which defines a more limited duration for a temporary sign permit shall control. A temporary sign permit shall be renewed at least 30 days prior to its expiration on the 30th day of June of each fiscal year. Permitted temporary signs shall be removed prior to or upon that day if the permit has not been renewed.

3.6.7 – Nonconforming Sign and Abandoned Signs

A. Nonconforming Signs

1. Nonconforming signs may be maintained subject to the following conditions:
 - a. No additions or enlargements may be made to a nonconforming sign except additions or enlargements required by law.
 - b. If any nonconforming sign is moved voluntarily, that sign shall thereafter conform to the requirements of the sign standards as a newly constructed sign.
 - c. Any sign that is constructed to replace a nonconforming sign shall be constructed in compliance with all applicable provisions of the sign standards.
2. Except where only a change in display copy is made, any nonconforming sign, which is structurally altered (excluding routine maintenance), shall be brought into compliance with all applicable provisions of the sign standards within 90 days of written notice sent by the City and shall thereafter be kept in compliance with the sign standards.



Department

3. Any nonconforming abandoned sign and supporting structure shall be removed by the owner of the sign or owner of the premises within three months following the closure of the business which licensed the sign, vacation of change of occupancy at the premises for which the sign was licensed, condemnation or demolition of a structure or building for which a sign was licensed, or an event that has concluded no fewer than 30 days before.

B. Maintenance. All signs, together with all of their supports, braces, guys, anchors and electrical equipment, shall be kept fully operable, in good repair and maintained in safe condition, free from excessive rust, corrosion, peeling paint or other surface deterioration.

3.6.8 – Sign Variance Criteria

In order to obtain a Variance from the terms of the ordinance, the applicant must be able to show the following:

- A.** The Variance is necessary because of special circumstances relating to the size, shape, topography, location, or surroundings of the subject property to provide it with use rights and privileges permitted to other properties in the vicinity and zone in which the subject property is located.
- B.** The special circumstances of the subject property are not the result of the actions of the applicant, the owner of the property, or a self induced hardship.
- C.** The authorization of such Variances will not be materially detrimental to the public welfare, not injurious to nearby property, nor essentially different from the provisions of the zoning district in which it is located;
- D.** The type of the proposed sign is not a type prohibited by these regulations;
- E.** The Variance would not result in a special advertising advantage in relation to neighboring businesses or businesses of a similar nature. The desire to match standard sign sizes (for example, chain store signs) shall not be listed or considered as a reason for a Variance.
- F.** Granting of the Variance would not obstruct views of other buildings or signs, cover unique architectural features of a building, or detract from landscape areas.
- G.** The granting of the Variance would not create a traffic or safety hazard.

The City may designate conditions to ensure conformance with the Development Code. Guarantees and evidence that such conditions will be complied with may be required.

3.6.9 – Landmark Sign Program, Procedures and Standards of Review

The owner of an existing sign may apply for a determination by the Planning Commission or its designee that the sign qualifies as a Landmark Sign, pursuant to the following provisions:

- A. The sign is nonconforming;



Planning & Building

Department

- B. The sign is unique in its design, method and materials of construction, and/or is associated with an historically significant event, commercial enterprise, organization, person;
- C. The applicant shall provide the same information describing the sign as is required by Section 3.6.6.A -- Individual Sign Permit Application Requirements.
- D. A Hazardous Sign may not, under any circumstances, qualify as a Landmark Sign unless the hazardous condition of the sign has been or will be abated prior to or conditionally upon designation Landmark Sign status.
- E. The Planning Commissioner or its designee may require financial assurance from the applicant in the form of a performance bond, escrow, or other financial device in accordance with Section 4.3.9 – *Performance, Maintenance Guarantee and Development Agreement*, that the City may use in order to abate, remove, or demolish any Hazardous Sign that has been conditionally approved for Landmark Sign status.
- F. The Building Official may require additional building and trades permits.
- G. The fee, set by resolution of the City Council, for application review and determination shall be paid by the application at the time of application.

3.6.10– Wayfinding Sign Program Procedures and Standards of Review

An single property owner, group of property owners, public agency, organization, homeowners association, or other parties with vested property interests may request that the City create a Wayfinding Sign Program pursuant to the following provisions:

- A. The applicant shall submit a Wayfinding Sign Plan for review by the Planning Commission or its designee. The plan shall provide substantially the same information describing all proposed signs as is required by Section 3.6.6.B -- Master Sign Programs Permit Application Requirements.
- B. The plan shall substantially comply with the other requirements of this ordinance (including but not limited to standards for illumination, clear vision areas, etc.), but may allow for divergence in the design of individual signs provided that none of the signs in the proposed plan would create conditions that are hazardous as defined within this Chapter;
- C. Wayfinding Signs shall be designed in a way that is consistent with desirable aesthetic characteristics of the surrounding neighborhood and community;
- D. Wayfinding Signs shall be designed to effectively communicate directional information to the general public through the use of color, scale, placement and other design elements;
- E. Wayfinding Signs shall be designed so as to improve the visual quality of the built environment of the surrounding neighborhood and community. This shall be achieved through the use of architectural features and high quality materials



Department

including wood, natural stone, brick, wrought iron and other high quality metal millwork;

- F. The Planning Commission or its designee shall review the plan and determine whether to approve, approve with conditions, or deny the application and proposed plan using the aforementioned criteria.
- G. The Planning Commissioner or its designee may require financial assurance from the applicant in the form of a performance bond, escrow, or other financial device in accordance with Section 4.3.9 – *Performance, Maintenance Guarantee and Development Agreement*, that the City may use in order to abate, remove, or demolish any Hazardous Sign that has been approved as a part of a Wayfinding Sign Plan.
- H. The Building Official may require additional building and trades permits.
- I. The fee, set by resolution of the City Council, for application review and determination shall be paid by the applicant at the time of application.

3.6.11 – Public Art Program, Procedures and Standards of Review

- A. The applicant shall submit a Public Art Plan for review by the Phoenix Arts Council or its designee that shall, at minimum, address the following:
 - 1. The location, dimensions, and method of installation and construction of the artwork;
 - 2. A maintenance plan describing activities and procedures to ensure that the artwork remains in its intended condition over the course of its functional lifetime.
- B. The plan shall substantially comply with the other requirements of this ordinance (including but not limited to standards for illumination, clear vision areas, etc.), but may diverge from these standards to allow for creative, artistic expression provided that none of artwork in the proposed plan would create conditions that are hazardous as defined within this Chapter;

3.6.12 – Enforcement.

- A. When a sign is removed, altered, and/or stored under these enforcement provisions, removal and storage costs may be collected against the sign owner and the person responsible for the placement of the sign. The city council shall establish the fees for removal and storage of signs, and for other associated fees, by resolution, from time to time.
- B. Any sign installed or placed in the public right-of-way or on City-owned real property, except in conformance with the requirements of this chapter or other applicable provisions of this code, may be removed by the Planning Director or his/her designee as follows:
 - 1. Immediate confiscation without prior notice to the owner of the sign.



Department

2. If the City can ascertain contact information for the owner of the sign or for any person or business responsible therefore, the City shall contact that person or business and advise that: a) the sign was found in a location that the City believes to be a public right-of-way or City-owned property; b) that no permit was issued for the placement of the sign in that location, and that the sign is not otherwise legally permitted to be in that location; and c) that the City has confiscated the sign and shall destroy it after thirty (30) days from the time notice was sent to the person or business responsible for the sign, unless either i) the sign is claimed and the removal and notice costs are reimbursed to the City in full or ii) a request for hearing is submitted by the person or business responsible for the sign to the Planning Department.
 3. If notification is not possible, the city shall store the sign for thirty (30) days from date of confiscation. The sign may then be destroyed.
 4. The city shall continue to store the sign for any additional period during which an appeal or review thereon is before the municipal court.
- C. Signs found to be erected or maintained on private property in violation of the provisions of this section or other applicable provisions of the Phoenix Land Development Code are subject to the provisions of Chapter 1.4 – *Enforcement*, and any other means of enforcement afforded to the City and agents by the Municipal Code of the City of Phoenix.



Chapter 3.6 – Signs

Sections:

- 3.6.1 – Purpose
- 3.6.2 – Definitions
- 3.6.3 – Applicability and Exemptions
- 3.6.4 – Prohibited Signs
- 3.6.5 – Permitted Signs
- 3.6.6 – Permitted Signs, Standards of Review
- 3.6.7 – Nonconforming Sign and Abandoned Signs
- 3.6.8 – Sign Variance Criteria
- 3.6.9 – Landmark Sign Program, Procedures and Standards of Review
- 3.6.10 – Wayfinding Sign Program Procedures and Standards of Review
- 3.6.11 – Public Art Program Procedures and Standards of Review
- 3.6.12 -- Enforcement

3.6.1 – Purpose

The City finds that signs are an important means of communication by and between individuals, organizations, and other bodies corporate. It further finds, however, that signs can create conditions that are unsafe for drivers and pedestrians, that signs can degrade the aesthetic quality of the roadsides and neighborhoods, and can be otherwise disruptive to efforts to improve quality of life throughout the community and for all City residents.

Therefore, the standards contained in this chapter are intended to balance the needs of businesses and individuals to convey messages through signs with the rights and interests of the community-at-large to maintain the orderly and pleasant appearance of the City's streets and neighborhoods and to eliminate conditions along City streets that are hazardous to drivers and pedestrians. The purpose of this Chapter is to

- A. Improve the aesthetic quality of Phoenix's built environment, in particular its the streetscape along its commercial corridors through the equal application of standards regulating the number, size, illumination, and placement of signs;
- B. Provide sufficient opportunities for the conveyance of information to the public;
- C. Protect public safety by providing the legal authority to eliminate hazardous signs.
- D. Ensure application of content neutral standards.

3.6.2 – Definitions



Planning & Building

Department

Chapter 3.6 as Amended by LDC 14-12

- A. **Abandoned Sign.** Any sign or sign structure that: 1) is no longer used by the property owner or sign permit holder. Discontinuance of use may be demonstrated through cessation of the use of the property upon which the sign is located; OR 2) has any sign or sign structure that is in a state of disrepair and repairs or restoration has not been initiated within forty-five (45) days of the date the sign was found to have been damaged or was discovered in a state of disrepair OR necessary repair has not been completed within 90 days of initiation of repairs.
- B. **Accessory Sign.** Signage which is an integral part of commercial and industrial equipment such as soft drink machines, gas pump, newspaper dispensers, and other similar structures.
- C. **Alteration.** Any change in the size, shape, method of illumination, construction, or supporting structure of a sign. The change of a sign face or message shall not constitute an alteration.
- D. **Architectural Feature, Element or Detail.** A part of a building, being integral to the structure and consistent with the overall design of a building, whether decorative in nature or not, that may possess or may be interpreted to convey visual information whether wholly or partly symbolic or textual.
- E. **Average Surrounding Elevation.** The average elevation of an area with a radius of no less than fifteen (15) feet and no more than thirty (30) from a central point of measurement.
- F. **Awning.** A secondary covering attached to the exterior wall of a building. The location of an awning on a building may be above a window, a door, or over a sidewalk. An awning is often painted with information as to the name of the business, thereby acting as a sign, in addition to providing protection from weather.
- G. **Banner.** A sign made of fabric or any nonrigid material with no enclosing framework.
- H. **Business frontage.** The linear dimension of the façade of a nonresidential building or portion thereof, as measured at grade, devoted to a specific business or enterprise.
- I. **Business License.** A license issued to a person or corporation according to Chapter 5.04 of the Phoenix Municipal Code.
- J. **Business Premises.** Real property at or upon which an individual or corporation engages in the trade, production, or provision of goods or services, whether for monetary compensation or not.
- K. **Electronic changeable message sign.** A sign whose informational content, copy and/or message can be changed or altered by means of electronically-controlled electronic impulses. In contradistinction to videoboards defined below, electronic changeable message signs shall not, under any circumstances, display full motion images.
- L. **Festoons.** A string of ribbons, tinsel, small flags, or pinwheels.



Chapter 3.6 as Amended by LDC 14-12

- M. Ground Signs. A sign erected on a freestanding frame, mast, or pole and not attached to any building, also known as a freestanding sign. Monument and pole signs are different types of ground signs.
- N. Kiosk. A multi-sided structure designed for the display of messages and other content including images which are intended to be viewed by and to be comprehensible to pedestrian passersby within 10 feet of the kiosk.
- O. Handheld Signs. A sign held by or affixed to a person, including costumes. Personal items of clothing that are customarily worn by an individual in course of routine activities shall not be considered as such. Handheld signs are considered to be temporary signs as defined and regulated herein.
- P. Hazardous Sign. A sign which is detrimental to the public safety, including but not limited to: any sign that has a design, color, or lighting which may be mistaken for a traffic light, signal, or directional sign; any sign which is located in such a manner as to obstruct free and clear vision to motorists or pedestrians at intersections and driveways; any sign which, because of its location, would prevent free ingress to or egress from any door, window, or fire escape; any sign that is attached to a standpipe or fire escape; any sign which has lighting which temporarily blinds or impairs one's vision; or any sign which is in a leaning, sagging, fallen, decayed, deteriorated, or other unsafe condition.
- Q. Illegal Sign. A sign which is installed or maintained in violation of this Chapter.
- R. Incidental Sign. A small sign, emblem, or decal typically used to inform the public of goods, facilities, or services available on the premises (e.g., a credit card sign or a sign indicating hours of business).
- S. Landmark Sign. A sign found to be of historical or local significance by the Planning Commission.
- T. Master Sign Program. A single, comprehensive sign permit that establishes design standards and other regulations for multiple signs located upon and within a retail, office, or industrial development consisting of a group of two or more duly licensed businesses sharing common parking and circulation facilities, landscaping or open space facilities, whether under common or multiple individual ownership. Neighborhood commercial "strip" centers, shopping centers, office campuses, special commercial districts, and business parks are representative examples of sites that may be eligible to participate in a Master Sign Program.
- U. Monument Sign. A freestanding sign that does not have exposed pole or pylon and is attached to a continuous structural base. The base is not less than half the width of the message portion of the sign and is permanently affixed to the ground. Monument sign bases include material consistent with the principle structure, including brick, block, and concrete, but excluding metal.
- V. Nonconforming Sign. An existing sign, lawful at the time of the enactment of this ordinance, which does not conform to the requirements of this code.

Chapter 3.6 as Amended by LDC 14-12

- W. Permanent Sign. For the purposes of this Chapter, a sign shall be considered permanent when it is designed in such a way and then, according to its approved design, attached mechanically to a building, permanent structure, or the ground so as to remain in that state according to its approved design for a more or less indeterminable period of time, and relying only on routine maintenance and repair in order to remain in that state.
- X. Projecting and Suspended Signs. Projected signs are attached to a building or wall in such a manner that its leading edge extends more than six (6) inches beyond the surface of such building. Suspended signs are suspended from the underside of a horizontal plane surface.
- Y. Public Art. A two or three-dimensional object or other visual presentation of information, whether textual, visual, or graphic in nature, that is viewable by the general public and has been so designated after review by the Phoenix Arts Council.
- Z. Sculpture. A type of visual artwork that is fundamentally three dimensional in nature; may be freestanding or relief; and is achieved through the carving, modeling, casting, forging, or assembly of materials such as stone, metal, ceramics, wood, fibers, found objects and other materials. Other forms of sculpture include sound and landscapes, light and kinetic sculptures.
- AA. Sign. Any message, identification, description, illustration, symbol, device, or sculptured matter, including forms shaped to resemble any human, animal, or product, which is affixed directly or indirectly upon a building, vehicle, structure, or land.
- BB. Sign Face. The surface of a sign upon which or containing the message to be communicated.
- CC. Sign Height. The vertical distance from average surrounding elevation to the highest point of a sign or sign structure.
- DD. Sign structure. The supports, uprights, braces, framework, and other structural components of the sign that are not used, or able to be used, to communicate information of a textual or graphic nature.
- EE. Site. A lot, parcel, or tract of land under common ownership and/or developed together as a single development site, regardless of how many uses occupy the site.
- FF. Street Frontage. The total linear dimension of a property along a public street, including curb cuts, access drives, and building facades.
- GG. Videoboard. Electronic changeable message signs, video displays and other projection devices that are capable of displaying moving images similar to television images, by light-emitting diode or other technology, and that are intended for viewing by pedestrians from sidewalks and similar public and quasi-public spaces.



Chapter 3.6 as Amended by LDC 14-12

- HH. Temporary Sign. A sign that is not designed and/or constructed to be permanently affixed to a building, permanent structure, or the ground. Examples include banners, sandwich boards and similar unanchored freestanding signs.
- II. Wall Signs. A sign painted or attached to any part of a building, or mounted/painted upon the inside of windows within all commercial or industrial zoning districts. Wall signs include parapet signs, awning/canopy signs, projecting/suspended signs, and marquee signs that are attached to the marquee.
- JJ. Wayfinding Sign or Device. A sign, landmarks or other visual graphic communication that are part of a coordinated program that has been reviewed and approved by the City according to the standards set forth in Section 3.6.10 of this Chapter. Typical wayfinding signs include gateways, vehicular directional, destination, parking lot identification, parking trailblazer, pedestrian directional vehicular directional and pedestrian kiosk.
- KK. Window Sign. An unlighted sign installed inside a window or painted on a window and intended to be viewed from the outside.

3.6.3 – Applicability and Exemptions

- A. Sign Permit Required.** All signs visible from the public right-of-way or private areas accessible to the public within the City of Phoenix shall be subject to the provisions of this Chapter. Except as otherwise provided in section 3.6.3.B, Sign Permit, Exemptions of this Chapter, it shall be unlawful for any person to construct, erect, alter or relocate a sign, or direct an employee or agent to do same within the City without first obtaining a permit for each separate sign from the Planning Department.
- B. Sign Permit, Exemptions.** The following signs may be installed, and related activities performed, without a Sign Permit:
1. General Sign Exemptions -- All Land Use Districts
 - a. Maintenance and repair of signs for which a permit has been issued, that does not alter the sign face or sign structure. This exemption also applies to change of face, where an existing sign is modified by change of message or design on the sign face, without any change to size or shape of the sign framework or structure.
 - b. One temporary, non-illuminated sign installed by or on the behalf of a contractor or service provider while a building permit is active and work is proceeding on the premises, from the date of issuance of the building permit and up until one (1) week after work the relevant building permit has been closed, has expired, or a stop work order has been issued. The sign may consist of two (2) faces, neither of which shall not exceed sixteen (16) square feet. The sign may have a maximum height of four (4) feet as measured from average surrounding elevation. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.



Planning & Building

Department

Chapter 3.6 as Amended by LDC 14-12

- c. Flags of national, state, or local government.
- d. Holiday decorations and lights installed during national and local holidays for a period of beginning sixty (60) days before the holiday and ending fourteen (14) days after the holiday.
- e. Public signs. Signs constructed or placed in a public right-of-way by or with the approval of a governmental agency having legal control or ownership over the right-of-way, signs owned or constructed under the direction of the city, and signs placed by a public utility.
- f. Signs located within a sport stadium that are intended for viewing primarily by persons within said stadium.
- g. Signs that are a part of an approved Wayfinding Sign Package, pursuant to 3.6.10– *Wayfinding Sign Program Procedures and Standards of Review*.
- h. Public art installations as reviewed and approved according to the policies of the Phoenix Arts Commission Section 3.6.11 – *Public Art Program Procedures and Standards of Review*.
- i. Landmark signs as reviewed and approved by the Planning Commission or its designee in accordance with 3.6.9 – *Landmark Sign Program, Procedures and Standards of Review*.
- j. Handheld signs carried by an individual who has not received any form of remuneration in the performance of this activity.
- k. Sculpture, provided that they substantially conform to the design standards enumerated within this Chapter, do not create or cause hazardous conditions, and are in compliance with Chapter 8.04.060, 8.04.080, and 8.04.110 of the Phoenix Municipal Code.
- l. Architectural features, provided that they substantially conform to the design standards enumerated within this Chapter, do not create or cause hazardous conditions.
- m. Vehicular signs. Any sign permanently or temporarily placed on or attached to a motor vehicle or trailer, where the vehicle or trailer is used in the regular course of business for purposes other than the display of signs, subject to compliance with the following conditions:
 - i. Vehicles and equipment shall be in operating condition, currently registered and licensed to operate on public streets when applicable, and are actively used in the daily operation of a business/or land use.
 - ii. Vehicles and equipment engaged in active construction projects.
 - iii. Vehicles and equipment stored on the premises of a business that is duly licensed to offer said vehicles and equipment to the general public for sale or lease.



Planning & Building

Department

Chapter 3.6 as Amended by LDC 14-12

- iv. Vehicles parked at the owner's residence provided that they meet .3.6.3.B.g.i of this Chapter.
2. Sign Exemptions, Residential Land Use Districts
 - a. Windows signs.
 - b. Accessory and incidental signs two (2) square feet in size or less.
 - c. Parking lot signs up to three (3) square feet in area and up to five (5) feet in height may be constructed or placed within a parking lot.
 - d. One non-illuminated, temporary sign per street frontage, with a maximum height of four (4) feet and consisting of no more than two (2) faces, neither of which shall exceed sixteen (16) square feet, during periods of time when the premises or a portion thereof is actively marketed for sale or lease. The sign shall be removed within fourteen (14) days of the cessation of marketing activities. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.
 - e. Temporary non-illuminated signs, with a maximum height of four (4) feet and consisting of no more than two (2) faces for each sign, neither of which shall exceed twelve (12) square feet in surface area, located on private property with the consent of the property owner, during the period from (sixty) 60 days before to five (5) days after any public election held in Oregon. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.
 - f. One banner may be installed on the exterior wall of an approved conditional use (schools, churches, public buildings, etc.) within a residential land map district (R-1, R-2, or R-3) where an event is being held. The banner may be installed for up to fifteen (15) days for the event and shall be removed five (5) days after the event. It shall be a flat wall mounted plastic or canvas sign, and may be up to thirty-two (32) square feet in surface area. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.
 - g. One temporary non-illuminated sign, with a maximum height of 4 feet and consisting of not more than two (2) faces, neither of which shall exceed twelve (12) square feet in surface area, installed by the owner or tenant of real property upon which the sign is installed. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.
 3. Sign Exemptions, Commercial, Industrial, and Mixed Use Land Use Districts
 - a. Accessory and incidental signs.
 - b. Windows signs that cover 50% or less the window.



Planning & Building

Department

Chapter 3.6 as Amended by LDC 14-12

- c. Parking lot signs up to three (3) square feet in area and up to five (5) feet in height may be constructed or placed within a parking lot.
- d. One temporary sign per street frontage, consisting of no more than two (2) faces, neither of which exceeds thirty-two (32) square feet in area, not to exceed four (4) feet in height during periods of time when the premises or a portion thereof is actively marketed for sale or lease. The sign shall be removed within fourteen (14) days of cessation of marketing activities. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.
- e. Temporary, non-illuminated signs, with a maximum height of 4 feet and consisting of not more than two (2) faces, neither of which shall exceed twelve (12) square feet of surface area, located on private property with the consent of the property owner, during the period from 60 days before to five days after any public election to be held in Oregon. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.
- f. One temporary sign, consisting of no more than two (2) signs faces, neither of which shall exceed sixteen (16) square feet in surface area, not to exceed four (4) feet in height, installed by or on the behalf of the holder of a business license which has been issued within the fourteen (14) prior to sign installation upon business premises for which the business license was issued. The sign may be installed for sixty (60) days from the date of issuance of the business license, and must be removed promptly thereafter.

These exemptions shall not be interpreted so as to release the any individual or body corporate from the responsibility to obtain any permits or licenses as required by the building code and any and all other local, state, and federal statutes and regulations. Nor shall they be interpreted so as to release any individual or body corporate from the responsibility to abide by other requirements of this Land Development Code including applicable yard setbacks and clear vision areas.

3.6.4 Prohibited signs. The following signs are prohibited in all land use districts; are unlawful, and shall be considered nuisances per se:

1. Any sign constructed, maintained, or altered in a manner not in compliance with the sign standards contained within this Chapter.
2. A permanent ground, pole, or wall sign placed on undeveloped or vacant property (property without a permanent occupiable structure) unless otherwise exempt from this restriction according the provisions delineated in section 3.6.3.B *Sign Permit, exemptions* or Section 3.6.5 *Permitted Signs* of this Chapter.



Planning & Building

Department

Chapter 3.6 as Amended by LDC 14-12

3. Any sign constructed or maintained that, because of its size, location, movement, coloring or manner of illumination, may be confused with or construed as a traffic control device, or which impairs the view any traffic control device.
4. Permanent and temporary balloons and anchored balloons.
5. Flashing signs. A sign incorporating intermittent electrical impulses to a source of illumination or revolving in a manner which creates the perception of flashing, or which changes colors or intensity of illumination.
6. Signs in the public right-of-way that are not authorized by the relevant public agency.
7. Signs placed on or affixed to trees and utility infrastructure including utility poles, switch gear housing, pump houses, etc.
8. Moving or rotating signs.
9. Signs made from materials that cannot withstand routine elements of the weather such as wind, rain, and solar radiation.
10. Festoons, pennants, and similar signs which are suspended from a rope, wire, or string, usually in series, and designed to move in the wind.
11. Inflatable signs, unless the sign is affixed to or part of inflatable recreational apparatus or equipment.
12. Roof Signs are not allowed to extend vertically above the highest portion of the roof. Roof signs must comply with Section 3.6.6 for measuring roof elevations.
13. Any ground sign that is to be installed as to extend through a portion of a building or roof, with the sign being mounted above the roof, and appearing similar to a roof sign.

Sign permits shall not be issued for any prohibited sign as a means of establishing it as a legal sign; sign permits issued in error or on the basis of erroneous or misleading information shall not establish a prohibited sign as a legally permitted sign.

3.6.5 – Permitted Signs

No sign permit shall be issued for any sign unless specifically identified as an allowable sign within the land use district map or otherwise allowed under Chapter 3.6.3.B – *Sign Permit, Exemptions*.

A. Permitted Signs in the Residential Land Use Districts

1. Purpose. Except as otherwise allowed by Chapter 3.6.3.B – *Sign Permit, Exemptions*, signage is limited to preserve the residential character of these districts by allowing signs only for single and multi-family residential developments and neighborhoods and for those uses that are allowed under conditional use permits such as churches, schools, bed and breakfasts, and community centers.
2. Types of Permitted Signs Allowed.
 - a. Permanent ground signs within a landscaped bed.
 - b. Permanent wall signs.
 - c. Temporary ground signs.
3. Maximum Number of Permitted Signs. The number of signs on a property in a residential land use map district shall be limited to no more than the following number:
 - a. One(1) wall sign, consisting of no more than one (1) sign face, per building frontage or street frontage, with a total not to exceed two (2) signs per residential site.
 - b. One (1) ground sign for each residential subdivision or PUD site, approved as such by the Planning Commission, for each location where a street providing access to an internal street or other type of site circulation network intersects with a public local, collector, or arterial street..
4. Maximum Sign Area and Maximum Height.
 - a. Ground or monument signs shall be no more than sixteen (16) square feet per sign face with a limit of two (2) faces no more than 18" in depth, and shall be no more than five (5) feet in height, and setback a minimum of five (5) feet from any street right-of-way, and shall not be located within any clear vision areas.
 - b. Wall signs shall be no more than twelve (12) square feet in area.



Planning & Building

Department

Chapter 3.6 as Amended by LDC 14-12

- c. Temporary undeveloped Subdivision/Planned Unit Development Signs: Two (2) non-illuminated ground signs, consisting of not more than two (2) sign faces, neither of which shall exceed thirty-two (32) square feet in area, and eight (8) feet in height as measured from the average surrounding elevation and setback a minimum of twenty (20) feet from any property line are permitted within upon undeveloped land within a residential land use map district where a subdivision/planned unit development has been approved by the Planning Commission. These signs must be removed no later than two years after installation, unless the Planning Commission, upon due application prior to expiration of the two-year period, determines that the continued maintenance of the sign is consistent with the purpose of this code, in which case a single one (1) year extension may be granted by the Planning Commission.
- d. Institutional Land Use Signs: Each lot occupied by public uses, including schools and churches, are allowed a maximum of one half (0.50) square foot of sign area per linear foot of street frontage. The maximum area may include a combination of permanent wall and monument signs. If a monument sign is included, the sign shall be located at least fifteen (15) feet from any property line, and be no more than eighteen (18) inches in depth, with a maximum height of eight (8) feet. Signs within public parks, schools, or stadiums, which are generally placed and located so as not to be viewed from a street, are exempt from this provision.
- e. A permanent ground sign, no more than six (6) square feet in total surface area, with no more than two (2) faces, and a maximum of three (3) feet in height may be issued to a Business, duly licensed and permitted by the City as a Bed and Breakfast Inn. No part of the sign may obstruct a clear vision area.

B. Permitted Signs in the Bear Creek Greenway District (BCG). The BCG ensures the protection of wildlife habitat and open space. Only the City or other public agency, or its authorized agents, with an established ownership or regulatory interest in the BCG or surrounding protected area may install signs in the BCG.

C. Permitted Signs in the C-H, Commercial Highway District

1. Temporary signs, subject to the following standards:
 - a. For single tenant commercial properties, one (1) temporary non-illuminated sign with a maximum height of four (4) feet, and consisting of no more than two (2) sign faces, neither of which shall exceed twelve (12) square feet in surface area.



Planning & Building

Department

Chapter 3.6 as Amended by LDC 14-12

- b. For multitenant commercial properties, for each tenant one (1) temporary non-illuminated sign, with a maximum height of four feet (4) feet and consisting of no more than two (2) sign faces, neither of which shall exceed twelve (12) square feet in surface area provided that only one (1) such sign may be placed along every twenty (20) feet of street frontage.
 - c. Signs shall be freestanding, and not attached to other ground or pole signs, or other permanent structures or buildings.
 - d. Though not permanently affixed, the sign shall be anchored to the ground or a frame so as to resist the forces of gravity, wind, and other natural phenomena, shall be constructed of durable materials that are weather resistant, and shall be maintained in good condition.
 - e. The sign shall not encroach upon any sidewalk and shall be placed so as to maintain a minimum five (5) foot wide pedestrian travel way at all times.
 - f. The sign shall be removed from its location and stored indoors between the hours of 9:00PM and 7:00AM.
2. Wall Signs, Awning/Canopy and Marquee Signs, subject to using the calculation standards set forth in Section 3.6.6 and the following standards:
- a. The aggregate area of all wall signs shall not exceed one and a half (1.5) square feet for each (1) linear foot of business frontage, except if the building is set back more than twenty (20) feet from the right-of-way, in which case the aggregate area of all signs shall not exceed two (2) square feet for each (1) linear foot of business frontage.
 - b. No part of any sign shall be higher than the roof height as defined in Section 3.6.6 of this chapter.
 - c. The sign may be an electronic changeable message sign or videoboard pursuant to the standards established in Sections 3.6.6.F and G.
3. Projecting Signs: These signs are permitted, subject to standards set forth in Chapter 3.6.6 and the following standards:
- a. A maximum of one (1) projecting sign for each business frontage.
 - b. No sign shall project more than four (4) feet into the public right-of-way.
 - c. The sign shall not exceed 16 square feet per sign face with a maximum of two (2) faces.
 - d. No part of any sign shall be higher than the approved roof height as defined in Section 3.6.6, no part of the sign shall be lower than 8 feet from from the elevation of top of any public pedestrian way. No part of the sign shall in any way obstruct a public right-of-way or pedestrian way whether on public or private land.



