

**Summary Minutes  
City of Sedona  
Planning & Zoning Commission Meeting  
City Council Chambers, 102 Roadrunner Drive, Sedona, AZ  
Tuesday, February 7, 2017 - 5:30 p.m.**

**1. CALL TO ORDER, PLEDGE OF ALLEGIANCE, & ROLL CALL**

The Chair called the meeting to order at 5:30 p.m., led the Pledge of Allegiance, and requested roll call.

**Roll Call:**

**Planning & Zoning Commissioners Present:** Chair Marty Losoff, Vice Chair Kathy Levin and Commissioners Randy Barcus, Eric Brandt, Avrum Cohen, Larry Klein and Gerhard Mayer.

**Staff Present:** Warren Campbell, Karen Daines, Audree Juhlin, Cari Meyer, Robert Pickels and Donna Puckett.

**City Councilor(s) Present:** Scott Jablow

**2. ANNOUNCEMENTS & SUMMARY OF CURRENT EVENTS BY COMMISSIONERS & STAFF**

Audree Juhlin announced that as an update on the Land Development Code, the consultants are looking at the issues and finishing the issue identification phase, and they will be bringing that to the Commission's work session on March 2<sup>nd</sup>. Additionally, regarding the Schnebly Hill CFA, the City Council held a work session on January 25<sup>th</sup> and only got into the background information, not the actual document, and that discussion will take place on February 15<sup>th</sup>, if you are interested in attending that meeting.

**3. APPROVAL OF THE FOLLOWING MINUTES:**

- a. November 1, 2016 (R)
- b. November 1, 2016 (SV)
- c. November 15, 2016 (R)

Chair Losoff indicated he would entertain a motion to approve the minutes.

**MOTION:** *Commissioner Cohen so moved. Commissioner Klein seconded the motion.*  
**VOTE:** *Motion carried seven (7) for and zero (0) opposed.*

**4. PUBLIC FORUM: (This is the time for the public to comment on matters not listed on the agenda. The Commission may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. § 38-431.01(H), action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism, or scheduling the matter for further consideration and decision at a later date.)**

Chair Losoff opened the public forum and, having no requests to speak, closed the public forum.

**5. Discussion/Possible Direction regarding the Draft Revised Sign Code (DRSC), an update of Sedona Land Development Code Article 11, Sign Regulations.**

Chair Losoff indicated that other than traffic, the most calls or comments he receives are about the Sign Code, so this is an appropriate subject for Planning & Zoning.

Cari Meyer noted that the draft Sign Code was already distributed to the Commission in addition to the packet. Cari acknowledged that staff knows the information is complicated, so if we need an

example of a sign, Warren will provide those, and we have a drawing board if we need to draw something, because we are going to try to make it easier to understand.

Cari explained that the current Sign Code is about 20-years-old. It was adopted and amended in the mid-90s and a lot of things have changed. Some of the original restrictions kind of got lost over time, so this is an update to address new technologies, etc., and this effort has been a Council priority. Additionally in June of 2015, the U.S. Supreme Court issued an opinion regarding content neutrality in signs and basically said that you cannot regulate signs based on their content; however, we can continue to regulate size, color, materials, illumination methods, etc., but if you have to read the sign to determine whether it is allowed or not, that would be considered a content-based regulation, which is not allowed, so we had to do some updates to address that U.S. Supreme Court opinion as well. We are not going to be offended if you disagree with our opinions, because we want your input.

This has been out for public review for almost two months. We started with staff members and community groups that had expressed an interest in signs, and about a month ago, we did a release for public review in the Red Rock News and posts in the City's public media accounts. We have seen some response from that, and we received a couple more since the distribution of your packet, plus there have been some meetings. As we gather the input, we will start making changes to the draft as appropriate, but this draft is the one that has been out for review since mid-December.

Commissioner Mayer asked if the Chamber was in there too, and Cari indicated that staff met with the Chamber this afternoon, and Audree Juhlin added that they did receive the draft document the end of December. The Commissioner then stated that it was a little late for the Commission to see their comments, and Audree explained that they had not provided any formal comments, so we had a meeting with them today. The Commissioner commented that is interesting, because it mostly pertains to businesses. Audree then stated that as a follow-up to that, we will be working with the Chamber to set up some business meetings, focusing on Uptown, West Sedona and other specialty groups regarding the Sign Code. Commissioner Mayer then asked if the Commission will get that information and Audree indicated yes, once the meetings are completed.

Cari explained that we now want to do kind of a Conceptual Review to get the Commission's comments, and after we get the feedback, we will be spending a lot of time refining it. Then, we will bring it back to the Commission and when you take action, you will make a recommendation to the City Council, at which time we will start the City Council's process.

**Content-Neutral Regulations:**

Cari stated that regarding the content-neutral regulations, the primary signs that this would apply to would be the temporary off-premise signs, i.e., garage sale and open house signs, marquee or changeable copy signs, and temporary signs, plus some minor changes were made. One example is a "menu display board" became a "display board, because saying it had to display a menu was content-based, although we can still regulate the size, illumination, etc. Others included an open house sign and a moving sale sign that were both A-frame signs potentially in the right-of-way, but under the Code today, we would allow the open house sign, but not the moving sale sign, because it is for a business. She then referenced the same examples with the words blocked out and explained that if you cannot determine which one is allowed or not allowed without the words, we can't regulate that.

Cari explained that you now basically have two options; you can allow anyone to have them or no one to have them. Staff's basic recommendation is to allow no one to have them. These signs are already a problem for Code Enforcement, and there are a lot of businesses that potentially would want to put them up, so because of the potential of sign proliferation and the inability to control them, we are recommending Option 2 to remove any ability to have them.

Commissioner Cohen indicated that if staff is recommending that we don't allow "for sale" signs..., and Cari interjected that these are just the off-premise signs; we can still allow the on-premise signs. The Commissioner then confirmed that a seller could put a sign in front of the house, but not a block away. Vice Chair Levin asked about directional signs a block away, and Audree Juhlin first explained that you can put up a sign on your property, because we're saying that anybody on any property can put up a sign within specified dimensions, etc., and that is content-neutral, but we are saying no to the off-premise signs. In response to the Vice Chair's question, Audree indicated that we will address directional sign issues later in the presentation, because we want to have a greater discussion with the Commission on those, but according to our understanding of the U.S. Supreme Court's opinion, it would have to be content neutral, so you could have directional signage with an arrow - event this way, if that is in the language, perhaps through the Temporary Use Permit and those kinds of permitted systems, but staff wants to have that discussion with the Commission.

Chair Losoff asked if that also relates to the signs advertising church services on the weekends, and Cari responded, yes, any off-premise sign. Audree Juhlin explained that was the very example that caused the case to go before the U.S. Supreme Court. It was a case in Gilbert, Arizona where the standards were challenged by a religious institution. Robert Pickels then added that it was an off-premise sign that was at issue for the church in that case.

Commissioner Barcus noted that there are about 35 elements, so he wanted to know how the Commission should procedurally address the items, and the Chair expressed a preference of commenting on each as they come up, with a general discussion later. The Commissioner then indicated that he wanted to ensure that we are very specific about what a "premise" is in the document. If it is a shopping center parking lot, where are the "premise" lines, is the right-of-way in the premise, and what is off-premise? We need clear definitions, so people easily know what to do. Cari stated that staff is working on definitions, and now the Sign Code defines on-premise as anything on the property, so it is parcel, which has created some problems for shopping centers that cover multiple parcels. The draft proposes allowing property owners of multiple contiguous parcels to define the owner's entire land holdings as a development site and that would be defined as the premise. Commissioner Barcus stated great and asked about the right-of-way. Cari explained that the right-of-way would always be considered as off-premise, because it is not on the same property. The Commissioner then asked about utility easements, and Cari explained it would depend on the property the easement is on.

