

**THE PLANNING & ZONING ADVISORY COMMISSION
FOR THE TOWN OF DEWEY-HUMBOLDT
REGULAR MEETING AND PUBLIC HEARING NOTICE
Thursday, June 7, 2012 6:00 P.M.**

**P&Z MEETING
2735 S. HWY 69**

**COUNCIL CHAMBERS, TOWN HALL
DEWEY-HUMBOLDT, ARIZONA**

AGENDA

The issues that come before the Planning & Zoning Advisory Commission are often challenging and potentially divisive. In order to make sure we benefit from the diverse views to be presented, the Commission believes that the meeting be a safe place for people to speak. With this in mind, the Commission asks that everyone refrain from clapping, heckling and any other expressions of approval or disapproval. Agenda items may be taken out of order. Please turn off all cell phones. The Commission meeting may be broadcast via live streaming video on the internet in both audio and visual formats. A quorum of Council may be present. One or more members of the Commission may attend either in person or by telephone, video or internet conferencing. **NOTICE TO PARENTS:** Parents and legal guardians have the right to consent before the Town of Dewey-Humboldt makes a video or voice recording of a minor child. A.R.S. § 1-602.A.9. Dewey-Humboldt Council Meetings are recorded and may be viewed on the Dewey-Humboldt website. If you permit your child to participate in the Council Meeting, a recording will be made. You may exercise your right not to consent by not permitting your child to participate or by submitting your request to the Town Clerk that your child not be recorded.

1. **Call To Order.**
2. **Opening Ceremonies.**
 - 2.1. **Pledge of Allegiance.**
3. **Roll Call.** Commissioners Arlene Alen, Glenn Allen, Chris Berry, Claire Clark, Andy Peters, Mel Scarbrough, and Chair Bob Bowman.
4. **Disclosure of Ex Parte Contacts.**
5. **Announcements Regarding Current Events.** Announcements of items brought to the attention of the Chair not requiring legal actions by the Commission.
 - 5.1. **Medical Marijuana Dispensaries Article.**
6. **Consent Agenda.** All matters listed under the Consent Agenda are considered to be routine by the Commission and will be enacted by one motion. Any item may be removed from the Consent Agenda for separate consideration at a Commissioner's request. If a citizen desires separate consideration of an item, he or she should approach a Commissioner prior to the meeting and ask that the Commissioner request that the item be removed.
 - 6.1. **Minutes.** Minutes from the May 3, 2012 Meeting.
7. **Discussion Agenda – Unfinished Business.** Discussion and Possible Action on any issue which was not concluded, was postponed, or was tabled during a prior meeting.

8. **Discussion Agenda – New Business.** Discussion and Possible Action on scheduling a joint meeting with Town Council to discuss future agenda items.

8.1. Firearms Ordinance Research. For discussion and possible action.

9. **Public Hearing Agenda.** Discussion and Possible Action on matters not previously presented to the Commission.

9.1. Sign Code. Final Revised Sign Code Review.

THIS CONCLUDES THE LEGAL ACTION PORTION OF THE AGENDA.

10. **Commissioners’ Forum.** Current Events and Future Agenda Requests. Members of the Commission may discuss **Planning and Zoning related items** in terms of past, present and future.

11. **Comments from the Public.** The Commission wishes to hear from Citizens at each meeting. Those wishing to address the Commission need not request permission or give notice in advance. For the official record, individuals are asked to state their name. Public comments may appear on any video or audio record of this meeting. Please direct your comments to the Commission. Individuals may address the Commission on any issue within its jurisdiction. At the conclusion of Comments from the Public, Commissioners may respond to criticism made by those who have addressed the public body, may ask Town staff to review a matter, or may ask that a matter be put on a future agenda; however, Commissioners are forbidden by law from discussing or taking legal action on matters raised during the Comments from the Public unless the matters are properly noticed for discussion and legal action. The total time for Comments from the Public is **20** minutes. No time limit is imposed on individuals within this total. The audience is asked to please be courteous and silent while others are speaking.

12. **Town Planner’s Report.** Update on Current Events.

13. **Adjourn.**

For Your Information:

Next Town Council Work Session: Tuesday, June 12, 2012 at 2:00 p.m.

Next Town Council Meeting: Tuesday, June 19, 2012 at 6:30 p.m.

Next Planning & Zoning Commission Meeting: Thursday, July 5, 2012 at 6:00 p.m

If you would like to receive Town Council agendas via email, please sign up at AgendaList@dhaz.gov and type Subscribe in the subject line, or call 928-632-7362 and speak with Judy Morgan, Town Clerk.

Certification of Posting

The undersigned hereby certifies that a copy of the attached notice was duly posted at the following locations: Dewey-Humboldt Town Hall, 2735 South Highway 69, Humboldt, Arizona, Chevron Station, 2735 South Highway 69, Humboldt, Arizona, Blue Ridge Market, Highway 69 and Kachina Drive, Dewey, Arizona, on the ____ day of _____, 2012, at ____ p.m. in accordance with the statement filed by the Town of Dewey-Humboldt with the Town Clerk, Town of Dewey-Humboldt.

By: _____, Town Clerk’s Office.

**TOWN OF DEWEY-HUMBOLDT
PLANNING & ZONING ADVISORY COMMISSION
REGULAR MEETING MINUTES
MAY 3, 2012, 6:00 P.M.**

A REGULAR MEETING OF THE DEWEY-HUMBOLDT PLANNING AND ZONING COMMISSION WAS HELD ON THURSDAY, MAY 3, 2012, AT TOWN HALL AT 2735 S. HIGHWAY 69, DEWEY-HUMBOLDT, ARIZONA. CHAIR BOB BOWMAN PRESIDED.

1. **Call To Order.** The meeting was called to order at 6:10PM. Chair Bob Bowman presided.

2. **Opening Ceremonies.**

2.1. **Pledge of Allegiance.** Made.

3. **Roll Call.** Commissioners Chris Berry, Andy Peters, Mel Scarbrough, Vice Chair Arlene Alen and Chair Bob Bowman were present. Commissioners Glen Allen and Claire Clark absent.

4. **Disclosure of Ex Parte Contacts.** None.

5. **Announcements Regarding Current Events.** None.

6. **Consent Agenda.**

6.1. **Minutes.** Minutes from the February 9, 2012 Meeting.

Andy Peters made a motion to approve the April 5, 2012 meeting minutes as written; seconded by Vice Chair Arlene Alen. The vote passed unanimously.

February 9, 2012 meeting minutes were postponed as Commissioner Andy Peters was not present at that meeting so there was not a quorum to vote. Upon Commissioner Berry's arrival, Vice Chair Alen made a motion to approve the February 9, 2012 meeting minutes; seconded by Commissioner Scarbrough. The vote passed in favor with Commissioner Peters abstaining.

7. **Discussion Agenda – Unfinished Business.** None.

8. **Discussion Agenda – New Business.**

8.1. **Discussion of whether the Commission should meet more often.**

Commissioner Chris Berry arrived at 6:10PM.

There was discussion. All Commissioners agreed that as long as they can get items accomplished during their regular monthly meetings, having lengthy meetings when necessary, there is no need to schedule additional standing meetings; may be necessary to schedule a work session when the workload is heavy; and cancel or postpone meetings when there is nothing on the agenda.

Chair Bowman made a motion to hold one meeting per month unless a special item is brought to the Commission's attention that requires immediate action or an item cannot be concluded at a regular meeting; seconded by Commissioner Peters. The vote passed unanimously.

8.2. Discussion on implementation plan for Council's Priority List (Illegal Lot Divisions – Establish enforcement policies; Accessory Dwelling Units; Historic Buildings)

Vice-Chair Alen stated depending on what Staff could take on for research should determine what is handled first. Commissioner Peters stated the discussion among the Town Council during the Joint Meeting indicated that both the illegal lot division and accessory dwelling units were problematic; if Staff is unable to research the top two items, then ask Staff which one of the top three they can support.

Commissioner Berry stated the illegal lot division and accessory dwelling units seem to have the most legal ramifications, negative connotations and need to be dealt with as they are highest on the priority list. He suggested getting a clear idea of why these two items arose in the first place, an historical report, what the Town is facing, what needs to be addressed, get a clear reading of the current law pertaining to these items, and options to rectify the situation with more than one alternative, if possible. All members of the Commission were in agreement.

Chair Bowman stated these items have been discussed previously at Planning & Zoning, but Council wants the Commission to do more work on these items. Chair Bowman will work with Staff and the Mayor on these items and have the information distributed before the meeting so the Commission can prepare. Commissioner Scarbrough asked if the Town Council has to approve the information gathered. Chair Bowman confirmed and stated the Planning & Zoning Commission is advisory and submits recommendations to the Town Council to make policy.