Planning & Building

Department

Chapter 3.6 as Amended by LDC 14-12

- e. No part of the sign may obstruct a clear vision area (see Section 3.6.6.H)
3. Ground and Pole Signs Standards for freestanding commercial buildings and commercial developments under 10,000 square feet GLA.. Each site is permitted one (1) ground or pole sign per street frontage, locating only one sign on each street frontage, with a maximum of two (2) signs per parcel, subject to the standards set forth in Section 3.6.6.E, and the following standards:
 - a. No part of the sign shall exceed a maximum height of 18 feet above average surrounding grade, and the lowest point on the sign shall be at least 8 feet above average surrounding elevation if it hangs over the public right-of-way or a pedestrian way whether on public or private land.
 - b. The maximum surface of each sign face shall be thirty-two (32) square feet per sign with a maximum of two faces, and not more than 18 inches in depth.
 - c. No part of the sign shall in any way obstruct a public right-of-way or pedestrian way whether on public or private land.
 - d. No part of the sign may obstruct a clear vision area (see Section 3.6.6.H).
 - e. The sign may be an electronic changeable message sign or videoboard pursuant to the standards established in Sections 3.6.6.F and G.
4. Ground and Pole Sign Standards for shopping centers, office campuses, mixed-use commercial developments, and business/industrial parks. In instances, where multiple tenants, buildings, and/or commercial or industrial uses operate within a single development site and share parking, internal circulation, and access facilities, one monument sign is permitted at each location where a site access drive, whether public or private, intersects with a public collector or arterial road. One (1) or two (2) poles sign may also be permitted in addition to monument signs, all subject to the following standards:
 - a. All such commercial or industrial multiple tenant developments consisting of 10,000 square feet or more of gross leasable area (GLA) are required to apply for sign permits through a master sign program.
 - b. The master sign program for the site shall preserve for all tenants the ability to use monument and pole signs.
 - c. The maximum size of monument and pole signs shall be determined as follows:
 - i. For centers/complexes with a gross leasable area (GLA) of 10,000 square feet or more but less than 25,000 square feet of GLA, one pole sign with a maximum surface area of 40 square feet for each of 2 sign faces, and a maximum height of 20 feet, and a monument sign or signs no larger than thirty-two (32) square feet for each of two (2) sign faces and a maximum height of eight (8) feet and located in a landscaped bed.



Planning & Building

Department

Chapter 3.6 as Amended by LDC 14-12

- ii. For centers/complexes that have a GLA between 25,000 square feet and 50,000 square feet, one pole sign with a maximum surface area of seventy-five (75) square feet for each of 2 sign faces, and a maximum height of thirty-five (35) feet, and a monument sign or signs no larger than thirty-two (32) square feet for each of two (2) sign faces and a maximum height of eight (8) feet and located in a landscaped bed.
- iii. For centers/complexes that have a GLA that exceeds 50,000 square feet, a maximum of two pole signs each with a maximum of 75 square feet in surface area for each sign for each of 2 sign faces and a maximum height of thirty-five (35) feet, and no less than fifty (50) feet apart, and a monument sign or signs no larger than thirty-two (32) square feet for each of two (2) sign faces and a maximum height of eight (8) feet and located in a landscaped bed.
- d. No sign shall obstruct clear vision areas (see Section 3.6.6.H).
- e. No part of the sign shall in any way obstruct a public right-of-way or pedestrian facility whether on public or private land.
- f. The sign may be an electronic changeable message sign or videoboard pursuant to the standards established 3.6.6.F and G.

D. Permitted signs in the I-5 Overlay District. The I-5 (Interstate 5) overlay zone is established to permit signs visible to travelers on the I-5. It recognizes a special dependence of freeway-oriented businesses to this market. Freeway signs shall be regulated in order to avoid adverse scenic impacts on the vista east of Phoenix and the Bear Creek Greenway. The I-5 overlay zone shall be applied to lots within one quarter of a mile of the center of Interstate 5 interchange that are zoned Commercial Highway.

I-5 is not considered a street and cannot be counted as street frontage. A larger pole sign located upon the premises shall be permitted. This pole sign shall not be permitted in addition to pole signs that may be permitted in the underlying land use district, but rather as a substitute for any pole signs allowed within that district. A ground or pole sign in the freeway overlay zone is subject to the basic regulations in the underlying zone with the following exceptions:

1. One pole sign (the freeway sign), consisting of not more than two (2) sign faces, neither of which shall exceed 150 square feet in surface area and 50 feet in height is permitted on each parcel of land located within the I-5 Overlay District.
2. The pole sign may utilize an electronic changeable message sign, pursuant to the standards established 3.6.6.F. Videoboards are expressly prohibited.

E. Permitted Signs in the City Center District. The City Center Plan provides for mixed residential and commercial land uses and provides linkages to the Bear Creek Greenway and to older established residential neighborhoods located adjacent to the downtown core.



Planning & Building

Department

Chapter 3.6 as Amended by LDC 14-12

1. Signage Objectives:
 - a. To include a non-obtrusive variety of signs that are designed at both pedestrian and vehicular scales.
 - b. Signs should be in the character of a small downtown, usually painted on buildings or painted on signboards hung off buildings with metal or wood brackets.
2. Wall Signs, Awning/Canopy, and Marquee signs. These signs may be permitted, subject to the standards set forth in 3.6.6.E Sign Design Standards, Methods of Calculating Area, and the following standards:
 - a. Signs are to be painted or sculptural metal, wood, awning, or canopy signs.
 - b. The aggregate area of all wall signs shall not exceed one (1) square foot for each (1) linear foot of business frontage, except if the building is set back more than twenty (20) feet from the right-of-way, in which case the aggregate area of all signs shall not exceed one and one-half (1.5) square foot for each (1) linear foot of business frontage. No part of any sign shall be higher than the roof height as defined in 3.6.6.E Sign Design Standards, Methods of Calculating Area.
3. Projecting Signs: A projecting sign may be permitted, subject to standards set forth in Section 3.6.6.E Sign Design Standards, Methods of Calculating Area of this Chapter, and the following standards:
 - a. No sign shall project more than four (4) feet into the public right-of-way.
 - b. The sign shall not exceed sixteen (16) square feet per sign face with a maximum of two (2) sign faces.
 - c. No part of any sign shall be higher than the approved roof height as defined in Section 3.6.6, no part of the sign shall be lower than eight (8) feet from grade, and no part of the sign shall in any way obstruct a public right-of-way or pedestrian facility whether on public or private land.
 - d. No part of the sign may obstruct a clear vision area.
4. Monument Signs: Each parcel of land is permitted one (1) ground/monument sign per street frontage to be located within a landscaped bed, subject to the standards set forth in 3.6.6.E Sign Design Standards, Methods of Calculating Area, and the following standards:
 - a. Maximum Height: eight (8) feet
 - b. Maximum Square Footage: twenty (20) square feet per sign face per sign with a maximum of two (2) faces not more than eighteen (18) inches in depth back-to-back
 - c. Sign shall not project into public right-of-way.



Planning & Building

Department

Chapter 3.6 as Amended by LDC 14-12

5. Temporary Signs: Each business with a storefront or principal entrance located on an arterial or collector street may permit one (1) temporary sign meeting the following standards:
 - a. Signs shall not be illuminated with a maximum height of four (4) feet, and consisting of no more than two (2) sign faces, neither of which shall exceed twelve (12) square feet in surface area.
 - b. Signs shall be freestanding, and not attached to other ground or pole signs, or other permanent structures or buildings.
 - c. Though not permanently affixed, the sign shall be anchored to the ground or a frame so as to resist the forces of gravity, wind, and other natural phenomena, shall be constructed of durable materials that are weather resistant, and shall be maintained in good condition.
 - d. The sign shall not encroach upon any sidewalk or pedestrian way, whether public or private, and shall be placed so as to maintain a minimum five (5) foot wide pedestrian travel way at all times.
 - e. The sign shall be removed from its location and stored indoors between the hours of 9:00PM and 7:00AM.
6. Electronic message boards and videoboards are prohibited in the City Center land use district.

F. Permitted Signs in Industrial Land Use Districts

1. Ground or Pole Signs are subject to using the calculation standards set forth in 3.6.6.E Sign Design Standards, Methods of Calculating Area, and the following limitations:
 - a. Maximum Height: twenty (24) feet
 - b. Maximum Sign Face Square Footage: one-hundred (100) square feet per sign for each sign face
 - c. Minimum Setback: Sign shall not project into the public right-of-way.
 - d. Maximum Number of Sign Faces: two (2)
 - e. Maximum Number of Signs: No more than one (1) ground or pole sign shall be permitted on any single lot, except if the lot has more than one (1) street frontage, two (2) signs may be permitted, locating only one (1) sign on each street.



Planning & Building

Department

Chapter 3.6 as Amended by LDC 14-12

- f. The sign may utilize an electronic changeable message sign, pursuant to the standards established 3.6.6.G, and consisting of a maximum of two (2) sign faces, neither of which shall be larger than thirty-two (32) square feet in surface area, except in instances where the ECMS can be viewed from property located within a residential land use district. In such cases, the ECMS shall have a maximum of two (2) sign faces, neither of which shall exceed sixteen (16) square feet in surface area.
2. Wall, Parapet, Awning/Canopy, or Marquee Signs. The aggregate area of all wall signs shall not exceed one and one-half (1.5) square feet for each (1) linear foot of business frontage, except if the building is set back more than 20 feet from the right-of-way, in which case the aggregate area of all signs shall not exceed two (2) square feet for each (1) linear foot of business frontage. No part of any sign shall be higher than the roof height as defined in 3.6.6.E Sign Design Standards, Methods of Calculating Area. The sign may utilize an electronic message or videoboard pursuant to the standards established in _____.
3. Projecting Signs:
 - a. Maximum number of signs: 1/every 200LF of business frontage.
 - b. Maximum number of sign faces: 2.
 - c. Maximum surface area for each sign face: 24 square feet in area.
 - d. No sign shall project more than 18 inches into the public right-of-way.
 - e. No part of any sign shall be higher than the roof height as defined in Section 3.6.6.

G. Special Permitted Signs for Commercial and Industrial Land Use Districts

1. Service Station Signs: A business, duly licensed as a facility for refueling motor vehicles may permit one (1) additional ground sign not to exceed 50 square feet in surface area for each of no more than two (2) sign faces, and nine (9) feet maximum in height. Such signs may not project into or encroach upon the public right-of-way.
2. Drive-up Window Business Sign: Two additional ground signs, consisting of no more than 1 signs face for each sign, each sign face not to exceed thirty-two (32) square feet in area and six (6) feet in height for a business licensed and permitted to operate a drive-through or drive-up service window or similar service delivery apparatus (for example, remote-operated pneumatic tubes). The signs shall be along the route of drive lanes used to access the drive-through window or service apparatus. Such signs may not project into public right-of-way. Portable signs are prohibited and may not be substituted for this type of sign.
3. Kiosks.



Planning & Building

Department

Chapter 3.6 as Amended by LDC 14-12

4. **Temporary Sign During Construction:** Up to two temporary non-illuminated signs may be installed after a building permit has been obtained for a construction project and must be removed not later than one (1) year after issuance of the building permit for the project or upon completion of the project, whichever is sooner. Each sign shall consist of no more than 2 sign faces, neither of which shall exceed 75 square feet, and the top of the sign shall not be more than 10 feet above average surrounding grade. Signs shall be subject to the same setback requirements as are imposed for structures in this zone. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.
5. **Temporary Signs:** One temporary sign may be installed if the business owner has a valid sign permit but is waiting for the completion of the permanent sign. Display period is limited to thirty (30) days, but may be extended with permission from the Planning Department. The sign shall consist of no more than two (2) sign faces, neither of which shall exceed thirty-two (32) square feet of surface.
6. **Temporary Sign for Nonrecurring Events:** One temporary sign may be installed upon the premises where an event is being held. The sign shall consist of no more than two (2) sign faces, neither of which shall exceed thirty-two (32) square feet in surface area. No part of any sign shall be higher than the roof height as defined in Section 3.6.6, Display period is limited to fifteen (15) days and the sign shall be removed immediately after the event. A particular property may permit four (4) such temporary signs in one calendar year. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.

3.6.6 – Permit Administration, Standards of Review, and Issuance.

No application shall be considered, nor permit issued, until the applicant has submitted a complete application. When required, the applicant shall submit proof that work will be done by a contractor licensed in compliance with local or state law to perform the specialized tasks required for construction of the proposed sign.

Application for a permit shall be made to the Planning Department upon a form provided by the City with signatures of the property owner of record, the business owner, and the sign company. A complete application shall include the following:

A.. Individual Sign Permit Application Requirements:

1. A set of plans for the proposed sign and structural calculations where required.
2. Location of the sign on the building or building site.
3. Dimensions of the sign.
4. Construction materials and a color rendering or photograph of each sign.
5. Method of attachment and character of structural members to which attachment is to be made.



Planning & Building

Department

Chapter 3.6 as Amended by LDC 14-12

6. Electrical wiring and components or U.L. approved number.
7. Ingress and Egress and sight visibility triangles.
8. Sign permit review fee as established by resolution of the City Council.

B. Master Sign Programs Permit Application Requirements:

1. An accurate plot plan of the parcel at scale.
2. Elevations and square footage computations of the buildings.
3. Ingress and Egress and sight visibility triangles.
4. An accurate location of each present and future sign.
5. Computation of the total number of ground signs, total sign area, and the elevation and height of the ground signs.
6. To scale drawings, sign lettering, dimensions, color renderings, method of attachment, footings and electrical wiring and components or U.L. approved number requirements for each sign.
7. Sign permit review fee as established by resolution of the City Council.

The Building Safety Official may also require that a licensed engineer furnish information concerning structural design and proposed attachments. Signs more than 10 feet above grade, except wall signs painted on walls, shall be structurally designed by an architect or engineer licensed in the state of Oregon and bearing the architect's or engineer's seal. All signs, except for signs painted directly upon a building, are also subject to Building Department requirements.

C. Permit Application Review Procedures.

1. The Planning and Building Departments shall approve a sign permit upon finding that the applicant has met all requirements of the sign standards.
2. No sign construction shall begin unless the approved permit has been issued and the applicant has paid all fees.
3. Unless the permit holder requests an extension of the permit and demonstrates good cause for such an extension, a sign permit shall expire if the sign construction or other work authorized by a sign permit is not completed within one year of the date of issue.
4. No sign construction shall be considered complete until the permit holder has notified the city that work is finished and the City is satisfied that the sign construction has been completed in conformity with the approved plans and otherwise complies with the sign standards.



Planning & Building

Department

Chapter 3.6 as Amended by LDC 14-12

5. If a permit is denied, the applicant shall receive a notice of denial in writing, setting forth the reasons for the denial. A decision granting or denying a sign permit may be appealed to the Planning Commission in accord with the variance and appeal process defined in Chapter 5 of the Development Code.
6. No additional permits shall be issued for signs on businesses or uses with signs not already in compliance with the sign code unless the applicant can prove existing signs are legal nonconforming.

D. Indemnification of City. As a condition to the issuance of a sign permit as required by this Chapter, all persons engaged in the hanging or painting of signs, which involves, in whole or in part, the erection, alteration, relocation, maintenance, or other sign work in, over, or immediately adjacent to a public right-of-way or public property if used or encroached upon by the sign hanger or painter in the said sign work, shall agree to hold harmless and indemnify the City, its officers, agents, and employees from liability for damages resulting from said erection, alteration, relocation, maintenance or other sign work.

E. Sign Design Standards, Methods of Calculating Area

1. Wall Signs
 - a. No part of the sign shall extend vertically above the highest portion of the roof's calculated elevations (except for parapet signs).
 - b. Marquee signs. A marquee is any permanent roof-like structure projecting beyond the perimeter wall of a building, and signs shall not be located above the top of the marquee.
 - c. Parapet Signs. Parapets or false fronts are measured by the linear frontage of the parapet.
 - d. Roof Elevations. Signs are not allowed above the roofline's elevation, which is determined by the highest point of the roof surface for flat roofs; and to the average height between eaves and ridges for gable, hip, gambrel roofs, and mansard roofs.
 - e. The area of a wall sign without a border shall be computed by enclosing the entire sign within sets of parallel lines touching the outer limits of the sign message.
 - f. Perimeter walls. The exterior wall of a building shall be measured at the floor level of each floor, including the ground floor. Alcoves, entryways and extruding portions shall be treated by measuring through such areas as though along the flat wall of a building.
2. Ground and Pole Signs.

Chapter 3.6 as Amended by LDC 14-12

- a. The area of a ground or pole sign shall be calculated by adding the area of all the sign faces presenting a message. Pole covers, and columns shall not be included in the area of the measurement if they do not bear any message. Double-faced signs will be considered as one sign only when placed back to back and separated by eighteen 18 inches or less.
- b. Street frontage. Development sites fronting on two or more streets are allowed the number of signs permitted for each street frontage. However, the total number of signs that are oriented toward a particular street may not exceed street frontage allotment. Interstate 5 is not considered a street for sign purposes, and cannot be counted towards frontage allotments.
3. Flags. Any fabric, banner, or bunting flags containing distinctive colors, patterns, or symbols, other than U.S., state, and local government flags, shall be limited to the wall and ground/pole sign allotments, unless otherwise approved by the Planning Commission. Flags on poles may be counted towards the ground sign allotment. Flags on buildings (not on poles) may be calculated as part of the building's or business's linear footage allotment and may not be placed above the roofline.
4. Kiosks.
 - a. Maximum Size. Kiosks shall not exceed seven (7) feet in height and thirty-five (35) per side.
 - b. Minimum Spacing. Kiosks shall be placed no less than two hundred (200) feet apart unless closer proximity can be demonstrated to serve a public purpose.
 - c. Content displayed on the kiosk shall be sized appropriately for view by pedestrian passersby within 10 feet of the kiosk, and shall never display messages that could distract the attention of motorists.
 - d. Architectural Features. Kiosks shall be consistent with the architecture of surrounding built environment.
 - e. ECMS and Videoboards may be used in kiosks, provided that no more than 10 square of the any one side of a kiosk is used for an ECMS or videoboard.
 - f. Lighting. Kiosks shall not be illuminated by an external, detached lighting source;
 - g. Location. Kiosks shall be located within or along pedestrian walkways, plazas, and other areas designed for pedestrian travel and public assembly in accordance with the following requirements:
 - i. An unobstructed pedestrian area or sidewalk with a minimum width of 10 feet shall be maintained on any side of a kiosk with a message area;
 - ii. An unobstructed sidewalk width of seven feet shall be maintained on any side of a kiosk without a message area;



Department

Chapter 3.6 as Amended by LDC 14-12

- iii. An unobstructed pedestrian area or sidewalk with a minimum width of 10 feet is maintained between any side with a message area and the back of curb of any adjacent road, drive, or parking facility;
- iv. the distances referred to above shall be measured from the surface of the display at a 90 degree angle across the entire display.

E. Illumination Standards.

1. Maximum illumination. In residential land use districts, or in instances where a property in a nonresidential land use district abuts a residential land use district OR a property that is a legally nonconforming residential building located in a nonresidential land use district, no sign may exceed a maximum illumination of 0.5 footcandle above ambient light level as measured fifty (50) feet from the sign's face. In all other districts, no sign may exceed a maximum illumination of 1.0 footcandle above ambient light level as measured fifty (100) feet from the sign's face.
2. Glare reduction. No sign may be illuminated or use lighting where such lighting is directed at any portion of a traveled street or will otherwise cause glare or impair the vision of the driver of a motor vehicle or otherwise interfere with the operation thereof.
3. Illumination from signs on nonresidential property. Illumination resulting from all signs and lighting on any property in a non-residential zoning district shall not cause glare towards the residential zoning districts. External illumination shall be shielded so that the light source elements are not directly visible from property in a residential zoning district that is adjacent to or across a street from the property in the non-residential zoning district.
4. Illumination from signs on residentially zoned property. No internally illuminated sign shall be allowed on property in a residential zoning district. Lighting from all light sources operated for the purposes of sign illumination on property in a residential zoning district shall be shielded from other property in the residential zoning district.

F. Electronic Changeable Message Signs.

1. Electronic changeable message signs shall not have any moving patterns of light, other than the transition between messages. Moving patterns of light shall include, but shall not be limited to, pulsating, flashing, scrolling, animation and/or blinking at any time. All lights in a display shall activate simultaneously, remain activated for not less than 20 seconds and deactivate simultaneously.
2. Maximum size for electronic changeable message signs shall be determined by the maximum size of a sign allowed within the land use district in which it is located, but shall never exceed thirty-two (32) square feet in surface area for each sign face allowed.



Planning & Building

Department

Chapter 3.6 as Amended by LDC 14-12

3. Use of 2 or more successive screens or “sequencing” to convey a message that will not fit on one (1) screen shall be prohibited.
4. The maximum amount of text-based information displayed shall be limited to the maximum number of words that a driver can reasonably be expected to read from a distance from the electronic changeable message sign of 800 feet at a rate of 1 word per second. The following table provides examples of the maximum number of words on a sign for commonly encountered traffic speed limits.

Posted Speed Limit (MPH)	Posted Speed (FT/S)	Time to Travel 800 Feet (in seconds)	Maximum # of Words in a Message
25	36.67	21.82	21
35	51.33	15.58	15
45	66.00	12.12	12
55	80.67	9.92	9

Table 3.3.6.F.4

5. Content displayed on an Electronic Changeable Message sign may not resemble or simulate any lights or traffic control device used to control traffic in accordance with the MUTCD unless such content is directly related to the dissemination of information during times of emergency.
6. The City may require emergency information to be displayed, within appropriate message rotation, on an electronic changeable message sign.

G. Videoboards. Videoboards may display moving patterns, images, text animation, and video content similar to television images only in accordance with the following standards, restrictions and requirements:

1. No more than one (1) videoboard with a display area of more than thirty-two (32) square feet shall be located within seven hundred (700) feet of another videoboard with a display area of more than thirty-two (32) square feet.
2. A videoboard shall not obscure or in any way detract from prominent architectural and design features of a building or structure on which the videoboard is located. Videoboards shall be designed so that they are integrated into the overall design of the building or structure and compliment architectural details such as the overall mass and dimensions of the building to which it is affixed; the size, position and dimensions of openings including doors and windows.
3. Maximum size for electronic changeable message signs shall be determined by the maximum size of a sign allowed within the land use district in which it is located, but shall never exceed thirty-two (32) square feet in surface area for each sign face allowed.



Chapter 3.6 as Amended by LDC 14-12

4. Where a videoboard is located within three hundred (300) feet of any traffic signal, all applications for a Sign Permit for a videoboard must include a report from a traffic engineer stating that the placement of the sign will not interfere with the effectiveness of a traffic signal within 300 feet of the sign. At no time and in no way shall messages displayed on a videoboard be intended and designed for viewing by motorists traveling on an arterial or more heavily travelled road.
5. Content displayed on a videoboard sign may not resemble or simulate lights or traffic control devices used to control traffic in accordance with the MUTCD unless such content is directly related to the dissemination of information during times of emergency.
6. The City may require emergency information to be displayed, within appropriate message rotation, on a videoboard.
7. Operational Standards--Display. All videoboards:
 - a. Must contain a default mechanism that freezes an image in one position in case of a malfunction or deactivates the display in its entirety.
 - b. Must automatically adjust the sign brightness based on natural ambient light conditions in compliance with the following formula:
 - i. the ambient light level measured in luxes, divided by 256 and then rounded down to the nearest whole number, equals the dimming level; then
 - ii. the dimming level, multiplied by .0039 equals the brightness level; then
 - iii. the brightness level, multiplied by the maximum brightness of the specific sign measured in nits, equals the allowed sign brightness, measured in nits.
 - c. Must be turned off between 1:00 a.m. and 6:00 a.m. Monday through Friday and 2:00 a.m. and 8:00 a.m. on Saturday and Sunday. Videoboards may be required to be turned off earlier in instances where a videoboard faces a residential land use including overnight accommodations like hotels.
 - d. May not display light of such intensity or brilliance to cause glare, impair the vision of an ordinary driver, or constitute a nuisance.
 - e. Must have a full color display able to display a minimum of 281 trillion color shades.
 - f. Must be able to display a high quality image with a minimum resolution equivalent to the following table:

Viewing Distance (FT)	Max. Pixel Size (mm)
36 to 45 feet	12 to 16

Chapter 3.6 as Amended by LDC 14-12

> 45	14.25 to 19
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Table 3.6.6.G.7.f

- g. Light intensity. Before the issuance of a videoboard sign permit, the applicant shall provide written certification from the sign manufacturer that:
 - i. The light intensity has been factory programmed to comply with the maximum brightness and dimming standards in table; and
 - ii. The light intensity is protected from end-user manipulation by password-protected software, or other method satisfactory to the Planning Director; and
 - iii. The sign’s light intensity has been factory pre-set not to exceed 7,000 nits
- h. Changes of text messages, not containing video, must comply with the following:
 - i. Any messages that display text must be displayed for a minimum of five seconds.
 - ii. Changes of text-based messages not containing video content must be accomplished within two (2) seconds.
 - iii. Changes of text-based messages not containing video content must occur simultaneously on the entire sign face.
 - iv. No flashing, dimming, or brightening of message is permitted except to accommodate changes of message.
 - v. Ticker tape streaming is permitted at all times when the videoboard is operating. Ticker tape streaming must be located within the bottom 10 percent of the effective area.
- i. Malfunction. The videoboard operator must respond to a malfunction or safety issue within one hour after notification.

H. Vision Clearance and Safety Standards

1. Signs must comply with the sight visibility standards within the Development Code (see Chapter 3.2.2.M).
2. The minimum clearance of all signs projecting over a pedestrian way shall be eight (8) feet.
3. Clearance over vehicle use area. The minimum clearance of all signs projecting over any portion of a vehicle use area shall be 17 feet.

I. Duration of Permits.

1. Permits for permanent signs shall be valid, without renewal, until such a time as they are altered. Upon such an event, the original permit shall expire.



Planning & Building

Department

Chapter 3.6 as Amended by LDC 14-12

2. Unless otherwise stated in this Chapter, permits for temporary signs shall be valid for a period of one (1) fiscal year or portion thereof. Where this standard differs with another stated elsewhere in this Chapter, the standard which defines a more limited duration for a temporary sign permit shall control. A temporary sign permit shall be renewed at least 30 days prior to its expiration on the 30th day of June of each fiscal year. Permitted temporary signs shall be removed prior to or upon that day if the permit has not been renewed.

3.6.7 – Nonconforming Sign and Abandoned Signs

A. Nonconforming Signs

1. Nonconforming signs may be maintained subject to the following conditions:
 - a. No additions or enlargements may be made to a nonconforming sign except additions or enlargements required by law.
 - b. If any nonconforming sign is moved voluntarily, that sign shall thereafter conform to the requirements of the sign standards as a newly constructed sign.
 - c. Any sign that is constructed to replace a nonconforming sign shall be constructed in compliance with all applicable provisions of the sign standards.
2. Except where only a change in display copy is made, any nonconforming sign, which is structurally altered (excluding routine maintenance), shall be brought into compliance with all applicable provisions of the sign standards within 90 days of written notice sent by the City and shall thereafter be kept in compliance with the sign standards.
3. Any nonconforming abandoned sign and supporting structure shall be removed by the owner of the sign or owner of the premises within three months following the closure of the business which licensed the sign, vacation of change of occupancy at the premises for which the sign was licensed, condemnation or demolition of a structure or building for which a sign was licensed, or an event that has concluded no fewer than 30 days before.

B. Maintenance. All signs, together with all of their supports, braces, guys, anchors and electrical equipment, shall be kept fully operable, in good repair and maintained in safe condition, free from excessive rust, corrosion, peeling paint or other surface deterioration.

3.6.8 – Sign Variance Criteria

In order to obtain a Variance from the terms of the ordinance, the applicant must be able to show the following:

- A. The Variance is necessary because of special circumstances relating to the size, shape, topography, location, or surroundings of the subject property to provide it with



Planning & Building

Department

Chapter 3.6 as Amended by LDC 14-12

use rights and privileges permitted to other properties in the vicinity and zone in which the subject property is located.

- B. The special circumstances of the subject property are not the result of the actions of the applicant, the owner of the property, or a self induced hardship.
- C. The authorization of such Variances will not be materially detrimental to the public welfare, not injurious to nearby property, nor essentially different from the provisions of the zoning district in which it is located;
- D. The type of the proposed sign is not a type prohibited by these regulations;
- E. The Variance would not result in a special advertising advantage in relation to neighboring businesses or businesses of a similar nature. The desire to match standard sign sizes (for example, chain store signs) shall not be listed or considered as a reason for a Variance.
- F. Granting of the Variance would not obstruct views of other buildings or signs, cover unique architectural features of a building, or detract from landscape areas.
- G. The granting of the Variance would not create a traffic or safety hazard.

The City may designate conditions to ensure conformance with the Development Code. Guarantees and evidence that such conditions will be complied with may be required.

3.6.9 – Landmark Sign Program, Procedures and Standards of Review

The owner of an existing sign may apply for a determination by the Planning Commission or its designee that the sign qualifies as a Landmark Sign, pursuant to the following provisions:

- A. The sign is nonconforming;
- B. The sign is unique in its design, method and materials of construction, and/or is associated with an historically significant event, commercial enterprise, organization, person;
- C. The applicant shall provide the same information describing the sign as is required by Section 3.6.6.A -- Individual Sign Permit Application Requirements.
- D. A Hazardous Sign may not, under any circumstances, qualify as a Landmark Sign unless the hazardous condition of the sign has been or will be abated prior to or conditionally upon designation Landmark Sign status.
- E. The Planning Commissioner or its designee may require financial assurance from the applicant in the form of a performance bond, escrow, or other financial device in accordance with Section 4.3.9 – *Performance, Maintenance Guarantee and Development Agreement*, that the City may use in order to abate, remove, or demolish any Hazardous Sign that has been conditionally approved for Landmark Sign status.
- F. The Building Official may require additional building and trades permits.



Chapter 3.6 as Amended by LDC 14-12

- G. The fee, set by resolution of the City Council, for application review and determination shall be paid by the application at the time of application.

3.6.10– Wayfinding Sign Program Procedures and Standards of Review

An single property owner, group of property owners, public agency, organization, homeowners association, or other parties with vested property interests may request that the City create a Wayfinding Sign Program pursuant to the following provisions:

- A. The applicant shall submit a Wayfinding Sign Plan for review by the Planning Commission or its designee. The plan shall provide substantially the same information describing all proposed signs as is required by Section 3.6.6.B -- Master Sign Programs Permit Application Requirements.
- B. The plan shall substantially comply with the other requirements of this ordinance (including but not limited to standards for illumination, clear vision areas, etc.), but may allow for divergence in the design of individual signs provided that none of the signs in the proposed plan would create conditions that are hazardous as defined within this Chapter;
- C. Wayfinding Signs shall be designed in a way that is consistent with desirable aesthetic characteristics of the surrounding neighborhood and community;
- D. Wayfinding Signs shall be designed to effectively communicate directional information to the general public through the use of color, scale, placement and other design elements;
- E. Wayfinding Signs shall be designed so as to improve the visual quality of the built environment of the surrounding neighborhood and community. This shall be achieved through the use of architectural features and high quality materials including wood, natural stone, brick, wrought iron and other high quality metal millwork;
- F. The Planning Commission or its designee shall review the plan and determine whether to approve, approve with conditions, or deny the application and proposed plan using the aforementioned criteria.
- G. The Planning Commissioner or its designee may require financial assurance from the applicant in the form of a performance bond, escrow, or other financial device in accordance with Section 4.3.9 – *Performance, Maintenance Guarantee and Development Agreement*, that the City may use in order to abate, remove, or demolish any Hazardous Sign that has been approved as a part of a Wayfinding Sign Plan.
- H. The Building Official may require additional building and trades permits.
- I. The fee, set by resolution of the City Council, for application review and determination shall be paid by the applicant at the time of application.

3.6.11 – Public Art Program, Procedures and Standards of Review



Planning & Building

Department

Chapter 3.6 as Amended by LDC 14-12

- A. The applicant shall submit a Public Art Plan for review by the Phoenix Arts Council or its designee that shall, at minimum, address the following:
 - 1. The location, dimensions, and method of installation and construction of the artwork;
 - 2. A maintenance plan describing activities and procedures to ensure that the artwork remains in its intended condition over the course of its functional lifetime.
- B. The plan shall substantially comply with the other requirements of this ordinance (including but not limited to standards for illumination, clear vision areas, etc.), but may diverge from these standards to allow for creative, artistic expression provided that none of artwork in the proposed plan would create conditions that are hazardous as defined within this Chapter;

3.6.12 – Enforcement.