Commissioner Klein indicated that he had contacted Robert Pickels about the need to recuse himself on this issue, since his wife is a realtor and he has a financial interest in her business, and if you are going to disallow open house signs in right-of-ways, it could potentially negatively impact her business, but Robert Pickels advised him that if anything that would be considered an indirect financial interest, so he didn't need to recuse himself. The Commissioner then asked the name of the Supreme Court case, and Robert Pickels responded, *Reed vs. Town of Gilbert*, and he will circulate that. Commissioner Klein then asked if Option 2, which basically does away with these signs, will have a potential negative impact on real estate agents' businesses and people holding garage sales, etc., because the only place you will be able to place those signs is in front of your property. Audree Juhlin indicated that she would say that it is a safe assumption that some people in the community will make that case. The Commissioner then asked if she agreed with that, and Audree explained she is not in that industry, so she can't personally say, but she knows of realtors who are saying they seldom use those. They use Zillow and Realtors.com for most of their stuff, but other realtors say they do the lead-in signs frequently, so she has heard different opinions about that. Chair Losoff added that four or five individuals told him that they don't see a major impact, because of the use of the Internet, Google Earth, etc. People are using the websites and seeing virtual reality, so they aren't finding the importance of signs as major as they used to be; however, there are people who just drive around looking for open house signs.

Commissioner Klein asked if there is really a current problem with open house signs or garage sale signs, and Audree Juhlin stated yes, based on the opinion rendered that it was picking and choosing which businesses could have those signs and that wasn't a fair practice. Commissioner

Klein then commented that the problem is that if you want to allow open house and garage sale signs, you have to allow all off-premise signs, and Audree Juhlin explained that it is really an all or nothing situation. If we can come up with another creative option that we haven't thought about, let's put our heads together. Chair Losoff stated that is the crux of the problem; open house signs are probably the least offensive, but the garage sale signs, etc., can be rather tacky and those are the ones that cause some of these problems, but it is an all or nothing, unless there is some compromise, but according to the law there is no room for exceptions.

Robert Pickels indicated that if you are going to discriminate against one class of enterprise versus another, you have to have at the minimum a substantial interest if not a compelling interest to do that, and he is not sure you could identify that.

Commissioner Mayer expressed concern about doing away with those signs, because open house signs look different than garage sale signs on a carton with rocks on it, but maybe there could be a compromise for garage sales that are better looking than we have. He disagrees with doing away with those signs; people drive around on the weekends and the signs are temporary for the weekends. Audree Juhlin suggested that if the Commissioner is looking for a third option, it would be to allow any off-premise sign on Friday, Saturday and Sunday; however, that opens up the issue of businesses with events on Wednesdays and they want the same ability as those with events on the weekends. Commissioner Mayer stated that most businesses have their signs in front of their business. Audree Juhlin explained that she can't tell him how many daily calls we get from businesses wanting off-premise signs, in addition to the number of signs we confiscate that are from businesses putting up the signs in violation of the Code now, and they want to do it more, so it is really an all or nothing situation.

Chair Losoff noted it is a work session and it is good to get all of the ideas on what we want for the City. Some people think the signs on boxes and tacked up on trees are great, because it gets to the small-town character. Beauty is in the eye of the beholder, but those are some of the things we have to balance. What do we as a Commission want the City to look like and how do we want it to look in the future? Is it possible to have Friday, Saturday and Sunday or every other Thursday, etc., as a compromise?

Commissioner Mayer stated that there has to be a compromise, because it is hard to find the garage sales even if they advertise in the paper, unless there are directions to it. It is tough for somebody who is not from here and there are some professional garage-sale buyers and people who come into town and wouldn't know where to go. Chair Losoff stated Google Maps, and Audree Juhlin indicated that the Commission could direct staff to provide it for all businesses and all properties to have the ability to do so. Vice Chair Levin commented, not pretty, and Commissioner Mayer then asked about charging a fee for garage sale signs, and Audree Juhlin responded that we do charge fees, but that again would be contradicting the opinion rendered that says we can't regulate based on the content. Commissioner Mayer then said to charge for every sign and Audree Juhlin pointed out that would then be allowing anybody the ability to have an off-premise sign, but that is one of the options. Commissioner Mayer then commented that all or nothing is a little strange.

Commissioner Cohen asked about signs in easements, and Cari asked if he meant on a private street. The Commissioner indicated yes; if you are going to build a garage you are going to have to deal with the easements. Cari indicated that would mostly apply to residential, and those signs are very limited and would most likely need to be out of a roadway easement. If it is a utility easement, it would depend on what that company allows. The Commissioner commented that it could be complicated; however, Audree Juhlin stated that she didn't think so; it is really based on the property boundaries as we define off-premise and on-premise. If we say on-premise means this, then that is where it is located, and if we say it means something else, that would be where it would be located. Typically, the on-premise is the actual lot boundaries identified on the plat maps or on the GIS maps. The Commissioner then noted that we are equating easements that the City might have on a property as the same as the right-of-way. Audree Juhlin explained that they can

be different or the same. Commissioner Cohen then asked if we need to be more clear and Audree Juhlin explained that when we do our definitions, we will make it clear that if there are any easements in their on-premise allowance, they need to adhere to any special considerations in that easement. Commissioner Cohen then stated that he liked the purposes listed, but wondered if there are more criteria for approaching this; he didn't see that as he read the document. Audree requested a clarification as to what the Commissioner was asking. He then explained that we always try to have criteria to guide our direction, and other than Section 1102.01 and .02, we don't have criteria on how to make these decisions, except in terms of how the law guides us. Do we have any other criteria? For instance, do we look at what is best for residents? Commissioner Mayer raised the question about garage and house sales, etc., so what is the criteria we are using in terms of what is best for residents? As you know from his questions for 2½ years, he has a bias there, so when staff looks at this to determine how to go forward, what criteria guide them in making these decisions? Are there other criteria than what is listed?

Audree Juhlin explained that essentially the criteria used as a starting point is always the legal parameters, then we have to balance it with our Community Plan recommendations, goals, strategies and objectives. Then, we look at the community input, including the business, residential and tourist communities, and those can often have competing values, so it is a balancing act to look at all of those different factors to come up with something that tries to please everyone, even though we know we won't. Commissioner Cohen then stated that a problem for people with residences in Sedona is selling them, so a suggested criterion is how does the sign provisions help a resident sell their property. That question is very important to a great number of people.

Chair Losoff noted that seems to be going way beyond some of the concerns. The legal elements are there and the Land Development Code talks about our signage in the Design Review Manual, and he isn't sure we should base our decision on how viable it makes it for people to buy or sell a house. Commissioner Cohen disagreed; what makes it viable is that we want a viable city for the people who live here and invest in living here. One of the issues is how do they sell their house.

Robert Pickels suggested as a matter of process seeing everything that is there and then have the more philosophical discussion after that; however, Commissioner Cohen stated he isn't sure he is raising a philosophical question. Audree Juhlin again explained that we have to treat all signage the same, and if you want signs for that, we have to allow it for everyone, if that is the Commission's direction. Warren Campbell then referenced Section 1102.02.G, which states, "To protect property values, the local economy and the quality of life by preserving and enhancing the appearance of the streetscape", and indicated that talks about that balance.

Chair Losoff then asked the Commission to get back to the content-neutral regulations - off-premise, and Commissioner Brandt stated that overall, he agreed with staff's recommendation. Chair Losoff asked about political signs, and Audree Juhlin explained that political signs are not addressed in our sign regulations; it is regulated by the state through state statutes.

Commissioner Klein referenced Section 1108, Exempt Signs, where 1108.02 exempts event posters and announcements, so posters, flyers and announcements promoting events may be displayed. He then asked, if those are off-premise signs, how we can exempt them, but not garage sale and open house signs. Audree Juhlin indicated that may need a clarification in the definition, because we are saying that anyone can have an 11x17 event sign up; you have a right to put one in the window of your house that you are going to have a Tupperware party, etc., and that applies to everybody. The Commissioner then stated that as he reads it, you could place this on a pole along the highway; however, Audree pointed out that is prohibited in our City Code, and Cari added that the last sentence states that it shall not be placed on the exterior of a building or structure. Commissioner Klein stated that is not what he is talking about; if you have a light pole along S.R. 89A, and you want to put up a poster announcing an event, how can you say that is okay without violating the fact that you would have to allow all of these off-premise signs. Audree Juhlin explained that the City Code addresses where handbills are allowed. You can't put them on street

poles, etc., and when we get to the section on definitions, we will clarify these points to be more specific. Your comment is well received, and we can refine that further.