Chair Bowman made a motion to discuss at next month's Planning & Zoning meeting illegal lot division, enforcement policies and accessory dwelling units with research prepared one week ahead of time; seconded by Commissioner Berry. The vote passed unanimously.

9. Public Hearing Agenda. None.

10. Commissioners' Forum.

Chair Bowman has heard comments from the public that since the Planning & Zoning meeting has changed from 6:30PM to 6:00PM there is confusion about what time the meeting is scheduled. There was discussion and the Commission agreed to keep the meeting scheduled at 6:00PM.

Commissioner Peters asked where the Commission stands relative to conferences and training and stated the Mayor encouraged the Commission to attend any possible training if there is funding. Chair Bowman recommended a larger budget for training. This item to be discussed when budget information is available.

Commissioner Berry suggested putting Discharge of Firearms on a future agenda. At the previous meeting Staff was to get an opinion from the Attorney. Commissioner Peters stated he did some preliminary research and found incorporated areas within Arizona do not permit the discharge of firearms whether live ammunition or not. There was discussion about re-enactments;

creating a written policy, ordinance, etc. Vice Chair Alen suggested Staff gather research from neighboring towns to see how they handle it.

11. Comments from the Public. None.

12. Town Planner's Report. Chair Bowman stated Steve Mauk from Yavapai County Planning Department and Richard Parker from Prescott Valley Planning Department would be here to discuss roles and responsibilities of Planning & Zoning, Staff and Council and asked everyone to attend.

13. Adjourn. The meeting was adjourned at 6:45PM.

Robert Bowman, Chairman

ATTEST:

Mandi Garfield, Administrative Assistant

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OFFENSES

Article 10-04 WEAPONS (DISCHARGE, CARRYING, POSSESSION AND SALE TO MINORS)

- 10-04-010 Purpose.
- 10-04-020 Definitions.
- 10-04-030 Discharge of Weapons.
- 10-04-040 Carrying of Weapons at Public Establishments and Public Events.
- 10-04-045 Reserved.
- 10-04-050 Giving or Selling Weapons, Ammunition or Dischargeable Toy Pistols to Minors.
- 10-04-060 Minors Prohibited From Carrying or Possessing Firearms.

10-04-010 Purpose.

The purpose of this Article is to regulate, as allowed by State law, the carrying, possession, discharge and sale of weapons within the Town of Prescott Valley in order to protect the health, safety and welfare of visitors and residents of the Town.

(Ord. No. 189, Enacted, 11/10/88; Ord. No. 307, Amended, 10/14/93)

10-04-020 Definitions.

- A. "Weapon" for purposes of this Article means anything designed for lethal use. The term shall also include any firearm, explosive, bow and arrow, crossbow, BB gun, air gun, pellet gun, dart gun, slingshot, gas-operated gun and prohibited weapons as defined in ARS §13-3101. Weapon does not include blasting under controlled conditions by a person or entity with lawful authority to blast.
- B. "Peace Officers" means any person vested by law with a duty to maintain public order and make arrests.
- C. "Firearm" means any loaded or unloaded handgun, pistol, revolver, rifle, shotgun or other weapon which will expel, is designed to expel, or may readily be converted to expel a projectile by the action of an explosive. Firearm does not include a firearm in permanently inoperable condition.
- D. "Discharge" means to expel a projectile from a weapon.

(Ord. No. 189, Enacted, 11/10/88; Ord. No. 759, Amended, 05/12/11; Ord. No. 759, Amended, 05/12/11)

10-04-030 Discharge of Weapons.

- A. A person who with criminal negligence discharges a firearm within or into the limits of the Town of Prescott Valley shall be charged with a class 1 misdemeanor.

Prescott Valley, Arizona

- B. This section does not apply if the firearm is discharged:
1. As allowed pursuant to Title 13, Chapter 4, of the Arizona Revised Statutes.
 2. On a properly supervised range.
 3. To lawfully take wildlife during an open season established by the Arizona Game and Fish Commission, subject to the limitations prescribed by Title 17 of the Arizona Revised Statutes (and related Arizona Game and Fish Commission rules and orders). In no event may discharge of a firearm occur within one-fourth mile of an occupied structure. In this regard, "take" has the same meaning as set forth in ARS §17-101.
 4. For the control of nuisance wildlife by permit from the Arizona Game and Fish Department or the United States Fish and Wildlife Service.
 5. By special permit of the Chief of Police of the Town of Prescott Valley.
 6. As required by an Animal Control Officer in the performance of duties as specified in ARS §9-499.04.
 7. Using blanks.
 8. More than one mile from any occupied structure as defined in ARS §13-3101.
 9. In self-defense or defense of another person against an animal attack if a reasonable person would believe that deadly physical force against the animal is immediately necessary and reasonable under the circumstances to protect oneself or the other person.
- C. Subsection 10-04-030(A) of this Section shall not be construed as prohibiting private property owners, or their invitees, from engaging in bow and arrow or crossbow target practice on their private property at their own risk and in a reasonably safe manner, under adult supervision.
- D. For the purpose of this section, "properly supervised range" means a range that is any of the following:
1. Operated by a club affiliated with the National Rifle Association of America, the Amateur Trapshooting Association, the National Skeet Shooting Association or any other nationally recognized shooting organization, or by any public or private school.
 2. Approved by any agency of the federal government, this state, Yavapai County or the Town of Prescott Valley within which the range is located.
 3. Operated with adult supervision for shooting air or carbon dioxide gas operated guns, or for shooting in underground ranges on private or public property.

(Ord. No. 8, Enacted, 06/28/79; Ord. No. 178, Repealed, 05/26/88, 11-01-210; Ord. No. 189, Enacted, 11/10/88; Ord. No. 252, Amended, 03/14/91; Ord. No. 273, Amended, 04/09/92; Ord. No. 759, Amended, 05/12/11)

OFFENSES

10-04-040 Carrying of Weapons at Public Establishments and Public Events.

- A. Any person, other than a Peace Officer on duty, carrying a weapon, upon entering any public establishment or attending a public event, may be required by the operator of the establishment or the sponsor of the public event to remove his weapon and place it in the custody of the operator of the establishment or the sponsor of the event for temporary and secure storage pursuant to ARS §13-3102.01. If the person in possession of the weapon does not wish to relinquish the weapon, he shall immediately leave the premises of the public establishment or public event.
- B. Any person who violates Subsection 10-04-040(A) shall be guilty of a misdemeanor and, upon conviction, shall be punishable for a class 1 misdemeanor.

(Ord. No. 8, Enacted, 06/28/79; Ord. No. 178, Repealed, 05/26/88, 11-01-210; Ord. No. 189, Enacted, 11/10/88; Ord. No. 759, Amended 05/12/11)

10-04-045 Reserved.

(Ord. No. 533, Enacted, 11/07/02; Ord. No. 759, Rep&ReEn, 05/12/11)

10-04-050 Giving or Selling Weapons, Ammunition or Dischargeable Toy Pistols to Minors.

- A. Except as provided in Subsection 10-04-050(B), a person who sells or gives to a minor, without written consent of the minor's parent or legal guardian, a weapon, ammunition or a toy pistol by which dangerous and explosive substances may be discharged is guilty of a class 1 misdemeanor.
- B. The temporary transfer of firearms and ammunition by firearms safety instructors, hunter safety instructors, competition coaches or their assistants shall be allowed if the minor's parent or guardian has given consent for the minor to participate in activities such as firearms or hunting safety courses, firearms competition or training. With the consent of the minor's parent or guardian, the temporary transfer of firearms and ammunition by an adult accompanying minors engaged in hunting or formal or informal target shooting activities shall be allowed for those purposes.

(Ord. No. 8, Enacted, 06/28/79; Ord. No. 178, Repealed, 05/26/88, 11-01-210; Ord. No. 189, Enacted, 11/10/88; Ord. No. 759, Amended 05/12/11)

10-04-060 Minors Prohibited From Carrying or Possessing Firearms.

- A. Except as provided in Subsection 10-04-060(B), an unemancipated person who is under eighteen (18) years of age and who is unaccompanied by a parent, grandparent or guardian, or a certified hunter safety instructor or certified firearms safety instructor acting with the consent of the unemancipated person's parent or guardian shall not

knowingly carry or possess on his person, within his immediate control, or in or on a means of transportation, a firearm in any place that is open to the public or on any street or highway or on any private property except private property owned or leased by the minor or the minor's parent, grandparent or guardian.