- A. When a sign is removed, altered, and/or stored under these enforcement provisions, removal and storage costs may be collected against the sign owner and the person responsible for the placement of the sign. The city council shall establish the fees for removal and storage of signs, and for other associated fees, by resolution, from time to time.
- B. Any sign installed or placed in the public right-of-way or on City-owned real property, except in conformance with the requirements of this chapter or other applicable provisions of this code, may be removed by the Planning Director or his/her designee as follows:
 - 1. Immediate confiscation without prior notice to the owner of the sign.
 - 2. If the City can ascertain contact information for the owner of the sign or for any person or business responsible therefore, the City shall contact that person or business and advise that: a) the sign was found in a location that the City believes to be a public right-of-way or City-owned property; b) that no permit was issued for the placement of the sign in that location, and that the sign is not otherwise legally permitted to be in that location; and c) that the City has confiscated the sign and shall destroy it after thirty (30) days from the time notice was sent to the person or business responsible for the sign, unless either i) the sign is claimed and the removal and notice costs are reimbursed to the City in full or ii) a request for hearing is submitted by the person or business responsible for the sign to the Planning Department.
 - 3. If notification is not possible, the city shall store the sign for thirty (30) days from date of confiscation. The sign may then be destroyed.
 - 4. The city shall continue to store the sign for any additional period during which an appeal or review thereon is before the municipal court.
- C. Signs found to be erected or maintained on private property in violation of the provisions of this section or other applicable provisions of the Phoenix Land



Department

Chapter 3.6 as Amended by LDC 14-12

Development Code are subject to the provisions of Chapter 1.4 – *Enforcement*, and any other means of enforcement afforded to the City and agents by the Municipal Code of the City of Phoenix.

DRAFT

**CITY OF PHOENIX
PHOENIX, OREGON
ORDINANCE NO. 963**

AN ORDINANCE AMENDING CHAPTER 3.6 OF THE PHOENIX LAND DEVELOPMENT CODE, ALSO KNOWN AS LDC14-12.

WHEREAS, the City of Phoenix intends to improve the aesthetic quality of Phoenix’s built environment, in particular streetscapes along its commercial corridors through the equal application of standards regulating the number, size, illumination, and placement of signs; and

WHEREAS, the City of Phoenix wishes to provide sufficient opportunities for the conveyance of information to the public; and

WHEREAS, the City wishes to protect public safety by providing the legal authority to eliminate hazardous signs; and

WHEREAS, the City of Phoenix wishes to ensure the application of content neutral design and performance standards.

NOW THEREFORE, the City of Phoenix **ORDAINS** as follows:

Section 1. The Land Development Code of the City of Phoenix is hereby amended as proposed in Exhibit A.

Section 2. Effective Date: This ordinance shall become effective 30 days after its adoption.

PASSED AND ADOPTED by the City Council and signed by me in authentication of thereof on this 18th day of May, 2015

Mayor

ATTEST:

City Manager/ Recorder



Exhibit A
PLDC as Amended by LDC 14-12
All text appears as it will in the final,
amended document.

Chapter 3.6 – Signs

Sections:

- 3.6.1 – Purpose
- 3.6.2 – Definitions
- 3.6.3 – Applicability and Exemptions
- 3.6.4 – Prohibited Signs
- 3.6.5 – Permitted Signs
- 3.6.6 – Permitted Signs, Standards of Review
- 3.6.7 – Nonconforming Sign and Abandoned Signs
- 3.6.8 – Sign Variance Criteria
- 3.6.9 – Landmark Sign Program, Procedures and Standards of Review
- 3.6.10 – Wayfinding Sign Program Procedures and Standards of Review
- 3.6.11 – Public Art Program Procedures and Standards of Review
- 3.6.12 – Enforcement

3.6.1 – Purpose

The City finds that signs are an important means of communication by and between individuals, organizations, and other bodies corporate. It further finds, however, that signs can create conditions that are unsafe for drivers and pedestrians, that signs can degrade the aesthetic quality of roadsides and neighborhoods, and can be otherwise disruptive to efforts to improve quality of life throughout the community and for all City residents.

Therefore, the standards contained in this chapter are intended to balance the needs of businesses and individuals to convey messages through signs with the rights and interests of the community-at-large to maintain the orderly and pleasant appearance of the City's streets and neighborhoods and to eliminate conditions along City streets that are hazardous to drivers and pedestrians. The purpose of this Chapter is to

- A. Improve the aesthetic quality of Phoenix's built environment, in particular streetscapes along its commercial corridors through the equal application of standards regulating the number, size, illumination, and placement of signs;
- B. Provide sufficient opportunities for the conveyance of information to the public;
- C. Protect public safety by providing the legal authority to eliminate hazardous signs;
- D. Ensure application of content neutral standards.

3.6.2 – Definitions



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- A. **Abandoned Sign.** Any sign or sign structure that: 1) is no longer used by the property owner or sign permit holder. Discontinuance of use may be demonstrated through cessation of the use of the property upon which the sign is located; OR 2) if any sign or sign structure is in a state of disrepair and repairs or restoration has not been initiated within forty-five (45) calendar days of the date when the sign was found to have been damaged or was discovered in a state of disrepair OR necessary repair has not been completed within 90 days of initiation of said repairs.
- B. **Accessory Sign.** Signage which is an integral part of commercial and industrial equipment such as soft drink machines, gas pumps, newspaper dispensers, and other similar structures and equipment.
- C. **Alteration.** Any change in the size, shape, method of illumination, construction, or supporting structure of a sign. The change of a sign face or message shall not constitute an alteration.
- D. **Architectural Feature, Element or Detail.** A part of a building, being integral to the structure and consistent with the overall design of a building, whether decorative in nature or not, that may possess or may be interpreted to convey visual information whether wholly or partly symbolic or textual.
- E. **Average Surrounding Elevation.** The average elevation of an area with a radius of no less than fifteen (15) feet and no more than thirty (30) from a central point of measurement.
- F. **Awning.** A secondary covering attached to the exterior wall of a building. The location of an awning on a building may be above a window, a door, or over a sidewalk. An awning is often painted with information as to the name of the business, thereby acting as a sign, in addition to providing protection from weather.
- G. **Banner.** A sign made of fabric or any nonrigid material with no enclosing framework.
- H. **Business Frontage.** The linear dimension of the façade of a nonresidential building or portion thereof, as measured at grade, devoted to a specific business or enterprise.
- I. **Business License.** A license issued to a person or corporation according to Chapter 5.04 of the Phoenix Municipal Code.
- J. **Business Premises.** Real property at or upon which an individual or corporation engages in the trade, production, or provision of goods or services, whether for monetary compensation or not.



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- K. Electronic Changeable Message Sign. A sign whose informational content, copy and/or message can be changed or altered by means of electronically-controlled electronic impulses. In contradistinction to videoboards defined below, electronic changeable message signs shall not, under any circumstances, display full motion images.
- L. Festoon. A string of ribbons, tinsel, small flags, or pinwheels.
- M. Ground Sign. A sign erected on a freestanding frame, mast, or pole and not attached to any building, also known as a freestanding sign. Monument and pole signs are different types of ground signs.
- N. Kiosk. A multi-sided structure designed for the display of messages and other content including images which are intended to be viewed by and to be comprehensible to pedestrian passersby within ten (10) feet of the kiosk.
- O. Handheld Sign. A sign held by or affixed to a person, including costumes. Personal items of clothing that are customarily worn by an individual in the course of routine activities shall not be considered as such. Handheld signs are considered to be temporary signs as defined and regulated herein.
- P. Hazardous Sign. A sign which is detrimental to the public safety, including but not limited to: any sign that has a design, color, or lighting which may be mistaken for a traffic light, signal, or directional sign; any sign which is located in such a manner as to obstruct free and clear vision to motorists or pedestrians at intersections and driveways; any sign which, because of its location, would prevent free ingress to or egress from any door, window, or fire escape; any sign that is attached to a standpipe or fire escape; any sign which has lighting which temporarily blinds or impairs one's vision; or any sign which is in a leaning, sagging, fallen, decayed, deteriorated, or other unsafe condition.
- Q. Illegal Sign. A sign which is installed or maintained in violation of this Chapter.
- R. Incidental Sign. A small sign, emblem, or decal typically used to inform the public of goods, facilities, or services available on the premises (e.g., a credit card sign or a sign indicating hours of business).
- S. Landmark Sign. A sign found to be of historical or local significance by the Planning Commission.



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- T. Master Sign Program. A single, comprehensive sign permit that establishes design standards and other regulations for multiple signs located upon and within a retail, office, or industrial development consisting of a group of two or more duly licensed businesses sharing common parking and circulation facilities, landscaping or open space facilities, whether under common or multiple individual ownership. Neighborhood commercial “strip” centers, shopping centers, office campuses, special commercial districts, and business parks are representative examples of sites that may be eligible to participate in a Master Sign Program.
- U. Monument Sign. A freestanding sign that does not have exposed pole or pylon structural support and is attached to a continuous structural base. The base shall not be less than half the width of the message portion of the sign and is permanently affixed to the ground. Monument sign bases include material consistent with the principle structure, including brick, block, and concrete, or metal.
- V. Nonconforming Sign. An existing sign, lawful at the time of the enactment of this ordinance, which does not conform to the requirements of this code.
- W. Permanent Sign. For the purposes of this Chapter, a sign shall be considered permanent when it is designed in such a way and then, according to its approved design, attached mechanically to a building, permanent structure, or the ground so as to remain in that state according to its approved design for a more or less indeterminable period of time, and relying only on routine maintenance and repair in order to remain in that state.
- X. Pole Sign. A freestanding sign that is supported by one or more exposed poles, pylons, or similar structural element. These supporting structural elements shall be anchored directly to the ground or to a solid structural base.
- Y. Projecting and Suspended Signs. Projected signs are attached to a building or wall in such a manner that its leading edge extends more than six (6) inches beyond the surface of such building. Suspended signs are suspended from the underside of a horizontal plane surface.
- Z. Public Art. A two or three-dimensional object or other visual presentation of information, whether textual, visual, or graphic in nature, that is viewable by the general public and has been so designated after review by the Phoenix Arts Council.
- AA. Sign. Any message, identification, description, illustration, symbol, device, or sculptured matter, including forms shaped to resemble any human, animal, or product, which is affixed directly or indirectly upon a building, vehicle, structure, or land.
- BB. Sign Face. The surface of a sign upon which or containing the message to be communicated.



Department

Exhibit A

PLDC as Amended by LDC 14-12

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- CC. Sign Height. The vertical distance from average surrounding elevation to the highest point of a sign or sign structure.
- DD. Sign Structure. The supports, uprights, braces, framework, and other structural components of the sign that are not used, or able to be used, to communicate information of a textual or graphic nature.
- EE. Site. A property (or group of adjacent parcels or lots) that is subject to a permit application under this Code.
- FF. Street Frontage. The total linear dimension of a property along a public street, including curb cuts, access drives, and building facades.
- GG. Videoboard. Electronic changeable message signs, video displays and other projection devices that are used to display moving images, by light-emitting diode or other technology, and that are intended for viewing by pedestrians from sidewalks and similar public and quasi-public spaces.
- HH. Temporary Sign. A sign that is not designed and/or constructed to be permanently affixed to a building, permanent structure, or the ground. Examples include banners, sandwich boards and similar temporarily anchored freestanding signs.
- II. Wall Signs. A sign painted or attached to any part of a building, or mounted/painted upon the inside of windows within all commercial or industrial zoning districts. Wall signs include parapet signs, awning/canopy signs, projecting/suspended signs, and marquee signs that are attached to the marquee.
- JJ. Wayfinding Sign or Device. A sign, landmarks or other visual graphic communication that are part of a coordinated program that has been reviewed and approved by the City according to the standards set forth in Section 3.6.10 of this Chapter. Typical wayfinding signs include gateways, vehicular directional, destination, parking lot identification, parking trailblazer, pedestrian directional vehicular directional and pedestrian kiosk.
- KK. Window Sign. An unlighted sign installed inside a window or painted on a window and intended to be viewed from the outside.

3.6.3 – Applicability and Exemptions

- A. Sign Permit Required.** All signs visible from the public right-of-way or private areas accessible to the public within the City of Phoenix shall be subject to the provisions of this Chapter. Except as otherwise provided in section 3.6.3.B, Sign Permit, Exemptions of this Chapter, it shall be unlawful for any person to construct, erect, alter or relocate a sign, or direct an employee or agent to do same within the City without first obtaining a permit for each separate sign from the Planning Department.
- B. Sign Permit, Exemptions.** The following signs may be installed, and related activities performed, without a Sign Permit:



Exhibit A
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1. General Sign Exemptions -- All Land Use Districts

- a. Maintenance and repair of signs for which a permit has been issued, that does not alter the sign face or sign structure. This exemption also applies to change of face, where an existing sign is modified by change of message or design on the sign face, without any change to size or shape of the sign framework or structure.
- b. One temporary, non-illuminated sign installed by or on the behalf of a contractor or service provider while a building permit is active and work is proceeding on the premises, from the date of issuance of the building permit and up until one (1) week after work the relevant building permit has been closed, has expired, or a stop work order has been issued. The sign may consist of two (2) faces, neither of which shall exceed sixteen (16) square feet. The sign shall not exceed the maximum height of four (4) feet as measured from average surrounding elevation. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.
- c. Flags of national, state, or local government.
- d. Holiday decorations and lights installed during national and local holidays for a period of beginning sixty (60) days before the holiday and ending fourteen (14) days after the holiday.
- e. Public signs. Signs constructed or placed in a public right-of-way by or with the approval of a governmental agency having legal control or ownership over the right-of-way, including signs owned or constructed under the direction of the City, and signs placed by a public utility.
- f. Signs located within sports stadiums that are intended for viewing primarily by persons within said stadium.
- g. Signs that are a part of an approved Wayfinding Sign Package, pursuant to 3.6.10– *Wayfinding Sign Program Procedures and Standards of Review*.
- h. Public art installations as reviewed and approved according to the policies of the Phoenix Arts Council Section 3.6.11 – *Public Art Program Procedures and Standards of Review*.
- i. Landmark signs as reviewed and approved by the Planning Commission or its designee in accordance with 3.6.9 – *Landmark Sign Program, Procedures and Standards of Review*.
- j. Handheld signs carried by an individual who has not received any form of remuneration in the performance of this activity.



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- k. Architectural features, provided that they substantially conform to the design standards enumerated within this Chapter, and do not create or cause hazardous conditions.
- l. Vehicular signs. Any sign permanently or temporarily placed on or attached to a motor vehicle or trailer, where the vehicle or trailer is used in the regular course of business for purposes other than the display of signs, subject to compliance with the following conditions:
 - i. Vehicles and equipment shall be in operating condition, currently registered and licensed to operate on public streets when applicable, and are actively used in the daily operation of a business or land use.
 - ii. Vehicles and equipment engaged in active construction projects.
 - iii. Vehicles and equipment stored on the premises of a business that is duly licensed to offer said vehicles and equipment to the general public for sale or lease.
 - iv. Vehicles parked at the owner's residence provided that they meet 3.6.3.B.g.i of this Chapter.
2. Sign Exemptions, Residential Land Use Districts
 - a. Window signs.
 - b. Accessory and incidental signs two (2) square feet in size or less.
 - c. Parking lot signs up to three (3) square feet in area and up to five (5) feet in height may be constructed or placed within a parking lot.
 - d. One non-illuminated, temporary sign per street frontage, with a maximum height of four (4) feet and consisting of no more than two (2) faces, neither of which shall exceed sixteen (16) square feet, during periods of time when the premises or a portion thereof is actively marketed for sale or lease. The sign shall be removed within fourteen (14) days of the cessation of marketing activities. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.
 - e. Temporary non-illuminated signs, with a maximum height of four (4) feet and consisting of no more than two (2) faces for each sign, neither of which shall exceed twelve (12) square feet in surface area, located on private property with the consent of the property owner, during the period from (sixty) 60 days before to five (5) days after any public election held in Oregon. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.



Department

Exhibit A

PLDC as Amended by LDC 14-12

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- f. One banner may be installed on the exterior wall of an approved conditional use (schools, churches, public buildings, etc.) within a residential land map district (R-1, R-2, or R-3) where an event is being held. The banner may be installed for up to fifteen (15) calendar days before the event and shall be removed five (5) days after the event. It shall be a flat wall mounted sign made from plastic, wood, metal, fabric, or other durable material, and may be up to thirty-two (32) square feet in surface area. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.
 - g. One temporary non-illuminated sign, with a maximum height of 4 feet and consisting of not more than two (2) faces, neither of which shall exceed twelve (12) square feet in surface area, installed by the owner or tenant of real property upon which the sign is installed. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.
 - h. Balloons used during an event or special occasion, provided that the balloons are removed after the event has been concluded.
3. Sign Exemptions, Commercial, Industrial, and Mixed Use Land Use Districts
- a. Accessory and incidental signs two (2) square feet in size or less.
 - b. Window signs that cover 50% or less the window.
 - c. Parking lot signs up to three (3) square feet in area and up to five (5) feet in height may be constructed or placed within a parking lot.
 - d. One temporary sign per street frontage, consisting of no more than two (2) faces, neither of which exceeds thirty-two (32) square feet in area, not to exceed four (4) feet in height during periods of time when the premises or a portion thereof is actively marketed for sale or lease. The sign shall be removed within fourteen (14) days of cessation of marketing activities. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.
 - e. Temporary, non-illuminated signs, with a maximum height of 4 feet and consisting of not more than two (2) faces, neither of which shall exceed twelve (12) square feet of surface area, located on private property with the consent of the property owner, during the period from 60 days before to five days after any public election to be held in Oregon. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.



Department

Exhibit A

PLDC as Amended by LDC 14-12

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- f. One temporary sign, consisting of no more than two (2) signs faces, neither of which shall exceed sixteen (16) square feet in surface area, not to exceed four (4) feet in height, installed by or on the behalf of the holder of a business license which has been issued within the fourteen (14) prior to sign installation upon business premises for which the business license was issued. The sign may be installed for sixty (60) days from the date of issuance of the business license, and must be removed promptly thereafter.

These exemptions shall not be interpreted so as to release any individual or body corporate from the responsibility to obtain any permits or licenses as required by the building code and any and all other local, state, and federal statutes and regulations. Nor shall they be interpreted so as to release any individual or body corporate from the responsibility to abide by other requirements of this Land Development Code including applicable yard setbacks and clear vision areas.

3.6.4 Prohibited signs. The following signs are prohibited in all land use districts; are unlawful, and shall be considered nuisances per se:

- A. Any sign constructed, maintained, or altered in a manner not in compliance with the sign standards contained within this Chapter.
- B. A permanent ground, pole, or wall sign placed on undeveloped or vacant property (property without a permanent occupiable structure) unless otherwise exempt from this restriction according to the provisions delineated in section 3.6.3.B *Sign Permit, Exemptions* or Section 3.6.5 *Permitted Signs* of this Chapter.
- C. Any sign constructed or maintained that, because of its size, location, movement, coloring or manner of illumination, may be confused with or construed as a traffic control device, or which impairs the view of any traffic control device.
- D. Permanent and temporary balloons, and anchored balloons, unless otherwise exempt from this restriction according to the provisions delineated in section 3.6.3.B *Sign Permit, Exemptions* or Section 3.6.5 *Permitted Signs* of this Chapter.
- E. Flashing signs. A sign incorporating intermittent electrical impulses to a source of illumination or revolving in a manner which creates the perception of flashing, or which changes colors or intensity of illumination.
- F. Signs in the public right-of-way that are not authorized by the relevant public agency.
- G. Signs placed on or affixed to trees and utility infrastructure including utility poles, switch gear housing, pump houses, etc. that are located in the public right-of-way or on publicly owned property.
- H. Moving or rotating signs.



Exhibit A
PLDC as Amended by LDC 14-12
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Department

- I. Signs made from materials that cannot withstand routine elements of the weather such as wind, rain, and solar radiation.
- J. Festoons, pennants, and similar signs which are suspended from a rope, wire, or string, usually in series, and designed to move in the wind.
- K. Inflatable signs, unless the sign is affixed to or part of inflatable recreational apparatus or equipment.
- L. Roof Signs are not allowed to extend vertically above the highest portion of the roof. Roof signs must comply with Section 3.6.6 for measuring roof elevations.
- M. Any ground sign that is to be installed as to extend through a portion of a building or roof, with the sign being mounted above the roof, and appearing similar to a roof sign.

Sign permits shall not be issued for any prohibited sign as a means of establishing it as a legal sign; sign permits issued in error or on the basis of erroneous or misleading information shall not establish a prohibited sign as a legally permitted sign.

3.6.5 – Permitted Signs

No sign permit shall be issued for any sign unless specifically identified as an allowable sign within the land use district map or otherwise allowed under Chapter 3.6.3.B – *Sign Permit, Exemptions*.

A. Permitted Signs in the Residential Land Use Districts

1. Purpose. Except as otherwise allowed by Chapter 3.6.3.B – *Sign Permit, Exemptions*, signage is limited to preserve the residential character of these districts by allowing signs only for single and multi-family residential developments and neighborhoods and for those uses that are allowed under conditional use permits such as churches, schools, bed and breakfasts, and community centers.
2. Types of Permitted Signs Allowed.
 - a. Permanent ground signs within a landscaped bed.
 - b. Permanent wall signs.
 - c. Temporary ground signs.
3. Maximum Number of Permitted Signs. The number of signs on a property in a residential land use map district shall be limited to no more than the following number:
 - a. One(1) wall sign, consisting of no more than one (1) sign face, per building frontage or street frontage, with a total not to exceed two (2) signs per multi-family residential building.



Department

Exhibit A

PLDC as Amended by LDC 14-12

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- b. One (1) ground sign for each residential subdivision or PUD site, approved as such by the Planning Commission, for each location where a street providing access to an internal street or other type of site circulation network intersects with a public local, collector, or arterial street.

4. Maximum Sign Area and Maximum Height.

- a. Ground or monument signs shall be no more than sixteen (16) square feet per sign face with a limit of two (2) faces no more than 18" in depth, and shall be no more than five (5) feet in height, and setback a minimum of five (5) feet from any street right-of-way, and shall not be located within any clear vision areas.
- b. Wall signs shall be no more than twelve (12) square feet in area.
- c. Temporary undeveloped Subdivision/Planned Unit Development Signs: Two (2) non-illuminated ground signs, consisting of not more than two (2) sign faces, neither of which shall exceed thirty-two (32) square feet in area, and eight (8) feet in height as measured from the average surrounding elevation and setback a minimum of twenty (20) feet from any property line are permitted upon undeveloped land within a residential land use map district where a subdivision or planned unit development has been approved by the Planning Commission. These signs must be removed no later than two years after installation, unless the Planning Director, upon due application prior to expiration of the two-year period, determines that the continued maintenance of the sign is consistent with the purpose of this code, in which case a single one (1) year extension may be granted by the Planning Director. This decision may be appealed to the Planning Commission.
- d. Institutional Land Use Signs: Each lot occupied by public uses, including schools and churches, are allowed a maximum of one half (0.50) square foot of sign area per linear foot of street frontage. The maximum area may include a combination of permanent wall and monument signs. If a monument sign is included, the sign shall be located at least fifteen (15) feet from any property line, and be no more than eighteen (18) inches in depth, with a maximum height of eight (8) feet. Signs within public parks, schools, or stadiums, which are generally placed and located so as not to be viewed from a street, are exempt from this provision.
- e. A permanent ground sign, no more than six (6) square feet in total surface area, with no more than two (2) faces, and a maximum of three (3) feet in height may be issued to a business, duly licensed and permitted by the City as a Bed and Breakfast Inn. No part of the sign may obstruct a clear vision area.

B. Permitted Signs in the Bear Creek Greenway District (BCG). The BCG ensures the protection of wildlife habitat and open space. Only the City or other public



Department

Exhibit A
PLDC as Amended by LDC 14-12

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agency, or its authorized agents, with an established ownership or regulatory interest in the BCG or surrounding protected area may install signs in the BCG.

C. Permitted Signs in the C-H, Commercial Highway District

1. Temporary signs, subject to the following standards:
 - a. For single tenant commercial properties, one (1) temporary non-illuminated sign with a maximum height of four (4) feet, and consisting of no more than two (2) sign faces, neither of which shall exceed twelve (12) square feet in surface area.
 - b. For multitenant commercial properties, for each tenant one (1) temporary non-illuminated sign, with a maximum height of four feet (4) feet and consisting of no more than two (2) sign faces, neither of which shall exceed twelve (12) square feet in surface area provided that only one (1) such sign may be placed along every twenty (20) feet of street frontage.
 - c. Signs shall be freestanding, and not attached to other ground or pole signs, or other permanent structures or buildings.
 - d. Though not permanently affixed, the sign shall be anchored to the ground so as to resist the forces of gravity, wind, and other natural phenomena, shall be constructed of durable materials that are weather resistant, and shall be maintained in good condition.
 - e. The sign shall not encroach upon any sidewalk and shall be placed so as to maintain a minimum five (5) foot wide pedestrian travel way at all times.
 - f. The sign shall be removed from its outdoor location and stored indoors between the hours of 9:00PM and 7:00AM.
2. Wall Signs, Awning/Canopy and Marquee Signs, subject to using the calculation standards set forth in Section 3.6.6 and the following standards:
 - a. The aggregate area of all wall signs shall not exceed one and a half (1.5) square feet for each (1) linear foot of business frontage, except if the building is set back more than twenty (20) feet from the right-of-way, in which case the aggregate area of all signs shall not exceed two (2) square feet for each (1) linear foot of business frontage.
 - b. No part of any sign shall be higher than the roof height as defined in Section 3.6.6 of this chapter.
 - c. The sign may be an electronic changeable message sign or videoboard pursuant to the standards established in Sections 3.6.6.G and H. However, videoboards are only permitted in the C-H district as a part of an approved Planned Unit Development (PUD) or as part of a kiosk.
3. Projecting Signs. These signs are permitted, subject to standards set forth in Chapter 3.6.6 and the following standards:



Exhibit A
PLDC as Amended by LDC 14-12

All text appears as it will in the final,
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Department

- a. A maximum of one (1) projecting sign for each business frontage.
 - b. No sign shall project more than four (4) feet into the public right-of-way.
 - c. The sign shall not exceed sixteen (16) square feet per sign face with a maximum of two (2) faces.
 - d. No part of any sign shall be higher than the approved roof height as defined in Section 3.6.6, no part of the sign shall be lower than 8 feet from the elevation of top of any public pedestrian way. No part of the sign shall in any way obstruct a public right-of-way or pedestrian way whether on public or private land.
 - e. No part of the sign may obstruct a clear vision area (see Section 3.6.6.I)
4. Ground and Pole Signs Standards for freestanding commercial buildings and commercial developments under 10,000 square feet GLA. Each site is permitted one (1) ground or pole sign per street frontage, locating only one (1) sign on each street frontage, with a maximum of two (2) signs per parcel, subject to the standards set forth in Section 3.6.6.E, and the following standards:
- a. No part of the sign shall exceed a maximum height of eighteen (18) feet above average surrounding elevation, and the lowest point on the sign shall be at least 8 feet above average surrounding elevation if it hangs over the public right-of-way or a pedestrian way whether on public or private land.
 - b. The maximum surface of each sign face shall be thirty-two (32) square feet per sign with a maximum of two (2) faces, and not more than eighteen (18) inches in depth.
 - c. No part of the sign shall in any way obstruct a public right-of-way or pedestrian way whether on public or private land.
 - d. No part of the sign may obstruct a clear vision area (see Section 3.6.6.H).
 - e. The sign may be an electronic changeable message sign or videoboard pursuant to the standards established in Sections 3.6.6.G and H. Videoboards are only permitted in the C-H district as a part of an approved Planned Unit Development (PUD) or as part of a kiosk.
5. Ground and Pole Sign Standards for shopping centers, office campuses, mixed-use commercial developments, and business parks. In instances where multiple tenants, buildings, and/or commercial or industrial uses operate within a single development site and share parking, internal circulation, and access facilities, one monument sign is permitted at each location where a site access drive, whether public or private, intersects with a public collector, local, or arterial road. One (1) or two (2) pole signs may also be permitted in addition to monument signs, all subject to the following standards:



Department

Exhibit A

PLDC as Amended by LDC 14-12

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- a. All such commercial multiple tenant developments consisting of 10,000 square feet or more of gross leasable area (GLA) are required to apply for sign permits through a master sign program.
- b. The master sign program for the site shall preserve for all tenants the ability to use monument and pole signs.
- c. The maximum size of monument and pole signs shall be determined as follows:
 - i. For centers/complexes with a gross leasable area (GLA) of 10,000 square feet or more but less than 25,000 square feet of GLA, one (1) pole sign with a maximum surface area of forty (40) square feet for each of two (2) sign faces, and a maximum height of twenty (20) feet, and a monument sign or signs no larger than thirty-two (32) square feet for each of two (2) sign faces and a maximum height of eight (8) feet and located in a landscaped bed.
 - ii. For centers/complexes that have a GLA between 25,000 square feet and 50,000 square feet, one pole sign with a maximum surface area of seventy-five (75) square feet for each of 2 sign faces, and a maximum height of thirty-five (35) feet, and a monument sign or signs no larger than thirty-two (32) square feet for each of two (2) sign faces and a maximum height of eight (8) feet and located in a landscaped bed.
 - iii. For centers/complexes that have a GLA that exceeds 50,000 square feet, a maximum of two (2) pole signs each with a maximum of seventy-five (75) square feet in surface area for each sign for each of two (2) sign faces and a maximum height of thirty-five (35) feet, and no less than fifty (50) feet apart, and a monument sign or signs no larger than thirty-two (32) square feet for each of two (2) sign faces and a maximum height of eight (8) feet and located in a landscaped bed.
- d. No sign shall obstruct clear vision areas (see Section 3.6.6.I).
- e. No part of the sign shall in any way obstruct a public right-of-way or pedestrian facility whether on public or private land.
- f. Signs may use electronic changeable message signs or videoboards pursuant to the standards established 3.6.6.G and H. Videoboards are only permitted in the C-H district as a part of an approved Planned Unit Development (PUD) or as part of a kiosk.

D. Permitted signs in the I-5 Overlay District. I-5 (Interstate 5) overlay zone is established to permit signs visible to travelers on I-5. It recognizes a special dependence of freeway-oriented businesses on this market. Freeway signs shall be regulated in order to avoid adverse scenic impacts on the vista east of Phoenix and the Bear Creek Greenway. The I-5 overlay zone shall be applied to lots within one



Exhibit A
PLDC as Amended by LDC 14-12

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Department

quarter of a mile of the center-line of the Interstate 5 interchange and that are zoned Commercial Highway.

I-5 is not considered a street and cannot be counted as street frontage. A larger pole sign located upon the premises shall be permitted. This pole sign shall not be permitted in addition to pole signs that may be permitted in the underlying land use district, but rather as a substitute for any pole sign allowed within that district. A ground or pole sign in the freeway overlay zone is subject to the basic regulations in the underlying zone with the following exceptions and conditions:

1. One (1) pole sign (the freeway sign), consisting of not more than two (2) sign faces, neither of which shall exceed 150 square feet in surface area and fifty (50) feet in height is permitted on each parcel of land located within the I-5 Overlay District.
2. The pole sign may utilize an electronic changeable message sign, pursuant to the standards established 3.6.6.G. Videoboards are expressly prohibited.

E. Permitted Signs in the City Center District. The City Center Plan provides for mixed residential and commercial land uses and provides linkages to the Bear Creek Greenway and to older established residential neighborhoods located adjacent to its downtown.

1. Signage Objectives:
 - a. To include a non-obtrusive variety of signs that are designed at both pedestrian and vehicular scales;
 - b. Signs should be in the character of a small downtown, usually painted on buildings or painted on signboards hung off buildings with metal or wood brackets.
2. Wall Signs, Awning/Canopy, and Marquee signs. These signs may be permitted, subject to the standards set forth in 3.6.6.E *Sign Design Standards, Methods of Calculating Area*, and the following standards:
 - a. Signs are to be painted or sculptural metal, wood, awning, or canopy signs;
 - b. The aggregate area of all wall signs shall not exceed one (1) square foot for each (1) linear foot of business frontage, except if the building is set back more than twenty (20) feet from the right-of-way, in which case the aggregate area of all signs shall not exceed one and one-half (1.5) square foot for each (1) linear foot of business frontage. No part of any sign shall be higher than the roof height as defined in 3.6.6.E *Sign Design Standards, Methods of Calculating Area*.



Exhibit A
PLDC as Amended by LDC 14-12

All text appears as it will in the final,
amended document.