Commissioner Mayer indicated that on Posse Ground and 89A, the Parks & Rec. Commission shows events and that is off-premise; Audree Juhlin stated that once they became aware of this, she doesn't believe they have put any signage at that intersection. Cari then explained that the picture shown was Rachel's example of, "Is there a way to do this?" It wouldn't be allowed either. Audree Juhlin explained that later there are some items we want to discuss with the Commission and one is off-premise kiosks that serve a community purpose, such as some program to allow a church, school, etc., to post at a central location, which would be something Parks & Rec. could do as well. Commissioner Mayer then asked about the tent sales on 89A with signs for their business, and Audree stated that they have to get a Temporary Use Permit and, as part of that permit, it would be anticipated that the permit would allow signage on the approved site. Commissioner Mayer then asked if he could do that himself if he had a garage sale, and Audree stated yes, staff is saying any property has the ability to put up any kind of sign.

Chair Losoff stated that it is not saying no signs; we're saying off-premise versus on-premise; however, Commissioner Mayer pointed out that is off-premise; they don't own that. Audree Juhlin explained that their event is on that property, and the Commissioner then indicated that the owner would have to apply; however, Audree stated no, and explained that the owner can give a written permission for that event to take place on their property. Commissioner Mayer then stated that allows for as many signs as whatever, but Audree replied no, that's not what we're saying.

Chair Losoff then suggested closing the discussion on number one and stated that the Commission will look at the philosophical and procedural issues later, but regarding off-premise signs, there are a couple of options. He then asked how many Commissioners favored Option 1; however, Vice Chair Levin asked if there would be decision points throughout Cari's presentation. Chair Losoff explained that the Commission is trying to give direction to staff as to where to go with all of this, then they will come back with a final version after two or three more meetings, so this is like a Conceptual Review. Conceptually, are we okay with Option 1 or Option 2? He sees two hands not in favor of Option 1; however, Commissioners clarified it is in favor of Option 1. The Chair then counted three hands in favor of Option 1 and asked for those in favor of Option 2, and stated there were four, so it is four to three, and the general consensus is to move in that direction. Commissioner Cohen commented this is like the Supreme Court, and Commissioner Brandt pointed out that is why there are seven of us.

Chair Losoff then summarized that the Commission will want to hear definitions, the offsite premise lines of demarcation, right-of-ways, and things that Commissioner Cohen brought up, when staff comes back.

**Marquee (changeable-copy) Signs:**

Cari explained that our Code currently allows these signs for businesses that have dramatic, theatrical events, movies, etc., but we can't tell them they have to put a live music event on their sign; they can put whatever they want, so the Subway sign might just say the boss told me to put something on this sign. We don't have a lot of these in town; we have one movie theater and a couple of restaurants have grandfathered signs, so we don't see a lot of demand for them, but if businesses can put them up with anything they want on them, it could get around some of the temporary sign regulations, so instead of getting a banner for a set number of days, they could put one of these signs up and change the message as they want. Like with the off-premise signs, we have two options – allow all businesses to have one or no businesses to have one, and staff is recommending to not allow them.

Audree Juhlin added that it is not just for the temporary sign issue; this is a sign that is not allowed for other businesses now, and if we allow it for all businesses, there is the potential to add one more additional sign than is already allowed for every business in the community, which would lead to a potential proliferation of signs, and that is a major concern on staff's part.

Commissioner Cohen stated that he loved Cari's Subway sign, and Chair Losoff asked if staff had thought about just removing that category and moving it to temporary with an expanded definition. Just take out marquee signs and put one big category – temporary signs.

Cari explained that marquee signs tend to be permanent, and she doesn't know that we could control how many times they change their letters. Vice Chair Levin asked if staff would consider the gas station signs with rotating prices to be a marquee sign, and Cari stated no. Commissioner Cohen added that there is a section on that, and Chair Losoff then asked if should we keep marquee signs or take them out.

Commissioner Klein referenced Harkins and their sign where they change the movies, and he asked if the Commission votes for Option 2, would it mean they couldn't have that sign or they could have it because it was there before we revised the Sign Code. Cari explained that all existing signs would become legal non-conforming signs, but when they want to change, they would have to update it. As long as they leave it, they would get to keep it. The Commissioner then asked if the Commission chose Option 2, Harkins could still change the movies weekly, and Cari stated yes. The Chair added that if a new theater came to town... Commissioner Mayer interjected Mary Fisher has banners up, and Commissioner Cohen added that if Harkins' sign breaks and they have to remove it, they can't put one up.

Cari clarified that they can maintain a sign; however, the Commissioner then asked what if it couldn't be maintained, and Audree Juhlin explained that there is a whole section in the Land Development Code, Article 12, that talks about non-conforming signs and gives the parameters if it is considered legal non-conforming, and parameters that if you do this much work on it; it needs to come into conformance with the Code, so if the Commission wants to look at the grandfathering status or non-conforming criteria, staff can look at that as well.

Commissioner Brandt asked about it burning down, and Audree Juhlin explained that if it is an act of God or it burns down, you have one year in which to replace it. The Commissioner then asked if they could put the exact same thing back, and Audree stated that is correct.

Commissioner Barcus pointed out that technology is changing rapidly and assuming the goal is to have a Sign Code that will work for a couple of decades, examples of marquee signs and the ones we are familiar with, like at Harkins, have plastic letters, but what about LED? Cari Meyer explained that is a different category. The Commissioner then stated that would not be a marquee sign where the letters would be electronically provided or like a LED TV sign. Cari suggested that might be like an electronic message display, which is a different type of sign; however, the Commissioner indicated it wouldn't be something moving, it is just one that you do with a computer instead of a person. Audree Juhlin explained that if the Commission wants to include marquee signs for all businesses, staff can define those parameters, including the ability to have LED lighting systems in them. The Commissioner stated that he is talking about LED surfaces and Audree stated that the Commission can define whatever that might be, whether you allow or not allow them, and whether or not they are rotating. At the Harkins in the Valley, their movies change and it is constantly rotating, so you could regulate that or not allow it. Commissioner Barcus then asked if we will be specifically defining a marquee sign, and Audre explained that staff is recommending to not allow the marquee signs, but if the Commission wants to allow them, we will have to define them and add criteria for that.

Commissioner Barcus then referenced Harkins all over the country and that they want to replace their signs for continuity in their product, etc., so they want to improve their sign. What would you do? Audree Juhlin stated that you will notice in the Valley that unless they are older theaters, they do not have the on-street marquees. Everything is online and their information is at the ticket booth. You can define that the LED is at the surface of the building, or set back from the window, etc., but the trend is no more street marquees and only on the building itself at the ticket office. The Commissioner then asked if staff had talked about offering incentives to businesses to remove existing marquee signs, and if we were to do that how we would do it? If we are going to prohibit

all others; can we provide some encouragement to existing businesses to remove them? Audree Juhlin stated that is a good question, and Chair Losoff mentioned the other non-conforming signs add to how do we go back. He then suggested saving that for the end.

Commissioner Brandt stated he agreed with staff. Chair Losoff then indicated that we don't want this to be Las Vegas and asked how many are in favor. There were no Commissioners in favor of Option 1; the consensus was that all Commissioners favored Option 2, and the Chair indicated that the Commission should keep in mind some of the potential regulations and how it can be controlled.

**Temporary Signs:**

Chair Losoff indicated that this is the type of sign that he calls staff about once or twice a day. Cari explained that there are different regulations for signs for grand openings, going out of business and business promotions. We can't regulate grand opening and for sale signs differently and currently the grand opening and going out of business signs are allowed an extra 30-days per year. We have heard some comments from existing successful businesses that they are at a disadvantage compared to the businesses that constantly change hands, because the new businesses can have a grand opening sign for 30 days, and then get their promotional signs and put up a going out of business the next year, and those comments were even before the content-neutral regulations, so we were going to look at that anyway. Again, there are two options -- allow all businesses to have the same number of temporary signs or don't allow any businesses to have temporary signs. Staff recommends allowing temporary signs, but treating all businesses the same.