- B. This Section 10-04-060 does not apply to a person who is fourteen (14), fifteen (15), sixteen (16) or seventeen (17) years of age and is any of the following:
1. Engaged in lawful hunting or shooting events or marksmanship practice at established ranges or other areas where the discharge of a firearm is not prohibited.
 2. Engaged in lawful transportation of an unloaded firearm for the purpose of lawful hunting.
 3. Engaged in lawful transportation of an unloaded firearm between the hours of 5:00 a.m. and 10:00 p.m. for the purpose of shooting events or marksmanship practice at established ranges or other areas where the discharge of a firearm is not prohibited.
 4. Engaged in activities requiring the use of a firearm that are related to the production of crops, livestock, poultry, livestock products, poultry products or rarities or in the production or storage of agricultural commodities.
- C. If the minor is not exempt under Subsection 10-04-060(B) and is in possession of a firearm, a Peace Officer shall seize the firearm at the time the violation occurs.
- D. In addition to any other penalty provided by law, a person who violates Subsection 10-04-060(A) is subject to the following penalties:
1. If adjudicated a delinquent juvenile for an offense involving an unloaded firearm, a fine of not more than two hundred fifty dollars (\$250.00) and the court may order the suspension or revocation of the person's driver license until the person reaches eighteen (18) years of age. If the person does not have a driver license at the time of the adjudication, the court may direct that the department of transportation not issue a driver license to the person until the person reaches eighteen (18) years of age.
 2. If adjudicated a delinquent juvenile for an offense involving a loaded firearm, a fine of not more than five hundred dollars (\$500.00) and the court may order the suspension or revocation of the person's driver license until the person reaches eighteen (18) years of age. If the person does not have a driver license at the time of the adjudication, the court may direct that the department of transportation not issue a driver license to the person until the person reaches eighteen (18) years of age.
 3. If adjudicated a delinquent juvenile for an offense involving a loaded or unloaded firearm, if the person possessed the firearm while the person was the driver or an occupant of a motor vehicle, a fine of not more than five hundred dollars (\$500.00) and the court shall order the suspension or revocation of the

OFFENSES

person's driver license until the person reaches eighteen (18) years of age. If the person does not have a driver license at the time of adjudication, the court shall direct that the department of transportation not issue a driver license to the person until the person reaches eighteen (18) years of age. If the court finds that no other means of transportation is available, the driving privileges of the child may be restricted to travel between the child's home, school and place of employment during specified periods of time according to the child's school and employment schedule.

- E. Firearms seized pursuant to Subsection 10-04-060(C) shall be held by the law enforcement agency responsible for the seizure until the charges have been adjudicated or otherwise disposed of or the person is convicted. Upon adjudication or conviction of a person for a violation of this Section 10-04-060, the court shall order the firearm forfeited. However, the law enforcement agency shall return the firearm to the lawful owner if the identity of that person is known.
- F. If the court finds that the parent or guardian of a minor found responsible for violating this Section 10-04-060 knew or reasonably should have known of the minor's unlawful conduct and made no effort to prohibit it, the parent or guardian is jointly and severally responsible for any fine imposed pursuant to this Section or for any civil damages resulting from the unlawful use of the firearm by the minor.
- G. This Section 10-04-060 is supplemental to any other law imposing a criminal penalty for the use or exhibition of a deadly weapon. A minor who violates this Section may be prosecuted and adjudicated delinquent for any other criminal conduct involving the use or exhibition of a deadly weapon.
- H. A person who violates Subsection 10-04-060(A) is guilty of a class 1 misdemeanor.

(Ord. No. 189, Enacted, 11/10/88; Ord. No. 307, Rep&ReEn, 10/14/93; Ord. No. 393, Amended, 07/11/96; Ord. No. 614, Amended, 02/10/05; Ord. No. 759, Amended 05/12/11)

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Town of Dewey-Humboldt

P.O. Box 69 / 2735 South Highway 69, Suite 10, Humboldt Station, Humboldt, AZ 86329

PUBLIC HEARINGS NOTICE

PURSUANT TO ARS Sections 39-204 & 9-462.04, NOTICE IS HEREBY GIVEN OF PUBLIC HEARING in the Town of Dewey-Humboldt, Arizona as follows:

**DEWEY-HUMBOLDT PLANNING AND ZONING COMMISSION
ON, JUNE 7, 2012 AT 6:00 PM**

**DEWEY-HUMBOLDT TOWN COUNCIL
ON, JUNE 19, 2012 AT 6:30 PM**

Hearings will be conducted at Town Hall, 2735 South Highway 69, Suite 10, Humboldt Station Humboldt, and Arizona 86329

PUBLIC HEARING ITEMS:

ITEM: TEXT AMENDMENT TO TOWN CODE §153.125-138 (Sign Code)

Request: To amend (Sign Code) Town Code Sections 153.125 through 153.138, inclusive.

Applicant: Town of Dewey-Humboldt

General Description of Amendment: Section 152.125 Definitions: Amends the Purpose statement. Section 153.126: Adds definitions of "Banner", "Changeable Copy", "Commercial Complex, Office or Industrial", "Comprehensive Sign Plan", "Erect", "Farm Stands", "Ground Level", "Logo", "Religious Assemblies", "Religious Symbols", "Sign", "Sign, Commemorative", "Sign, Construction", "Sign, Governmental", "Sign, Informational", "Sign, Mansard", "Sign, Menu Board", "Sign, Permanent", "Sign Reader Panel", "Sign, Property", "Sign, Temporary", "Sign, Wall", "Sign, Window", and "Standard"; Amends definitions of "Frontage", "Sign, Abandoned", "Sign, Directional", "Sign, Freestanding", "Sign, Political", "Sign, Portable", "Sign, Subdivision"; Deletes the definitions of "Commercial and/or Industrial Center", "Construction (beginning)", "Grade", "Interchange Freeway Exchange", "Lighting, Internal Reverse Print", "Mansard", "Marquee", "Parapet", "Reconstruction, substantial", "roofline", "Sign, Wall-Mounted". Section 153.127 General Provisions: Prohibits audible signs, signs suspended by balloons, lighted beacons, searchlights or similar lights, signs encroach on adjacent property and public right-of-way, signs painted natural objects, signs exceeding 30 feet in height, signs interfering with traffic signs or obstructing a driver's view. Sets forth regulations for signs on residential lots, permits, corner lots, freestanding signs, measurement of sign area and dangerous signs. Section 153.128 Exempt Signs: authorized official notices, directional, warning, informational signs, commemorative/symbols and plaques, flags, emblems, posters, religious symbols, interior signs, political signs are do not require permits but must comply with regulations set forth in this section. Section 153.129 Special Purpose Signs: Permit requirements are set forth for on-premise directional/informational signs, Off-Premise directional signs (for hospitals, clinics, law enforcement facilities and subdivisions, tourist and recreational-related businesses), property

signs. Section 153.130 Off-Premise Signs: Sets forth regulations for off-premise signs, including temporary off-premise signs including billboards and for community event, festival and similar gatherings. For each type of sign, this section sets forth permitted locations, area and height restrictions, number of signs permitted and similar regulations. Section 153.131 through Section 153.137 Sign Regulations for Use Districts: Sets forth additional regulations for signs on in residential districts, commercial districts, industrial districts and planned unit and planned area developments in the Town. Section 153.138 Sign Permits: Sets forth the requirements for applications and issuance of sign permits.

NOTICE TO THE PUBLIC: The full text of the amendment may be viewed at Town Hall, Monday through Thursday from 8:00 am to 5:00 pm or on Friday from 8:00 am to 12:00 noon. Interested persons may submit letters in support or opposition of a Public Hearing Item by directing written correspondence to the Town of Dewey-Humboldt, PO Box 69, Humboldt, Arizona 86329. For more information, contact Dewey-Humboldt Town Clerk, Judy Morgan, at (928) 632-8562/ Fax 928-632-7365. The Planning and Zoning Commission may vote to recommend approval of the amendment to the Town Council. The Town Council may vote to approve, modify or deny the proposed amendment.

DEWEY-HUMBOLDT SIGN CODE

§153.125 PURPOSE.

(A) The purpose of the Dewey-Humboldt Sign Code is to provide freedom and flexibility for the design, construction and maintenance of signs that are in harmony with the values, and character of this country community, which are to preserve aesthetics, maintain property values protect the general public from damage or injury caused by distractions/hazards/obstructions which result from improperly designed or located signs and insuring that the Constitutionally guaranteed right of free speech is protected. -

(B) The following subchapter shall be known and cited as the Town of Dewey-Humboldt Sign Code.

§153.126 DEFINITIONS.

AWNING: A shelter or cover projecting from and supported by an exterior wall of a building.