Department

- c. Electronic Changeable Message signs are permitted, subject to the standards in Section 3.6.6.G. Videoboards are only permitted in the City Center district as a part of an approved Planned Unit Development (PUD) or as part of a kiosk.
3. Projecting Signs: A projecting sign may be permitted, subject to standards set forth in Section 3.6.6.E *Sign Design Standards, Methods of Calculating Area of this Chapter*, and the following standards:
 - a. No sign shall project more than four (4) feet into the public right-of-way;
 - b. The sign shall not exceed sixteen (16) square feet per sign face with a maximum of two (2) sign faces;
 - c. No part of any sign shall be higher than the approved roof height as defined in Section 3.6.6, no part of the sign shall be lower than eight (8) feet from average surrounding elevation, and no part of the sign shall in any way obstruct a public right-of-way or pedestrian facility whether on public or private land.
 - d. No part of the sign may obstruct a clear vision area.
 - e. Electronic Changeable Message signs are permitted, subject to the standards in Section 3.6.6.G.
4. Monument Signs: Each parcel of land is permitted one (1) monument sign per street frontage to be located within a landscaped bed, subject to the standards set forth in 3.6.6.E *Sign Design Standards, Methods of Calculating Area*, and the following standards:
 - a. Maximum Height: eight (8) feet;
 - b. Maximum Square Footage: twenty (20) square feet per sign face per sign with a maximum of two (2) faces not more than eighteen (18) inches in depth back-to-back;
 - c. Signs shall not project into public right-of-way;
 - d. Electronic Changeable Message signs are permitted, subject to the standards in Section 3.6.6.G.
5. Temporary Signs: Each business with a storefront or principal entrance located on an arterial, collector, or local street may permit one (1) temporary sign meeting the following standards:
 - a. Signs shall not be illuminated, shall not exceed a maximum height of four (4) feet, and shall consist of no more than two (2) sign faces, neither of which shall exceed twelve (12) square feet in surface area;
 - b. Signs shall be freestanding, and not attached to other ground or pole signs, or other permanent structures or buildings;



Department

Exhibit A

PLDC as Amended by LDC 14-12

All text appears as it will in the final,
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- c. Though not permanently affixed, the sign shall be anchored to the ground or a frame so as to resist the forces of gravity, wind, and other natural phenomena, shall be constructed of durable materials that are weather resistant, and shall be maintained in good condition;
- d. The sign shall not encroach upon any sidewalk or pedestrian way, whether public or private, and shall be placed so as to maintain a minimum five (5) foot wide pedestrian travel way at all times;
- e. The sign shall be removed from its location and stored indoors between the hours of 9:00PM and 7:00AM.

F. Permitted Signs in Industrial Land Use Districts

1. Monument or Pole Signs are subject to using the calculation standards set forth in 3.6.6.E Sign Design Standards, Methods of Calculating Area, and the following standards:
 - a. Maximum Height: twenty-four (24) feet.
 - b. Maximum Sign Face Square Footage: one-hundred (100) square feet per sign for each sign face.
 - c. Minimum Setback: Sign shall not project into the public right-of-way.
 - d. Maximum Number of Sign Faces: two (2).
 - e. Maximum Number of Signs: No more than one (1) monument or pole sign shall be permitted on any single lot, except when the lot has more than one (1) street frontage, two (2) signs may be permitted, locating only one (1) sign on each street.
 - f. The sign may utilize an electronic changeable message sign, pursuant to the standards established 3.6.6.G, and consisting of a maximum of two (2) signs faces, neither of which shall be larger than thirty-two (32) square feet in surface area, except in instances where the ECMS can be viewed from property located within a residential land use district. In such cases, the ECMS shall have a maximum of two (2) sign faces, neither of which shall exceed sixteen (16) square feet in surface area.
2. Wall, Parapet, Awning/Canopy, or Marquee Signs. The aggregate area of all wall signs shall not exceed one and one-half (1.5) square feet for each (1) linear foot of business frontage, except if the building is set back more than twenty (20) feet from the right-of-way, in which case the aggregate area of all signs shall not exceed two (2) square feet for each (1) linear foot of business frontage. No part of any sign shall be higher than the roof height as defined in 3.6.6.E Sign Design Standards, Methods of Calculating Area. The sign may utilize an electronic message or videoboard pursuant to the standards established in Section 3.6.6.G and H.
3. Projecting Signs:



Exhibit A
PLDC as Amended by LDC 14-12
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amended document.

Department

- a. Maximum number of signs: one (1) for every 200 linear feet of business frontage.
 - b. Maximum number of sign faces: two (2).
 - c. Maximum surface area for each sign face: twenty-four (24) square feet in area.
 - d. No sign shall project more than eighteen (18) inches into the public right-of-way.
 - e. No part of any sign shall be higher than the roof height as defined in Section 3.6.6.
4. Ground and Pole Sign Standards for office campuses, mixed-use commercial/industrial developments, and business parks that are located within an industrial land use map district where multiple tenants, buildings, and/or uses operate within a single development site and share parking, internal circulation, and access facilities, one (1) monument sign is permitted at each location where a site access drive, whether public or private, intersects with a public collector or arterial road. One (1) or two (2) poles sign may also be permitted in addition to monument signs, all subject to the standards set forth above in Section 3.6.5.C.5.

G. Special Permitted Signs for Commercial and Industrial Land Use Districts

1. Service Station Signs: A business, duly licensed as a facility for refueling motor vehicles may permit one (1) additional ground sign not to exceed fifty (50) square feet in surface area for each of no more than two (2) sign faces, and nine (9) feet maximum in height. Such signs may not project into or encroach upon the public right-of-way or clear vision areas.
2. Drive-up Window Business Sign: Two additional ground signs, consisting of no more than one (1) sign face for each sign, each sign face not to exceed thirty-two (32) square feet in area and six (6) feet in height for a business licensed and permitted to operate a drive-through or drive-up service window or similar service delivery apparatus (for example, remote-operated pneumatic tubes). The signs shall be along the route of drive lanes used to access the drive-through window or service apparatus. Such signs may not project into public right-of-way or clear vision areas. Temporary signs are prohibited and may not be substituted for this type of sign.
3. Kiosks.



Exhibit A
PLDC as Amended by LDC 14-12

All text appears as it will in the final,
amended document.

Department

4. Temporary Sign during Construction: Up to two (2) temporary non-illuminated signs may be installed after a building permit has been obtained for a construction project and must be removed not later than one (1) year after issuance of the building permit for the project or upon completion of the project, whichever is sooner. Each sign shall consist of no more than two (2) sign faces, neither of which shall exceed seventy-five (75) square feet, and the top of the sign shall not be more than ten (10) feet above average surrounding elevation. Signs shall be subject to the same setback requirements as are imposed for structures in this zone. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.
5. Temporary Signs: One (1) temporary sign may be installed if the business owner has a valid sign permit but is waiting for the completion of the permanent sign. Display period is limited to thirty (30) days, but may be extended with permission from the Planning Department. The sign shall consist of no more than two (2) sign faces, neither of which shall exceed thirty-two (32) square feet of surface.
6. Temporary Sign for Nonrecurring Events: One (1) temporary sign may be installed upon the premises where an event is being held. The sign shall consist of no more than two (2) sign faces, neither of which shall exceed thirty-two (32) square feet in surface area. No part of any sign shall be higher than the roof height as defined in Section 3.6.6, Display period is limited to fifteen (15) days and the sign shall be removed immediately after the event. A particular property may permit four (4) such temporary signs in one (1) calendar year. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.

3.6.6 – Permit Administration, Standards of Review, and Issuance.

No application shall be considered, nor permit issued, until the applicant has submitted a complete application. When required, the applicant shall submit proof that work will be done by a contractor licensed in compliance with local or state law to perform the specialized tasks required for construction of the proposed sign.

Application for a permit shall be made to the Planning Department upon a form provided by the City with signatures of the property owner of record, the business owner, and the sign company.

A. Individual Sign Permit Application Requirements.

1. A set of plans for the proposed sign and structural calculations where required.
2. Location of the sign on the building or building site.
3. Dimensions of the sign.
4. Construction materials and a color rendering or photograph of each sign.



Exhibit A
PLDC as Amended by LDC 14-12
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Department

5. Method of attachment and character of structural members to which attachment is to be made.
6. Electrical wiring and components or U.L. approved number.
7. Ingress and egress and clear vision areas.
8. Sign permit review fee as established by resolution of the City Council.
9. Any other additional required for specific types of signs as delineated in Section 3.6.6.E.
10. Proof of current City of Phoenix business license.

B. Master Sign Programs Permit Application Requirements.

1. An accurate plot plan of the parcel at scale.
2. Elevations and square footage computations of the buildings.
3. Ingress and Egress and sight visibility triangles.
4. An accurate location of each present and future sign.
5. Computation of the total number of ground signs, total sign area, and the elevation and height of the ground signs.
6. To scale drawings, sign lettering, dimensions, color renderings, method of attachment, footings and electrical wiring and components or U.L. approved number requirements for each sign.
7. Sign permit review fee as established by resolution of the City Council.
8. Any other additional required for specific types of signs as delineated in Section 3.6.6.E.
9. Proof of current City of Phoenix business license.

The Building Safety Official may also require that a licensed engineer furnish information concerning structural design and proposed attachments. Signs more than 10 feet above grade, except wall signs painted on walls, shall be structurally designed by an architect or engineer licensed in the state of Oregon and bearing the architect's or engineer's seal. All signs, except for signs painted directly upon a building, are also subject to Building Department requirements.

C. Permit Application Review Procedures.

1. The Planning and Building Departments shall approve a sign permit upon finding that the applicant has met all requirements of the sign standards.
2. No sign construction shall begin unless the approved permit has been issued and the applicant has paid all fees.



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3. Unless the permit holder requests an extension of the permit and demonstrates good cause for such an extension, a sign permit shall expire if the sign construction or other work authorized by a sign permit is not completed within one (1) year of the date of issuance.
4. No sign construction shall be considered complete until the permit holder has notified the city that work is finished and the City is satisfied that the sign construction has been completed in conformity with the approved plans and otherwise complies with the sign standards.
5. If a permit is denied, the applicant shall receive a notice of denial in writing, setting forth the reasons for the denial. A decision granting or denying a sign permit may be appealed to the Planning Commission in accordance with the variance and appeal process defined in Chapter 5 of the Phoenix Land Development Code.
6. No additional permits shall be issued for signs on businesses or uses with signs not already in compliance with the sign code unless the applicant can prove existing signs are legal nonconforming.

D. Indemnification of City. As a condition to the issuance of a sign permit as required by this Chapter, all persons engaged in the hanging or painting of signs, which involves, in whole or in part, the erection, alteration, relocation, maintenance, or other sign work in, over, or immediately adjacent to a public right-of-way or public property if used or encroached upon by the sign hanger or painter in the said sign work, shall agree to hold harmless and indemnify the City, its officers, agents, and employees from liability for damages resulting from said erection, alteration, relocation, maintenance or other sign work.

E. Sign Design Standards, Methods of Calculating Area

1. Wall Signs
 - a. No part of the sign shall extend vertically above the highest portion of the roof's calculated elevations (except for parapet signs).
 - b. Marquee signs. A marquee is any permanent roof-like structure projecting beyond the perimeter wall of a building, and signs shall not be located above the top of the marquee.
 - c. Parapet Signs. Parapets or false fronts are measured by the linear frontage of the parapet.
 - d. Roof Elevations. Signs are not allowed above the roofline's elevation, which is determined by the highest point of the roof surface for flat roofs; and to the average height between eaves and ridges for gable, hip, gambrel roofs, and mansard roofs.



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- e. The area of a wall sign without a border shall be computed by enclosing the entire sign within sets of parallel lines touching the outer limits of the sign message.
 - f. Perimeter walls. The exterior wall of a building shall be measured at the floor level of each floor, including the ground floor. Alcoves, entryways and extruding portions shall be treated by measuring through such areas as though along the flat wall of a building.
2. Ground and Pole Signs.
- a. The area of a ground or pole sign shall be calculated by adding the area of all the sign faces presenting a message. Pole covers and columns shall not be included in the area of the measurement if they do not bear any message. Double-faced signs will be considered as one sign only when placed back to back and separated by eighteen 18 inches or less.
 - b. Street frontage. Development sites fronting on two or more streets are allowed the number of signs permitted for each street frontage. However, the total number of signs that are oriented toward a particular street may not exceed street frontage allotment. Interstate 5 is not considered a street for sign purposes, and cannot be counted towards frontage allotments.
3. Flags. Any fabric, banner, or bunting flags containing distinctive colors, patterns, or symbols, other than U.S., state, and local government flags, shall be limited to the wall and ground/pole sign allotments, unless otherwise approved by the Planning Commission. Flags on poles may be counted towards the ground sign allotment. Flags on buildings (not on poles) may be calculated as part of the building's or business's linear footage allotment and may not be placed above the roofline.
4. Kiosks.
- a. Maximum Size. Kiosks shall not exceed seven (7) feet in height and an area of thirty-five (35) square feet per side.
 - b. Minimum Spacing. Kiosks shall be placed no less than two hundred (200) feet apart unless closer proximity can be demonstrated to serve a public purpose.
 - c. Content displayed on the kiosk shall be sized appropriately for view by pedestrian passersby within ten (10) feet of the kiosk, and shall never display messages that could distract the attention of motorists.
 - d. Architectural Features. Kiosks shall be consistent with the architecture of surrounding built environment.



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- e. ECMS and videoboards may be used in kiosks, provided that no more than ten (10) square feet of any one side of a kiosk is used for an ECMS or videoboard.
- f. Lighting. Kiosks shall not be illuminated by an external, detached lighting source.
- g. Location. Kiosks shall be located within or along pedestrian walkways, plazas, and other areas designed for pedestrian travel and public assembly in accordance with the following requirements:
 - i. An unobstructed pedestrian area or sidewalk with a minimum width of ten (10) feet shall be maintained on any side of a kiosk with a message area;
 - ii. An unobstructed sidewalk width of seven (7) feet shall be maintained on any side of a kiosk without a message area;
 - iii. An unobstructed pedestrian area or sidewalk with a minimum width of ten (10) feet is maintained between any side with a message area and the back of curb of any adjacent road, drive, or parking facility;
 - iv. The distances referred to above shall be measured from the surface of the display at a ninety (90) degree angle across the entire display.

F. Illumination Standards.

1. Maximum illumination. In residential land use districts, or in instances where a property in a nonresidential land use district abuts a residential land use district OR a property that is a legally nonconforming residential building located in a nonresidential land use district, no sign may exceed a maximum illumination of 0.5 footcandles above ambient light level as measured fifty (50) feet from the sign's face. In all other districts, no sign may exceed a maximum illumination of 1.0 footcandle above ambient light level as measured fifty (50) feet from the sign's face. Under no circumstances shall this standard be interpreted to allow light spillage from a site in excess of the standards delineated in Chapter 3.11 *Outdoor Lighting*.
2. Glare reduction. No sign may be illuminated or use lighting where such lighting is directed at any portion of a traveled street or will otherwise cause glare or impair the vision of the driver of a motor vehicle or otherwise interfere with the operation thereof. External illumination shall be shielded so that the light source elements are not directly visible an adjacent property.

G. Electronic Changeable Message Signs.

1. Electronic changeable message signs shall not have any moving patterns of light, other than the transition between messages. Moving patterns of light include, but shall not be limited to, pulsating, flashing, scrolling, animation and/or blinking at any time. All light emitting devices in an ECMS display shall activate



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Department

simultaneously, remain activated for not less than twenty (20) seconds and deactivate simultaneously.

2. Maximum size for electronic changeable message signs shall be determined by the maximum size of a sign allowed within the land use district in which it is located, but shall never exceed thirty-two (32) square feet in surface area for each sign face allowed.
3. Use of two (2) or more successive screens or “sequencing” to convey a message that will not fit at one time on the sign face screen shall be prohibited.
4. The maximum amount of text-based information displayed within a single message shall be limited to the maximum number of words that a driver can reasonably be expected to read from a distance from the electronic changeable message sign of 800 feet at a rate of one (1) word per second. The following table provides examples of the maximum number of words on a sign for commonly encountered traffic speed limits.

Posted Speed Limit (MPH)	Posted Speed (FT/S)	Time to Travel 800 Feet (in seconds)	Maximum # of Words in a Message
25	36.67	21.82	21
35	51.33	15.58	15
45	66.00	12.12	12
55	80.67	9.92	9

Table 3.3.6.F.4

5. Content displayed on an Electronic Changeable Message sign may not resemble or simulate any lights or traffic control device used to control traffic in accordance with the MUTCD unless such content is directly related to the dissemination of information during times of emergency.
6. The City may require emergency information to be displayed, within appropriate message rotation, on an electronic changeable message sign.

H. Videoboards. Videoboards may display moving patterns, images, text animation, and video content similar to television images only in accordance with the following standards, restrictions and requirements:

1. Videoboards shall not be visible from any public road or any private road except those roads that primarily function to provide traffic circulation through parking lots.
2. No more than one (1) videoboard with a display area of more than twenty-four (24) square feet shall be located within four hundred (400) feet of another videoboard with a display area of more than twenty-four (24) square feet.



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3. A videoboard shall not obscure or in any way detract from prominent architectural and design features of a building or structure on which the videoboard is located. Videoboards shall be designed so that they are integrated into the overall design of the building or structure and compliment architectural details such as the overall mass and dimensions of the building to which it is affixed, the size, position and dimensions of openings including doors and windows.
4. Maximum size for videoboards shall be determined by the maximum size of a sign allowed within the land use district in which it is located, but shall never exceed thirty-two (32) square feet in surface area for each sign face allowed.
5. Where a videoboard is located within three hundred (300) feet of any traffic signal, all applications for a Sign Permit for a videoboard must include a report from a traffic engineer stating that the placement of the sign will not interfere with the effectiveness of a traffic signal within three hundred (300) feet of the sign. At no time and in no way shall messages displayed on a videoboard be intended and designed for viewing by motorists traveling on any public road or any private road except those roads that primarily function to provide traffic circulation through parking lots.
6. Content displayed on a videoboard sign may not resemble or simulate lights or traffic control devices used to control traffic in accordance with the MUTCD unless such content is directly related to the dissemination of information during times of emergency.
7. The City may require emergency information to be displayed, within appropriate message rotation, on a videoboard.
8. Operational Standards—Display. All videoboards:
 - a. Must contain a default mechanism that freezes an image in one position in case of a malfunction or deactivates the display in its entirety.
 - b. Must automatically adjust the sign brightness based on natural ambient light conditions in compliance with the following formula:
 - i. the ambient light level measured in luxes, divided by 256 and then rounded down to the nearest whole number, equals the dimming level; then
 - ii. the dimming level, multiplied by .0039 equals the brightness level; then
 - iii. the brightness level, multiplied by the maximum brightness of the specific sign measured in nits, equals the allowed sign brightness, measured in nits.
 - c. Must be turned off between 1:00 a.m. and 6:00 a.m. Monday through Friday and 2:00 a.m. and 8:00 a.m. on Saturday and Sunday. Videoboards may be



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- required to be turned off earlier in instances where a videoboard faces a residential land use including overnight accommodations like hotels.
- d. May not display light of such intensity or brilliance to cause glare, impair the vision of an ordinary driver, or constitute a nuisance.
- e. Must have a full color display able to display a minimum of 281 trillion color shades.
- f. Must be able to display a high quality image with a minimum resolution equivalent to the following table:

Viewing Distance (FT)	Max. Pixel Size (mm)
36 to 45 feet	12 to 16
> 45	14.25 to 19

Table 3.6.6.G.7.f

- g. Light intensity. Before the issuance of a videoboard sign permit, the applicant shall provide written certification from the sign manufacturer or distributor that:
 - i. The light intensity has been factory programmed to comply with the maximum brightness and dimming standards in table; and
 - ii. The light intensity is protected from end-user manipulation by password-protected software, or other method satisfactory to the Planning Director; and
 - iii. The sign's light intensity has been factory pre-set not to exceed 7,000 nits
- h. Changes of text messages, not containing video, must comply with the following:
 - i. Any messages that display text must be displayed for a minimum of five (5) seconds.
 - ii. Changes of text-based messages not containing video content must be accomplished within two (2) seconds.
 - iii. Changes of text-based messages not containing video content must occur simultaneously on the entire sign face.
 - iv. No flashing, dimming, or brightening of message is permitted except to accommodate changes of message.
 - v. Ticker tape streaming is permitted at all times when the videoboard is operating. Ticker tape streaming must be located within the bottom ten (10) percent of the effective area.



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- i. Malfunction. The videoboard operator must respond to a malfunction or safety issue within one hour after notification.

I. Vision Clearance and Safety Standards

1. Signs must comply with the sight visibility standards within the Development Code (see Chapter 3.2.2.M).
2. The minimum clearance of all signs projecting over a pedestrian way shall be eight (8) feet.
3. Clearance over vehicle use area. The minimum clearance of all signs projecting over any portion of a vehicle use area shall be seventeen (17) feet.

J. Duration of Permits.

1. Permits for permanent signs shall be valid, without renewal, until such a time as they are altered. Upon such an event, the original permit shall expire.
2. Unless otherwise stated in this Chapter, permits for temporary signs shall be valid for a period of one (1) fiscal year or portion thereof. Where this standard differs with another stated elsewhere in this Chapter, the standard which defines a more limited duration for a temporary sign permit shall control. A temporary sign permit shall be renewed at least thirty (30) days prior to its expiration on the 30th day of June of each fiscal year. Permitted temporary signs shall be removed prior to or upon that day if the permit has not been renewed.

3.6.7 – Nonconforming Sign, Abandoned Signs, Good Standing Status

A. Nonconforming Signs

1. Nonconforming signs may be maintained subject to the following conditions:
 - a. No additions or enlargements may be made to a nonconforming sign except additions or enlargements required by law.
 - b. If any nonconforming sign is moved, that sign shall thereafter conform to the requirements of the sign standards as a newly constructed sign.
 - c. Any sign that is constructed to replace a nonconforming sign shall be constructed in compliance with all applicable provisions of the sign standards.
2. Except where only a change of face is made, any nonconforming sign, which is structurally altered (excluding routine maintenance), shall be brought into compliance with all applicable provisions of the sign standards within ninety (90) days of written notice sent by the City and shall thereafter be kept in compliance with the sign standards.



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3. Any nonconforming or abandoned sign and supporting structure shall be removed by the owner of the sign or owner of the premises within three months following the closure of the business which licensed the sign, vacation or change of occupancy at the premises for which the sign was licensed, condemnation or demolition of a structure or building for which a sign was licensed, or completion of an event that has concluded thirty (30) days or more prior to the date on which the violation was discovered. The Planning Director may, upon written request of the owner of the sign or the premises upon which the sign is located, allow structural components of a sign to remain in place under the following conditions:
 - a. The sign structure shall be maintained in good condition, according to Section 3.6.7.B;
 - b. The sign shall be used in the active marketing of the property for sale, lease, or redevelopment;
 - c. The structure may remain in place for a period of time not to exceed twelve (12) months from the date upon which the Planning Director issues a final determination allowing the sign structure to remain in place. This period may be extended at the Planning Director's discretion upon written request by the owner of the sign or the premises upon which the sign is located, provided that the sign meets subparts 3.a. and 3.b above.

B. Good Standing Status. In order to remain in good standing, the holder of a sign permit shall comply with the requirements of this Chapter throughout the period during which the permit is valid. Additionally, the permit holder shall comply with the following requirements:

1. All signs, together with all of their supports, braces, guys, anchors and electrical equipment, shall be kept fully operable, in good repair and maintained in safe condition, free from excessive rust, corrosion, peeling paint or other surface deterioration.
2. A sign permit holder shall maintain a current City of Phoenix business license. Failure to maintain a current business license shall render the sign permit invalid and constitutes a violation of this Chapter. The permit holder shall be required to reapply for a sign permit once a new business license has been issued.

3.6.8 – Sign Variance Criteria

The most minimal variance possible shall be granted using a Type II – Administrative procedure when, and only when an applicant is able to demonstrate the following:

- A.** The variance is necessary because of special circumstances relating to the size, shape, topography, location, or surroundings of the subject property to provide it with use rights and privileges permitted to other properties in the vicinity and zone in which the subject property is located.



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- B.** The special circumstances of the subject property are not the result of the actions of the applicant, the owner of the property, or a self induced hardship.
- C.** The authorization of such variances will not be materially detrimental to the public welfare, not injurious to nearby property, nor essentially different from the provisions of the zoning district in which it is located.
- D.** The type of the proposed sign is not a type prohibited by these regulations.
- E.** The Variance would not result in a special advertising advantage in relation to neighboring businesses or businesses of a similar nature. The desire to match standard sign sizes (for example, chain store signs) shall not be listed or considered as a reason for a Variance.
- F.** Granting of the Variance would not obstruct views of other buildings or signs, cover unique architectural features of a building, or detract from landscape areas.
- G.** The granting of the Variance would not create a traffic or safety hazard.

The City may designate conditions to ensure conformance with the Development Code. Guarantees and evidence that such conditions will be complied with may be required.

3.6.9 – Landmark Sign Program, Procedures and Standards of Review

The owner of an existing sign may apply for a determination by the Planning Commission or its designee that the sign qualifies as a Landmark Sign, pursuant to the following provisions:

- A.** The sign is or would be nonconforming as it is in its current condition or as proposed.
- B.** The sign is unique in its design, method and materials of construction, and/or is associated with a historically significant event, commercial enterprise, organization, person.
- C.** The applicant shall provide the same information describing the sign as is required by Section 3.6.6.A -- Individual Sign Permit Application Requirements.
- D.** A Hazardous Sign may not, under any circumstances, qualify as a Landmark Sign unless the hazardous condition of the sign has been or will be abated prior to, or conditionally upon designation as a Landmark Sign.
- E.** The Planning Commissioner or its designee may require financial assurance from the applicant in the form of a performance bond, escrow, or other financial device in accordance with Section 4.3.9 – *Performance, Maintenance Guarantee and Development Agreement*, that the City may use in order to abate, remove, or demolish any Hazardous Sign that has been conditionally approved for Landmark Sign status.
- F.** The Building Official may require additional building and trades permits.



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- G.** The fee, set by resolution of the City Council, for application review and determination shall be paid by the application at the time of application.

3.6.10—Wayfinding Sign Program Procedures and Standards of Review

A single property owner, group of property owners, public agency, organization, homeowners association, or other parties with vested property interests may request that the City create a Wayfinding Sign Program pursuant to the following provisions:

- A.** The applicant shall submit a Wayfinding Sign Plan for review by the Planning Commission or its designee. The plan shall provide substantially the same information describing all proposed signs as is required by Section 3.6.6.B—Master Sign Programs Permit Application Requirements.
- B.** The plan shall substantially comply with the other requirements of this ordinance (including but not limited to standards for illumination, clear vision areas, etc.), but may allow for divergence in the design of individual signs provided that none of the signs in the proposed plan would create conditions that are hazardous as defined within this Chapter.
- C.** Wayfinding Signs shall be designed in a way that is consistent with desirable aesthetic characteristics of the surrounding neighborhood and community.
- D.** Wayfinding Signs shall be designed to effectively communicate directional information to the general public through the use of color, scale, placement and other design elements.
- E.** Wayfinding Signs shall be designed so as to improve the visual quality of the built environment of the surrounding neighborhood and community. This shall be achieved through the use of architectural features and high quality materials including wood, natural stone, brick, wrought iron and other high quality metal millwork.
- F.** The Planning Commission or its designee shall review the plan and determine whether to approve, approve with conditions, or deny the application and proposed plan using the aforementioned criteria.
- G.** The Planning Commissioner or its designee may require financial assurance from the applicant in the form of a performance bond, escrow, or other financial device in accordance with Section 4.3.9 – *Performance, Maintenance Guarantee and Development Agreement*, that the City may use in order to abate, remove, or demolish any Hazardous Sign that has been approved as a part of a Wayfinding Sign Plan.
- H.** The Building Official may require additional building and trades permits.
- I.** The fee, set by resolution of the City Council, for application review and determination shall be paid by the applicant at the time of application.

3.6.11 – Public Art Program, Procedures and Standards of Review



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- A.** The applicant shall submit a Public Art Plan for review by the Phoenix Arts Council or its designee that shall, at minimum, address the following:
1. The location, dimensions, and method of installation or construction of the artwork.
 2. A maintenance plan describing activities and procedures to ensure that the artwork remains in its intended condition over the course of its functional lifetime.
 3. A sketch or other accurate representation of the artwork to be installed or constructed.
 4. A legally binding and enforcement agreement enabling the City of Phoenix to maintain, repair, and remove the artwork if its condition violates the terms and conditions set forth in the Public Art Plan, fails to substantially comply with other requirements of this ordinance, or becomes hazardous.
- B.** The plan shall substantially comply with the other requirements of this ordinance (including but not limited to standards for illumination, clear vision areas, etc.), but may diverge from these standards to allow for creative, artistic expression provided that none of artwork in the proposed plan would create conditions that are hazardous as defined within this Chapter.

3.6.12 – Enforcement.

- A.** When a sign is removed, altered, and/or stored under these enforcement provisions, removal and storage costs may be collected against the sign owner and the person responsible for the placement of the sign. The city council shall establish the fees for removal and storage of signs, and for other associated fees, by resolution, from time to time.
- B.** Any sign installed or placed in the public right-of-way or on City-owned property, except in conformance with the requirements of this chapter or other applicable provisions of this code, may be removed by the Planning Director or his/her designee as follows:
1. Immediate confiscation without prior notice to the owner of the sign.
 2. If the City can ascertain contact information for the owner of the sign or for any person or business responsible therefore, the City shall contact that person or business and advise that: a) the sign was found in a location that the City believes to be a public right-of-way or City-owned property; b) that no permit was issued for the placement of the sign in that location, and that the sign is not otherwise legally permitted to be in that location; and c) that the City has confiscated the sign and shall destroy it after thirty (30) days from the time notice was sent to the person or business responsible for the sign, unless either i) the sign is claimed and the removal and notice costs are reimbursed to the City in full



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- or ii) a request for hearing is submitted by the person or business responsible for the sign to the Planning Department.
3. If notification is not possible, the city shall store the sign for thirty (30) days from date of confiscation. The sign may then be destroyed.
 4. The city shall continue to store the sign for any additional period during which an appeal or review thereon is conducted.
- C.** Signs found to be erected or maintained on private property in violation of the provisions of this section or other applicable provisions of the Phoenix Land Development Code are subject to the provisions of Chapter 1.4 – *Enforcement*, and any other means of enforcement afforded to the City and agents by the Municipal Code of the City of Phoenix. A sign may be removed by the Planning Director or his/her designee under the following conditions:
- a. If a sign is a hazardous sign as defined herein and poses an immediate threat to public safety, it may be removed from private property and confiscated by the City without prior notification to the owner of the sign.
 - b. If a sign violates this Chapter but does not pose an immediate threat to public safety, it may be removed and confiscated by the City only after the City has notified the owner of the sign of the violation and provided a period of not less than sixty (60) days for the owner of the sign to abate any and all violations described in the notice or apply for a variance.
 - c. If a sign has been removed under the conditions described in Section 3.6.12.C.1 and 2, and the City can ascertain contact information for the owner of the sign or for any person or business responsible therefore, the City shall contact that person or business and advise that:
 - i. The sign was found to violate this Chapter and notification of such was attempted by the City.
 - ii. That the City has confiscated the sign and shall destroy it after thirty (30) days from the time notice was sent to the person or business responsible for the sign, unless the sign is claimed and the removal and notice costs are reimbursed to the City in full.
 3. If notification is not possible, the City shall store the sign for at least thirty (30) days from date of confiscation. The sign may then be destroyed.
 4. The City shall continue to store the sign for any additional period during which a variance is considered by the Planning Commission.



Date of Notice: November 17, 2014

File Number: LDC 14-12

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Planning Commission of the City of Phoenix will hold a Public Hearing on December 8, 2014 at 6:30 pm at Phoenix Public Works at 1000 S “B” Street, Phoenix, Oregon to consider the following request:

Request: AMENDMENT TO THE PHOENIX LAND DEVELOPMENT CODE PERTAINING TO SIGN REGULATIONS

Applicant: City of Phoenix

Date of Planning Commission hearing: December 8, 2014

Project information: In response to a request from the Phoenix Planning Commission, the Staff has researched and prepared amendments to the Phoenix Development Code to amend the regulation of signs in order to

- Improve the aesthetic quality of Phoenix’s built environment, in particular its the streetscape along its commercial corridors through the equal application standards regulating the number, size, illumination, and placement of signs;
- Provide sufficient opportunities for the conveyance of information to the public;
- Protect public safety by providing the legal authority to eliminate hazardous signs.
- Ensure application of content neutral standards.