Chair Losoff gave an example of a current grand opening banner that is blowing in the wind and doesn't look good. Cari Meyer explained that temporary signs have fewer restrictions than permanent signs, because by the time you try to enforce something, it is time to remove it. The size is limited to 20 sq. ft. and we have a height restriction. If they are on the street, they can't be within the visibility triangle, etc. We discussed color, but for a couple of days a year, you could have a neon banner.

Commissioner Klein indicated that you could have a maximum of 20 days per year for temporary signs, so if you want a going out of business sale sign, it has to be up for at least a minimum of 5 days. Cari indicated yes and explained that we didn't want someone to put it up every Saturday for 20 weekends. The Commissioner then asked if a sign could be put up once a year for 20 days, and Cari stated yes, that would be your full allotment for a year. Commissioner Klein noted that staff is lowering the 30-day maximum to 20 days, and Cari agreed. We've had conversations, because they get a grand opening/going out of business plus some promotional time, and there have been comments about them always have a sale sign up, and is that really a sale? We discussed making it really for special or promotional events.

Commissioner Mayer commented that staff wanted to make sure that they go out of business, and Commissioner Klein asked why staff is lowering the 30 days to 20 days. Audree Juhlin explained that, as Chair Losoff stated, we get a lot of complaints about the number of temporary signs and the length of time they are up, so this is in direct response to heavy criticism. Commissioner Klein asked, if you want a new business to succeed, wouldn't 30 days be better. Audree Juhlin explained that we are not regulating just for new businesses; if you want it to be 30 days for any temporary sign, that is up to the Commission to give staff that direction.

Chair Losoff indicated that is one of the issues; we aren't talking about different categories. It is an all or nothing and that is how we have to look at it. The other issue that pertains to each of the three types of signs we've discussed is enforcement. Staff can only do so much, so the guidelines need to make it somewhat easy. Commissioner Klein stated he would be more in favor of 30 days.

Commissioner Mayer referred to Tlaquepaque's numerous shops and asked if that would apply to all of those shops too. Audree Juhlin explained it would apply unilaterally to all businesses. We have not distinguished between those signs that are visible from a right-of-way versus those that might be hidden in an alcove or courtyard, etc. Warren Campbell noted that they may have



imposed upon themselves some additional restrictions, and the Commissioner agreed and indicated that it is more complex with walls, trees, etc. around, and it is not on the outside, but within the complex. Chair Losoff referenced the Nexus project and indicated that each business has a sign. It is not the complex; it is each individual business.

Commissioner Barcus asked why and for who are we doing these regulations? As much as he would like to see no temporary signs, he would opt for Option 1 as staff suggested, although he is not sure how he will vote. Commissioner Cohen stated that you can't operate a business without communications with your potential customers, and signs are one of the ways to do that, so he would favor Option 1, but his struggle is 20 or 30 days. It is in the best interest of our businesses and the city to allow temporary signs to simulate business.

Chair Losoff suggested disregarding the 20 or 30 days and acting on the two options first. He then asked for all who were in favor of removing temporary signs and there was one in favor of Option 2. Commissioner Barcus stated that was because it is unfair to existing businesses. Cari Meyer asked if he was saying to remove all temporary signs, and Commissioner Barcus stated yes. The Chair then asked who was in favor of Option 1, and there were six Commissioners in favor of Option 1, not including the number of days. Chair Losoff then suggested talking about the number of days and asked about the number 25.

Commissioner Cohen said that he had no idea what a 20 or 30-day sign is to accomplish. Cari indicated that in general, staff thought having a promotional sales event once a quarter and a Thursday – Monday sign would be five days, so if they wanted to have a two-week event and have it longer..., but we were thinking once a quarter for a weekend. Chair Losoff indicated that at a dinner party, three or four business people stated that the longer it is up, the less effective it is.

Commissioner Mayer asked if staff talked with business people about this issue, and Cari stated no, but we will be. Commissioner Mayer indicated that he would recommend that, because none of us own a retail business. Audree Juhlin stated that we can try to get more feedback; we have tried, but we are not getting many comments and that is why we are trying to do focus groups with the business community. Chair Losoff suggested 25 as a compromise, and then with the feedback, we will see if we need to modify it. Audree Juhlin expressed that staff is frustrated with the lack of feedback from the business community, which is why we are working with the Chamber to do focus groups. We want their input.

Commissioner Barcus pointed out that the Chair is suggesting that every business in Sedona is afforded the opportunity to have a temporary sign 25 days per year. Audree Juhlin explained that the existing code now allows every business to have a temporary sign for promotional purposes 30 days per year, so we are reducing that 30 days to 20 and eliminating grand opening and going out of business options. Cari added that new businesses get additional signage, almost double what businesses that haven't opened or gone out of business that year get. Commissioner Barcus then said we are eliminating the special opportunity for new businesses, and Cari stated yes; we will have some options.

Commissioner Cohen referenced the shopping mall off of the "Y" where there is a new restaurant that says, "Coming soon", and asked how does that fit with Option 1. Cari Meyer indicated that she hadn't driven by that location, and Chair Losoff added that it is a sign from the developer that says a new neighbor is coming. Commissioner Cohen clarified that it now says the name of the restaurant. Audree Juhlin explained that for the sign to be legal, they need a Temporary Sign Permit approved, and essentially that is their grand opening sign. Commissioner Cohen indicated that it is in the window inside the building, but faces the street. Audree indicated that is considered a window sign and we don't say where they are placed; it is part of the signage regulations. Commissioner Cohen then asked how that fits with the grand opening, and Audree stated that they have already exercised that right; they can do promotional signs for 40 days, not 30 as she said earlier, it is four 10-day permits for promotional purposes, so they could use one or more of those

permits for that. Commissioner Cohen then noted that it is limited by Option 1, and Audree agreed that it significantly limits what they can do today.

Commissioner Cohen asked if the Commission had decided the number of days and Vice Chair Levin stated no. Chair Losoff indicated that as a compromise, he said 25, then staff will do some more studies with some of the business people and possibly come back with a recommendation – something between 20 and 30.

### **Design Guidelines:**

Cari explained that a lot of comments are about the quality of the permanent signs we have. Sign technology has changed and the Sign Code hasn't kept up, and it doesn't have the regulations to require the higher quality signs, so some requirements for three-dimensional relief were added as a requirement, which is an option now. We also further defined acceptable materials and a better process for determining if another material is acceptable. Everything will have a reset button for any determinations made under the Sign Code once this is adopted, so they could no longer say you allowed it last year. Staff also looked at sign illumination, especially since the City is now a dark sky community. We looked at the different illumination methods and changed some of the language on master sign plans.

### **3-Dimensional Relief:**

Cari then showed examples of three-dimensional relief with cut-out letters, letters carved into a wooden sign, and punched-out letters off of the face of the wall to get away from vinyl letters put on a surface, which generate a lot of complaints.

Commissioner Mayer referred to the Schnebly Hill CFA, which is a historic district, and asked if there would be different criteria for that. Warren Campbell indicated that the draft plan doesn't include anything specific for the CFA. Commissioner Mayer indicated he had seen different signage in some cities for their historic districts, like in Arcadia, maybe because the historic buildings are scattered throughout that area. Chair Losoff suggested saving that discussion for the historic district discussion on 89A. Commissioner Mayer then stated that he liked Option 2.

Commissioner Klein referenced signs being painted on the building that is later in the packet, and asked if this wouldn't apply to that. Cari stated that if that is the direction that the Commission and community want to go, then that would be clarified. Commissioner Mayer then asked about murals, and Cari explained that those are considered art and we can't regulate art; there is no business identification associated with them. The Commissioner then asked if there is no limit to what they can put on there, like that one business close to the "Y". Every time he drives by there, it is like wow; tacky. The Chair commented that we can't do anything; it's a community of art.

Commissioner Barcus stated that 3-dimensional signs are unnecessarily onerous, and we're getting into the nit-picky stuff. A business is going to put up a sign that is representative of the quality of their products. Requiring a 3-D sign is way outside the boundary of reasonableness for this community.

Commissioner Cohen stated that he is struggling with sign color, which is in there; it is part of the criteria for design guidelines in 1107.03. Cari indicated that we will get into sign color in a little bit. The Commissioner then added that is the section that also had the question that Commissioner Klein raised about signs directly on a building.