BANNER: A temporary sign composed of lightweight material, enclosed or not enclosed in a rigid frame, secured or mounted so as to allow movement of the sign.

CANOPY: Same as awning.

CHANGEABLE COPY: A sign on which copy is changed electronically or manually.

COMMERCIAL COMPLEX, OFFICE, OR INDUSTRIAL: One or more parcels occupied by more than two commercial use tenants. Typically, the aggregate area of the buildings is 10,000 sq. ft. or more.

COMPREHENSIVE SIGN PLAN: A coordinated program of all signs, including exempt and temporary signs for a business, or businesses if applicable, located on a development site, The sign program shall include, but not be limited to indications of the locations, dimensions, and sign types of all signs to be located on a site.

ERECT: To build, construct, alter, repair, display, relocate, attach, hand, place, suspend, affix, or maintain any sign including the painting of exterior wall signs.

Flags , Emblems and Posters deifinitions

FRONTAGE: The length of the property line of a premise along a public right-of-way.

GROUND LEVEL: The average ground elevation within 10 feet measured horizontally of the sign base.

LOGO: A symbol, graphic, trademark or emblem associated with or representing a specific entity, product or concept.

RELIGIOUS ASSEMBLY: Facilities for worship and other religious ceremonies , with incidental religious education, religious bookstores, rectories and parsonages, offices, social services, day care and community programs.

RELIGIOUS SYMBOLS: Works of art as signs which convey compelling ideas or ideals such as, but not limited to, a Christian cross, Star of David, Crescent and Star, fish (ICITHUS), or statuary depicting (for example) a nativity scene.

SIGN, ABANDONED: A permanent sign which is no longer safe or no longer serves its intended purpose.

SIGN, COMMEMORATIVE: A symbol or plaque commemorating a person or event.

SIGN, CANOPY: Any sign erected directly upon or suspended from a canopy (awning).

SIGN, CONSTRUCTION: A temporary sign identifying the persons, firms or businesses directly connected with a construction project

SIGN, DIRECTIONAL: A sign commonly associated with and limited to information and directions necessary and convenient for persons coming on the property, including sign marking entrances, parking areas, one-way drives, restrooms, pick-up and delivery areas and the like.

SIGN, DIRECTORY: Any sign listing the names, use or location of the businesses or activities conducted within a building or group of buildings.

SIGN FREESTANDING: A sign which is erected on its own self-supporting permanent structure, not attached to a building.

SIGN, GOVERNMENTAL: A sign erected and maintained pursuant to and in discharge of any governmental function or required by a law or ordinance or governmental regulations.

SIGN, IDENTIFICATION: A sign identifying by name, message or symbol a business, residence, occupant activity, institution, establishment, operation, merchandise, product or service available at the property at which the sign is displayed.

SIGN, ILLUMINATED: A sign with an artificial light source incorporated internally or externally.

SIGN, INFORMATIONAL: A sign clearly intended for informational (instructional or warning) purposes, other than an identification-sign.

SIGN, MANSARD: A sign mounted on a mansard façade.

SIGN, MENU BOARD: A variable-message sign that allows a retailer to list products and prices (for example, the bill of fare for a fast-food restaurant).

SIGN, NONCONFORMING: Any sign which is not allowed under this Code but when first constructed was lawful and currently does not jeopardize public safety.

SIGN, NUMBER OF FACES ON:

- (1) **Single-faced:** If a sign has copy on one side-only or if the interior angle between the two sign faces is greater than 45 degrees, it shall be considered one face; the area of will be considered to be the sum of both sides.
- (2) **Double-face:**
 - (a) If the angle between the two sign faces is less than 45 degrees, the sign shall be considered double-faced; the sign area will be the area of one face only.
 - (b) If two sign faces are attached to a structure with a thickness exceeding 36 inches, then the sign area will be the sum of both faces.
- (3) **Multi-faced:** Any sign containing more than two sides. The area shall be the area of the largest side plus the area of any other side whose interior angle with any other side exceeds 45 degrees.

SIGN, OFF-PREMISES: A sign advertising a business, place, activity, goods, services or products on a different property from where the sign is located.

SIGN, ON PREMISES: A sign advertising a business, place, activity, goods, services or products on the same property on which the sign is located.

SIGN, PERMANENT: A sign with an expected useful life of more than 6 months.

SIGN, POLITICAL: A temporary sign announcing or supporting political candidates or issues connected with any national, state or local election.

SIGN, PORTABLE: A sign designed or constructed in such a manner that it can be moved or relocated without involving any structural or support changes.

SIGN, PROJECTING: Any sign attached to a building or other structure and extending in whole or in part more than 12 inches beyond the building, shall be considered "freestanding" signs with reference to square footage allowances.

SIGN,-READER PANEL: A sign on which copy is changed manually or electronically. Reader boards may typically display time, temperature, dates or messages.

SIGN, PROPERTY: A sign pertaining to the sale or lease of the premises, or a portion of the premises on which the sign is located or for open houses for premises for sale or lease.

SIGN, ROOF: A sign erected upon the roof of any building or which is partially or totally supported by the roof or roof structure of the building.

SIGN, SUBDIVISION: A sign advertising lots or units for sale or lease in a subdivision, apartment or condominium project.

SIGN, TEMPORARY: A sign intended to remain in use for a period of time which is 6 months or less.

SIGN, UNDER-CANOPY: A sign suspended beneath a canopy, ceiling, roof, or marquee shall be considered a “freestanding” sign with reference to square-footage allowances.

SIGN, WALL: A sign fastened to or painted on the wall of a building in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign and which does not project more than 12 inches from the building.

SIGN, WINDOW: A sign that is applied or attached to the interior of a window or is located within three feet of the interior of the window and which can be seen from the exterior of the structure, and which is non-electric in nature.

STANDARD: A post embedded in the ground on which a sign is mounted.

§153.127 GENERAL PROVISIONS

Except as may be further restricted in specific zones, all signs shall be subject to the following:

- (A) No sign shall be audible and/or suspended by balloons.
- (B) Lighted beacons, searchlights or similar lights, are prohibited (see *Dark Sky*, Town Code Sections §150.150 – 150.153).
- (C) No sign may encroach on or overhang an adjacent property, public right-of-way, including any utility right-of-way or easements. No sign shall be attached to a utility pole, light standard, bridge or other fixture in the public right-of-way.
- (D) No sign shall be painted directly on or affixed to any natural object in its natural location.
- (E) No sign shall exceed 30 feet in height.
- (F) No sign shall be located as to obstruct or interfere with any official traffic signs and/or devices or in such a manner as to obstruct a driver’s view of any oncoming, merging or intersecting traffic.
- (G) No sign shall display any statement, symbol or picture of an obscene nature.

- (H) Signs may be painted directly onto vertical structural surfaces.
- (I) Signs that are not permitted in a residential zone shall not be placed closer than 20 feet of any residentially zoned lot.
- (J) New signs exceeding 6 sq. ft. in area or exceeding eight feet in height shall follow the permitting requirements specified under sign permits, in §153.138. Relocation or substantial reconstruction, i.e., costing more than 50% of the present value of a sign, shall be considered a new sign for building permit purposes.
- (K) Signs located within the triangular area on a corner lot formed by measuring 30 feet along both street lines from their intersection or at the intersection of a public street and a private street or driveway, shall maintain a maximum three-foot top height or minimum eight-foot bottom height and contain a maximum of two supports with a maximum 12-inch diameter each (see accompanying diagram Figure 13).

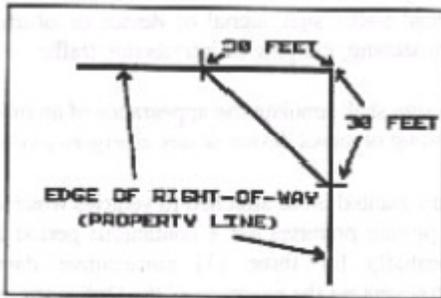


Figure 13

- (L) All freestanding signs will comply with § 153.076 (i.e., one foot setback for each foot in height shall be required).
- (M) The square footage of a sign made up of letters, words, or symbols within a frame or border shall be determined from the outside edge of the frame or boarder itself. The square footage of a sign composed only of letters, words or symbols shall be determined from imaginary straight lines drawn around the entire copy or grouping of such letters words or symbols. Only those portions of the construction elements that are an integral part of the sign itself shall be considered in the allocation of square footage allowed.
- (N) Signs deemed dangerous, abandoned or in substantial violation of this Sign Code by the Zoning Administrator, shall require correction within 30 days of official notification, or the Town may remove the sign in accordance with State Law ARS §9-462.02(C).
- (M) An informational sign *shall not be included in the permitted sum of the sign area of identification wall signs, provided such sign is not larger than necessary to serve the*

intended instructional purpose, and such sign is not in a location, nor includes design characteristics, that constitute or serve the purposes of an identification sign.