Legislative Review: The purpose of Legislative review is to ensure compliance with Comprehensive Plan for City of Phoenix. A public hearing before the Planning Commission is required before the proposed amendment can be acted upon following a subsequent public hearing before the Phoenix City Council.

Approval Criteria: After holding and closing a public hearing, the Planning Commission may vote on and prepare a recommendation to the City Council to approve, modify or reject the proposed amendment. The recommendation will be based on criteria listed and referenced in LDC Section 4.7.3.B. Contact the Planning and Building Department to explain or provide the criteria; or visit the Planning and Building Department on the City of Phoenix home page at www.phoenixoregon.net (click on Planning and Building link on left side of homepage), and click on the Phoenix Development Code link.

Public Participation: We encourage the public to comment on this matter either in writing or orally at the Public Hearing. Mailed comments should be sent to the City of Phoenix, Planning and Building Department, P.O. Box 330, Phoenix, OR, 97535. Related information is available for public review at the City of Phoenix, Planning and Building Department, 112 W. 2nd Street, Phoenix, Oregon 97535.

Office hours are 8 a.m. to noon and 1 p.m. to 5 p.m., Monday through Friday. Contact Matt Brinkley, Planning Director at 541-535-2050 with any questions or comments.

Failure to raise an issue in person, or in writing either before or at the hearing, or failure to provide statements or evidence sufficient to afford the Planning Commission an opportunity to respond to a question or concern shall disqualify protesting parties from appealing the recommended action at the State Land Use Board of Appeals (see Land Development Code 4.1.5.C.2.e).

Staff Report: A staff report will be prepared and included in the Planning Commission’s agenda. The report will be available for review by Monday, December 8, 2014, and a copy may be obtained at 25 cents per page.

Notice to mortgagee, lien holder, vendor, or seller: If you receive this notice, it shall be promptly forwarded to the purchaser.



Land Development Code Revision

**TITLE: AMENDMENT TO THE PHOENIX LAND DEVELOPMENT CODE
PERTAINING TO SIGN REGULATIONS, CHAPTER 3.6.**

FILE NUMBER: LDC 14-12

APPLICANT: City of Phoenix

STAFF REPORT: Available December 1, 2014 at the City of Phoenix, 112 West 2nd Street, Phoenix, Oregon 97535, M-F, 8:00am – 5:00pm, or on the Planning & Building Department website (<http://www.phoenixoregon.gov/Page.asp?NavID=43>).

DATE OF PLANNING COMMISSION HEARING: December 8, 2014

STAFF RECOMMENDATION: Staff recommends that the Planning Commission accept the findings of this report and forward the proposed amendment to the Phoenix City Council for its review and subsequent approval of the amendment at a duly noticed public hearing.

Note: Text excerpted from the PLDC appears below in italics.

I. PROJECT INFORMATION: Signs provide businesses and individuals with an effective and affordable means of communicating information to the general public. Signs can be useful in the pursuit of efficient traffic circulation throughout a community and within larger developments. They can promote community through distinctive design and thoughtful execution. And they can provide a reliable source of information for community events and activities.

Under certain circumstances, however, signs can undermine those same public and private benefits. A proliferation of signs can lead to confusion for the traveling public, causing frustration and distracted driving. Poor placement of signs lends to confusion, and may even pose a hazard for drivers and pedestrians by obstructing clear vision along busy roads and intersections.

While some business and property owners take pride in the signs that advertise their businesses, others do not. As a result, poorly constructed signs crowd public sidewalks, encroach on landscaping, and make a community look shabby and uncared for. The image of a business district can greatly benefit individual businesses if it is perceived as a vibrant, appealing place to shop, eat, and relax. Signs that are orderly and attractive contribute to a positive and beneficial image; signs that are dilapidated or unsightly do not. Signs that are unique in their design and well constructed help to establish a sense of place; signs that are little more than clutter detract from sense of place. A well crafted and conceived sign will draw positive attention to an individual business by conveying the care and investment made by the business or property owner. Flimsily constructed, thoughtlessly designed signs demonstrate an indifference



Land Development Code Revision

to the quality and inattention to detail—both of which are warning signs for many potential customers.

The current sign ordinance is very restrictive regarding temporary signs, but has not been well enforced for years. Temporary signs are more or less illegal according to the ordinance. They can be used in only the most limited of situations. For example, businesses are only allowed a temporary sign “announcing the opening of a new business are allowed upon notification to the City, for period of 60 days starting with the day application is made for the permanent sign with the potential for an additional 30-day extension.” No other temporary signs are allowed for businesses. The fact that so many businesses currently display a variety of temporary signs demonstrates two things: the current ordinance has not been enforced for so long that it is now routinely violated and that there is a significant demand for such signs. If current regulations were enforced, none of these signs would be allowed.

The result of this is that temporary signs are ubiquitous along Phoenix’s most important commercial corridor and they are categorically unattractive, ranging from cheap and tacky to just plain ugly. They are often placed on the sidewalk where they pose obstacles for passersby, especially anyone with a disability. In short, current regulations fail to meet the needs of both the community at large and business owners.

Likewise, current regulations are very restrictive in residential land use districts. In fact there is no allowance within these districts for signs expressing individual opinions except during times of political campaigning for elections held in Oregon. Although the preamble of this section rightly identifies the need to protect the residential character of these neighborhoods, the regulation is probably too restrictive and legally problematic.

In addition, several standards are content based and thereby raise additional potential legal problems. The Oregon Supreme Court and Land Use Board of Appeals (LUBA) have maintained a very high standard for content neutrality, consistently upholding the principle that the regulation of various forms of expression and the media through which expression is conveyed may not be based on the content of the message conveyed. The state, be it an agency or municipality, cannot impose different time, place, and manner standards on the basis of content. To do so would risk prior restraint of First Amendment rights and equal protection.

The solution and the test of the constitutionality and appropriateness of a particular time, place or manner standard involves answering the question “Does the application of the standard require or imply that the content of the message is known?” If the answer is “Yes”, the standard is legally questionable. The following are instances where current regulations involve the application of potentially content-based standards:

3.6.2.E – Exemptions to sign permits



Land Development Code Revision

5. *Mosaic, mural, painting, or graphic art, flags (excluding pennants), and fabric wall decorations that do not contain copy, advertising/hallmark symbols, lettering or references to any product, service, or goods, do not require a permit, however, they will require permission from the Planning Commission and may be counted towards the business's sign allotment.*

8. *Real Estate Signs. One sign per street frontage may be allowed; residential is limited to 12 square feet or less in area, and must be located on the development site where the property is for sale or lease. Commercial and Industrial District signs are not to exceed 32 square feet in area when advertising the sale, rental, or lease of the premises on which they are located. Open house signs are allowed off-site for one day provided they are not located on City right-of-way, including pedestrian areas, or with-in sight visibility triangles.*

13. *Temporary signs announcing the opening of a new business are allowed upon notification to the City, for period of 60 days starting with the day application is made for the permanent sign with the potential for an additional 30-day extension.*

3.6.6.A.2.a.iii

Temporary signs (real estate and construction signs).

3.6.6.A.2.c.vi

One permanent neighborhood identification sign is allowed per neighborhood. This sign shall be a monument sign and shall be a maximum of 16 square feet and a maximum of five feet in height.

3.6.6.D

I-5 is not considered a street and cannot be counted as a street frontage. A larger alternative sign (not in addition to the number of ground signs allowed in the underlay district) shall be permitted. In addition to the freeway sign, a monument sign for business identification and addressing shall be permitted.

3.6.6.F.1



Land Development Code Revision

Service Station Signs: One additional ground sign for the advertisement of gasoline prices, not to exceed 50 square feet in area and nine feet in height for any single parcel of land occupied by a service station. Such signs may not project into public right-of-way.

In each of the preceding examples, the content of the message communicated on a sign would need to be known in order to apply a certain design standard and/or certain content is allowed when other content thus privileging certain speech.

The proposed amendments are, as the preamble states,

Intended to balance the needs of businesses and individuals to convey messages through signs with the rights and interests of the community-at-large to maintain the orderly and pleasant appearance of the City's streets and neighborhoods and to eliminate conditions along City streets that are hazardous to drivers and pedestrians. The purpose of this Chapter is to

- A. Improve the aesthetic quality of Phoenix's built environment, in particular its the streetscape along its commercial corridors through the equal application of standards regulating the number, size, illumination, and placement of signs;*
- B. Provide sufficient opportunities for the conveyance of information to the public;*
- C. Protect public safety by providing the legal authority to eliminate hazardous signs.*
- D. Ensure application of content neutral standards.*

The amendment also clarifies certain definitions, procedures, and design standards. Several new types of signs are also addressed including kiosks, wayfinding signs, "landmark" signs, public art (the content neutral replacement for murals), and full-motion video displays (videoboards). Other important revisions and additions include the following:

- Dimensional standards for electronic changeable message signs have been slightly increased and would, under the proposed amendment, be permitted for the first time within the I-5 sign overlay.
- The number of certain types of permitted signs has been expanded in several instances to encourage improved wayfinding for residential subdivisions and larger commercial and mixed use developments.
- The number and types of signs that are exempt from the requirement to obtain a permit has been clarified and slightly expanded to afford greater opportunity for residents, businesses, and public and private institutions and organizations to communicate with the general public.



Land Development Code Revision

- A temporary commercial sign program is also included for the first time as a type of permitted sign. Time, manner, and place standards are intended to provide businesses with the opportunity to legally use temporary signs while improving the appearance and function of the City's commercial thoroughfares and public rights-of-way.
- Programs for public art, wayfinding plans, and landmark signs have also been included within the sign regulations for the first time.

In an effort to make the chapter more user-friendly, the structure of the sign ordinance would also change significantly. Finally, a new section devoted solely to enforcement has been included in order to more clearly define the procedures by which sign regulations will be enforced by the City.

II. PROPOSED AMENDMENTS: see Exhibit A in the attached draft Planning Commission Recommendation.

III. COMPLIANCE WITH DEVELOPMENT CODE PROVISIONS: Amendments to the Phoenix Land Development Code must comply with Section 4.7.2 of the Phoenix Land Development Code, which states that legislative amendments are policy decisions made by City Council. They are reviewed using the Type IV Procedure in Chapter 4.1.6 – Type IV Procedure (Legislative) and shall conform to Section 4.7.2.B and 4.7.6, as applicable.

Demonstration of compliance with section 4.7.2.

1. The proposed amendment is consistent with the purpose of the subject section and article.

FINDING: The proposed amendment consists of a substantial revision of an existing section within Chapter 3 of the Phoenix Land Development Code. The current structure of Chapter 3 would not be altered by the amendment. The regulation of signs, like other site features, is most appropriately placed in this Chapter. **Proposed amendment is consistent with the purpose of the subject section and article.**

2. The proposed amendment is consistent with other Provisions of this Code.

FINDING: The proposed amendment is supportive of other provisions within the PLDC, including provisions designed to maintain and improve the appearance of the community and safe and orderly traffic operations. **Proposed amendment is consistent with other Provisions of this Code.**



Land Development Code Revision

FINDING: According to Section 4.1.6.D – *Notice of Hearing*, amendments to the PLDC must undergo a public hearing before the Planning Commission and the City Council. The Planning Commission will conduct a public hearing on the proposed amendment on December 8, 2014. If the Planning Commission affirmatively recommends the amendment to the City Council, a subsequent public hearing will be conducted in early 2015. **Proposed amendment is consistent with other Provisions of this Code.**

FINDING: According to Section 4.1.6.D.2, all Type IV decisions must be noticed in the following manner: 1) DLCD shall be notice at least 35 days before the 1st evidentiary hearing; 2) notices mailed to certain recipients at least 20 days and no more than 40 days before the 1st evidentiary hearing; 3) notice shall be posted on the City’s website, at City Hall, and in other locations as deemed appropriate. All of these notice requirements have been met (or were not applicable given the nature of this action), and an affidavit of notice has been included in the official record.

Demonstration of compliance with Section 4.7.6 – *Transportation Planning Rule Compliance.*

FINDING: subsection 4.7.6.B states “Amendments [...] to land use standards which significantly affect a transportation facility shall assure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the Transportation System Plan.” The proposed amendment is not anticipated to “significantly affect a transportation facility”. **Standard is not applicable to the land use action under consideration.**

3. The proposed amendment is consistent with the goals and policies of the Comprehensive Plan, and most effectively carries out those goals and policies of all alternatives considered.

FINDING: No element within the Comprehensive Plan specifically addresses signs or, more broadly, urban design standards. The proposed amendment would be supportive of the broader goals set forth within the City Center and Economic elements. The proposed sign design standards are intended, for example, to encourage placemaking through a unique and memorable built environment that still provides businesses and other groups ample opportunity to promote commercial enterprise, community events, and other activities. The landmark sign program and the public art program are new aspects of sign regulation in the City of Phoenix, both of which seek to increase opportunities for property owners to preserve and create a more vibrant and interesting urban landscape within Phoenix. The proposed regulations also provide commercial properties with more opportunities for advertising through the legal usage of temporary signs while setting a higher standard for the aesthetic of those signs. **Proposed amendment is consistent with the Comprehensive Plan.**



Land Development Code Revision

III. STAFF RECOMMENDATION: Staff recommends that the Planning Commission accept these findings and, upon closure of the public hearing and after all due deliberation, move to approve the attached Planning Commission Recommendation, and forward the matter to the Phoenix City Council for review and ratification.

Draft



**CITY OF PHOENIX
STATE OF OREGON**

IN THE MATTER OF AN AMENDMENT)	PLANNING COMMISSION
TO THE PHOENIX LAND)	RECOMMENDATION
DEVELOPMENT CODE PERTAINING)	
TO SIGN REGULATIONS)	
AMENDING CHAPTER 3.6.)	
<u>FILE # LDC 14-12</u>)	

WHEREAS, the Planning Commission has identified certain deficiencies within the current sign regulations; and

WHEREAS, Planning Department staff have researched best practices for sign regulations and presented its findings to the Planning Commission; and

WHEREAS, on December 8, 2014, the Planning Commission conducted a duly noticed public hearing to receive public testimony, consider Findings of Fact, and deliberate on proposed amendments to the Phoenix Land Development Code,

Now Therefore, the Phoenix Planning Commission concludes that:

1. The Findings of Fact presented within the Staff Report dated December 1, 2014 are hereby affirmed.
2. The proposed amendment of the Phoenix Land Development code complies with the provisions of the Land Development Code and Phoenix Comprehensive Plan.
3. The proposed amendment of the Phoenix Land Development code is in the public interest and should be ratified by the Phoenix City Council after a duly noticed public hearing has been conducted.

Signatures on Next Page



Planning Commission Recommendation for LDC 14-12 signed this 8th day of December, 2014.

Micki Summerhays, Chair

David Lewin, Commissioner

Jason Couch, Commissioner

George Eisenhauer, Commissioner

Priscilla Atkin, Commissioner



Exhibit A

PLDC as Amended by LDC 14-12

Chapter 3.6 is amended to read as follows:

Chapter 3.6 – Signs

Sections:

- 3.6.1 – Purpose
- 3.6.2 – Definitions
- 3.6.3 – Applicability and Exemptions
- 3.6.4 – Prohibited Signs
- 3.6.5 – Permitted Signs
- 3.6.6 – Permitted Signs, Standards of Review
- 3.6.7 – Nonconforming Sign and Abandoned Signs
- 3.6.8 – Sign Variance Criteria
- 3.6.9 – Landmark Sign Program, Procedures and Standards of Review
- 3.6.10 – Wayfinding Sign Program Procedures and Standards of Review
- 3.6.11 – Public Art Program Procedures and Standards of Review
- 3.6.12 -- Enforcement

3.6.1 – Purpose

The City finds that signs are an important means of communication by and between individuals, organizations, and other bodies corporate. It further finds, however, that signs can create conditions that are unsafe for drivers and pedestrians, that signs can degrade the aesthetic quality of the roadsides and neighborhoods, and can be otherwise disruptive to efforts to improve quality of life throughout the community and for all City residents.

Therefore, the standards contained in this chapter are intended to balance the needs of businesses and individuals to convey messages through signs with the rights and interests of the community-at-large to maintain the orderly and pleasant appearance of the City's streets and neighborhoods and to eliminate conditions along City streets that are hazardous to drivers and pedestrians. The purpose of this Chapter is to

- A. Improve the aesthetic quality of Phoenix's built environment, in particular its the streetscape along its commercial corridors through the equal application of standards regulating the number, size, illumination, and placement of signs;



- B. Provide sufficient opportunities for the conveyance of information to the public;
- C. Protect public safety by providing the legal authority to eliminate hazardous signs.
- D. Ensure application of content neutral standards.

3.6.2 – Definitions

- A. Abandoned Sign. Any sign or sign structure that: 1) is no longer used by the property owner or sign permit holder. Discontinuance of use may be demonstrated through cessation of the use of the property upon which the sign is located; OR 2) has any sign or sign structure that is in a state of disrepair and repairs or restoration has not been initiated within forty-five (45) days of the date the sign was found to have been damaged or was discovered in a state of disrepair OR necessary repair has not been completed within 90 days of initiation of repairs.
- B. Accessory Sign. Signage which is an integral part of commercial and industrial equipment such as soft drink machines, gas pump, newspaper dispensers, and other similar structures.
- C. Alteration. Any change in the size, shape, method of illumination, construction, or supporting structure of a sign. The change of a sign face or message shall not constitute an alteration.
- D. Architectural Feature, Element or Detail. A part of a building, being integral to the structure and consistent with the overall design of a building, whether decorative in nature or not, that may possess or may be interpreted to convey visual information whether wholly or partly symbolic or textual.
- E. Average Surrounding Elevation. The average elevation of an area with a radius of no less than fifteen (15) feet and no more than thirty (30) from a central point of measurement.
- F. Awning. A secondary covering attached to the exterior wall of a building. The location of an awning on a building may be above a window, a door, or over a sidewalk. An awning is often painted with information as to the name of the business, thereby acting as a sign, in addition to providing protection from weather.
- G. Banner. A sign made of fabric or any nonrigid material with no enclosing framework.
- H. Business frontage. The linear dimension of the façade of a nonresidential building or portion thereof, as measured at grade, devoted to a specific business or enterprise.
- I. Business License. A license issued to a person or corporation according to Chapter 5.04 of the Phoenix Municipal Code.
- J. Business Premises. Real property at or upon which an individual or corporation engages in the trade, production, or provision of goods or services, whether for monetary compensation or not.



Planning & Building

Department

- K. Electronic changeable message sign. A sign whose informational content, copy and/or message can be changed or altered by means of electronically-controlled electronic impulses. In contradistinction to videoboards defined below, electronic changeable message signs shall not, under any circumstances, display full motion images.
- L. Festoons. A string of ribbons, tinsel, small flags, or pinwheels.
- M. Ground Signs. A sign erected on a freestanding frame, mast, or pole and not attached to any building, also known as a freestanding sign. Monument and pole signs are different types of ground signs.
- N. Kiosk. A multi-sided structure designed for the display of messages and other content including images which are intended to be viewed by and to be comprehensible to pedestrian passersby within 10 feet of the kiosk.
- O. Handheld Signs. A sign held by or affixed to a person, including costumes. Personal items of clothing that are customarily worn by an individual in course of routine activities shall not be considered as such. Handheld signs are considered to be temporary signs as defined and regulated herein.
- P. Hazardous Sign. A sign which is detrimental to the public safety, including but not limited to: any sign that has a design, color, or lighting which may be mistaken for a traffic light, signal, or directional sign; any sign which is located in such a manner as to obstruct free and clear vision to motorists or pedestrians at intersections and driveways; any sign which, because of its location, would prevent free ingress to or egress from any door, window, or fire escape; any sign that is attached to a standpipe or fire escape; any sign which has lighting which temporarily blinds or impairs one's vision; or any sign which is in a leaning, sagging, fallen, decayed, deteriorated, or other unsafe condition.
- Q. Illegal Sign. A sign which is installed or maintained in violation of this Chapter.
- R. Incidental Sign. A small sign, emblem, or decal typically used to inform the public of goods, facilities, or services available on the premises (e.g., a credit card sign or a sign indicating hours of business).
- S. Landmark Sign. A sign found to be of historical or local significance by the Planning Commission.
- T. Master Sign Program. A single, comprehensive sign permit that establishes design standards and other regulations for multiple signs located upon and within a retail, office, or industrial development consisting of a group of two or more duly licensed businesses sharing common parking and circulation facilities, landscaping or open space facilities, whether under common or multiple individual ownership. Neighborhood commercial "strip" centers, shopping centers, office campuses, special commercial districts, and business parks are representative examples of sites that may be eligible to participate in a Master Sign Program.



Department

- U. Monument Sign. A freestanding sign that does not have exposed pole or pylon and is attached to a continuous structural base. The base is not less than half the width of the message portion of the sign and is permanently affixed to the ground. Monument sign bases include material consistent with the principle structure, including brick, block, and concrete, but excluding metal.
- V. Nonconforming Sign. An existing sign, lawful at the time of the enactment of this ordinance, which does not conform to the requirements of this code.
- W. Permanent Sign. For the purposes of this Chapter, a sign shall be considered permanent when it is designed in such a way and then, according to its approved design, attached mechanically to a building, permanent structure, or the ground so as to remain in that state according to its approved design for a more or less indeterminable period of time, and relying only on routine maintenance and repair in order to remain in that state.
- X. Projecting and Suspended Signs. Projected signs are attached to a building or wall in such a manner that its leading edge extends more than six (6) inches beyond the surface of such building. Suspended signs are suspended from the underside of a horizontal plane surface.
- Y. Public Art. A two or three-dimensional object or other visual presentation of information, whether textual, visual, or graphic in nature, that is viewable by the general public and has been so designated after review by the Phoenix Arts Council.
- Z. Sculpture. A type of visual artwork that is fundamentally three dimensional in nature; may be freestanding or relief; and is achieved through the carving, modeling, casting, forging, or assembly of materials such as stone, metal, ceramics, wood, fibers, found objects and other materials. Other forms of sculpture include sound and landscapes, light and kinetic sculptures.
- AA. Sign. Any message, identification, description, illustration, symbol, device, or sculptured matter, including forms shaped to resemble any human, animal, or product, which is affixed directly or indirectly upon a building, vehicle, structure, or land.
- BB. Sign Face. The surface of a sign upon which or containing the message to be communicated.
- CC. Sign Height. The vertical distance from average surrounding elevation to the highest point of a sign or sign structure.
- DD. Sign structure. The supports, uprights, braces, framework, and other structural components of the sign that are not used, or able to be used, to communicate information of a textual or graphic nature.
- EE. Site. A lot, parcel, or tract of land under common ownership and/or developed together as a single development site, regardless of how many uses occupy the site.



- FF. Street Frontage. The total linear dimension of a property along a public street, including curb cuts, access drives, and building facades.
- GG. Videoboard. Electronic changeable message signs, video displays and other projection devices that are capable of displaying moving images similar to television images, by light-emitting diode or other technology, and that are intended for viewing by pedestrians from sidewalks and similar public and quasi-public spaces.
- HH. Temporary Sign. A sign that is not designed and/or constructed to be permanently affixed to a building, permanent structure, or the ground. Examples include banners, sandwich boards and similar unanchored freestanding signs.
- II. Wall Signs. A sign painted or attached to any part of a building, or mounted/painted upon the inside of windows within all commercial or industrial zoning districts. Wall signs include parapet signs, awning/canopy signs, projecting/suspended signs, and marquee signs that are attached to the marquee.
- JJ. Wayfinding Sign or Device. A sign, landmarks or other visual graphic communication that are part of a coordinated program that has been reviewed and approved by the City according to the standards set forth in Section 3.6.10 of this Chapter. Typical wayfinding signs include gateways, vehicular directional, destination, parking lot identification, parking trailblazer, pedestrian directional vehicular directional and pedestrian kiosk.
- KK. Window Sign. An unlighted sign installed inside a window or painted on a window and intended to be viewed from the outside.

3.6.3 – Applicability and Exemptions

- A. Sign Permit Required.** All signs visible from the public right-of-way or private areas accessible to the public within the City of Phoenix shall be subject to the provisions of this Chapter. Except as otherwise provided in section 3.6.3.B, Sign Permit, Exemptions of this Chapter, it shall be unlawful for any person to construct, erect, alter or relocate a sign, or direct an employee or agent to do same within the City without first obtaining a permit for each separate sign from the Planning Department.
- B. Sign Permit, Exemptions.** The following signs may be installed, and related activities performed, without a Sign Permit:
1. General Sign Exemptions -- All Land Use Districts
 - a. Maintenance and repair of signs for which a permit has been issued, that does not alter the sign face or sign structure. This exemption also applies to change of face, where an existing sign is modified by change of message or design on the sign face, without any change to size or shape of the sign framework or structure.



Department

- b. One temporary, non-illuminated sign installed by or on the behalf of a contractor or service provider while a building permit is active and work is proceeding on the premises, from the date of issuance of the building permit and up until one (1) week after work the relevant building permit has been closed, has expired, or a stop work order has been issued. The sign may consist of two (2) faces, neither of which shall not exceed sixteen (16) square feet. The sign may have a maximum height of four (4) feet as measured from average surrounding elevation. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.
- c. Flags of national, state, or local government.
- d. Holiday decorations and lights installed during national and local holidays for a period of beginning sixty (60) days before the holiday and ending fourteen (14) days after the holiday.
- e. Public signs. Signs constructed or placed in a public right-of-way by or with the approval of a governmental agency having legal control or ownership over the right-of-way, signs owned or constructed under the direction of the city, and signs placed by a public utility.
- f. Signs located within a sport stadium that are intended for viewing primarily by persons within said stadium.
- g. Signs that are a part of an approved Wayfinding Sign Package, pursuant to 3.6.10– *Wayfinding Sign Program Procedures and Standards of Review*.
- h. Public art installations as reviewed and approved according to the policies of the Phoenix Arts Commission Section 3.6.11 – *Public Art Program Procedures and Standards of Review*.
- i. Landmark signs as reviewed and approved by the Planning Commission or its designee in accordance with 3.6.9 – *Landmark Sign Program, Procedures and Standards of Review*.
- j. Handheld signs carried by an individual who has not received any form of remuneration in the performance of this activity.
- k. Sculpture, provided that they substantially conform to the design standards enumerated within this Chapter, do not create or cause hazardous conditions, and are in compliance with Chapter 8.04.060, 8.04.080, and 8.04.110 of the Phoenix Municipal Code.
- l. Architectural features, provided that they substantially conform to the design standards enumerated within this Chapter, do not create or cause hazardous conditions.



Department

- m. Vehicular signs. Any sign permanently or temporarily placed on or attached to a motor vehicle or trailer, where the vehicle or trailer is used in the regular course of business for purposes other than the display of signs, subject to compliance with the following conditions:
 - i. Vehicles and equipment shall be in operating condition, currently registered and licensed to operate on public streets when applicable, and are actively used in the daily operation of a business/or land use.
 - ii. Vehicles and equipment engaged in active construction projects.
 - iii. Vehicles and equipment stored on the premises of a business that is duly licensed to offer said vehicles and equipment to the general public for sale or lease.
 - iv. Vehicles parked at the owner's residence provided that they meet .3.6.3.B.g.i of this Chapter.
- 2. Sign Exemptions, Residential Land Use Districts
 - a. Windows signs.
 - b. Accessory and incidental signs two (2) square feet in size or less.
 - c. Parking lot signs up to three (3) square feet in area and up to five (5) feet in height may be constructed or placed within a parking lot.
 - d. One non-illuminated, temporary sign per street frontage, with a maximum height of four (4) feet and consisting of no more than two (2) faces, neither of which shall exceed sixteen (16) square feet, during periods of time when the premises or a portion thereof is actively marketed for sale or lease. The sign shall be removed within fourteen (14) days of the cessation of marketing activities. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.
 - e. Temporary non-illuminated signs, with a maximum height of four (4) feet and consisting of no more than two (2) faces for each sign, neither of which shall exceed twelve (12) square feet in surface area, located on private property with the consent of the property owner, during the period from (sixty) 60 days before to five (5) days after any public election held in Oregon. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.



Department

- f. One banner may be installed on the exterior wall of an approved conditional use (schools, churches, public buildings, etc.) within a residential land map district (R-1, R-2, or R-3) where an event is being held. The banner may be installed for up to fifteen (15) days for the event and shall be removed five (5) days after the event. It shall be a flat wall mounted plastic or canvas sign, and may be up to thirty-two (32) square feet in surface area. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.
 - g. One temporary non-illuminated sign, with a maximum height of 4 feet and consisting of not more than two (2) faces, neither of which shall exceed twelve (12) square feet in surface area, installed by the owner or tenant of real property upon which the sign is installed. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.
3. Sign Exemptions, Commercial, Industrial, and Mixed Use Land Use Districts
- a. Accessory and incidental signs.
 - b. Windows signs that cover 50% or less the window.
 - c. Parking lot signs up to three (3) square feet in area and up to five (5) feet in height may be constructed or placed within a parking lot.
 - d. One temporary sign per street frontage, consisting of no more than two (2) faces, neither of which exceeds thirty-two (32) square feet in area, not to exceed four (4) feet in height during periods of time when the premises or a portion thereof is actively marketed for sale or lease. The sign shall be removed within fourteen (14) days of cessation of marketing activities. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.
 - e. Temporary, non-illuminated signs, with a maximum height of 4 feet and consisting of not more than two (2) faces, neither of which shall exceed twelve (12) square feet of surface area, located on private property with the consent of the property owner, during the period from 60 days before to five days after any public election to be held in Oregon. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.



Department

- f. One temporary sign, consisting of no more than two (2) signs faces, neither of which shall exceed sixteen (16) square feet in surface area, not to exceed four (4) feet in height, installed by or on the behalf of the holder of a business license which has been issued within the fourteen (14) prior to sign installation upon business premises for which the business license was issued. The sign may be installed for sixty (60) days from the date of issuance of the business license, and must be removed promptly thereafter.

These exemptions shall not be interpreted so as to release the any individual or body corporate from the responsibility to obtain any permits or licenses as required by the building code and any and all other local, state, and federal statutes and regulations. Nor shall they be interpreted so as to release any individual or body corporate from the responsibility to abide by other requirements of this Land Development Code including applicable yard setbacks and clear vision areas.

3.6.4 Prohibited signs. The following signs are prohibited in all land use districts; are unlawful, and shall be considered nuisances per se:

1. Any sign constructed, maintained, or altered in a manner not in compliance with the sign standards contained within this Chapter.
2. A permanent ground, pole, or wall sign placed on undeveloped or vacant property (property without a permanent occupiable structure) unless otherwise exempt from this restriction according the provisions delineated in section 3.6.3.B *Sign Permit, exemptions* or Section 3.6.5 *Permitted Signs* of this Chapter.
3. Any sign constructed or maintained that, because of its size, location, movement, coloring or manner of illumination, may be confused with or construed as a traffic control device, or which impairs the view any traffic control device.
4. Permanent and temporary balloons and anchored balloons.
5. Flashing signs. A sign incorporating intermittent electrical impulses to a source of illumination or revolving in a manner which creates the perception of flashing, or which changes colors or intensity of illumination.
6. Signs in the public right-of-way that are not authorized by the relevant public agency.
7. Signs placed on or affixed to trees and utility infrastructure including utility poles, switch gear housing, pump houses, etc.
8. Moving or rotating signs.
9. Signs made from materials that cannot withstand routine elements of the weather such as wind, rain, and solar radiation.
10. Festoons, pennants, and similar signs which are suspended from a rope, wire, or string, usually in series, and designed to move in the wind.



Department

11. Inflatable signs, unless the sign is affixed to or part of inflatable recreational apparatus or equipment.
12. Roof Signs are not allowed to extend vertically above the highest portion of the roof. Roof signs must comply with Section 3.6.6 for measuring roof elevations.
13. Any ground sign that is to be installed as to extend through a portion of a building or roof, with the sign being mounted above the roof, and appearing similar to a roof sign.

Sign permits shall not be issued for any prohibited sign as a means of establishing it as a legal sign; sign permits issued in error or on the basis of erroneous or misleading information shall not establish a prohibited sign as a legally permitted sign.