The Chair indicated that one person was in favor of not having 3-dimensional. Commissioner Barcus then stated that he is in favor of Option 1, and the Chair asked if anybody else favored Option 1. As the Chair counted four Commissioners hands, Commissioner Klein stated that he had a question first. The Commissioner then asked on a typical sign how much extra cost it would be to the business owner to do a three-dimensional sign. Cari indicated that staff would find out, and Audree Juhlin added that it is a case-by-case basis. Obviously, the three-

dimensional is going to be more expensive than putting vinyl on plywood, but we can price a vinyl printout versus a three-dimensional cut out as an example.

Chair Losoff stated that overall, the Commission is in favor of Option 1. Cari questioned Option 1, not requiring it, and Commissioner Mayer stated no; he is not. Commissioner Brandt clarified keeping the current, which gives an option and if you do 3-D, then you get a bonus, but with the half-inch. It is a good idea that a certain amount of relief is stated.

Commissioner Cohen asked to have the two options put up on a slide and Cari explained that she didn't have a slide for that, but Audree Juhlin stated that Option 1 would be to keep the existing language, which encourages three dimensionality in a sign and provides a greater sign with the ability. Option 2 is saying that we require 3-D relief. Chair Losoff again stated that we all favor Option 1, keeping existing language.

**Materials:**

Cari indicated that staff talked about materials and indicated that red rock, wood, decorative brackets, natural stone, tile and metal, with additional materials to be determined by the director, so they would have to submit a request for a new material. Currently, the general guidelines don't list specific materials, which has been a problem with some of the sign makers. Chair Losoff stated that since he has been on the Commission natural brick was it initially, but now the faux brick looks as good in some cases, and it has become somewhat less expensive over the years. The Chair then asked if the material is acceptable or unacceptable; leave the code as it exists or amend it to more clearly define what is acceptable.

Commissioner Klein referenced Option 2 and asked if staff is setting forth the acceptable materials in Section 1107.04B, and Cari stated yes. The Commissioner then referenced Subsection C that says that a minimum of 50% of the sign area shall incorporate a minimum of one-half inch of relief, and asked if that jives with what we just decided on Option 1, and Cari explained that would change based on the Commission's direction, and we could put some of the existing language back in to give the bonus for using 3-D relief, but the materials would still apply.

Chair Losoff mentioned that once we get the list done, there is still a lot of work to be done to the Land Development Code, the Design Review Manual, etc. It is almost a never-ending process.

Commissioner Cohen asked about plastic and cement, and Cari said that we are saying no to plastic signs. The Commissioner then asked about plastic letters on wooden signs, and Audree Juhlin indicated that we can clarify that. The reason we want to pay attention to materials is again most of the complaints are about the new technology and materials being used. Almost daily she gets calls asking why we can't go back to the old way of doing signs, which were craftsman-type signs instead of poster-like signs. If you don't agree with the recommendation, we will revise it accordingly.

Commissioner Cohen stated that he agreed, and Commissioner Brandt asked if that would suggest that the last subject we just discussed about 3-D signs, and asked if there is a lot of people complaining about... Audree indicated flat surface-printed, yes. Commissioner Brandt asked if there are that many or if that is an Uptown thing. Audree stated that the Uptown 3-D signs, yes. We don't see a lot in West Sedona, but our design guidelines for Uptown encourage the 3-D relief. Commissioner Brandt asked where the flat signs are being installed, and Audree indicated that most of them are in West Sedona and most of the complaints are about newer signs that are described as posters.

Commissioner Cohen asked if neon signs are part of the light section, and Cari stated that neon signs are not permitted; they are in the prohibited signs. The Chair then requested the

Commission to stay with Commissioner Brandt who then asked if internally-lit plastic signs are currently allowed, but are to be prohibited, and Cari indicated that is correct.

Commissioner Barcus indicated that when you walk into Basha's later this week, look up at the sign and tell him what you see; it is internally lit. Commissioner Brandt clarified that is good and he is glad to hear that, and the only thing he can say about materials is that in the language in 1107, it seems to suggest rusty surfaces on steel or metal would be prohibited, and that should be allowed. Vice Chair Levin and Audree Juhlin agreed. Commissioner Brandt added that it says, "Metal or factory-coated to protect against erosion", and rusty is kind of eroded. Chair Losoff noted that he saw heads shaking yes on that, and Cari stated okay.

Commissioner Mayer asked if all existing signs would be grandfathered, and Cari stated yes, they would be. The Commissioner then asked how much impact there would be if there are only a few new businesses. Audree Juhlin clarified that all signs in the city, if permitted, would be legal non-conforming, but there are signs that have gone up without being permitted and we find out after the fact, and they would not be grandfathered. Businesses that have conforming signs now and may become non-conforming would be allowed to stay in place, but when they make changes, they would need to become compliant. The Commissioner then asked if a new business would have to comply with the new code and Audree Juhlin indicated yes. Commissioner Mayer then asked about the same business with a new owner, and Audree explained that if nothing on the sign changes, then there is no permit.

Commissioner Barcus stated that he agrees with the recommendation in Option 2. Chair Losoff asked for all in favor of Option 2 and six Commissioners raised their hands; Commissioner Mayer did not. Commissioner Brandt added, with the notations presented and internally lit is handled under lights, and Cari stated yes.

#### **Sign Illumination:**

Cari referenced the different illumination methods and showed examples of gooseneck lighting, which is from the top; ground-mounted lighting, and halo-lit letters with a solid face and the lighting behind it to shine on the wall with a halo effect, and we are saying that a sign with the letters with a translucent face with the light coming through the face or the plastic panels that go into cabinet signs would not be allowed.

Commissioner Mayer asked about Mariposa, and Cari explained that it is solid metal with the lighting behind it. Commissioner Barcus referenced the dark skies and asked how we get the signs like the two examples to comply with dark skies. Cari explained that the light shines down and is not going up, so it would be dark sky compliant. On the other one, the maximum angle is set and they have to be adjusted so there is no light going upward off of the structure. The Commissioner then asked about putting a canopy over the top, and Cari indicated that would also work.

Commissioner Cohen noted that currently the Sign Code doesn't regulate the color of illumination and asked if that is something that should be regulated. Cari referenced two of the pictures; one with white lighting and the other with the colors of the rainbow. Walgreen's and CVS both use red and Mariposa uses blue. Some people feel that that is hard to read, but is that something you want to regulate. Commissioner Cohen then wanted Cari to give her thoughts about any difference between two of the examples, and Cari indicated there was a difference in her mind, but we aren't going to regulate from her mind. Commissioner Cohen then stated he wanted her recommendation, because she had given this a great amount of thought. Cari then suggested driving around and looking at the different signs, like Walgreens and CVS that uses red and compare them to some of the other signs that use white lighting. You want to be able to read the signs; we are a tourist community and not everyone knows where they are going. Audree Juhlin added that color can impact the readability, depending on the size and shape of the letters. For example, thin script lettering lit with a color behind it is often not very readable.

Commissioner Mayer asked if that isn't subject to the owner and Audree Juhlin stated yes, it is. The Commissioner then added that he wouldn't over regulate it; however, Chair Losoff added that we probably should have some criteria on colors. Audree Juhlin pointed out that staff did not include a recommendation, because we don't have a strong opinion one way or the other.

Chair Losoff then asked to have the sign illumination summarized; however, Commissioner Klein stated he had a question, because it currently says that the code doesn't regulate the color of sign illumination, and he asked if this is something that should be regulated, but in 1107.05, he didn't see anything about color. Cari explained that staff didn't put it in, because we wanted feedback first, and Audree Juhlin repeated that staff didn't have a strong opinion, although there have been some comments about not being able to read the red-lit signs.

Commissioner Mayer indicated that we should have a little artistic freedom regarding color, and Commissioner Brandt expressed agreement with that, but looking at the examples, you could have any color you want, but just one single color. Cari then asked if the Commission wanted to see more examples that Warren Campbell found, but the Chair stated that staff is hearing that the Commission wants color criteria specified in the new code, and it sounds like we don't want multi-colored rainbow type signs. Commissioner Cohen added that we don't want to look like Las Vegas, and the Chair then directed staff to come back with some color criteria.