§153.128 EXEMPT SIGNS

Descriptions & Districts	Type	Number Permitted	Area & Height	Permit Required?
Official Notices Authorized by a court, public body or public safety official		No Limit	No Limit	N
Directory or Informational Signs Authorized by federal, state, county or municipal government	Wall or ground-mounted standard	No Limit	No Limit	N
Commemorative Signs	Wall or Monument			N
Flags , Emblems and Posters				N
Religious Symbols				N
Signs Located within Structures	Window Signs (i)			N
Political Signs, Residential (not in right-of-way)	Wall, window or ground-mounted standard	No Limit. Remove within -15 days of last day of vote casting	10 Sq. Ft. Max.	N
Political Signs, Residential (in right-of-way)	Wall or ground-mounted standard	No Limit. Install 60 days prior to election. Remove within 15 days of last day of vote casting	16 Sq. Ft. Max.	N
Political Signs, Commercial / Industrial (not in right-of-way) <u>Not in ROW</u>	Wall or ground-mounted standard	No Limit. Install 60 days prior to election-Remove w/in 10 15 days of last day of vote casting	32 Sq. Ft. Max.	N
Political Signs, Commercial / Industrial (not in right-of-way)	Wall or ground-mounted standard	No limit. Remove within 15 days of last day of vote casting.	32 Sq. Ft. Max.	

§153.129 SPECIAL PURPOSE SIGNS

Descriptions & Districts	Type	Number Permitted	Area & Height	Permit Required?
<p>Directory or Informational Signs</p> <p>Permitted in all zoning districts.</p>	<p>Wall or Ground-mounted standard which can be double-sided.</p>	<p>1 per sign for each building entrance and exit from a parking area.</p>	<p>4 sq. ft., 8 ft. in height</p>	<p>Y</p>
<p>Directory Signs for Hospitals, Clinics, Law Enforcement facilities religious assemblies and subdivisions. May be located on property other than the hospital, clinic, law enforcement facilities, religious assembly or subdivisions</p> <p>Directory signs for tourist and recreational-related businesses shall be located at the arterial highway and / or intersection of roads that access the business.</p>	<p>Wall or Ground-mounted standard which can be double-sided.</p> <p>Ground-mounted standard where more than one collocated business is located.</p>	<p>Limited to no more than 3 signs per business or service.</p> <p>Limit 1</p>	<p>4 sq. ft., 8 ft. in height</p> <p>6 sq. ft., 8 ft. in height limited in context to a symbol description of the business or service.</p>	<p>Y</p> <p>1 off-premise sign permit is required for each sign</p> <p>Y</p>

§153.129 SPECIAL PURPOSE SIGNS (CONT'D)

Descriptions & Districts	Type	Number Permitted	Area & Height	Permit Required?
<p>Property signs</p> <p>Permitted in all zoning districts</p> <p>Unlighted</p> <p>Shall not impede traffic and shall not be located in any public ROW</p>	<p>Wall or Freestanding</p>	<p>1 each – on each street frontage.</p>	<p>6 sq. ft. 6 ft. in height</p>	<p>N</p> <p>To be removed w/in 30 days of sale or rental.</p>
<p>Property Signs for larger Properties abutting Highways</p> <p>Only permitted adjacent to ROW at least 150 feet wide.</p> <p>Permitted in all zoning districts</p> <p>Unlighted</p>	<p>Wall or Freestanding</p>	<p>1 sign per ROW frontage</p>	<p>32 sq. ft. and 8 ft. in height</p> <p>Property to be at least 2 acres.</p>	<p>Y</p> <p>To be removed w/in 30 days of sale.</p>

§153.129 SPECIAL PURPOSE SIGNS (CONT'D)

Descriptions & Districts	Type	Number Permitted	Area & Height	Permit Required?
<p>Temporary Off-site Residential Property Signs.</p> <p>Permitted in all zoning districts.</p> <p>Unlighted</p>	<p>Wall or Freestanding</p>	<p>No property may host more than 3 off-site “for sale” signs.</p>	<p>Each off-site “for sale” sign shall not exceed 3 sq. ft. and does not exceed 5 ft. in height except within a 30-foot triangular area of a corner lot as regulated in Sec 153.127(K) and is not within the public right-of-way. Any off-site “for sale” sign within the 30-foot triangular area may not exceed 3 ft. in height.</p>	<p>N</p> <p>To be removed w/in 30 days of sale.</p>
<p>Construction Signs</p> <p>Permitted in all zoning districts.</p> <p>Unlighted</p>	<p>Unspecified</p>	<p>1 each for each construction site.</p>	<p>Maximum area shall not exceed 40 sq. ft.</p>	<p>Y</p>
<p>Subdivision Signs</p>	<p>Freestanding</p>	<p>Up to 5 signs</p>	<p>100 sq. ft. aggregate total.</p> <p>12 ft. in height maximum</p>	<p>Y</p> <p>2-year duration. Requires a Use Permit thereafter.</p> <p>Apartment complexes may display directional signs for one year subsequent to the completion of construction subject to obtaining temp. sign permits.</p>

§153.129 SPECIAL PURPOSE SIGNS (CONT'D)

Descriptions & Districts	Type	Number Permitted	Area & Height	Permit Required?
Property Signs for Office Complexes, Shopping Centers and Industrial Centers.	Wall or Freestanding (g)	1 Freestanding 2 Wall	100 sq. ft. aggregate total. Freestanding signs shall not exceed 8 ft. in height	Y Temporary sign status can be maintained for 1 year subsequent to completion.
Property Signs for Self-Service Storage Facility.	Wall or Freestanding (g)	1 sign for each property line abutting a street ROW.	40 sq. ft. each. 15 ft. in height maximum	Y

§153.130 OFF-PREMISE SIGNS

Descriptions & Districts	Type	Number Permitted	Area & Height	Permit Required?
<p>Off-Premise Signs</p> <p>Other than directional or temporary property signs.</p> <p>Permitted only in C3, M1 & M2.</p>	<p>Ground-mounted, not to be constructed on more than three supports.</p> <p>Lighting shall be either internal or by indirect source per Town Code Sections §153.150-153</p>	<p>Must be min. of 1,000 ft. from advertised property and not within 1,500 ft. of an existing off-site sign or within 200 ft. of a residential zoning district.</p>	<p>Each sign 160 sq. ft. max. 20 ft. in height max.</p>	<p>Y</p>
<p>Temporary Off-Premise Signs for Community Events, Festivals & Similar Public Gatherings of a not-for-profit nature.</p> <p>Permitted only in C2, C3, M1 & M2.</p>	<p>Banners or other temporary means of advertising.</p>	<p>Signs may be placed within or across a public ROW with the Town's authorization but shall be limited to one entrance to the Town from a State Hwy.</p>	<p>To comply with General Provisions and those of each zoning district.</p>	<p>Y</p> <p>One temporary off-premise sign permit is required for each sign.</p>

§153.131 SIGN REGULATIONS FOR USE DISTRICTS

Descriptions & Districts	Type	Number Permitted	Area & Height	Permit Required?
R1-L, RMM, R1, R2, Residential				
Residential Dwelling	Name Plate (a.)	1	4 sq. ft., 8 ft. in height	N
Multi-family	Wall or Freestanding (g)	1 per street frontage	16 sq. f, 10 ft. in height	Y
Subdivision	Monument	2	20 sq. ft. each, 6 ft. in height	Y
School, Religious assemblies	Wall or Freestanding which can be dbl. sided (b,d,e,f,h,m1.)	1 total , 2 if more than 5 ac. & frontage on two roads	24 sq. ft., 10 ft. in height	Y

§153.132 SIGN REGULATIONS FOR USE DISTRICTS

Descriptions & Districts	Type	Number Permitted	Area & Height	Permit Required?
C1, Neighborhood Commercial	Wall (c,d,e,f,h)	Varies	Aggregate area on any one property shall not exceed 1 sq. ft. per lin. ft. of street frontage except that the total need not be < 24 sq. ft. or > 96 sq. ft. The allowed aggregate sign area less the combined areas of the freestanding and portable signs.	Y
	Freestanding (g)	1	The sign area shall be > 1/3 of the aggregate area but not < 16 sq. ft. and may be dbl. sided, No more than 12 ft. in height.	Y
	Portable	1	6 sq. ft. & dbl. sided, no more than 4 ft. in height, The area of this sign shall be included in the total aggregate area.	Y