3.6.5 – Permitted Signs

No sign permit shall be issued for any sign unless specifically identified as an allowable sign within the land use district map or otherwise allowed under Chapter 3.6.3.B – *Sign Permit, Exemptions*.

A. Permitted Signs in the Residential Land Use Districts

1. Purpose. Except as otherwise allowed by Chapter 3.6.3.B – *Sign Permit, Exemptions*, signage is limited to preserve the residential character of these districts by allowing signs only for single and multi-family residential developments and neighborhoods and for those uses that are allowed under conditional use permits such as churches, schools, bed and breakfasts, and community centers.
2. Types of Permitted Signs Allowed.
 - a. Permanent ground signs within a landscaped bed.
 - b. Permanent wall signs.
 - c. Temporary ground signs.
3. Maximum Number of Permitted Signs. The number of signs on a property in a residential land use map district shall be limited to no more than the following number:
 - a. One(1) wall sign, consisting of no more than one (1) sign face, per building frontage or street frontage, with a total not to exceed two (2) signs per residential site.
 - b. One (1) ground sign for each residential subdivision or PUD site, approved as such by the Planning Commission, for each location where a street providing access to an internal street or other type of site circulation network intersects with a public local, collector, or arterial street..



Department

4. Maximum Sign Area and Maximum Height.

- a. Ground or monument signs shall be no more than sixteen (16) square feet per sign face with a limit of two (2) faces no more than 18" in depth, and shall be no more than five (5) feet in height, and setback a minimum of five (5) feet from any street right-of-way, and shall not be located within any clear vision areas.
- b. Wall signs shall be no more than twelve (12) square feet in area.
- c. Temporary undeveloped Subdivision/Planned Unit Development Signs: Two (2) non-illuminated ground signs, consisting of not more than two (2) sign faces, neither of which shall exceed thirty-two (32) square feet in area, and eight (8) feet in height as measured from the average surrounding elevation and setback a minimum of twenty (20) feet from any property line are permitted within upon undeveloped land within a residential land use map district where a subdivision/planned unit development has been approved by the Planning Commission. These signs must be removed no later than two years after installation, unless the Planning Commission, upon due application prior to expiration of the two-year period, determines that the continued maintenance of the sign is consistent with the purpose of this code, in which case a single one (1) year extension may be granted by the Planning Commission.
- d. Institutional Land Use Signs: Each lot occupied by public uses, including schools and churches, are allowed a maximum of one half (0.50) square foot of sign area per linear foot of street frontage. The maximum area may include a combination of permanent wall and monument signs. If a monument sign is included, the sign shall be located at least fifteen (15) feet from any property line, and be no more than eighteen (18) inches in depth, with a maximum height of eight (8) feet. Signs within public parks, schools, or stadiums, which are generally placed and located so as not to be viewed from a street, are exempt from this provision.
- e. A permanent ground sign, no more than six (6) square feet in total surface area, with no more than two (2) faces, and a maximum of three (3) feet in height may be issued to a Business, duly licensed and permitted by the City as a Bed and Breakfast Inn. No part of the sign may obstruct a clear vision area.

B. Permitted Signs in the Bear Creek Greenway District (BCG). The BCG ensures the protection of wildlife habitat and open space. Only the City or other public agency, or its authorized agents, with an established ownership or regulatory interest in the BCG or surrounding protected area may install signs in the BCG.

C. Permitted Signs in the C-H, Commercial Highway District

1. Temporary signs, subject to the following standards:



Department

- a. For single tenant commercial properties, one (1) temporary non-illuminated sign with a maximum height of four (4) feet, and consisting of no more than two (2) sign faces, neither of which shall exceed twelve (12) square feet in surface area.
 - b. For multitenant commercial properties, for each tenant one (1) temporary non-illuminated sign, with a maximum height of four feet (4) feet and consisting of no more than two (2) sign faces, neither of which shall exceed twelve (12) square feet in surface area provided that only one (1) such sign may be placed along every twenty (20) feet of street frontage.
 - c. Signs shall be freestanding, and not attached to other ground or pole signs, or other permanent structures or buildings.
 - d. Though not permanently affixed, the sign shall be anchored to the ground or a frame so as to resist the forces of gravity, wind, and other natural phenomena, shall be constructed of durable materials that are weather resistant, and shall be maintained in good condition.
 - e. The sign shall not encroach upon any sidewalk and shall be placed so as to maintain a minimum five (5) foot wide pedestrian travel way at all times.
 - f. The sign shall be removed from its location and stored indoors between the hours of 9:00PM and 7:00AM.
2. Wall Signs, Awning/Canopy and Marquee Signs, subject to using the calculation standards set forth in Section 3.6.6 and the following standards:
- a. The aggregate area of all wall signs shall not exceed one and a half (1.5) square feet for each (1) linear foot of business frontage, except if the building is set back more than twenty (20) feet from the right-of-way, in which case the aggregate area of all signs shall not exceed two (2) square feet for each (1) linear foot of business frontage.
 - b. No part of any sign shall be higher than the roof height as defined in Section 3.6.6 of this chapter.
 - c. The sign may be an electronic changeable message sign or videoboard pursuant to the standards established in Sections 3.6.6.F and G.
3. Projecting Signs: These signs are permitted, subject to standards set forth in Chapter 3.6.6 and the following standards:
- a. A maximum of one (1) projecting sign for each business frontage.
 - b. No sign shall project more than four (4) feet into the public right-of-way.
 - c. The sign shall not exceed 16 square feet per sign face with a maximum of two (2) faces.



Department

- d. No part of any sign shall be higher than the approved roof height as defined in Section 3.6.6, no part of the sign shall be lower than 8 feet from the elevation of top of any public pedestrian way. No part of the sign shall in any way obstruct a public right-of-way or pedestrian way whether on public or private land.
 - e. No part of the sign may obstruct a clear vision area (see Section 3.6.6.H)
3. Ground and Pole Signs Standards for freestanding commercial buildings and commercial developments under 10,000 square feet GLA.. Each site is permitted one (1) ground or pole sign per street frontage, locating only one sign on each street frontage, with a maximum of two (2) signs per parcel, subject to the standards set forth in Section 3.6.6.E, and the following standards:
- a. No part of the sign shall exceed a maximum height of 18 feet above average surrounding grade, and the lowest point on the sign shall be at least 8 feet above average surrounding elevation if it hangs over the public right-of-way or a pedestrian way whether on public or private land.
 - b. The maximum surface of each sign face shall be thirty-two (32) square feet per sign with a maximum of two faces, and not more than 18 inches in depth.
 - c. No part of the sign shall in any way obstruct a public right-of-way or pedestrian way whether on public or private land.
 - d. No part of the sign may obstruct a clear vision area (see Section 3.6.6.H).
 - e. The sign may be an electronic changeable message sign or videoboard pursuant to the standards established in Sections 3.6.6.F and G.
4. Ground and Pole Sign Standards for shopping centers, office campuses, mixed-use commercial developments, and business/industrial parks. In instances, where multiple tenants, buildings, and/or commercial or industrial uses operate within a single development site and share parking, internal circulation, and access facilities, one monument sign is permitted at each location where a site access drive, whether public or private, intersects with a public collector or arterial road. One (1) or two (2) poles sign may also be permitted in addition to monument signs, all subject to the following standards:
- a. All such commercial or industrial multiple tenant developments consisting of 10,000 square feet or more of gross leasable area (GLA) are required to apply for sign permits through a master sign program.
 - b. The master sign program for the site shall preserve for all tenants the ability to use monument and pole signs.
 - c. The maximum size of monument and pole signs shall be determined as follows:



Department

- i. For centers/complexes with a gross leasable area (GLA) of 10,000 square feet or more but less than 25,000 square feet of GLA, one pole sign with a maximum surface area of 40 square feet for each of 2 sign faces, and a maximum height of 20 feet, and a monument sign or signs no larger than thirty-two (32) square feet for each of two (2) sign faces and a maximum height of eight (8) feet and located in a landscaped bed.
 - ii. For centers/complexes that have a GLA between 25,000 square feet and 50,000 square feet, one pole sign with a maximum surface area of seventy-five (75) square feet for each of 2 sign faces, and a maximum height of thirty-five (35) feet, and a monument sign or signs no larger than thirty-two (32) square feet for each of two (2) sign faces and a maximum height of eight (8) feet and located in a landscaped bed.
 - iii. For centers/complexes that have a GLA that exceeds 50,000 square feet, a maximum of two pole signs each with a maximum of 75 square feet in surface area for each sign for each of 2 sign faces and a maximum height of thirty-five (35) feet, and no less than fifty (50) feet apart, and a monument sign or signs no larger than thirty-two (32) square feet for each of two (2) sign faces and a maximum height of eight (8) feet and located in a landscaped bed.
- d. No sign shall obstruct clear vision areas (see Section 3.6.6.H).
 - e. No part of the sign shall in any way obstruct a public right-of-way or pedestrian facility whether on public or private land.
 - f. The sign may be an electronic changeable message sign or videoboard pursuant to the standards established 3.6.6.F and G. In addition, videoboards are only permitted in the CH district as a part of an approved Planned Unit Development (PUD).

D. Permitted signs in the I-5 Overlay District. The I-5 (Interstate 5) overlay zone is established to permit signs visible to travelers on the I-5. It recognizes a special dependence of freeway-oriented businesses to this market. Freeway signs shall be regulated in order to avoid adverse scenic impacts on the vista east of Phoenix and the Bear Creek Greenway. The I-5 overlay zone shall be applied to lots within one quarter of a mile of the center of Interstate 5 interchange that are zoned Commercial Highway.

I-5 is not considered a street and cannot be counted as street frontage. A larger pole sign located upon the premises shall be permitted. This pole sign shall not be permitted in addition to pole signs that may be permitted in the underlying land use district, but rather as a substitute for any pole signs allowed within that district. A ground or pole sign in the freeway overlay zone is subject to the basic regulations in the underlying zone with the following exceptions:



Department

1. One pole sign (the freeway sign), consisting of not more than two (2) sign faces, neither of which shall exceed 150 square feet in surface area and 50 feet in height is permitted on each parcel of land located within the I-5 Overlay District.
2. The pole sign may utilize an electronic changeable message sign, pursuant to the standards established 3.6.6.F. Videoboards are expressly prohibited.

E. Permitted Signs in the City Center District. The City Center Plan provides for mixed residential and commercial land uses and provides linkages to the Bear Creek Greenway and to older established residential neighborhoods located adjacent to the downtown core.

1. Signage Objectives:
 - a. To include a non-obtrusive variety of signs that are designed at both pedestrian and vehicular scales.
 - b. Signs should be in the character of a small downtown, usually painted on buildings or painted on signboards hung off buildings with metal or wood brackets.
2. Wall Signs, Awning/Canopy, and Marquee signs. These signs may be permitted, subject to the standards set forth in 3.6.6.E Sign Design Standards, Methods of Calculating Area, and the following standards:
 - a. Signs are to be painted or sculptural metal, wood, awning, or canopy signs.
 - b. The aggregate area of all wall signs shall not exceed one (1) square foot for each (1) linear foot of business frontage, except if the building is set back more than twenty (20) feet from the right-of-way, in which case the aggregate area of all signs shall not exceed one and one-half (1.5) square foot for each (1) linear foot of business frontage. No part of any sign shall be higher than the roof height as defined in 3.6.6.E Sign Design Standards, Methods of Calculating Area.
3. Projecting Signs: A projecting sign may be permitted, subject to standards set forth in Section 3.6.6.E Sign Design Standards, Methods of Calculating Area of this Chapter, and the following standards:
 - a. No sign shall project more than four (4) feet into the public right-of-way.
 - b. The sign shall not exceed sixteen (16) square feet per sign face with a maximum of two (2) sign faces.
 - c. No part of any sign shall be higher than the approved roof height as defined in Section 3.6.6, no part of the sign shall be lower than eight (8) feet from grade, and no part of the sign shall in any way obstruct a public right-of-way or pedestrian facility whether on public or private land.
 - d. No part of the sign may obstruct a clear vision area.



Department

4. Monument Signs: Each parcel of land is permitted one (1) ground/monument sign per street frontage to be located within a landscaped bed, subject to the standards set forth in 3.6.6.E Sign Design Standards, Methods of Calculating Area, and the following standards:
 - a. Maximum Height: eight (8) feet
 - b. Maximum Square Footage: twenty (20) square feet per sign face per sign with a maximum of two (2) faces not more than eighteen (18) inches in depth back-to-back
 - c. Sign shall not project into public right-of-way.
5. Temporary Signs: Each business with a storefront or principal entrance located on an arterial or collector street may permit one (1) temporary sign meeting the following standards:
 - a. Signs shall not be illuminated with a maximum height of four (4) feet, and consisting of no more than two (2) sign faces, neither of which shall exceed twelve (12) square feet in surface area.
 - b. Signs shall be freestanding, and not attached to other ground or pole signs, or other permanent structures or buildings.
 - c. Though not permanently affixed, the sign shall be anchored to the ground or a frame so as to resist the forces of gravity, wind, and other natural phenomena, shall be constructed of durable materials that are weather resistant, and shall be maintained in good condition.
 - d. The sign shall not encroach upon any sidewalk or pedestrian way, whether public or private, and shall be placed so as to maintain a minimum five (5) foot wide pedestrian travel way at all times.
 - e. The sign shall be removed from its location and stored indoors between the hours of 9:00PM and 7:00AM.
6. Electronic message boards and videoboards are prohibited in the City Center land use district.

F. Permitted Signs in Industrial Land Use Districts

1. Ground or Pole Signs are subject to using the calculation standards set forth in 3.6.6.E Sign Design Standards, Methods of Calculating Area, and the following limitations:
 - a. Maximum Height: twenty (24) feet
 - b. Maximum Sign Face Square Footage: one-hundred (100) square feet per sign for each sign face
 - c. Minimum Setback: Sign shall not project into the public right-of-way.



Department

- d. Maximum Number of Sign Faces: two (2)
 - e. Maximum Number of Signs: No more than one (1) ground or pole sign shall be permitted on any single lot, except if the lot has more than one (1) street frontage, two (2) signs may be permitted, locating only one (1) sign on each street.
 - f. The sign may utilize an electronic changeable message sign, pursuant to the standards established 3.6.6.G, and consisting of a maximum of two (2) signs faces, neither of which shall be larger than thirty-two (32) square feet in surface area, except in instances where the ECMS can be viewed from property located within a residential land use district. In such cases, the ECMS shall have a maximum of two (2) sign faces, neither of which shall exceed sixteen (16) square feet in surface area.
2. Wall, Parapet, Awning/Canopy, or Marquee Signs. The aggregate area of all wall signs shall not exceed one and one-half (1.5) square feet for each (1) linear foot of business frontage, except if the building is set back more than 20 feet from the right-of-way, in which case the aggregate area of all signs shall not exceed two (2) square feet for each (1) linear foot of business frontage. No part of any sign shall be higher than the roof height as defined in 3.6.6.E Sign Design Standards, Methods of Calculating Area. The sign may utilize an electronic message or videoboard pursuant to the standards established in _____.
3. Projecting Signs:
- a. Maximum number of signs: 1/every 200LF of business frontage.
 - b. Maximum number of sign faces: 2.
 - c. Maximum surface area for each sign face: 24 square feet in area.
 - d. No sign shall project more than 18 inches into the public right-of-way.
 - e. No part of any sign shall be higher than the roof height as defined in Section 3.6.6.

G. Special Permitted Signs for Commercial and Industrial Land Use Districts

1. Service Station Signs: A business, duly licensed as a facility for refueling motor vehicles may permit one (1) additional ground sign not to exceed 50 square feet in surface area for each of no more than two (2) sign faces, and nine (9) feet maximum in height. Such signs may not project into or encroach upon the public right-of-way.



Department

2. Drive-up Window Business Sign: Two additional ground signs, consisting of no more than 1 signs face for each sign, each sign face not to exceed thirty-two (32) square feet in area and six (6) feet in height for a business licensed and permitted to operate a drive-through or drive-up service window or similar service delivery apparatus (for example, remote-operated pneumatic tubes). The signs shall be along the route of drive lanes used to access the drive-through window or service apparatus. Such signs may not project into public right-of-way. Portable signs are prohibited and may not be substituted for this type of sign.
3. Kiosks.
4. Temporary Sign During Construction: Up to two temporary non-illuminated signs may be installed after a building permit has been obtained for a construction project and must be removed not later than one (1) year after issuance of the building permit for the project or upon completion of the project, whichever is sooner. Each sign shall consist of no more than 2 sign faces, neither of which shall exceed 75 square feet, and the top of the sign shall not be more than 10 feet above average surrounding grade. Signs shall be subject to the same setback requirements as are imposed for structures in this zone. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.
5. Temporary Signs: One temporary sign may be installed if the business owner has a valid sign permit but is waiting for the completion of the permanent sign. Display period is limited to thirty (30) days, but may be extended with permission from the Planning Department. The sign shall consist of no more than two (2) sign faces, neither of which shall exceed thirty-two (32) square feet of surface.
6. Temporary Sign for Nonrecurring Events: One temporary sign may be installed upon the premises where an event is being held. The sign shall consist of no more than two (2) sign faces, neither of which shall exceed thirty-two (32) square feet in surface area. No part of any sign shall be higher than the roof height as defined in Section 3.6.6, Display period is limited to fifteen (15) days and the sign shall be removed immediately after the event. A particular property may permit four (4) such temporary signs in one calendar year. Though not permanently affixed, the sign shall be anchored to the ground or a structure so as to resist the forces of gravity, wind, and other natural phenomena.

3.6.6 – Permit Administration, Standards of Review, and Issuance.

No application shall be considered, nor permit issued, until the applicant has submitted a complete application. When required, the applicant shall submit proof that work will be done by a contractor licensed in compliance with local or state law to perform the specialized tasks required for construction of the proposed sign.



Application for a permit shall be made to the Planning Department upon a form provided by the City with signatures of the property owner of record, the business owner, and the sign company. A complete application shall include the following:

A.. Individual Sign Permit Application Requirements:

1. A set of plans for the proposed sign and structural calculations where required.
2. Location of the sign on the building or building site.
3. Dimensions of the sign.
4. Construction materials and a color rendering or photograph of each sign.
5. Method of attachment and character of structural members to which attachment is to be made.
6. Electrical wiring and components or U.L. approved number.
7. Ingress and Egress and sight visibility triangles.
8. Sign permit review fee as established by resolution of the City Council.

B. Master Sign Programs Permit Application Requirements:

1. An accurate plot plan of the parcel at scale.
2. Elevations and square footage computations of the buildings.
3. Ingress and Egress and sight visibility triangles.
4. An accurate location of each present and future sign.
5. Computation of the total number of ground signs, total sign area, and the elevation and height of the ground signs.
6. To scale drawings, sign lettering, dimensions, color renderings, method of attachment, footings and electrical wiring and components or U.L. approved number requirements for each sign.
7. Sign permit review fee as established by resolution of the City Council.

The Building Safety Official may also require that a licensed engineer furnish information concerning structural design and proposed attachments. Signs more than 10 feet above grade, except wall signs painted on walls, shall be structurally designed by an architect or engineer licensed in the state of Oregon and bearing the architect's or engineer's seal. All signs, except for signs painted directly upon a building, are also subject to Building Department requirements.

C. Permit Application Review Procedures.

1. The Planning and Building Departments shall approve a sign permit upon finding that the applicant has met all requirements of the sign standards.



Department

2. No sign construction shall begin unless the approved permit has been issued and the applicant has paid all fees.
3. Unless the permit holder requests an extension of the permit and demonstrates good cause for such an extension, a sign permit shall expire if the sign construction or other work authorized by a sign permit is not completed within one year of the date of issue.
4. No sign construction shall be considered complete until the permit holder has notified the city that work is finished and the City is satisfied that the sign construction has been completed in conformity with the approved plans and otherwise complies with the sign standards.
5. If a permit is denied, the applicant shall receive a notice of denial in writing, setting forth the reasons for the denial. A decision granting or denying a sign permit may be appealed to the Planning Commission in accord with the variance and appeal process defined in Chapter 5 of the Development Code.
6. No additional permits shall be issued for signs on businesses or uses with signs not already in compliance with the sign code unless the applicant can prove existing signs are legal nonconforming.

D. Indemnification of City. As a condition to the issuance of a sign permit as required by this Chapter, all persons engaged in the hanging or painting of signs, which involves, in whole or in part, the erection, alteration, relocation, maintenance, or other sign work in, over, or immediately adjacent to a public right-of-way or public property if used or encroached upon by the sign hanger or painter in the said sign work, shall agree to hold harmless and indemnify the City, its officers, agents, and employees from liability for damages resulting from said erection, alteration, relocation, maintenance or other sign work.

E. Sign Design Standards, Methods of Calculating Area

1. Wall Signs
 - a. No part of the sign shall extend vertically above the highest portion of the roof's calculated elevations (except for parapet signs).
 - b. Marquee signs. A marquee is any permanent roof-like structure projecting beyond the perimeter wall of a building, and signs shall not be located above the top of the marquee.
 - c. Parapet Signs. Parapets or false fronts are measured by the linear frontage of the parapet.
 - d. Roof Elevations. Signs are not allowed above the roofline's elevation, which is determined by the highest point of the roof surface for flat roofs; and to the average height between eaves and ridges for gable, hip, gambrel roofs, and mansard roofs.



Department

- e. The area of a wall sign without a border shall be computed by enclosing the entire sign within sets of parallel lines touching the outer limits of the sign message.
 - f. Perimeter walls. The exterior wall of a building shall be measured at the floor level of each floor, including the ground floor. Alcoves, entryways and extruding portions shall be treated by measuring through such areas as though along the flat wall of a building.
2. Ground and Pole Signs.
- a. The area of a ground or pole sign shall be calculated by adding the area of all the sign faces presenting a message. Pole covers, and columns shall not be included in the area of the measurement if they do not bear any message. Double-faced signs will be considered as one sign only when placed back to back and separated by eighteen 18 inches or less.
 - b. Street frontage. Development sites fronting on two or more streets are allowed the number of signs permitted for each street frontage. However, the total number of signs that are oriented toward a particular street may not exceed street frontage allotment. Interstate 5 is not considered a street for sign purposes, and cannot be counted towards frontage allotments.
3. Flags. Any fabric, banner, or bunting flags containing distinctive colors, patterns, or symbols, other than U.S., state, and local government flags, shall be limited to the wall and ground/pole sign allotments, unless otherwise approved by the Planning Commission. Flags on poles may be counted towards the ground sign allotment. Flags on buildings (not on poles) may be calculated as part of the building's or business's linear footage allotment and may not be placed above the roofline.
4. Kiosks.
- a. Maximum Size. Kiosks shall not exceed seven (7) feet in height and thirty-five (35) per side.
 - b. Minimum Spacing. Kiosks shall be placed no less than two hundred (200) feet apart unless closer proximity can be demonstrated to serve a public purpose.
 - c. Content displayed on the kiosk shall be sized appropriately for view by pedestrian passersby within 10 feet of the kiosk, and shall never display messages that could distract the attention of motorists.
 - d. Architectural Features. Kiosks shall be consistent with the architecture of surrounding built environment.
 - e. ECMS and Videoboards may be used in kiosks, provided that no more than 10 square of the any one side of a kiosk is used for an ECMS or videoboard.

Department

- f. Lighting. Kiosks shall not be illuminated by an external, detached lighting source;
- g. Location. Kiosks shall be located within or along pedestrian walkways, plazas, and other areas designed for pedestrian travel and public assembly in accordance with the following requirements:
 - i. An unobstructed pedestrian area or sidewalk with a minimum width of 10 feet shall be maintained on any side of a kiosk with a message area;
 - ii. An unobstructed sidewalk width of seven feet shall be maintained on any side of a kiosk without a message area;
 - iii. An unobstructed pedestrian area or sidewalk with a minimum width of 10 feet is maintained between any side with a message area and the back of curb of any adjacent road, drive, or parking facility;
 - iv. the distances referred to above shall be measured from the surface of the display at a 90 degree angle across the entire display.

F. Illumination Standards.

1. Maximum illumination. In residential land use districts, or in instances where a property in a nonresidential land use district abuts a residential land use district OR a property that is a legally nonconforming residential building located in a nonresidential land use district, no sign may exceed a maximum illumination of 0.5 footcandle above ambient light level as measured fifty (50) feet from the sign's face. In all other districts, no sign may exceed a maximum illumination of 1.0 footcandle above ambient light level as measured fifty (100) feet from the sign's face.
2. Glare reduction. No sign may be illuminated or use lighting where such lighting is directed at any portion of a traveled street or will otherwise cause glare or impair the vision of the driver of a motor vehicle or otherwise interfere with the operation thereof.
3. Illumination from signs on nonresidential property. Illumination resulting from all signs and lighting on any property in a non-residential zoning district shall not cause glare towards the residential zoning districts. External illumination shall be shielded so that the light source elements are not directly visible from property in a residential zoning district that is adjacent to or across a street from the property in the non-residential zoning district.
4. Illumination from signs on residentially zoned property. No internally illuminated sign shall be allowed on property in a residential zoning district. Lighting from all light sources operated for the purposes of sign illumination on property in a residential zoning district shall be shielded from other property in the residential zoning district.



Planning & Building

Department

G. Electronic Changeable Message Signs.

1. Electronic changeable message signs shall not have any moving patterns of light, other than the transition between messages. Moving patterns of light shall include, but shall not be limited to, pulsating, flashing, scrolling, animation and/or blinking at any time. All lights in a display shall activate simultaneously, remain activated for not less than 20 seconds and deactivate simultaneously.
2. Maximum size for electronic changeable message signs shall be determined by the maximum size of a sign allowed within the land use district in which it is located, but shall never exceed thirty-two (32) square feet in surface area for each sign face allowed.
3. Use of 2 or more successive screens or “sequencing” to convey a message that will not fit on one (1) screen shall be prohibited.
4. The maximum amount of text-based information displayed shall be limited to the maximum number of words that a driver can reasonably be expected to read from a distance from the electronic changeable message sign of 800 feet at a rate of 1 word per second. The following table provides examples of the maximum number of words on a sign for commonly encountered traffic speed limits.

Posted Speed Limit (MPH)	Posted Speed (FT/S)	Time to Travel 800 Feet (in seconds)	Maximum # of Words in a Message
25	36.67	21.82	21
35	51.33	15.58	15
45	66.00	12.12	12
55	80.67	9.92	9

Table 3.3.6.F.4

5. Content displayed on an Electronic Changeable Message sign may not resemble or simulate any lights or traffic control device used to control traffic in accordance with the MUTCD unless such content is directly related to the dissemination of information during times of emergency.
6. The City may require emergency information to be displayed, within appropriate message rotation, on an electronic changeable message sign.

H. Videoboards. Videoboards may display moving patterns, images, text animation, and video content similar to television images only in accordance with the following standards, restrictions and requirements:



Department

1. Videoboards shall not be visible from any public road or any private road except those private roads that primarily function to provide traffic circulation through parking lots.
2. No more than one (1) videoboard with a display area of more than twenty-four (24) square feet shall be located within seven hundred (400) feet of another videoboard with a display area of more than twenty-four (24) square feet.
3. A videoboard shall not obscure or in any way detract from prominent architectural and design features of a building or structure on which the videoboard is located. Videoboards shall be designed so that they are integrated into the overall design of the building or structure and compliment architectural details such as the overall mass and dimensions of the building to which it is affixed; the size, position and dimensions of openings including doors and windows.
4. Maximum size for videoboards shall be determined by the maximum size of a sign allowed within the land use district in which it is located, but shall never exceed thirty-two (32) square feet in surface area for each sign face allowed.
5. Where a videoboard is located within three hundred (300) feet of any traffic signal, all applications for a Sign Permit for a videoboard must include a report from a traffic engineer stating that the placement of the sign will not interfere with the effectiveness of a traffic signal within 300 feet of the sign. At no time and in no way shall messages displayed on a videoboard be intended and designed for viewing by motorists traveling on an arterial or more heavily travelled road.
6. Content displayed on a videoboard sign may not resemble or simulate lights or traffic control devices used to control traffic in accordance with the MUTCD unless such content is directly related to the dissemination of information during times of emergency.
7. The City may require emergency information to be displayed, within appropriate message rotation, on a videoboard.
8. Operational Standards--Display. All videoboards:
 - a. Must contain a default mechanism that freezes an image in one position in case of a malfunction or deactivates the display in its entirety.
 - b. Must automatically adjust the sign brightness based on natural ambient light conditions in compliance with the following formula:
 - i. the ambient light level measured in luxes, divided by 256 and then rounded down to the nearest whole number, equals the dimming level; then
 - ii. the dimming level, multiplied by .0039 equals the brightness level; then



Planning & Building

Department

- iii. the brightness level, multiplied by the maximum brightness of the specific sign measured in nits, equals the allowed sign brightness, measured in nits.
- c. Must be turned off between 1:00 a.m. and 6:00 a.m. Monday through Friday and 2:00 a.m. and 8:00 a.m. on Saturday and Sunday. Videoboards may be required to be turned off earlier in instances where a videoboard faces a residential land use including overnight accommodations like hotels.
- d. May not display light of such intensity or brilliance to cause glare, impair the vision of an ordinary driver, or constitute a nuisance.
- e. Must have a full color display able to display a minimum of 281 trillion color shades.
- f. Must be able to display a high quality image with a minimum resolution equivalent to the following table:

Viewing Distance (FT)	Max. Pixel Size (mm)
36 to 45 feet	12 to 16
> 45	14.25 to 19

Table 3.6.6.G.7.f

- g. Light intensity. Before the issuance of a videoboard sign permit, the applicant shall provide written certification from the sign manufacturer that:
 - i. The light intensity has been factory programmed to comply with the maximum brightness and dimming standards in table; and
 - ii. The light intensity is protected from end-user manipulation by password-protected software, or other method satisfactory to the Planning Director; and
 - iii. The sign's light intensity has been factory pre-set not to exceed 7,000 nits
- h. Changes of text messages, not containing video, must comply with the following:
 - i. Any messages that display text must be displayed for a minimum of five seconds.
 - ii. Changes of text-based messages not containing video content must be accomplished within two (2) seconds.
 - iii. Changes of text-based messages not containing video content must occur simultaneously on the entire sign face.
 - iv. No flashing, dimming, or brightening of message is permitted except to accommodate changes of message.



Planning & Building

Department

- v. Ticker tape streaming is permitted at all times when the videoboard is operating. Ticker tape streaming must be located within the bottom 10 percent of the effective area.
- i. Malfunction. The videoboard operator must respond to a malfunction or safety issue within one hour after notification.

I. Vision Clearance and Safety Standards

1. Signs must comply with the sight visibility standards within the Development Code (see Chapter 3.2.2.M).
2. The minimum clearance of all signs projecting over a pedestrian way shall be eight (8) feet.
3. Clearance over vehicle use area. The minimum clearance of all signs projecting over any portion of a vehicle use area shall be 17 feet.

J. Duration of Permits.

1. Permits for permanent signs shall be valid, without renewal, until such a time as they are altered. Upon such an event, the original permit shall expire.
2. Unless otherwise stated in this Chapter, permits for temporary signs shall be valid for a period of one (1) fiscal year or portion thereof. Where this standard differs with another stated elsewhere in this Chapter, the standard which defines a more limited duration for a temporary sign permit shall control. A temporary sign permit shall be renewed at least 30 days prior to its expiration on the 30th day of June of each fiscal year. Permitted temporary signs shall be removed prior to or upon that day if the permit has not been renewed.

3.6.7 – Nonconforming Sign and Abandoned Signs

A. Nonconforming Signs

1. Nonconforming signs may be maintained subject to the following conditions:
 - a. No additions or enlargements may be made to a nonconforming sign except additions or enlargements required by law.
 - b. If any nonconforming sign is moved voluntarily, that sign shall thereafter conform to the requirements of the sign standards as a newly constructed sign.
 - c. Any sign that is constructed to replace a nonconforming sign shall be constructed in compliance with all applicable provisions of the sign standards.
2. Except where only a change in display copy is made, any nonconforming sign, which is structurally altered (excluding routine maintenance), shall be brought into compliance with all applicable provisions of the sign standards within 90 days of written notice sent by the City and shall thereafter be kept in compliance with the sign standards.