Commissioner Brandt noted that could be a problem if they have a multi-colored logo, and it is a free country, so they should be able to put the lights on it if they want. The Chair noted more flexibility and mentioned that CVS changed their color a little, plus the McDonald's sign. Commissioner Barcus added that for sign illumination the emphasis should be on dark sky compliance and not on internally or externally, or direct or indirect illumination of signs, I think... Chair Losoff interrupted to ask for all in favor of Option 2; however, Commissioner Cohen interrupted to say he had a question first.

Commissioner Cohen then asked Robert Pickels if there are any laws that would affect the decision on color and Robert Pickels replied that those are aesthetic decisions that we retain the authority to regulate, and Commissioner Brandt added, as long as it is for everybody. Seven Commissioners indicated they favored Option 2, and the Chair added with the caveat that the color issue comes in.

#### **Master Sign Plans:**

Cari explained that the current code has a requirement that new developments submit a sign plan with their Development Review; however, it doesn't give any flexibility based on site conditions to adjust the standards, and it also has a very loose amendment procedure. If they want to amend the Master Sign Plan, they just have to submit something else that complies. We have been able to hold some people to the Master Sign Plans, but they start with the intention of having the best signs ever, and then there is a space that they can't rent and soon there is a deterioration in the sign plan, especially for a multi-tenant shopping center. Staff looked at different options as for as requirements, flexibility, etc., and the draft has a requirement that all shopping centers have them, whether they are new or existing, and we are recommending that be adjusted, instead of requiring it for existing, we would look at different incentives for them, if they go through the Master Sign Plan process.

Cari indicated that basically staff would be looking for where the signs are going and having consistent materials, colors and illumination methods. We are looking for consistency in the center, and a shopping center that comes for a Development Review would be allowed to have some flexibility, and this comes up with some of the more unique sites in town. For example, each business is allowed 12 sq. ft., but they want one major tenant to have more, so the minor tenants get 10 sq. ft. and the rest can be transferred to the major tenant. Currently, we don't have that ability, so we are trying to add some flexibility, and whatever process they go through for approval would be the same process they would have to go through for an amendment, so if it was through a Development Review, they would have to come back to the Commission. The

director may approve a little flexibility, but for a lot of flexibility, it would come to the Commission. Instead of requiring that for existing ones, we are looking at incentives to make it appealing for an existing shopping center to have a Master Sign Plan done to get that consistency, such as different permit fees for a sign under a Master Sign Plan versus one that is not. We could offer an expedited review if they are complying with their sign plan, and then we are looking at the flexibility issues to address situations that various sites have in town.

Commissioner Klein asked if the Commission adopts a Master Sign Plan, existing businesses that don't make any changes wouldn't have to conform to that, and Cari agreed. The Commissioner then asked what happens if a new tenant comes into a shopping center, and Cari explained that is why staff is backing off of the current language, because if you require it for everyone, that first business is going to be hindered, because the property management hasn't finished the sign plan, so it would be hurting the businesses trying to open if you require it for all of the existing ones, and that is why we are saying that we may not require it for existing ones, but offer some incentives for them to do a sign plan that would apply to all future ones, but if there is an existing center and there is no sign plan, Option 2 wouldn't require the property owner to get one approved before a tenant could install a sign.

Commissioner Klein asked if a new tenant's sign would have to comply with the Master Sign Plan, and Cari stated that if there isn't one, then they would just comply with our code. Commissioner Cohen then read Section 1104.04.B.3 and stated that is open until it is done. Cari explained that would still be the criteria used to evaluate the Master Sign Plan. We're just saying that if you are in an existing center and there is no Master Sign Plan, the tenant would not be penalized by delaying their sign review in Option 2.

Commissioner Cohen read Section 1104.04.D.4 and asked if that opens the question going forward. Cari explained that is similar to the Development Review language where the director has some discretion, but also has the discretion to kick it up to P&Z. Commissioner Klein then referenced Section 1104.04.D.2 and D.3 and asked if that 10% refers to the size of the sign, and Cari explained it is the size or height; we can clarify that.

Vice Chair Levin referenced La Posada, where Judy's restaurant is located, and indicated it typically has a turnover of businesses. They have a directory sign plus their individual signs and one out front. Cari explained that the one out front is technically their monument sign. The Vice Chair then asked if that figures into the Master Sign Plan, and Cari stated that if the property owner chose to come in..., and this is another reason why you may not want to require a Master Sign Plan for all shopping centers, because there are some landlords that do a good job of making sure all signs are consistent, and most of their wall signs have a similar shape, etc. Vice Chair Levin agreed, but noted that the monument sign does change. Cari agreed, and explained that they wouldn't come under the Master Sign Plan, unless the owner came in to submit one. Audree Juhlin pointed out that is under Option 2.

Commissioner Barcus stated that the less flexibility we offer, the less staff time it is going to take if we have clear rules on Master Sign Plans, and the developer or property owner will know what they can and can't do. Master Sign Plans are a huge benefit to the community, and he would like to see them proliferate, but he doesn't expect the signage at every multi-tenant center to all look the same. A variety is fine, but within the center some uniformity would be beneficial to make the community aspire to all of the things that we have in our goals and objectives.

Chair Losoff asked what the Commission wanted to recommend to staff, and Commissioner Mayer and Vice Chair Levin stated Option 2. The Chair then indicated that Commissioner Barcus' concern should also be noted, and Cari clarified that it would be Master Sign Plans for centers, not one Master Sign Plan for the whole City. Commissioner Cohen then asked if this is still subject to some of the clarifications that we asked for, and Cari stated yes.

Commissioner Mayer then asked if Commissioner Barcus is saying that every business within a complex has to have the same size and look, and Commissioner Barcus indicated that every business in the complex has to comply with the Master Sign Plan that the developer, etc., has approved by the City.

Commissioner Mayer then asked about a big corporation that is franchised, and Cari stated that it would depend on the Master Sign Plan. Some will regulate the size, location and lighting, but say... The Commissioner interrupted to reference the teal arches, if McDonald's sign, and Cari indicated that it would vary between programs. Commissioner Mayer then stated there has to be some flexibility, and Chair Losoff noted that the Commission already decided that.

Commissioner Cohen asked if McDonald's would be forced to do green if they were to come in now. Cari stated that we are not regulating text colors, so they could propose yellow and go through the Development Review and come to the Commission. Commissioner Cohen then stated that under the proposal if McDonald's wanted to eliminate the green and put yellow up, they could request that change. Audree Juhlin stated no, because P&Z through the Development Agreement approval process said that they have to use that color. They would have to come back to the Commission to amend it. The Commissioner commented that the Master Sign Plan would allow the Commission to discuss it, whereas under the old rule, no.

Chair Losoff noted that we have talked about the sign code on each project, and it hasn't prevented us regardless of a Master Sign Plan or not; this is just giving it more teeth. Audree Juhlin agreed and explained that as the Commission approves the sign through the Development Review or Zone Change process, you expect that sign to remain in place, and in the case of McDonald's, we had more teeth built into that approval process and said that they could not change the teal color. In the case of the CVS or Marriott, you are just approving the sign, which then allows them to make changes to their Master Sign Plan, and we don't have a good process to review those. They can just write the change on the plan, so this is to reinforce what the Commission is approving.

Chair Losoff then confirmed the Commissioners were okay with it.

### **Sign Legibility:**

Cari indicated that the purpose of a sign is really to convey a message and legibility is really to ensure that a sign is readable and legible. Most of our signs are on highways, so staff was looking at if there are things that would encourage businesses to have signs that are easily readable at our highway speeds. Some signs don't accomplish that purpose, when you don't want tourists who do not know where they are going to drive past something, because they can't read the sign.

Cari stated that staff identified three areas that we think can help sign legibility, so these are new regulations that aren't in the current code. Those three things are, 1) Items of information, 2) Font styles, and 3) Sign Height.

### **Items of Information:**

Cari explained that some communities have defined items of information as a word or symbol, and then limited the number that can go on a sign. Cari then discussed some examples that were clear with six items of information, as well as some signs with a lot of words that would be good for a pedestrian sign, but not for people driving by. She then indicated some approaches to make a sign more readable, and noted that other businesses in a center could say they are next to Walgreens in the "fresh market shopping center" to help direct people, rather than trying to list every business.