§153.133 SIGN REGULATIONS FOR USE DISTRICTS

Descriptions & Districts	Type	Number Permitted	Area & Height	Permit Required?
<p>C2, General Sales & Services Commercial</p>	<p>Wall (c,d,e,f,h,n)</p>	<p>Varies</p>	<p>Aggregate area on any one property shall not exceed 1 sq. ft. per lin. ft. of street frontage except that the total need not be < than 24 sq. ft. or > 128 sq. ft.</p>	<p>Y</p>
	<p>Freestanding (g), (m2)</p>	<p>1</p>	<p>The allowed aggregate sign area less the combined areas of the freestanding and portable signs.</p> <p>The area of the sign shall not exceed one half of the aggregate area but not be less than 24 sq. ft. and may be dbl. sided. No more than 15 ft. in height.</p>	<p>Y</p>
	<p>Window (i,j)</p>	<p>Varies with number of windows</p>	<p></p>	<p>N</p>
	<p>Portable</p>	<p>1</p>	<p>6 sq. ft. & dbl. sided, no more than 4 ft. in height, The area of this sign shall be included in the total aggregate area.</p>	<p>N</p>
	<p>Off-Premises</p>	<p>1 per entrance</p>	<p>Banners or other temporary means of advertising for purposes of identifying community events.</p>	<p>N</p>

§153.134 SIGN REGULATIONS FOR USE DISTRICTS

Descriptions & Districts	Type	Number Permitted	Area & Height	Permit Required?
C3, M1, M2, Commercial & Industrial	Wall (c,d,e,f,h,)	Varies	Aggregate area on any one property shall not exceed 1- sq. ft. per lin. ft. of street frontage except that the total need not be less than 60 sq. ft. or more than 160 sq. ft. The allowed aggregate sign area less the combined areas of the freestanding and portable signs.	Y
	Freestanding (g, m2)	1	The area of the sign shall not exceed one half of the aggregate area but not be less than 24 sq. ft. and may be dbl. sided, No more than 15 ft. in height except if located at interstate freeway interchanges where the height may not exceed 30 feet.	Y
	Window (i,j)	Varies with number of windows		N
	Off-Premise	Varies	Max. Area + 160 sq. ft. Max. Height = 20 feet. (See. §153.130)	Y
		1 per entrance to community from highway. May be placed within or across ROW with authorization	Banners or other temporary means of advertising for purposes of identifying community events etc.	Y No Fee

§153.135 SIGN REGULATIONS FOR USE DISTRICTS

Descriptions & Districts	Type	Number Permitted	Area & Height	Permit Required?
PUD & PAD			Use criteria from the district that most closely approximates the approved uses	

§153.137 SIGN REGULATIONS FOR USE DISTRICTS

Descriptions & Districts	Type	Number Permitted	Area & Height	Permit Required?
Office Complexes Commercial and Industrial Centers	Wall-mounted or Under Canopy	1 per business	Aggregate area of all signs pertaining to one business shall not exceed 32 sq. ft. However, if the width of the building adjacent to the street frontage measures more than 40 lin. ft. then the aggregate of one face of all such signs may be increased in area at the rate of one sq. ft. for each foot of building frontage in excess of 40 lin. ft. The total of all signs for each business may not exceed 48 sq. ft. When two businesses share a common entrance they shall be considered one business for sign computation purposes.	Y
	Freestanding Center Identification only	1 per each street frontage, 2 per frontage if more than 200 lin. ft. All such signs shall be at least 100 lin. ft. apart	Under Canopy 6 sq. ft. max. Per sign: 32 sq. ft. max. No more than 12 ft. in height. Not counted in aggregate areas	Y
	Directory Signs Wall-mounted or on free-standing monument sign standards	1 per each business	Per sign: one sq. ft. max. No more than 6 ft. in height. Not counted in aggregate areas	Y

Applicable Foot Notes:

- (a) A name plate sign identifying the occupant, occupant's profession or title and the address of the dwelling.
- (b) May be indirectly illuminated by one light bulb or fluorescent tube not exceeding 150 watts.
- (c) Wall-mounted or under architectural projection.
- (d) Attached signs shall not extend horizontally a distance greater than fifty percent of the width of the building wall on which it is displayed, except for buildings containing multiple occupancies.
- (e) Attached signs shall be on the occupants building only.
- (f) The abstract ratio of a wall-mounted sign cannot exceed 2:1.
- (g) Freestanding pole signs are not permitted unless the support member is concealed by a decorative enclosure.
- (h) Wall mounted signs must use back-lighted sign panels, individual letters or a painted plaque.
- (i) Maximum of 30 percent window coverage is allowed, 70 percent of the window must be able to be seen through.
- (j) Awning signs shall only be allowed on the ground floor of a building.
- (k) A Comprehensive Sign Plan Permit shall be required for signs on upper level stories of buildings exceeding two stories.
- (l) Reader Panel Signs:
 - 1. Religious Assemblies may use up to one-half of the allowed freestanding sign area for a reader panel which shall display manually changeable copy only.
 - 2. Gasoline service stations may use up to one-half of the allowed freestanding sign area for a reader panel only to identify the current price of fuel being sold. The maximum sign area used for the reader panel shall be 24 square feet which shall display manually changeable copy only.
 - 3. Theaters:
 - a. One wall, fascia, mansard, or parapet sign may contain a reader panel.
 - b. The area of the reader panel shall not exceed 75 square feet or the maximum wall sign area otherwise allowed, whichever is less and shall display manually changeable copy only.
 - c. The reader panel shall be used exclusively for the purpose of identifying entertainment, motion pictures, or special events which occur on the premises.
- (m) Menu Boards for Drive-Thru Restaurants:
 - 1. One menu board is allowed per business. Such signs may be free-standing or wall-mounted.
 - 2. The maximum aggregate area for a menu board shall not exceed 45 square feet.
 - 3. The maximum sign height shall not exceed six feet for free-standing signs.
 - 4. The sign should be located so as to not be readable from the public right-of-way.

§153.138 SIGN PERMITS

(A) *Permit required.* A sign permit shall be secured from the Town Development Services Department prior to the erection, relocation, construction, installation or substantial reconstruction (including painting or enlarging a painted sign on the surface of a permitted structure) or any non-exempt sign exceeding six square feet in area, or higher than eight feet above grade at the sign, regardless of value.

(B) *Fees.*

(1) Per Appendix A, Fees, Town Code Chapter 153 Zoning Regulations.

(2) The sign permit fees established in division (B)(1) above shall be double in the event that the erection, relocation, construction, installation or substantial reconstruction of any sign is begun prior to the issuance of a sign permit.

(C) *Sign permit application.* Each application for a sign permit shall be made at the Town Hall on the appropriate form(s) and shall contain at a minimum the following information:

(1) Assessor's parcel number identifying the property;

(2) Street address, if any, legal description of the property, and dimensions thereof. In the case of a metes and bounds parcel (a parcel that is not part of a recorded subdivision), a copy of the recorded legal description must be submitted with the application;

(3) ~~Copy to be placed on the sign(s)~~ (4) Nature of the proposed use of the sign and premises;

(5) Type of sign and materials used, methods of support, freestanding or other;

(6) Estimated true value of sign and associated structural supports;

(7) Dimensions of sign panel as well as bottom and top heights above grade;

(8) Type, placement and strength of illumination, if any;

(9) Number and orientations of faces of sign (aerial-view sketch, if necessary, to depict faces and orientation);

(10) A (signed) plot plan showing the following:

(a) Shape and dimensions of lot boundaries, adjacent street right-of-way, driveway, buildings (existing and proposed);

(b) North designation; and

(c) Location of sign (s) on property (indicate type).

- (11) A (signed) elevation view, with dimensions and approximate copy ad design, of the sign(s) faces;
- (12) Such other information as the Zoning Administrator may require for the purpose of determining whether the application complies with the subchapter requirements;
- (13) Name, address and phone number of property owner and agent, if any; and
- (14) Signature of applicant or agent.

(D) *Non-Conforming*. Legal nonconforming signs existing prior to the effective date of this subchapter, shall be permitted to continue subject to general provisions regarding the removal of dangerous or abandoned signs and off-premises signs of this code, regarding obsolescence and abandonment. Continuation shall include the right to repaint or change the message or copy on the sign, provided the size and height is not increased and provided the sign is not converted from on-premises to off-premises use. Changes of ownership and/or business name shall not in and of itself alter the right of continued use of a sign. {see § 153.127 (L)}

(E) *Signs not requiring permits*. Signs not requiring permits by virtue of their height and size must nevertheless comply with all other requirements and restrictions of this code.