Department

3. Any nonconforming abandoned sign and supporting structure shall be removed by the owner of the sign or owner of the premises within three months following the closure of the business which licensed the sign, vacation of change of occupancy at the premises for which the sign was licensed, condemnation or demolition of a structure or building for which a sign was licensed, or an event that has concluded no fewer than 30 days before.

B. Maintenance. All signs, together with all of their supports, braces, guys, anchors and electrical equipment, shall be kept fully operable, in good repair and maintained in safe condition, free from excessive rust, corrosion, peeling paint or other surface deterioration.

3.6.8 – Sign Variance Criteria

In order to obtain a Variance from the terms of the ordinance, the applicant must be able to show the following:

- A. The Variance is necessary because of special circumstances relating to the size, shape, topography, location, or surroundings of the subject property to provide it with use rights and privileges permitted to other properties in the vicinity and zone in which the subject property is located.
- B. The special circumstances of the subject property are not the result of the actions of the applicant, the owner of the property, or a self induced hardship.
- C. The authorization of such Variances will not be materially detrimental to the public welfare, not injurious to nearby property, nor essentially different from the provisions of the zoning district in which it is located;
- D. The type of the proposed sign is not a type prohibited by these regulations;
- E. The Variance would not result in a special advertising advantage in relation to neighboring businesses or businesses of a similar nature. The desire to match standard sign sizes (for example, chain store signs) shall not be listed or considered as a reason for a Variance.
- F. Granting of the Variance would not obstruct views of other buildings or signs, cover unique architectural features of a building, or detract from landscape areas.
- G. The granting of the Variance would not create a traffic or safety hazard.

The City may designate conditions to ensure conformance with the Development Code. Guarantees and evidence that such conditions will be complied with may be required.

3.6.9 – Landmark Sign Program, Procedures and Standards of Review

The owner of an existing sign may apply for a determination by the Planning Commission or its designee that the sign qualifies as a Landmark Sign, pursuant to the following provisions:

- A. The sign is nonconforming;



Department

- B. The sign is unique in its design, method and materials of construction, and/or is associated with an historically significant event, commercial enterprise, organization, person;
- C. The applicant shall provide the same information describing the sign as is required by Section 3.6.6.A -- Individual Sign Permit Application Requirements.
- D. A Hazardous Sign may not, under any circumstances, qualify as a Landmark Sign unless the hazardous condition of the sign has been or will be abated prior to or conditionally upon designation Landmark Sign status.
- E. The Planning Commissioner or its designee may require financial assurance from the applicant in the form of a performance bond, escrow, or other financial device in accordance with Section 4.3.9 – *Performance, Maintenance Guarantee and Development Agreement*, that the City may use in order to abate, remove, or demolish any Hazardous Sign that has been conditionally approved for Landmark Sign status.
- F. The Building Official may require additional building and trades permits.
- G. The fee, set by resolution of the City Council, for application review and determination shall be paid by the application at the time of application.

3.6.10– Wayfinding Sign Program Procedures and Standards of Review

An single property owner, group of property owners, public agency, organization, homeowners association, or other parties with vested property interests may request that the City create a Wayfinding Sign Program pursuant to the following provisions:

- A. The applicant shall submit a Wayfinding Sign Plan for review by the Planning Commission or its designee. The plan shall provide substantially the same information describing all proposed signs as is required by Section 3.6.6.B -- Master Sign Programs Permit Application Requirements.
- B. The plan shall substantially comply with the other requirements of this ordinance (including but not limited to standards for illumination, clear vision areas, etc.), but may allow for divergence in the design of individual signs provided that none of the signs in the proposed plan would create conditions that are hazardous as defined within this Chapter;
- C. Wayfinding Signs shall be designed in a way that is consistent with desirable aesthetic characteristics of the surrounding neighborhood and community;
- D. Wayfinding Signs shall be designed to effectively communicate directional information to the general public through the use of color, scale, placement and other design elements;
- E. Wayfinding Signs shall be designed so as to improve the visual quality of the built environment of the surrounding neighborhood and community. This shall be achieved through the use of architectural features and high quality materials



Department

including wood, natural stone, brick, wrought iron and other high quality metal millwork;

- F. The Planning Commission or its designee shall review the plan and determine whether to approve, approve with conditions, or deny the application and proposed plan using the aforementioned criteria.
- G. The Planning Commissioner or its designee may require financial assurance from the applicant in the form of a performance bond, escrow, or other financial device in accordance with Section 4.3.9 – *Performance, Maintenance Guarantee and Development Agreement*, that the City may use in order to abate, remove, or demolish any Hazardous Sign that has been approved as a part of a Wayfinding Sign Plan.
- H. The Building Official may require additional building and trades permits.
- I. The fee, set by resolution of the City Council, for application review and determination shall be paid by the applicant at the time of application.

3.6.11 – Public Art Program, Procedures and Standards of Review

- A. The applicant shall submit a Public Art Plan for review by the Phoenix Arts Council or its designee that shall, at minimum, address the following:
 - 1. The location, dimensions, and method of installation and construction of the artwork;
 - 2. A maintenance plan describing activities and procedures to ensure that the artwork remains in its intended condition over the course of its functional lifetime.
- B. The plan shall substantially comply with the other requirements of this ordinance (including but not limited to standards for illumination, clear vision areas, etc.), but may diverge from these standards to allow for creative, artistic expression provided that none of artwork in the proposed plan would create conditions that are hazardous as defined within this Chapter;

3.6.12 – Enforcement.

- A. When a sign is removed, altered, and/or stored under these enforcement provisions, removal and storage costs may be collected against the sign owner and the person responsible for the placement of the sign. The city council shall establish the fees for removal and storage of signs, and for other associated fees, by resolution, from time to time.
- B. Any sign installed or placed in the public right-of-way or on City-owned real property, except in conformance with the requirements of this chapter or other applicable provisions of this code, may be removed by the Planning Director or his/her designee as follows:
 - 1. Immediate confiscation without prior notice to the owner of the sign.



Department

2. If the City can ascertain contact information for the owner of the sign or for any person or business responsible therefore, the City shall contact that person or business and advise that: a) the sign was found in a location that the City believes to be a public right-of-way or City-owned property; b) that no permit was issued for the placement of the sign in that location, and that the sign is not otherwise legally permitted to be in that location; and c) that the City has confiscated the sign and shall destroy it after thirty (30) days from the time notice was sent to the person or business responsible for the sign, unless either i) the sign is claimed and the removal and notice costs are reimbursed to the City in full or ii) a request for hearing is submitted by the person or business responsible for the sign to the Planning Department.
 3. If notification is not possible, the city shall store the sign for thirty (30) days from date of confiscation. The sign may then be destroyed.
 4. The city shall continue to store the sign for any additional period during which an appeal or review thereon is before the municipal court.
- C. Signs found to be erected or maintained on private property in violation of the provisions of this section or other applicable provisions of the Phoenix Land Development Code are subject to the provisions of Chapter 1.4 – *Enforcement*, and any other means of enforcement afforded to the City and agents by the Municipal Code of the City of Phoenix.

Planning Commission Discussion
October 13, 2014

Signs

Statement of need

- Current sign ordinance uses legally problematic, content-based standards ...

Statement of need

- Current sign ordinance uses legally problematic, content-based standards ...
3.6.2.E

2. Contractor/consultant signs. One sign per contractor/consultant while a building permit is active and work is proceeding on the premises. The total amount of signage shall not exceed 36 square feet.

3. Flags of national, state, or local government.

4. Holiday decorations and lights in place during National and local Holidays.

5. Mosaic, mural, painting, or graphic art, flags (excluding pennants), and fabric wall decorations that do not contain copy, advertising/hallmark symbols, lettering or references to any product, service, or goods, do not require a permit, however, they will require permission from the Planning Commission and may be counted towards the business's sign allotment.

Statement of need

- Current sign ordinance uses legally problematic, content-based standards ...

3.6.2.E

8. Real Estate Signs. One sign per street frontage may be allowed; residential is limited to 12 square feet or less in area, and must be located on the development site where the property is for sale or lease. Commercial and Industrial District signs are not to exceed 32 square feet in area when advertising the sale, rental, or lease of the premises on which they are located. Open house signs are allowed off-site for one day provided they are not located on City right-of-way, including pedestrian areas, or with-in sight visibility triangles.

Statement of need

- Temporary signs are effectively illegal ...

8. Real Estate Signs. One sign per street frontage may be allowed; residential is limited to 12 square feet or less in area, and must be located on the development site where the property is for sale or lease. Commercial and Industrial District signs are not to exceed 32 square feet in area when advertising the sale, rental, or lease of the premises on which they are located. Open house signs are allowed off-site for one day provided they are not located on City right-of-way, including pedestrian areas, or with-in sight visibility triangles.

Recommendations

- Eliminate content-based standards/definitions
- Modernize digital sign standards
- Create a temporary sign program that
 - Allows businesses to advertise goods and services
 - Maintains (improves) the appearance of Phoenix's roads, particularly commercial corridors
 - Is manageable for staff
- Housekeeping (definitions, etc.)

City Council, Public Hearing
May 18, 2015

Signs

Statement of need

- Current sign ordinance uses legally problematic, content-based standards ...

Statement of need

- Current sign ordinance uses legally problematic, content-based standards ... 3.6.2.E

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8. Real Estate Signs. One sign per street frontage may be allowed; residential is limited to 12 square feet or less in area, and must be located on the development site where the property is for sale or lease. Commercial and Industrial District signs are not to exceed 32 square feet in area when advertising the sale, rental, or lease of the premises on which they are located. Open house signs are allowed off-site for one day provided they are not located on City right-of-way, including pedestrian areas, or with-in sight visibility triangles.

Statement of need

- Temporary signs are effectively illegal ...
3.6.2.E. Temporary signs announcing the opening of a new business are allowed upon notification to the City, for period of 60 days starting with the day application is made for the permanent sign with the potential for an additional 30-day extension.

Statement of need

- Temporary signs are effectively illegal ...
3.6.2.E. Temporary signs announcing the opening of a new business are allowed upon notification to the City, for period of 60 days starting with the day application is made for the permanent sign with the potential for an additional 30-day extension.
- **3.6.4.F Portable signs, except warning signs.**

Proposed Regulations

- Eliminate content-based standards/definitions
- Modernize digital sign standards
- Create a temporary sign program that
 - Allows businesses to advertise goods and services
 - Maintains (improves) the appearance of Phoenix's roads, particularly commercial corridors
 - Is manageable for staff
- Housekeeping (definitions, etc.)

Proposed Regulations

- 3.6.1 Purpose
 - Replaced text to better describe regulations' connection to public health, safety, & welfare
- 3.6.2 Definitions
 - Moved to beginning of ordinance
 - Revised for greater consistency & clarity
 - Additions & deletions
 - Moved "calculations" to 3.6.6

Proposed Regulations

- 3.6.3 Applicability & exemptions
 - Defines circumstances when a permit is and is NOT required
- 3.6.4 Prohibited signs
 - Minor changes for clarity
 - “Portable signs” removed from list

Proposed Regulations

- 3.6.5 Permitted signs
 - Maximum # ground signs for residential & nonresidential developments changed to allow for adequate signage at each entrance to a development
 - “Institutional” land use in residential land use district sign maximum area cap eliminated, now 0.50 sqft/1 lft street frontage

Proposed Regulations

- 3.6.5 Permitted signs
 - Temporary signs added
 - Single tenant commercial properties 1 non-illuminated sign, max. 4 feet in height, 12 sqft in area each side
 - Multitenant commercial properties, 1/tenant, placed min. interval of 20 feet
 - Must be durable and resist wind
 - Can't encroach on min. 5 foot pedestrian way
 - Must be removed between 9PM-7AM
 - Valid for 1 fiscal year, or portion thereof

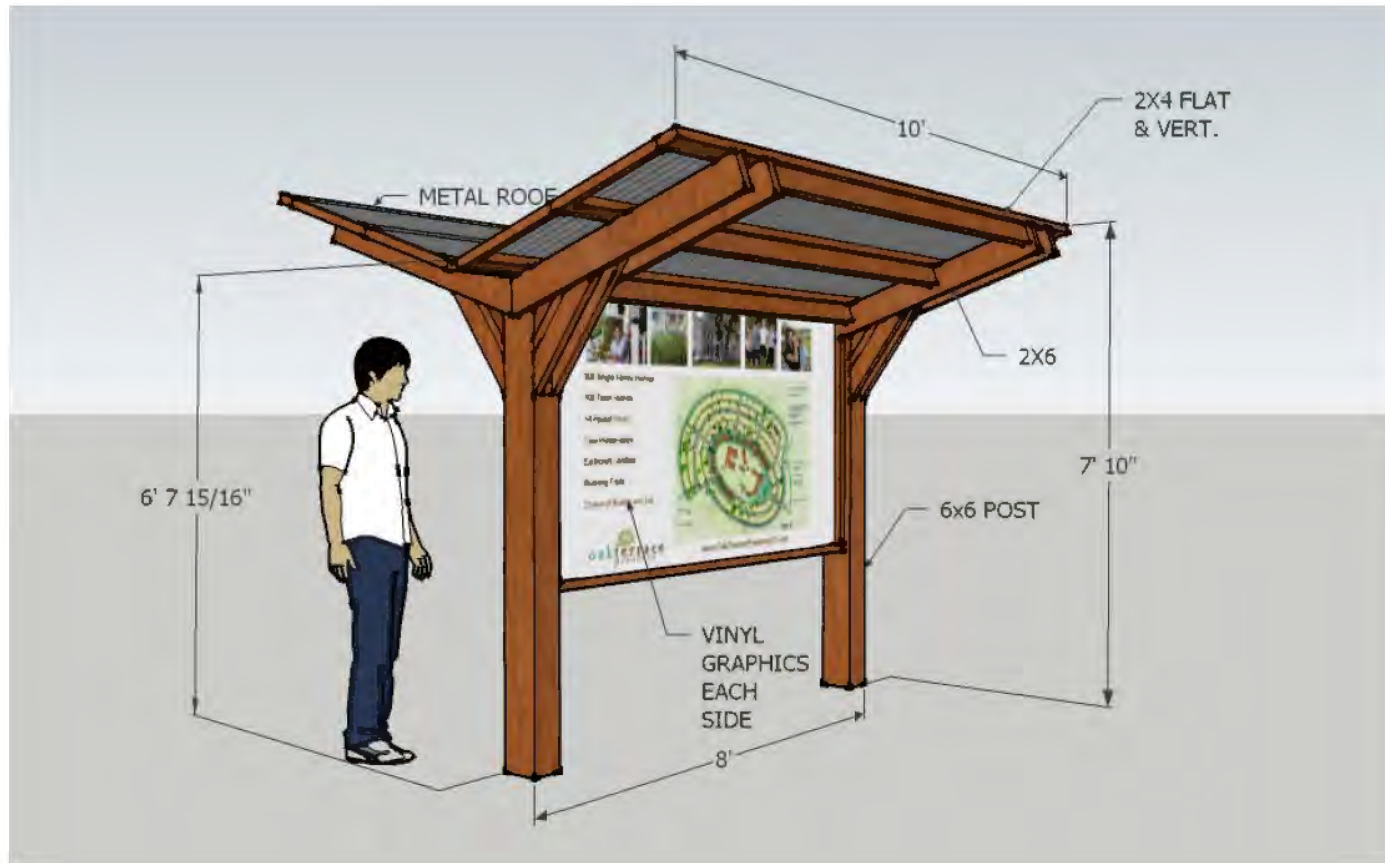
Proposed Regulations

- 3.6.5 Permitted signs
 - Electronic Changeable Message Signs & Videoboards
 - Added comprehensive performance standards for both
 - ECMS allowed in CC, CH, LI, and GI Land Use Districts
 - Videoboards ONLY allowed ... in CC, CH with PUD; allowed in LI, GI
 - Max. size for any ECMS or Videoboard is 32 sqft

Proposed Regulations

- 3.6.6 Permit administration, standards of review, issuance
 - New standards for new types of signs (kiosks, videoboards)
- 3.6.7 Nonconforming signs, abandoned signs
- ...

Proposed Regulations



Proposed Regulations



Proposed Regulations

- 3.6.7 Nonconforming signs, abandoned signs
 - ...
 - Clarifies definitions and procedures for removal of “abandoned” signs
 - Describes “Landmark Sign Program”, “Wayfinding Sign Program”, and “Public Art Program”
 - Adds enforcement procedures, especially notifications under certain circumstances

ORDINANCE 44.7

AN ORDINANCE OF THE CHARTER TOWNSHIP OF LANSING, MICHIGAN, PROVIDING THAT THE CODE OF ORDINANCES, CHARTER TOWNSHIP OF LANSING, MICHIGAN, BE AMENDED BY ADDING TO AND AMENDING CERTAIN THE PROVISIONS OF CHAPTER 102 (“SIGN REGULATIONS”) OF TITLE X (“BUILDING REGULATIONS”) TO PROVIDE FOR THE REGULATION OF SIGNS AND OUTDOOR ADVERTISING STRUCTURES, AND THE ENFORCEMENT OF SUCH REGULATIONS: AMENDING SECTION 102-2 (“DEFINITIONS”) TO ADD CERTAIN DEFINITIONS; AMENDING SECTION 102-5.2 (“APPLICATION”); AMENDING SECTION 102-5.4 (“INSPECTION”); AMENDING SECTION 102-5.5 (“PLANS AND SPECIFICATIONS”); AMENDING SECTION 102-7.3 (“SIGNS NOT PERMITTED”); AMENDING SECTION 102-18 (“TEMPORARY SIGNS”); AMENDING SECTION 102-22 (“ELECTRONIC CHANGEABLE MESSAGE SIGNS”); ADDING SECTION 102-25 (“KIOSKS”); ADDING SECTION 102-26 (“VIDEOBOARDS”); ADDING SECTION 102-27 (“CLEAR VISION AREA/TRIANGLE”); ADDING SECTION 102-28 (“WAYFINDING SIGNAGE PROGRAM”); ; TO REPEAL ORDINANCES AND PORTIONS OF ORDINANCES INCONSISTENT WITH THIS ORDINANCE; AND TO PROVIDE AN EFFECTIVE DATE HEREOF.

The Charter Township of Lansing, Ingham County, Michigan, ordains:

1. Section 102-2 (“Definitions”) of Chapter 102 (“Sign Regulations”) of Title X (“Building Regulations”) is hereby amended by adding the following definitions to that section:

Section 102-2. - Definitions.

Electronic changeable message sign. A sign whose informational content, copy and/or advertising message can be changed or altered by means of electronically-controlled electronic impulses. In contradistinction to videoboards defined below, electronic changeable message signs shall not, under any circumstances, display full motion images.

Kiosk. A multi-sided structure designed for the display of messages and other content including images which are intended to be viewed by and to be comprehensible to pedestrian passersby within 10 feet of the kiosk.

On-premises sign. A sign which pertains to the use of the premises on which it is located. In the case of a multi-establishment development where buildings are located on separate, adjacent parcels owned by the same entity, a pole or ground sign serving all tenants of the development will be considered “on premise”.

Pole sign. A sign supported by one or more uprights, no larger than twenty inches wide, with all parts of display surface of the sign eight feet or more above the grade at the base of this sign.

Temporary sign. A sign, advertising banner (not including pennants or light pole banners eight feet or more above ground), flags with or without advertising or other advertising display, including balloons or other gas/air-filled figures, portable display signs, constructed of cloth, steel, paper, canvas, fabrics, plastics or other light, temporary material or combinations of material, with or without a frame, which are not bolted, wired or otherwise permanently fastened

or anchored to any building, structure, or ground plane and are otherwise designed to be displayed for a limited period of time only.

Videoboard. Electronic changeable message signs, video displays and other projection devices that are capable of displaying moving images similar to television images, by light-emitting diode or other technology, and that are intended for viewing by pedestrians from sidewalks and similar public and quasi-public spaces.

Wayfinding Sign or Device. Means non-commercial signs, landmarks or other visual graphic communication that are part of a coordinated program for the purpose of directing pedestrian and vehicular traffic to local destinations. Typical wayfinding signs include: gateways, vehicular directional, destination, parking lot identification, parking trailblazer, pedestrian directional, vehicular directional and pedestrian kiosk.

2. Section 102-5.2 (“Application”) of Section 102-5 (“Plans, specifications and permits”) of Chapter 102 (“Sign Regulations”) of Title X (“Building Regulations”) is hereby amended as follows:

Section 102-5.2. Application. Application for a sign permit shall be made in writing on forms furnished by the clerk's office. Such application shall contain the address of the proposed sign as well as the name and address of the owner and the sign contractor or erector. The application must also include dimensions of the sign. A drawing must be submitted showing where the sign will be placed on the property and also the height and dimensions of the sign. Application requirements for installation or alteration of Videoboards and Kiosks shall include information as required by Section 102-26 and 102-25.

3. Section 102-5.4 (“Inspection”) of Section 102-5 (“Plans, specifications and permits”) of Chapter 102 (“Sign Regulations”) of Title X (“Building Regulations”) is hereby amended as follows:

Section 102-5.4. Inspection.

(A) The building official will determine when inspections are necessary.

(B) Any sign or structure requiring any electrical work must be inspected by the electrical inspector. In the case of temporary signs that require any type of electrical connection, the apparatus used and the manner of connecting same must be inspected and approved by the building official.

4. Section 102-5.5 (“Plans and specifications”) of Section 102-5 (“Plans, specifications and permits”) of Chapter 102 (“Sign Regulations”) of Title X (“Building Regulations”) is hereby amended as follows:

Section 102-5.5. Plans and specifications. Before any permit is granted for erection or alteration of a sign, sign structure or outdoor display structure, plans and specifications shall be filed with the clerk's office, showing all dimensions including heights, materials, lighting, proposed location and required details of construction. The application shall be accompanied by the written consent of the owner or lessee of the premises upon which the sign is erected. Plans and specifications provided by the applicant to the clerk's office for installation or alteration of Videoboards and Kiosks shall include information as required by Section 102-26 and 102-25.

5. Section 102-7.3 (“Signs not permitted”) of Section 102-7 (“Unsafe and unlawful signs”) of Chapter 102 (“Sign Regulations”) of Title X (“Building Regulations”) is hereby amended as follows:

Section 102-7.3. Signs not permitted.

- a. Signs which are abandoned.
- b. Signs which are illegal under state laws and regulations.
- c. Signs which are not in good repair.
- d. Signs not securely affixed to a substantial structure.
- e. Signs affixed to trees or utility poles.
- f. Signs affixed to or painted on any fence, except for fencing around outdoor patio or eating areas.
- g. Signs which have any visible moving parts, visible revolving parts, or visible mechanical movement of any description or other apparent visible movement achieved by electrical, electronic, or mechanical means, including intermittent electrical pulsations, or by action of normal wind currents except as permitted by and designed and installed in accordance with Section 102-26 and Section 102-25 .
- h. Signs, other than those described in Section 102-26 and Section 102-25, which incorporate in any manner any flashing or moving lights.
- i. Signs having flashing, blinking or running type lights are prohibited or signs that use running type lighting for informational change of copy except as permitted by and designed and installed in accordance with Section 102-26 and Section 102-25 .
- j. Bench signs.
- k. Streamers, strings of light bulbs, spinners or elements creating sound, except seasonal decorations and community event signs.
- l. Signs which obstruct the ingress to or egress from a required door, window, fire escape, or other required exit way.
- m. Roof signs.
- n. Marquee signs.
- o. Parapet signs.
- p. Signs located in the street right-of-way, except those that are a part of and comply with an approved wayfinding implementing plan as described below in 102-28 *Wayfinding Signage Program*.
- q. Any sign not expressly permitted by this chapter

6. Section 102-18 (“Temporary signs”) of Chapter 102 (“Sign Regulations”) of Title X (“Building Regulations”) is hereby amended as follows;

102-18 Temporary signs

(A) Temporary signs that are intended for viewing by pedestrians only, and are placed on a paved area that is not a parking lot, road, or public sidewalk, will not require a permit. This exemption does not apply to temporary signs intended for vehicular traffic, or temporary signs

attached to a building or structure. Exempt signs will not be counted in the total number of temporary signs allowed, as long as they don't exceed one per 50 linear feet of the business's front façade. Each exempt sign is limited to twelve square feet in size.

(B) Duration of permits. Permits for temporary signs shall authorize the erection of said signs and their maintenance for a period not exceeding 90 days in any calendar year. Permits shall be issued for 30 consecutive days at a time. One Grand Opening temporary sign will be allowed upon issuance of a Township Business License for the first 30 days a business is open and will not count toward the annual allowance of 90 days. There will be no fee for the Grand Opening sign.

(C) Size. Temporary signs shall not exceed 32 square feet.

(D) Construction. Temporary signs may be constructed of wood, cloth, steel, paper, canvas, or plastic or combinations of material with or without a frame which are not bolted, wired, or permanently fastened to any building, structure, or ground plane.

(E) Erection. Temporary signs must be securely anchored, attached and supported in a safe manner.

(F) Illumination. Illumination will only be permitted during business hours and may not be flashing. All electrical power must be approved by the township building inspector.

(G) Number of temporary signs will be limited to one per business at any given time, except as noted in section (a) above.

(H) The message on temporary signs shall not advertise an establishment, service, merchandise, use, entertainment, activity, product or message which is not conducted, sold, produced, manufactured, or furnished upon the property on which the sign is located.

(I) Temporary signs may not be attached to pole signs or ground signs or other permanent sign structures.

(J) A temporary sign shall be set back a minimum of ten feet from any property line.

7. Section 102-22 ("Electronic changeable message signs") of Chapter 102 ("Sign Regulations") of Title X ("Building Regulations") is hereby amended as follows:

Section 102-22. - Electronic changeable message signs.

(1) Electronic changeable message signs shall not have any moving patterns of light, other than the transition between messages. Moving patterns of light shall include, but shall not be limited to, pulsating, flashing, scrolling, animation and/or blinking at any time. All lights in a display shall activate simultaneously, remain activated for not less than 20 seconds and deactivate simultaneously.

(2) The message on electronic changeable message signs shall not advertise an establishment, service, merchandise, use, entertainment, activity, product or message which is not conducted, sold, produced, manufactured, or furnished upon the property on which the sign is located, except in cases where the sign is located in Planned Development greater than 100 acres, in which case an electronic changeable message sign may include messages advertising establishments, services, merchandise, uses, entertainment, activities, or products conducted,

sold, produced, manufactured or furnished within the Planned Development where the sign is located.

(3) No more than 60 percent of the maximum display area of a sign shall be devoted to an electronic changeable message sign, with a maximum size of 32 square feet, except as part of a Planned Development greater than 100 acres, in which case the maximum size will be 60% of the display area of an allowed sign but shall not to exceed 225 square feet.

(4) Electronic changeable message signs are not permitted on or as part of billboards and advertising signs.

(5) Use of 2 or more successive screens or “sequencing” to convey a message that will not fit on one (1) screen shall be prohibited.

(6) The maximum amount of text-based information displayed shall be limited to the maximum number of words that a driver can reasonably be expected to read from a distance from the ECMS of 800 feet at a rate of 1 word per second. The following table provides examples of the maximum number of words on a sign for commonly encountered traffic speed limits.

Max Traffic Speed (MPH)	Traffic Speed (FT/S)	Time to Travel 800 Feet (in seconds)	Maximum # of Words in a Message
25	36.67	21.82	21
35	51.33	15.58	15
45	66.00	12.12	12
55	80.67	9.92	9
65	95.33	8.39	8
75	110.00	7.27	7

(7) Content displayed on an Electronic Changeable Message sign may not resemble or simulate any lights or official signage used to control traffic in accordance with the MUTCD unless such content is directly related to the dissemination of emergency information described below in Section 102-22 (8).

(8) The Township may require emergency information to be displayed, within the appropriate message rotation, on Electronic Changeable Message signs. Such information includes: “Amber Alert emergency information or emergency information regarding terrorist attacks, or natural disasters.” Such emergency information messages are to remain in rotation according to the designated issuing agencies’ protocols.

8. Section 102-25 (“Kiosks”) of Chapter 102 (“Sign Regulations”) of Title X (“Building Regulations”) is hereby added as follows:

Section 102-25. – Kiosks

(A) Kiosks may only be installed and operated on property located in a PD zone and only in accordance with this Section 102-25 and Section 85-11.

- (B) Kiosks may only be used for the purpose of advertising a business, product, service, activity, event, person or subject related to the premises on which the kiosk is located. With respect to a kiosk that is located within the Development District of the Lansing Township Downtown Development Authority, the term “premises,” for the purposes of this section, means the geographical area in which the Lansing Township Downtown Development Authority exercises its authority as described in Section 110-3.
- (C) Kiosks may utilize electronic changeable message signs and videoboards if the electronic changeable message sign or videoboard is integrated into the design of the kiosk.
- (D) Kiosks must be spaced at least 100 feet apart unless closer proximity can be demonstrated to serve a public purpose.
- (E) Kiosks shall not be illuminated by a detached, independent external light source.
- (F) Kiosks shall be located within or along pedestrian walkways, plazas, and other areas designed for pedestrian travel and meeting in accordance with the following requirements:
 1. an unobstructed pedestrian area or sidewalk with a minimum width of 10 feet shall be maintained on any side of a kiosk with a message area;
 2. an unobstructed sidewalk width of seven feet shall be maintained on any side of a kiosk without a message area;
 3. an unobstructed pedestrian area or sidewalk with a minimum width of 10 feet is maintained between any side with a message area and the back of curb of any adjacent road, drive, or parking facility;
 4. the distances referred to above shall be measured from the surface of the display at a 90 degree angle across the entire display.
- (G) Kiosks require building permits and all other applicable trades permits.
- (H) Kiosks may not exceed 7 feet in height and 35 square feet per side.
- (I) Content displayed on the kiosk shall be sized appropriately for view by pedestrian passersby within 10 feet of the kiosk. Kiosks shall not display messages intended for, or that could distract the attention of motorists.
- (J) Township staff shall review the design of the kiosk for architectural consistency with existing buildings and structures as well as any design guidelines set forth by the approved PD zone in which the kiosk is located.
- (K) No more than 10 square feet of each side of any Kiosk may be used for electronic changeable message signs or videoboard.

9. Section 102-26 (“Videoboards”) of Chapter 102 (“Sign Regulations”) of Title X (“Building Regulations”) is hereby added as follows:

Section 102-26. –Videoboards

- (A) Videoboards may be permitted only in the PD zone and only in accordance with Section 102-26 and Section 85-11.
- (B) Videoboards may display moving patterns, images, text animation, and video content similar to television images only in accordance with the following standards, restrictions and requirements:
 1. No more than one videoboard with a display area of more than 35 square feet shall be located within 700 feet of another videoboard with a display area of more than 35 square

feet. Kiosks as described by Section 102-25 that utilize a videoboard are exempt from this restriction.

2. A videoboard shall not obscure or in any way detract from prominent architectural and design features of a building or structure on which the videoboard is located. Videoboards shall be designed so that they are integrated into the overall design of the building or structure and compliment architectural details such as the overall mass and dimensions of the building to which it is affixed; the size, position and dimensions of openings including doors and windows.

3. Size. A videoboard may have a maximum of 625 square feet in effective area.

4. Where a videoboard is located within 300 feet of any traffic signal, all applications for a Sign Permit for a videoboard must include a report from a traffic engineer stating that the placement of the sign will not interfere with the effectiveness of a traffic signal within 300 ft of the sign. At no time and in no way shall messages displayed on a videoboard be intended and designed for viewing by motorists traveling on an arterial or more heavily travelled road.

5. Content displayed on a videoboard may not resemble or simulate any lights or official signage used to control traffic in accordance with the MUTCD unless such content is directly related to the dissemination of emergency information described below in Section 102-26 (B)6.

6. The Township may require emergency information to be displayed, within the appropriate message rotation, on videoboards. Such information includes: "Amber Alert emergency information or emergency information regarding terrorist attacks, or natural disasters." Such emergency information messages are to remain in rotation according to the designated issuing agencies' protocols.