Chair Losoff then summarized that we want to simplify it and make sure it is legible; he then asked for any comments on the one recommendation. Commissioner Brandt stated that the recommendation is phenomenal and well thought out.

Commissioner Klein asked how many items of information were on the Tlaquepaque sign, and Cari stated five. Commissioner Klein then noted that each word is counted as an item of information, and Cari added that staff can make sure that is well-defined. The Commissioner then wanted to know if the logo counts as one item on the Coldwell Banker sign, and Cari stated yes, and a lot of businesses will just use the logo.

Commissioner Barcus stated that we are knee-deep in the weeds trying to indicate how businesses should make stuff legible. Everything written there is good, but it needs to be protecting public health, safety and welfare, so if legibility reduces traffic, because people are better able to find things, then that is where the emphasis lies, rather than trying to help businesses make better signs, the emphasis is on stuff that city's do. Commissioner Cohen stated that he spends a lot of time looking for these businesses in small malls, so he agrees with Commissioner Barcus, but you need a way to find out what is in some of these malls.

Commissioner Brandt indicated that he thought Commissioner Barcus was against it, but he is for it. Commissioner Barcus explained that he is for it, but having the emphasis on helping businesses make better signs is not the right way to go. The recommendation is good, but the purpose of the recommendation is to improve public health, safety and welfare, and reduce traffic. Commissioner Brandt added and rear-end accidents, so it is for health and safety.

Chair Losoff then told a personal story about a \$200 million project to build a new hospital, so for the X-ray Department, they went through focus groups and consultants and had signs put up saying Fluoroscopy Unit, so for the first several months, people were walking all over the place asking where the hell is X-ray.

#### **Font Styles:**

Cari again stated that it is trying to make signs more readable and showed some examples. One sign had a lot of different styles, so to ensure people know where they are going, we have a limitation on the number of font styles a sign could use.

Commissioner Mayer asked how restrictive we were going to be. He has seen some great font styles that could be eliminated. How do you determine what is readable? Cari explained that we aren't saying readable; we're just limiting the number of different fonts that are on a sign. Audree Juhlin added that we aren't regulating the font type, but the number of font types on a sign. Warren Campbell noted that a lot of these concepts came from the organizations that represent the side code industry, so these are things they try to encourage. Commissioner Mayer explained that he just wondered about regulating the font style, and Cari stated that we are not saying everyone has to use Times New Roman.

Commissioner Cohen asked about the line between this and artistic freedom, and Cari stated that we don't regulate art. If you want to do something outside of this, maybe you would get a Master Sign Plan for it or propose something as part of a new development and go through a different process. Some of these things would have flexibility in a Master Sign Plan.

Commissioner Barcus then stated that it would make good sense to say the deviations from this would require A, B, C, and D and the Master Sign Plan is one of those. He wants people to know what they can and can't do before they spend money coming up with a sign that doesn't work. Chair Losoff noted that there is a possibility of waivers or exceptions, but far and few between. We had several discussions on Mariposa and they had to conform at their expense.

The Chair then asked if there was any reason not to approve what the Commission had heard on font styles, and there were no comments.

#### **Sign Height:**

Cari pointed out that properties on the north of S.R. 89A seem to set up above the road, and properties on the south tend to set a little below the road, and the current code measures all



signs from the grade of the site. Thinking of cars on 89A, we want the signs at a height where they can be seen clearly. For example, Natural Grocers' sign is really not at the right height to be seen clearly as you drive by. Cari then indicated that in Flagstaff's code, where the site sits below the road, you can measure the height of the sign from the curb to get the sign to a more appropriate height for people driving by. An example is the KFC/Taco Bell sign could have lowered their sign, because a lot of people said they couldn't see that sign. They could have lowered that, but Natural Grocers can't raise theirs to get it to that line of sight.

Commissioner Klein read Section 1107.01.C and referenced the nice-looking Tlaquepaque sign that doesn't use the light-colored letters, so he would suggest taking out language about using light-colored letters and just say to use letters that contrast with the background. Cari Meyer stated okay.

Chair Losoff asked if there were any comments or reasons not to approve this. Commissioner Barcus asked how different it will be to write a sign requirement that says if you are in a hole, you measure from the curb and if you are not in a hole... Cari indicated that there is language that we are modeling it after. The Commissioner then asked if we can make it clear and unambiguous, and Cari stated yes, and we can take a graphic from Flagstaff to show it.

Chair Losoff noted that all Commissioners were in agreement.

*Chair Losoff recessed the meeting at 7:40 p.m. and reconvened the meeting at 7:46 p.m.*

#### **S.R. 89A Character District:**

##### **Sign Size:**

Cari explained that this area is what you would think of as Uptown where we have the Main Street Design Guidelines, and over the years that have complied and have been complimented, so we have taken a lot of those preferred sign types, materials, etc., and incorporated them into the rest of the Code, but one unique thing in Uptown is the pedestrian-oriented nature of the area, so the Main Street Guidelines indicate that the design should be oriented towards pedestrians, but there are not a lot of specifics, and as guidelines, they can't be enforced with the same authority that we would the Sign Code. We took some of the pedestrian-oriented ideas and developed some regulations for them, and they would only be for the area defined as the S.R. 89A Character District. We did a walk-through and the first thing we discussed that not many of the signs actually use is the full area allotment, and the ones that do look out of place, because most business spaces are smaller. Cari then showed four examples that are in compliance with the recommendation of 6 sq. ft., and they look in scale with the business. You are starting at 6 sq. ft., but the Sign Code allows you an additional 1 sq. ft. of signage for every 3 lineal feet of frontage. When you are allowed 12 sq. ft. that increase starts at 36 ft. of frontage. In what we are proposing, you start at 6 sq. ft., but you start that increase of an additional one sq. ft. per 3 lineal ft. at 18 ft., so by the time you get to 36 ft., you would be back at 12 sq. ft. allowed under the current Code. This is an attempt to ensure they are pedestrian-oriented and in scale with the size of the tenant suites in Uptown.

Commissioner Klein asked if there is a maximum sq. ft. that you could have, and Cari stated yes, if you have 150 ft. of business frontage, you could have 50 sq. ft. of signage, and one business that took advantage of that is Whole Foods. Their sign is 50 sq. ft., because they have over 150 ft. of frontage, but it is not out of scale, because of the size of their frontage.

Commissioner Mayer asked if Uptown still has their own Design Review, and Cari Meyer explained that we still have the Main Street Design Guidelines. The Commissioner noted that Main Street doesn't exist anymore, but Cari explained that the City adopted the Main Street Character District and Design Guidelines. The Commissioner then asked if they have their own review board, and Cari stated no, staff reviews for compliance, but they don't have the same regulatory authority. The Design Guidelines are recommendations and preferred materials, etc., but we are still in charge. Chair Losoff explained that there was a committee and they

created the guidelines that was adopted by the Commission and City Council, so it is not a Main Street organization, but they did give input and followed it to some extent, but it is basically ours.

Commissioner Cohen referred to a motel on the corner of Apple & Jordan with a sign that has plastic letters, and he asked if they would be grandfathered, but if they change it, the sign would have to change. Cari stated yes, like any business that wants to change their sign, they would have to bring their sign into compliance.

Chair Losoff asked if the Commissioners were okay with what is being recommended; however, Commissioner Cohen asked if it would also be applicable to West Sedona, and Cari stated no. The Chair then stated that the Commissioners are all in agreement with the recommendation.

#### **Under-Canopy Signs:**

Cari indicated that the next recommendation is that a number of buildings in Uptown have a parapet with a little roof that the pedestrians walk underneath, and a lot of businesses use hanging, projecting signs so as people are walking along, they know what it is, because they can't see the sign. In the current Code, all of this signage would count towards that grand total, and we are proposing that when they have this type of building configuration in Uptown, they would be allowed a 3 sq. ft. under-canopy sign that does not count towards that 6 sq. ft. Currently, they would be allowed a total of 12 sq. ft., and we are saying it gets reduced to 6 sq. ft., but we won't count the under-canopy sign to help pedestrians.

Commissioner Cohen then asked if the sign above would still be okay, because that is for the folks on the other side of the street. Cari agreed, and again explained it would be limited to 6 sq. ft., unless they have additional business frontage.