(F) *Temporary sign permits*. Signs with a limited duration of use, such as those provided in §§ 153.129, 153.130, and 153.133 shall obtain a temporary sign permit. The requirements and criteria for such signs are as follows:

- (1) A temporary sign permit is specifically required for community special event banners and signs, signs advertising the forthcoming construction of a building, exceptions granted administratively for grand openings, and one-time events.
- (2) Temporary sign permits shall be issued for no more than one year. An extension of a temporary sign permit shall be made the subject of an application for a use permit.
- (3) Temporary signs shall conform to all other requirements of this code.
- (4) The fee for a temporary sign permit shall be the same as a permanent sign permit, except as otherwise noted.

DEWEY-HUMBOLDT SIGN CODE

§153.1~~1225~~ PURPOSE.

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(A) The purpose of the Dewey-Humboldt Sign Code is to provide freedom and flexibility for the design, construction and maintenance of signs that are in harmony with the values, and character of this country community, which are to preserve aesthetics, maintain property values protect the general public from damage or injury caused by distractions/hazards/obstructions which result from improperly designed or located signs and insuring that the Constitutionally guaranteed right of free speech is protected. ▸

(B) The following subchapter shall be known and cited as the Town of Dewey-Humboldt Sign Code.

§153.126 DEFINITIONS.

AWNING: A shelter or cover projecting from and supported by an exterior wall of a building.

BANNER: A temporary sign composed of lightweight material, enclosed or not enclosed in a rigid frame, secured or mounted so as to allow movement of the sign.

CANOPY: Same as awning.

CHANGEABLE COPY: A sign on which copy is changed electronically or manually.

COMMERCIAL COMPLEX, OFFICE, OR INDUSTRIAL: One or more parcels occupied by more than two commercial use tenants. Typically, the aggregate area of the buildings is 10,000 sq. ft. or more.

COMPREHENSIVE SIGN PLAN: A coordinated program of all signs, including exempt and temporary signs for a business, or businesses if applicable, located on a development site. The sign program shall include, but not be limited to indications of the locations, dimensions, and sign types of all signs to be located on a site.

ERECT: To build, construct, alter, repair, display, relocate, attach, hand, place, suspend, affix, or maintain any sign including the painting of exterior wall signs.

FRONTAGE: The length of the property line of a premise along a public right-of-way.

GROUND LEVEL: The average ground elevation within 10 feet measured horizontally of the sign base.

LOGO: A symbol, graphic, trademark or emblem associated with or representing a specific entity, product or concept.

RELIGIOUS ASSEMBLY: Facilities for worship and other religious ceremonies, with incidental religious education, religious bookstores, rectories and parsonages, offices, social services, day care and community programs.

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RELIGIOUS SYMBOLS: Works of art as signs which convey compelling ideas or ideals such as, but not limited to, a Christian cross, Star of David, Crescent and Star, fish (ICITHUS), or statuary depicting (for example) a nativity scene.

SIGN, ABANDONED: A permanent sign which is no longer safe or no longer serves its intended purpose.

SIGN, COMMEMORATIVE: A symbol or plaque commemorating a person or event.

SIGN, CANOPY: Any sign erected directly upon or suspended from a canopy (awning).

SIGN, CONSTRUCTION: A ~~non-permanent~~ temporary sign identifying the persons, firms or businesses directly connected with a construction project

SIGN, DIRECTIONAL: A sign commonly associated with and limited to information and directions necessary and convenient for persons coming on the property, including sign marking entrances, parking areas, one-way drives, restrooms, pick-up and delivery areas and the like.

SIGN, DIRECTORY: Any sign listing the names, use or location of the businesses or activities conducted within a building or group of buildings.

SIGN FREESTANDING: A sign which is erected on its own self-supporting permanent structure, not attached to a building.

SIGN, GOVERNMENTAL: A sign erected and maintained pursuant to and in discharge of any governmental function or required by a law or ordinance or governmental regulations.

SIGN, IDENTIFICATION: ~~Any~~ sign identifying by name, message or symbol a business, residence, occupant activity, institution, establishment, operation, merchandise, product or service available at the property at which the sign is displayed.

SIGN, ILLUMINATED: A sign with an artificial light source incorporated internally or externally.

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SIGN, INFORMATIONAL: A sign clearly intended for informational (instructional or warning) purposes, ~~other than an identification sign shall not be included in the permitted sum of the sign area of identification wall signs, provided such sign is not larger than necessary to serv the intended instructional purpose, and such sign is not in a location, nor includes design characteristics, that constitute or serve the purposes of an identification sign.~~

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File: 1908-008-0001-0000; Desc: Sign Code Amendments SG 4-26-12; Doc#: 125165v2 File: 1908-008-0000-0000; Desc: Sign Code Amendments YK 10-06-11; Doc#: 125165v1

YVONNE – THIS IS NOT A DEFINITION. IT IS A REGULATION AND I DON'T KNOW WHAT IT MEANS. AT ANY RATE, IT NEEDS TO BE MOVED TO SECTION 153.127(M).]

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~~SIGN, ILLUMINATED: A sign with an artificial light source incorporated internally or externally.~~

SIGN, MANSARD: A sign mounted on a mansard façade.

SIGN, MENU BOARD: A variable-message sign that allows a retailer to list products and prices (for example, the bill of fare for a fast-food restaurant).

SIGN, NONCONFORMING: Any sign which is not allowed under this Code but when first constructed was lawful and currently does not jeopardize public safety.

SIGN, NUMBER OF FACES ON:

- (1) **Single-faced:** If a sign has copy on one side-only or if the interior angle between the two sign faces is greater than 45 degrees, it shall be considered one face; the area of will be considered to be the sum of both sides.
- (2) **Double-face:**
 - (a) If the angle between the two sign faces is less than 45 degrees, the sign shall be considered double-faced; the sign area will be the area of one face only.
 - (b) If two sign faces are attached to a structure with a thickness exceeding 36 inches, then the sign area will be the sum of both faces.
- (3) **Multi-faced:** Any sign containing more than two sides. The area shall be the area of the largest side plus the area of any other side whose interior angle with any other side exceeds 45 degrees.

SIGN, OFF-PREMISES~~including BILLBOARD ADVERTISING:~~ A sign advertising a business, place, activity, goods, services or products on a different property from where the sign is located.

SIGN, ON PREMISES: A sign advertising a business, place, activity, goods, services or products on the same property on which the sign is located.

SIGN, PERMANENT: A sign with an expected useful life of ~~6 month or more~~ **than 6 months.**
It MADE THIS CHANGE BECAUSE THE DEFINITION OF "TEMPORARY SIGN" IS 6 MONTHS OR LESS.]

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SIGN, POLITICAL: A temporary sign announcing or supporting political candidates or issues connected with any national, state or local election.

SIGN, PORTABLE: A sign designed or constructed in such a manner that it can be moved or relocated without involving any structural or support changes.

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File: 1908-008-0001-0000; Desc: Sign Code Amendments SG 4-26-12; Doc#: 125165v2 File: 1908-008-0000-0000; Desc: Sign Code Amendments YK 10-06-11; Doc#: 125165v1

SIGN, PROJECTING: Any sign attached to a building or other structure and extending in whole or in part more than 12 inches beyond the building, shall be considered “freestanding” signs with reference to square footage allowances.

SIGN, READER PANEL: A sign on which copy is changed manually or electronically. Reader boards may typically display time, temperature, dates or messages.

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SIGN, PROPERTY: A sign pertaining to the sale or lease of the premises, or a portion of the premises on which the sign is located or for open houses for premises for sale or lease.

SIGN, ROOF: Any sign erected upon the roof of any building or which is partially or totally supported by the roof or roof structure of the building.

SIGN, SUBDIVISION: A sign advertising lots or units for sale or lease in a subdivision, apartment or condominium project.

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SIGN, TEMPORARY: Any sign intended to remain in use for a period of time which is 6 months or less.

SIGN, UNDER-CANOPY: A sign suspended beneath a canopy, ceiling, roof, or marquee shall be considered a “freestanding” sign with reference to square-footage allowances.

SIGN, WALL: A sign fastened to or painted on the wall of a building in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign and which does not project more than 12 inches from the building.

SIGN, WINDOW: A sign that is applied or attached to the interior of a window or is located within three feet of the interior of the window and which can be seen from the exterior of the structure, and which is non-electric in nature.

STANDARD: A post embedded in the ground on which a sign is mounted.