7. Operational Standards--Display. All videoboards:

a. must contain a default mechanism that freezes an image in one position in case of a malfunction or deactivates the display in its entirety

b. must automatically adjust the sign brightness based on natural ambient light conditions in compliance with the following formula:

(i) the ambient light level measured in luxes, divided by 256 and then rounded down to the nearest whole number, equals the dimming level; then

(ii) the dimming level, multiplied by .0039 equals the brightness level; then

(iii) the brightness level, multiplied by the maximum brightness of the specific sign measured in nits, equals the allowed sign brightness, measured in nits.

c. must be turned off between 1:00 a.m. and 6:00 a.m. Monday through Friday and 2:00 a.m. and 8:00 a.m. on Saturday and Sunday. Videoboards may be

required to be turned off earlier in instances where a videoboard faces a residential land use including overnight accommodations like hotels.

d. may not display light of such intensity or brilliance to cause glare, impair the vision of an ordinary driver, or constitute a nuisance.

e. must have a full color display able to display a minimum of 281 trillion color shades.

f. must be able to display a high quality image with a minimum resolution equivalent to the following table:

Videoboard Sign Resolution Chart:

Viewing Distance in Feet	Maximum Pixel Size
36 to 45 feet	12 mm to 16 mm
Over 45 feet	14.25 mm to 19 mm

g. Light intensity. Before the issuance of a videoboard sign permit, the applicant shall provide written certification from the sign manufacturer that:

- (i) the light intensity has been factory programmed to comply with the maximum brightness and dimming standards in the table in Subparagraph 5.b; and
- (ii) the light intensity is protected from end-user manipulation by password-protected software, or other method satisfactory to the zoning administrator; and
- (iii) the sign’s light intensity has been factory pre-set not to exceed 7,000 nits

h. Changes of text messages, not containing video, must comply with the following:

- (i) Any messages that display text must be displayed for a minimum of five seconds.
- (ii) Changes of text-based messages not containing video content must be accomplished within two (2) seconds.
- (iii) Changes of text-based messages not containing video content must occur simultaneously on the entire sign face.

(iv) No flashing, dimming, or brightening of message is permitted except to accommodate changes of message.

(v) Ticker tape streaming is permitted at all times when the videoboard is operating. Ticker tape streaming must be located within the bottom 10 percent of the effective area.

i. Malfunction. The videoboard operator must respond to a malfunction or safety issue within one hour after notification.

8. Videoboards may only be used for the purpose of advertising a business, product, service, activity, event, person or displaying information related to the premises on which the videoboard is located. With respect to a videoboard that is located within the Development District of the Lansing Township Downtown Development Authority, the term “premises,” for the purposes of this section, means the geographical area in which the Lansing Township Downtown Development Authority exercises its authority as described in Section 110-3. Further, videoboards may broadcast or display Federal Communications Commission (FCC) regulated television, satellite and/or cable programming, including the commercial advertising that is incorporated in such programming, notwithstanding the prohibition against off-premise advertising on videoboards.

10. Section 102-27 (“Clear Vision Area/Triangle”) of Chapter 102 (“Sign Regulations”) of Title X (“Building Regulations”) is hereby added as follows:

Section 102-27 Clear Vision Area/Triangle

No sign shall encroach upon the clear vision area or triangle that exists at the intersection of roadways, drives, etc. The clear vision triangle shall be determined using one of the following methods:

- (A) A line shall be drawn extending 20 feet away from the corner of the property line nearest the intersection (this point shall be considered the point of origin) along the property line adjacent and parallel to the outer edge (typically the edge of pavement) of the outer most travel lane; a second line extending 20 feet away from the same property corner (the point of origin) shall be drawn perpendicular to the first line; a third line which will form the hypotenuse shall be drawn connecting the termini of these 2 lines. The resulting triangular area is the clear vision triangle and shall be free of visual obstructions between the heights of 3 and 8 feet.
- (B) Alternatively, an applicant may undertake a “sight distance” study to determine the most effective location and dimensions of site triangles. Any such study shall be consistent with AASHTO and other accepted best practices for calculating intersection and stopping sight distances. For intersections without traffic control, -approach sight triangles shall be determined; for intersections with traffic control, departure sight triangles shall be determined.

11. Section 102-28 (“Wayfinding Signage Program”) of Chapter 102 (“Sign Regulations”) of Title X (“Building Regulations”) is hereby added as follows:

Section 102-28 Wayfinding Signage Program

Wayfinding signs will be permitted according to an implementing plan approved by the Township Board of Trustees.

12. Severability. If a court of competent jurisdiction declares any provision of this Ordinance, or a statutory provision referred to or adopted by reference herein, to be unenforceable, in whole or in part, such declaration shall only affect the provision held to be unenforceable and shall not affect any other part or provision. Provided, however, that if a court of competent jurisdiction declares a penalty provision to exceed the authority of the Township, the penalty shall be construed as the maximum penalty that is determined by the court to be within the authority of the Township to impose.

13. Repeal. All ordinances or parts of ordinances in conflict or inconsistent with the provisions of this Ordinance are hereby repealed; provided that any violation charged before the effective date of this Ordinance under an ordinance provision repealed by this Ordinance shall continue under the ordinance provision then in effect.

14. Effective Date. This Ordinance shall take effect 30 days after its enactment and publication as required by law.

Kathleen M. Rodgers, Supervisor
Charter Township of Lansing

I, Susan L. Aten, Clerk of Charter Township of Lansing, hereby certify that the foregoing is a true copy of the original of Ordinance No. 44.7, enacted by the Charter Township of Lansing Board of Trustees at a regular meeting on June 4, 2013.

Susan L. Aten, Clerk
Charter Township of Lansing

Chapter 17.62

SIGNS

(as amended by Ord. 4912, March 24, 2009)

Sections:

17.62.010	Purpose
17.62.020	Scope
17.62.030	Definitions
17.62.040	Exempted Signs
17.62.050	Prohibited Signs
17.62.060	Temporary Signs
17.62.070	Permanent Signs
17.62.080	Sign Permits
17.62.090	Landmark and Abandoned Signs
17.62.100	Construction and Maintenance Standards
17.62.110	Nonconforming Signs
17.62.120	Exceptions
17.62.130	Enforcement

17.62.010 Purpose. The City Council finds that signs provide an important medium through which individuals and businesses may convey a variety of messages. However, left completely unregulated, signs can become a threat to public safety and a traffic hazard as well as an obstruction to the aesthetic appeal of McMinnville's unique landscape.

The standards contained in this chapter are primarily intended to balance the needs of businesses and individuals to convey their messages through signs, and the right of the public to be protected against the unrestricted proliferation of signs and their effect on public and traffic safety and the aesthetic qualities of the City such as vistas and gateways. In an attempt to achieve that balance, the purpose of this chapter is to:

- A. Improve the visual qualities of McMinnville's streetscape environment through the use of equitably applied sign height, size, and location standards;
- B. Provide minimum, consistent, and enforceable sign standards by regulating sign location, size, height, illumination, construction, and maintenance;
- C. Minimize visual clutter caused by signs by limiting their numbers and duration of use;
- D. Protect citizen safety by prohibiting hazardous signs;
- E. Ensure compliance with state and federal laws regarding advertising by providing rules and standards that are content neutral; and
- F. Provide for near term and longer term improvements to signage through the use of appropriate amortization and incentive policies.

17.62.020 Scope. All signs visible from the public right-of-way or private areas open to public travel within the City corporate limits shall be within the scope of this chapter. The copy or message of signs is not regulated by this chapter. No sign shall be permitted in the City of McMinnville unless in accordance with the provisions of this chapter or unless determined to be legally nonconforming to the requirements of this chapter, with the exception that where a planned development overlay exists, any signage restrictions adopted with that planned development overlay shall take precedence; further, this chapter does not apply to lands within the areas described in Section 17.59.020(A) of the Downtown Design Standards and Guidelines and in the Three Mile Lane Ordinances 4572 and 4131.

17.62.030 Definitions. For the purpose of this chapter, certain terms and words are defined as follows: words used in the present tense include the future; the word “shall” is mandatory; the word “may” is discretionary; the phrase “used for” shall include the phrases “arranged for,” “designed for,” “maintained for,” and “occupied for”; and the word “business” shall be associated with the zoning terms and activities of “permitted use” and “conditional use”. The following terms shall mean:

- A. Abandoned Sign - A sign or sign structure where either: a) the sign is no longer used by the property or sign owner. Discontinuance of sign use may be shown by cessation of use of the property where the sign is located; or b) the sign has been damaged, and repairs and restoration are not started within forty-five (45) days of the date the sign was damaged, or are not diligently pursued, once started.
- B. Accessory Sign - signage which is an integral part of outdoor display structures associated with a commercial or industrial use such as soft drink machines, gas pump, newspaper dispensers, and other similar structures.
- C. Alteration — any change in the size, shape, method of illumination, construction, or supporting structure of a sign.
- D. Area (of a sign) –
 - 1. Projecting, Portable, and Freestanding: The area of the sign shall be measured as follows: The area around and enclosing the perimeter of the cabinet or module shall be totaled to determine the aggregate sign area. If the sign is composed of two or more sign cabinets or modules, the area enclosing the entire perimeter of all cabinets and/or modules within a single, continuous geometric figure shall be the area of the sign. The perimeter of measurable area shall not include embellishments such as pole covers, framing, decorative roofing, etc., provided that there is no written copy on such embellishments. All face areas of any multi-faced sign shall be counted in calculating its area. For a double-faced sign in a single cabinet, only the area of one face is counted.
 - 2. Wall Signs: The area around or enclosing each sign cabinet, or, where sign cabinets are not used, the area shall be that within a single, continuous perimeter composed of any straight line geometric figure which encloses the extreme limits of the message.
- E. Awning – A secondary covering attached to the exterior wall of a building. The location of an awning on a building may be above a window, a door, or over a sidewalk. An awning is often painted with information as to the name of the business, thereby acting as a sign, in addition to providing protection from weather.
- F. Balloon Sign – a sign made from a nonporous bag of tough light material normally filled with heated air or a gas lighter than air so as to rise and float and displaying graphics, symbols and/or written copy.
- G. Banner Sign – a sign made of fabric or any nonrigid material with no enclosing framework.
- H. Canopy – An awning supported by at least two columns. A canopy is able to extend further from a building than an awning, as in the case of an entrance to a restaurant or retail store.
- I. Changeable Copy Sign (Electronic) – a sign on which the copy changes electronically.
- J. Changeable Copy Sign (Manual) – A sign on which copy is changed manually in the field, e.g., the panel permanently affixed as part of a larger sign, commonly used to advertise specials for commercial businesses.



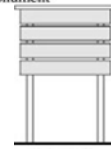
- K. Clearance (of a sign) – the vertical distance measured from the lowest point of the sign to the natural surface grade beneath the sign.
- L. Copy – the message on a sign surface in either permanent or removable letter form.
- M. Double-Face Sign – a sign with advertising on two (2) faces wherein the faces are parallel or within ten degrees of parallel.
- N. Face (of a sign) – the area of a sign on which the advertising is placed.
- O. Festoons – a string of ribbons, tinsel, small flags, or pinwheels.
- P. Flashing Sign — a sign which contains an intermittent or sequential flashing light source used primarily to attract attention. Does not include electronic changeable copy signs or signs which, through reflection or other means, create an illusion of flashing of intermittent light.
- Q. Freestanding Sign - a sign supported upon the ground by a frame, pole(s), or other support structure which is not attached to any building. A freestanding sign shall count as one sign, even if it has two or more faces.

- 1. Monument - a freestanding sign of which the entire bottom of the sign is generally in contact with or in close proximity to the ground. Does not include pole or pylon signs.



Monument

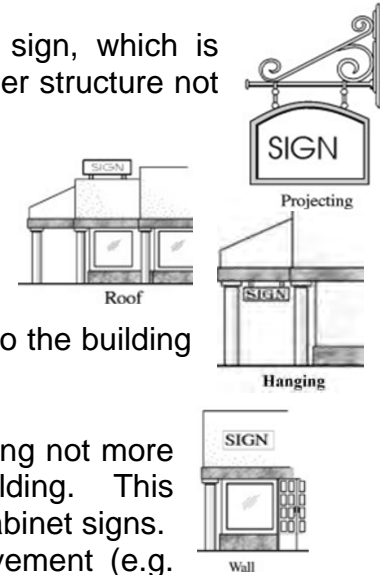
- 2. Pylon Sign - a freestanding sign, usually double-faced, mounted on one or two supports above ground level. Also referred to as a pole sign.



Pole/Pylon

- R. Frontage - the length of the property line of a lot or parcel along a public right-of-way on which it borders.
- S. Hazardous Sign - a sign which is detrimental to the public safety, including but not limited to: any sign that has a design, color, or lighting which may be mistaken for a traffic light, signal, or directional sign; any sign which is located in such a manner as to obstruct free and clear vision to motorists or pedestrians at intersections and driveways; any sign which, because of its location, would prevent free ingress to or egress from any door, window, or fire escape; any sign that is attached to a standpipe or fire escape; any sign which has lighting which temporarily blinds or impairs one's vision; or any sign which is in a leaning, sagging, fallen, decayed, deteriorated, or other unsafe condition.
- T. Height (of a sign) - the vertical distance measured from the highest point of the sign to the natural surface grade beneath the sign.
- U. Illuminated Sign - a sign with an artificial light source incorporated internally (i.e., direct illumination), or with an external light source directed to illuminate the exterior surface of the sign (i.e., indirect illumination). This definition includes signs with light sources which are disconnected from power.
- V. Incidental Sign – a small sign, emblem, or decal typically used to inform the public of goods, facilities, or services available on the premises (e.g., a credit card sign or a sign indicating hours of business).
- W. Landmark Sign - a sign found to be of historical or local significance by the Planning Commission.
- X. Maintenance - for the purposes of this chapter, the cleaning, painting, repair, or replacement of defective parts of a sign, or to achieve a change in sign face, in a manner that does not alter the basic design or structure of the sign.
- Y. Marquee - a permanent roof-like projection from a building above the building entrance.

- Z. Mounted Sign - a sign permanently attached to a building.
1. Canopy Sign - a sign painted on, printed on, or attached flat against the surface of a canopy or awning.
 2. Projecting Sign – a sign, other than a flat wall sign, which is attached to and projects from a building wall or other structure not specifically designed to support the sign.
 3. Roof Sign – any mounted sign that projects above the top of a wall, eave, or parapet.
 4. Hanging Sign - a sign that hangs beneath a marquee, canopy, or awning and is perpendicular to the building face.
 5. Wall Sign – a sign attached parallel to and extending not more than twelve (12) inches from the wall of a building. This definition includes painted, individual letters, and cabinet signs.
- AA. Moving Sign — a sign which uses mechanized movement (e.g. rotation) to attract attention, depict action, or to create a special effect or scene (and includes dancing inflatable displays).
- BB. Multi-tenant complex - a development consisting of one or more lots and two or more businesses sharing appurtenant facilities, such as driveways, parking and pedestrian walkways, and is designed to provide varied products and services at a single location.
- CC. Nonconforming Sign – an existing sign, lawful before enactment of this chapter, which does not conform to the requirements of this chapter.
- DD. Permanent Sign – a sign structurally affixed to the ground or to a building and intended for display for more than twelve (12) consecutive months.
- EE. Portable Sign – a sign not permanently affixed to a sign structure, a building, or the ground.
- FF. Sign – any device, structure, fixture, placard, and any related support structure erected for the purpose of displaying graphics, symbols, and/or written copy designed specifically for the purpose of advertising or identifying any business, person, institution, commodity, service, entertainment, or activity.
- GG. Site - a lot, parcel, or tract of land under common ownership and/or developed together as a single development site, regardless of how many uses occupy the site.
- HH. Temporary Sign - a sign or advertising display constructed of fabric, vinyl, paper, cardboard, plywood, or other light materials, with or without a frame, not permanently attached to a building, structure or ground intended to be displayed for a specific and limited period of time. A sign that will become obsolete after the occurrence of an event or series of events. Temporary signs typically include, but are not limited to: portable signs, event signs, for sale and lease signs, garage sale signs and political campaign signs.
- II. Video Sign – an electronic changeable copy sign providing information in both a horizontal and vertical format (as opposed to linear), and having the capacity to create continuously changing sign copy in a wide spectrum of colors, shades, and light intensities.
- JJ. Window Sign – an unlighted sign installed inside a window or painted on a window and intended to be viewed from the outside.



17.62.040 Exempted Signs. The following signs shall not require planning approval for their use though some may require a building permit. Use of these signs does not affect the amount or type of signage otherwise allowed by this chapter. All signs listed in this section are subject to all other applicable requirements of this chapter.

- A. Official signs placed or authorized by the city, county, state, or federal government in the publicly-owned right-of-way as well as official signs required by city, state, or federal government located on private property;
- B. Flags adopted or endorsed by a governmental agency;
- C. Tablets, cornerstones, or commemorative plaques;
- D. Window displays and signs;
- E. Festoons;
- F. Balloon signs of less than twenty-four (24) inches in diameter;
- G. Seasonal decorations on private property;
- H. Signs erected by a recognized neighborhood watch group;
- I. Handheld signs;
- J. Accessory signs;
- K. Landmark signs;
- L. Signs for hospital or emergency services and railroads.
- M. Incidental Signs, provided the signs do not exceed one and a half (1.5) square feet in area for each sign, with no more than three (3) signs allowed for each permitted structure;
- N. An exterior sign erected next to an entrance, exit, rest room, office door, or telephone, provided the sign is no more than four square feet in area. This type of sign is typically used to identify and locate a property feature;
- O. Any sign which is not visible to motorists or pedestrians on any public highway, sidewalk, street, alley, or other area open to public travel;
- P. One indirectly illuminated or nonilluminated wall sign not exceeding one and one-half (1.5) square feet in area placed on any residential building. This type of sign is typically used as a name or address plate;
- Q. Signs placed in or attached to a motor vehicle, bus, railroad car, or light rail car that is regularly used for purposes other than the display of signs;
- R. Signs, up to four (4) square feet and no taller than two (2) feet, constructed or placed within a parking lot. These signs are typically used to direct traffic and parking;
- S. A sign that does not exceed four (4) square feet in area and four (4) feet in height, and is erected where there is a danger to the public or to which public access is prohibited;
- T. Signs located within a sports stadium or athletic field, or other outdoor assembly area which are intended and oriented for viewing by persons within the facility;
- U. Covered flier boxes under one (1) square foot in area when attached to a temporary or permanent sign.

17.62.050 Prohibited Signs. The following signs are prohibited:

- A. Signs or sign structures which may pose a hazard to pedestrian or vehicular traffic, including but not limited to signs which obstruct clear vision areas as defined in Sections 17.54.080 A and B.
- B. Signs not in compliance with applicable setback requirements as specified in this chapter and/or as set forth in Section 17.54.050 F.
- C. Signs within or which overhang the public right-of-way except signs installed or authorized by a governmental agency or public utility.

- D. Portable signs in the following categories:
 1. Signs on a vehicle parked on public property or right-of-way unless the vehicle is being used for transport in the normal day-to-day operations of a business.
 2. Signs propped up by or leaning against a motor vehicle when such vehicle is parked in the public right-of-way.
- E. Moving signs.
- F. Balloon signs twenty-four (24) inches in diameter or greater.
- G. Video signs.
- H. Hazardous signs.
- I. Flashing signs.
- J. Roof signs.
- K. Signs that appear similar to traffic control devices.
- L. Signs not in compliance with this ordinance. (Ord. 4912 §3 2009)

17.62.060 Temporary signs.

- A. Temporary signs may be erected and maintained only in compliance with the following provisions:
 1. Temporary signs which exceed the provisions of 17.62.060.B shall not be permitted.
 2. Temporary banner signs which stretch across public right-of-ways and which are authorized by a governmental agency are not subject to the provisions of 17.62.060.B below.
 3. With the exception of provision (2) above and signs installed or authorized by a governmental agency, no temporary signs are permitted in public right-of-way.
 4. Temporary and portable signs over two and one-half feet tall shall be set back a minimum of ten feet from the street side of a property line. This does not apply to signs placed within recessed entryways provided that no portion of the sign extends over a public sidewalk. This does not apply to signs which hang from the face or wall of a building provided that the sign does not protrude more than two inches from the face or wall.
 5. Temporary signs affixed to a building may be placed no higher than the building's eave, top of wall, or parapet.
 6. With the exception of provision (2) above, temporary signs shall not be attached to trees, shrubbery, utility poles or traffic control signs or devices.
- B. Permitted temporary signage. Temporary signage shall be allowed for each lot as follows:
 1. Residential (R-1, R-2, R-3, R-4, R-5) Zones:
 - a. One temporary sign per frontage, not exceeding four (4) square feet in area, which is erected for a maximum of eight (8) days in any calendar year and is removed by sunset on any day it is erected. Such signs are typically used for garage sales.
 - b. Two temporary signs not exceeding twenty-four (24) square feet in area allowed per subdivision during the build-out of the residences in the subdivision. These types of signs are typically used for subdivision and model home identification. No sign may be erected for an inhabited residence.
 - c. One temporary sign per lot, not exceeding six (6) square feet in area and thirty (30) inches in height and erected only between the hours of 5:00 p.m. Friday and 8:00 a.m. Monday.

2. Commercial (O-R, C-1, C-2, C-3) and Industrial (M-L, M-1, M-2) Zones: Temporary signs mounted flush with the building face are unlimited as to their number and size. If mounted other than flush to a building face, one temporary sign, not to exceed sixteen (16) square feet in area, for each 250 feet of public street frontage, calculated per frontage shall be permitted.
3. All Zones:
 - a. Signs not exceeding six (6) square feet each in area during the period from six (6) weeks prior to a public election or the time the election is called, whichever is earlier, to fourteen (14) days after the public election.
 - b. One temporary sign per frontage, not exceeding six (6) square feet in area, during the time of sale, lease or rental of the lot/structure provided that the sign is removed within thirty (30) days of the sale, lease or rental of the lot/structure.
 - c. One temporary sign per frontage, not exceeding six (6) square feet in area, during the time of construction, landscaping, or remodeling of the property, provided that the sign is removed within thirty (30) days of the completion of any construction, landscaping, or remodeling.

17.62. 070 Permanent Sign Regulations. Permanent signs may be erected and maintained only in compliance with the following specific provisions:

- A. Residential (R-1, R-2, R-3, R-4, R-5) Zones.
 1. Each subdivision or multi-family complex is permitted one permanent monument sign not to exceed six (6) feet in height and forty-eight (48) square feet in area. The sign shall be nonilluminated.
 2. Each public school is permitted one (1) permanent sign per public street frontage. Each sign may take any of the following forms (although only one freestanding sign taller than six (6) feet in height is permitted per school): a nonilluminated freestanding sign no taller than fifteen (15) feet in height and no larger than thirty six (36) square feet in area; an indirectly illuminated or non-illuminated monument sign no taller than six (6) feet in height and no larger than forty-eight (48) square feet in area; or a non-illuminated wall sign placed no higher than thirty-five (35) feet above grade or the eave, top of wall, or parapet (whichever is less) and no larger than forty-eight (48) square feet in area. Each sign may include changeable copy (manual or electronic) subject to 17.62.070.E (1 – 4, 6 and 7. Any electronic changeable copy sign must have all illumination turned off between the hours of 8 p.m. and 7 a.m.. Each sign shall meet the setbacks applicable to the residential zone in which it is located.
 3. Each church is permitted one (1) non-illuminated or indirectly illuminated permanent sign per public street frontage. No sign shall be taller than six (6) feet in height. If a church site has more than one frontage, the first sign shall be no larger than thirty (30) square feet in area and any subsequent sign may be no larger than six (6) square feet in area. Signs may include changeable copy (manual or electronic). Signs must be a minimum of ten (10) feet back from any property line. Landscaping shall be provided at the base of the sign, consistent with a plan to be submitted by the applicant for review and approval by the McMinnville Landscape Committee.
- B. Office Residential (O-R) Zone. Each site or multi-tenant complex may have one permanent wall, monument, canopy, hanging, or projecting sign per

- frontage. Signs may not exceed the following heights: wall signs- thirty-five (35) feet; monument signs- four (4) feet; canopy, hanging, and projecting signs- ten (10) feet. Signs may not exceed twenty-four (24) square feet in area. Signs may be indirectly lit between 6 a.m. and 10 p.m. Signs must be at least five (5) feet from any property line.
- C. Commercial (C-1, C-2, C-3) and Industrial (M-L, M-1, M-2) Zones. Signs in the commercial and industrial zones may be directly or indirectly lit and shall meet all setback requirements of its zone.
1. Freestanding Signs: Each site or multi-tenant complex is allowed one (1) permanent freestanding sign not to exceed forty-eight (48) square feet in area and six (6) feet in height. In addition, each site or multi-tenant complex is allowed one (1) additional permanent freestanding sign per 500 feet of frontage, not to exceed three (3) per site or multi-tenant complex, each not to exceed 125 square feet in area and twenty (20) feet in height if located on Highways 99W or 18 and sixteen (16) feet in height if located elsewhere.
 2. Mounted Signs: There is no limit on the area of permanent mounted signs except as provided in 17.62.070.D.5.
- D. Supplemental permanent sign provisions.
1. No signs are permitted within a public right-of-way unless authorized by a public agency.
 2. Signs shall be erected in an upright position and placed perpendicular to a horizontal surface conforming to the line from horizon to horizon.
 3. Maximum square footage restrictions include changeable copy and exclude accessory and incidental signs.
 4. Minimum clearance for projecting, canopy, and hanging signs when over a walkway or access area is eight (8) feet.
 5. Projecting and hanging signs may extend no more than six (6) feet from a building's façade. No projecting or hanging sign may be over thirty-six (36) square feet in area.
 6. Sign setbacks are measured from the nearest property line to the nearest portion of the sign. In addition to the specific setbacks noted above, all signs shall meet the clear-vision requirements of Sections 17.54.050 F and 7.54.080 A and B.
- E. Electronic changeable copy signs are subject to the following standards:
1. One (1) electronic changeable copy sign is permitted per site or multi-tenant complex and shall only be allowed as part of a permanent freestanding or wall sign.
 2. The electronic changeable copy portion of a freestanding sign may be no higher than twelve (12) feet above grade.
 3. The electronic changeable copy portion of a sign may not exceed twenty-four (24) square feet in area.
 4. Electronic changeable copy signs must be set at least ten (10) feet from all property lines.
 5. The electronic changeable copy portion of a sign will have its area calculated at a rate two (2) times that of other signs.
 6. No temporary signage is allowed on a site or multi-tenant complex if an electronic changeable copy sign is utilized that is capable of displaying more than twelve (12) characters at one time or more than five (5) characters in a row. Double-faced electronic changeable copy signs shall be allowed up to twelve characters on each sign face.

7. Electronic changeable copy signs must be permanently mounted to the ground or a structure. (Ord. 4912 §3 2009)

17.62.080 Sign Permits.

A. General Provisions.

1. No sign which is not specifically listed as exempt from the provisions of this ordinance shall be erected, constructed, attached, relocated, or structurally altered without obtaining City approval.
2. Such approvals are not required for temporary signs, mounted signs that protrude less than twelve (12) inches, signs listed as exempt, or for routine sign maintenance.

B. Sign Permit.

1. Permit Requirements. An applicant for a sign permit shall supply the following information on forms provided by City:
 - a. Size, height, location, description, and material of the sign;
 - b. Name of the manufacturer, contractor, owner, and business advertised;
 - c. Scaled drawing(s) and description of copy, structure, and lighting;
 - d. Photo(s) or drawing(s) of the proposed sign location(s); and
 - e. Signature of property owner or designee.
 - f. Other information required to demonstrate compliance with this Chapter.
2. Sign Permit Fee.
 - a. The fee for a sign permit shall be as set forth in a resolution adopted by the City Council.
 - b. The fee for a sign permit shall be waived if the permit application is to bring a nonconforming sign into compliance within the first eight (8) years following the adoption of this ordinance.

17.62.090 Landmark and Abandoned Signs. Landmark signs and abandoned signs are subject to the following provisions:

- A. Landmark Signs may be exempted from the provisions of this chapter on the recommendation of the Planning Director.
- B. Abandoned signs must be removed or made conforming within forty-five (45) days of the date they became classified as abandoned.

17.62.100 Construction and Maintenance Standards. The following standards apply to the construction and maintenance of signs in the City:

- A. All permanent signs shall be constructed and erected in accordance with the design and construction requirements of the most recent edition of the State of Oregon Structural Specialty Code.
- B. All illuminated signs shall be subject to the provision of the State Electrical Specialty Code. It shall be the applicant's responsibility to demonstrate compliance with that code by supplying the City with a copy of an approved State Electrical Permit.
- C. All signs shall be maintained at all times in a state of good repair, and no person shall maintain or permit to be maintained on any premises owned or controlled by him or her any sign which is in a sagging, leaning, fallen, decayed, deteriorated, or other dilapidated or unsafe condition.

17.62.110 Nonconforming Signs.

- A. The following provision will require that a nonconforming sign be brought into

compliance with this chapter: physical modification of a nonconforming sign or any action on a nonconforming sign that requires a building permit. This does not include replacement of a sign face without modification of the frame or general sign maintenance and repair.

- B. All temporary or portable signs not in compliance with the provisions of this code shall be removed or made compliant immediately following adoption of this ordinance.
- C. Amortization. Any freestanding, roof, or animated sign which was lawfully established before the adoption date of this ordinance, but which does not conform with the provisions of this ordinance, shall be removed or brought into conformance with this ordinance within eight (8) years from the date of its adoption, or at the time of occurrence of any of the actions outlined in provision 'A' above. Notice of sign noncompliance will be mailed to affected property owners following the adoption of this ordinance and again no later than one year prior to the end of the amortization period.

17.62.120 Exceptions. The Planning Commission may authorize exceptions from the requirements of this chapter where it can be shown that, owing to special and unusual circumstances related to a specific piece of property, strict application of this chapter would cause an undue or unnecessary hardship, except that no exception shall be granted to allow a sign or a type of signage which is prohibited by Section 17.62.050 of this chapter. In granting an exception the Commission may attach conditions which it finds necessary to protect the best interests of the surrounding property or neighborhood or otherwise achieve the purposes of this chapter.

- A. No exception shall be granted unless it can be established that:
 - 1. The request is necessary to prevent an unnecessary hardship due to factors such as topography, location, surrounding development, lot shape or lot size; and
 - 2. The granting of the exception will not result in material damage or prejudice to other property in the vicinity; and
 - 3. The request will not be detrimental to community standards and the appearance of the city.
- B. Exceptions shall not be granted for the convenience of the applicant or for the convenience of regional or national businesses which wish to use a standard sign size.
- C. The City Council shall stand as an appeal board. An appeal from a ruling of the Commission must be filed within fifteen (15) days of the date said ruling is rendered.

17.62. 130 Enforcement Nothing contained herein shall preclude the issuance of citations for violations of this ordinance, either prior to, concurrently with, or after action is commenced to declare a sign to be unlawful or to remove an unlawful sign.

- A. General Provisions.
 - 1. Any sign which does not conform to the requirements of this Chapter or other applicable provision of this code is subject to the provisions of Chapter 17.75 (Administrative Provisions).
 - 2. When a sign is removed, altered, and/or stored under these enforcement provisions, removal and storage costs may be collected against the sign owner and the person responsible for the placement of the sign. The city council shall establish the fees for removal and storage of signs, and for other associated fees, by resolution, from time to time.

- B. Any sign installed or placed in the public right-of-way or on City-owned real property, except in conformance with the requirements of this chapter or other applicable provisions of this code, may be removed by the Planning Director or his/her designee as follows:
1. Immediate confiscation without prior notice to the owner of the sign.
 2. If the City can ascertain contact information for the owner of the sign or for any person or business responsible therefore, the City shall contact that person or business and advise that: a) the sign was found in a location that the City believes to be a public right-of-way or City-owned property; b) that no permit was issued for the placement of the sign in that location, and that the sign is not otherwise lawfully permitted to be in that location; and c) that the City has confiscated the sign and shall destroy it after thirty (30) days from the time notice was sent to the person or business responsible for the sign, unless either i) the sign is claimed and the removal and notice costs are reimbursed to the City in full or ii) a request for hearing is submitted by the person or business responsible for the sign to the Planning Department.
 3. If notification is not possible, the city shall store the sign for thirty (30) days from date of confiscation. The sign shall then be destroyed.
 4. The city shall continue to store the sign for any additional period during which an appeal or review thereon is before the municipal court.
- C. Signs found to be erected or maintained on private property in violation of the provisions of this chapter or other applicable provisions of this code are subject to the provisions of Chapter 17.75 (Administrative Provisions).