Chair Losoff asked if there were any other criteria for those small signs and commented that you could have all of these little signs and it could look tacky. Audree Juhlin noted that we currently have that going on now. The Chair again asked if some criteria could be added for future signs. Commissioner Cohen noted the whole notion of the businesses in Uptown, and Uptown is supposed to have some excitement to bring in people – that is the main tourist attraction other than the rocks, so we need something for them, because we like that sales tax.

Chair Losoff asked if there was anything else on this item, if not... The Chair then stated that it looked like all Commissioners were in agreement.

#### **Monument Signs:**

Cari then indicated that the last thing with Uptown is the monument signs. There are not a lot of properties that use free-standing signs, and the ones that do, like Sedona Center and Sinagua Plaza, have a fair amount of frontage. We talked to a couple of other places that wanted to use them, and the pedestrian-oriented signage versus the 8-ft. tall that is allowed seemed to be in conflict, so staff is saying is that properties with less than 100 ft. of frontage would need to limit the height to 5 ft. to keep it from becoming a bunch of 8 ft. monument signs, to kind of codify that pedestrian-oriented signage suggested in the Main Street Guidelines is where we recommend the 5 ft. limit for the smaller properties; larger properties could still go up to 8 ft. The Chair noted that the Commission is okay with that.

#### **General Clarifications:**

Cari indicated that these are related to things that have been identified as being a little subjective, and they create some disagreements between staff and sign manufacturers, because they don't know exactly what they are designing a sign for.

#### **Sign Area:**

Cari explained that sign area is hard to explain and people don't get it right, so we will clarify what counts and how it is measured, which is anything that differentiates the sign from the wall

it is placed on. If it is just letters on a wall, you would just count the letters. If there is a different colored background, then you are counting the whole thing that looks like a sign. Regarding how to measure it, we looked at a number of different communities, and the easiest and most clear way that captured the balance that we wanted was the area of an 8 straight-sided polygon that encloses the sign area, so it isn't just limited to a rectangle and gives it a little bit of wiggle room, but it is not something where you are drawing a line around the whole shape. We compared a lot of different ways and felt that as far as review that this gave it room for creativity, but also allowed us to measure it, and the final Sign Code will provide some graphics to illustrate it.

Chair Losoff stated that it seemed to make sense.

**Sign Color:**

Cari stated that we measure building color by lightness and darkness and the Chroma which is the intensity of the color, but the Sign Code only references the lightness and darkness element, and then says earthen-dark tones, which is subjective. We proposed to reference the exterior building color requirements and use the same standards for sign background as we use for the building color.

There were no Commission comments.

**Window Signs:**

Cari indicated that if they covered their whole window, the sign is not advertising anything, but the purpose of having windows is to be able to see into the store, especially in some of the pedestrian areas, so we limit window signs to 25% of the window, but what counts as a window sign? We are saying that anything you cover the window with may count unless it is a solid film that meets our exterior building requirements -- if we would allow you to paint your building that color. A lot of businesses would do that for sun protection.

Commissioner Cohen indicated that when a lot of organizations do an event, they ask businesses to put up a sign in their window, and he asked if that would count for anything. Audree Juhlin indicated that goes back to Commissioner Klein's question at the beginning of the discussion, and Cari explained that we will clarify that

**Landscaping:**

Cari explained that monument signs must be placed in a landscape area, and the Code defines a landscape area as including plants, gravel, cinders, rock, etc., so we have had people say gravel is their landscape area. We felt the intention was to have more planting, not just gravel, so we included some language that would require plants.

Commissioner Barcus indicated that he wouldn't recommend requiring plants, because plants need irrigation and we live in a desert where water is scarce. He saw some with and without coming here, and they all looked fine. Businesses should have the option to do that, but we shouldn't require that.

Commissioner Mayer wanted clarification on window signs and referenced the Tlaquepaque North display of clothing and jewelry, like a film in the window; it is like a poster. Cari explained that was one of the questions in the worksheet. We don't have a distance from the window that counts as a sign, but the 179 Character District says 12 in. from the window. Those monitors are more than 12 in., so we can't count them as a sign. Businesses who want to display clothing, etc., also doesn't count as a sign. We don't have a definition for how far back from the window they count.

Regarding landscaping, Commissioner Brandt, Vice Chair Levin and Commissioner Klein stated that they agreed with Commissioner Barcus. Audree Juhlin asked if the Commission's

recommendation is to leave landscaping as is or remove landscaping entirely as a requirement. The Commission agreed with Commissioner Barcus to leave it as is.

Cari indicated that the next questions would be the public review worksheet that was distributed with the draft Sign Code. Chair Losoff indicated that he didn't know how much we want to get into the nitty-gritty or start to micromanage some of that material, but for the next meetings... Cari stated that we aren't scheduled, but we have left them open. The Chair then asked about plans going forward, and Audree Juhlin noted that there were a few more questions to have answered, and we could stop now and schedule those on one of the other dates. We also haven't gone over some of the other sections, like the prohibited signs, so that will require some discussion. Her recommendation is to stop now and put it on a future meeting date.

Chair Losoff expressed the desire to have the discussion as soon as possible, and Audree Juhlin recommended going to agenda item 6 and picking the February 16h work session, and the Chair confirmed there was nothing else on that date.

Chair Losoff noted that there had been a lot of strong consensus today, and the Commission wants some clarification on a few things, such as defining the premise, etc., plus Commissioner Cohen's point about the overall purpose, almost like a purpose statement as to why we have a Sign Code. Cari noted that there is some language from the Community Plan that addresses signs. The Chair then added that we will have to decide how we incorporate it into the Design Review Manual.

Vice Chair Levin expressed her appreciation for the detail and thanked Cari for a job well done. Chair Losoff agreed it was as well-presented and well-organized as a lot of projects they have seen, and it is a good template for future discussions. Commissioner Cohen also noted it was organized well. Cari indicated that it was a team effort and she had help from Audree and Warren.

## **6. FUTURE MEETING DATES AND AGENDA ITEMS**

- a. Thursday, February 16, 2017; 3:30 pm (Work Session)**
- b. Tuesday, February 21, 2017; 5:30 pm (Public Hearing)**
- c. Thursday, March 2, 2017; 3:30 pm (Work Session)**
- d. Tuesday, March 7, 2017; 5:30 pm (Public Hearing)**

Cari indicated that to prepare for the discussion on the 16<sup>th</sup>, we still have worksheet on the Code, and that discussion would be facilitated better if you came with that done. Audree Juhlin added that there are also some other sections in the ordinance that we haven't discussed, and she suggested keeping the 21<sup>st</sup> open to continue this discussion if needed. It was noted that the Chair and Commissioner Barcus wouldn't be available on the 21<sup>st</sup>. Audree Juhlin then indicated that March 2<sup>nd</sup> will be discussing the Land Development Code issues with the consultants, and that is what we are going to focus the draft language on in the future. Cari stated that March 7<sup>th</sup> is a public hearing for Sign Code, but if we need to continue it, we can. It would have to be noticed before the 16<sup>th</sup>, so we will have a public hearing, but if you need to continue it, we would like it done by the end of March.

Commissioner Cohen asked about traffic study, and Audree Juhlin indicated she will discuss that with the Commissioner after the meeting, because that is not on the agenda. The Chair then asked if there are plans for them to return in a future agenda item, and Audree stated she is not aware of that at this point.

## **7. EXECUTIVE SESSION**

**If an Executive Session is necessary, it will be held in the Vultee Conference Room at 106 Roadrunner Drive. Upon a public majority vote of the members constituting a quorum, the Planning and Zoning Commission may hold an Executive Session that is not open to the public for the following purposes:**

- a. To consult with legal counsel for advice on matters listed on this agenda per A.R.S. § 38-431.03(A)(3).**

**b. Return to open session. Discussion/possible action on executive session items.**

*No Executive Session was held.*

**8. ADJOURNMENT**

Chair Losoff called for adjournment at 8:15 p.m., without objection.

I certify that the above is a true and correct summary of the meeting of the Planning & Zoning Commission held on February 7, 2017.

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Donna A. S. Puckett, *Administrative Assistant*

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Date