§153.127 GENERAL PROVISIONS

Except as may be further restricted in specific zones, all permitted signs shall be subject to the following:

- (A) No sign shall be audible and/or suspended by balloons.
- (B) Lighted beacons, searchlights or similar lights, are prohibited (see *Dark Sky*, Town Code Sections §150.150 – 150.153).

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- (C) No sign may encroach on or overhang an adjacent property, public right-of-way, including any utility right-of-way or easements. No sign shall be attached to a utility pole, light standard, bridge or other fixture in the public right-of-way.
- (D) No sign shall be painted directly on or affixed to any natural object in its natural location.
- (E) No sign shall exceed 30 feet in height.
- (F) No sign shall be located as to obstruct or interfere with any official traffic signs and/or devices or in such a manner as to obstruct a driver's view of any oncoming, merging or intersecting traffic.
- (G) ~~No sign shall display any statement, symbol or picture of an obscene nature.~~ ***[I AM NOT SURE WHY THIS IS STRICKEN OUT. OBSCENE SIGNS/LANGUAGE IS NOT PROTECTED BY THE FIRST AMENDMENT. PORNOGRAPHY IS, BUT NOT OBSCENITY.]***
- (H) Signs may be painted directly onto vertical structural surfaces.
- (I) Signs that are not permitted in a residential zone shall not be placed closer than 20 feet of any residentially zoned lot.
- (J) New signs exceeding 6 sq. ft. in area or exceeding eight feet in height shall follow the permitting requirements specified under sign permits, in §153.138. Relocation or substantial reconstruction, i.e., costing more than 50% of the present value of a sign, shall be considered a new sign for building permit purposes.
- (K) Signs located within the triangular area on a corner lot formed by measuring 30 feet along both street lines from their intersection or at the intersection of a public street and a private street or driveway, shall maintain a maximum three-foot top height or minimum eight-foot bottom height and contain a maximum of two supports with a maximum 12-inch diameter each (see accompanying diagram Figure 13).

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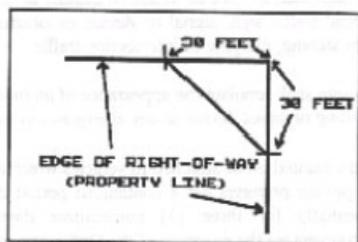


Figure 13

- (L) All freestanding signs will comply with § 153.076 (i.e., one foot setback for each foot n height shall be required).

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(M) The square footage of a sign made up of letters, words, or symbols within a frame or border shall be determined from the outside edge of the frame or boarder itself. The square footage of a sign composed only of letters, words or symbols shall be determined from imaginary straight lines drawn around the entire copy or grouping of such letters words or symbols. Only those portions of the construction elements that are an integral part of the sign itself shall be considered in the allocation of square footage allowed.

(N) Signs deemed dangerous, abandoned or in substantial violation of this Sign Code by the Zoning Administrator, shall require correction within 30 days of official notification, or the Town may remove the sign in accordance with State Law ARS §9-462.02(C).

(M) An informational sign *[YVONNE – I MOVED THIS FROM THE DEFINITION OF “INSTRUCTIONAL SIGNS BECAUSE IT IS A REGULATION, NOT A DEFINITION. I TRIED TO FIX THE LANGUAGE, BUT I REALLY DO NOT UNDERSTAND WHAT IT MEANS, SO WILL YOU PLEASE FIND OUT AND THEN INCLUDE IT HERE? “shall not be included in the permitted sum of the sign area of identification wall signs, provided such sign is not larger than necessary to serv the intended instructional purpose, and such sign is not in a location, nor includes design characteristics, that constitute or serve the purposes of an identification sign”]*

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§153.128 EXEMPT SIGNS

Descriptions & Districts	Type	Number Permitted	Area & Height	Permit Required?
Official Notices Authorized by a court, public body or public safety official		No Limit	No Limit	N
Directional, Warning or Informational Signs Authorized by federal, state, county or municipal government	Wall or ground-mounted standard	No Limit	No Limit	N
Commemorative Signs and/or Symbols and Plaques	Wall or Monument			N
Flags, Emblems and Posters [SHOULD INCLUDE DEFINITIONS]				N
Religious Symbols				N
Signs Located within Structures	Window Signs (i)			N
Political Signs, Residential (not in right-of-way)	Wall, <u>window</u> or ground-mounted standard	No Limit. Install 60 days prior to election- Remove with/in 15 days of last day of vote casting	10 Sq. Ft. Max.	N
Political Signs, Residential (in right-of-way)	<u>Wall or ground-mounted standard</u>	<u>No Limit. Install 60 days prior to election. Remove within 15 days of last day of vote casting</u>	<u>16 Sq. Ft. Max.</u>	<u>N</u>
Political Signs, Commercial / Industrial (not in right-of-way) Not in ROW	Wall or ground-mounted standard	No Limit. Install 60 days prior to election- Remove w/in 10 15 days of last day of vote casting	32 Sq. Ft. Max.	N
Political Signs, Commercial /	<u>Wall or ground-</u>	<u>No limit.</u>	<u>32 Sq. Ft. Max.</u>	

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 File: 1908-008-0000-0000; Desc: Sign Code Amendments YK 10-06-11; Doc#: 125165v1

Descriptions & Districts	Type	Number Permitted	Area & Height	Permit Required?
<u>Industrial</u> <u>(not in right-of-way)</u>	<u>mounted</u> <u>standard</u>	<u>Remove within</u> <u>15 days of last</u> <u>day of vote</u> <u>casting.</u>		

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§153.129 SPECIAL PURPOSE SIGNS

Descriptions & Districts	Type	Number Permitted	Area & Height	Permit Required?
<p>On-Premise Directory or Informational Signs Permitted in all zoning districts.</p>	Wall or Ground-mounted standard which can be <u>double</u> -sided.	1 per sign for each building entrance and exit from a parking area.	4 sq. ft., 8 ft. in height	Y
<p>Off-Premise Directory Signs for Hospitals, Clinics, Law Enforcement facilities, religious assemblies and subdivisions. May be located on property other than the hospital, clinic, law enforcement facilities, religious assembly or subdivisions.</p>	Wall or Ground-mounted standard which can be <u>double</u> -sided.	Limited to no more than 3 signs per business or service.	4 sq. ft., 8 ft. in height	Y 1 off-premise sign permit is required for each sign
<p>Directory signs Permitted for tourist and recreational-related businesses shall be located at the arterial highway and / or intersection of roads that access the business.</p>	Ground-mounted standard where more than one collocated business is located.	Limit 1	6 sq. ft., 8 ft. in height limited in context to a symbol description of the business or service.	Y

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§153.129 SPECIAL PURPOSE SIGNS (CONT'D)

Descriptions & Districts	Type	Number Permitted	Area & Height	Permit Required?
<p>Temporary On-Site Residential "For Sale," "For Rent," and "Open House" Property signs</p> <p>Permitted in all zoning districts</p> <p>Unlighted</p> <p>Shall not impede traffic and shall not be located in any public ROW</p>	<p>Wall or Freestanding</p>	<p>1 each – on each street frontage.</p>	<p>6 sq. ft. 6 ft. in height</p>	<p>N</p> <p>To be removed w/in 30 days of sale or rental.</p>
<p>Temporary On-Site "For Sale" Property Signs for larger Properties abutting Highways</p> <p>Only permitted adjacent to ROW to be at least 150 feet wide.</p> <p>Permitted in all zoning districts</p> <p>Unlighted</p>	<p>Wall or Freestanding</p>	<p>1 sign per ROW frontage</p>	<p>32 sq. ft. and 8 ft. in height Property to be at least 2 acres.</p>	<p>Y</p> <p>To be removed w/in 30 days of sale.</p>

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§153.129 SPECIAL PURPOSE SIGNS (CONT'D)

Descriptions & Districts	Type	Number Permitted	Area & Height	Permit Required?
<p>Temporary Off-site Residential Property "For Sale" Signs.</p> <p>Permitted in all zoning districts.</p> <p>Unlighted</p>	<p>Wall or Freestanding</p>	<p>No property may host more than 3 off-site "for sale" signs.</p>	<p>Each off-site "for sale" sign shall not exceed 3 sq. ft. and does not exceed 5 ft. in height except within a 30-foot triangular area of a corner lot as regulated in Sec 153.127(K) and is not within the public right-of-way. Any off-site "for sale" sign within the 30-foot triangular area may not exceed 3 ft. in height.</p>	<p>N</p> <p>To be removed w/in 30 days of sale.</p>
<p>Construction Signs</p> <p>Permitted in all zoning districts.</p> <p>Unlighted</p>	<p>Unspecified</p>	<p>1 each for each construction site.</p>	<p>Maximum area shall not exceed 40 sq. ft.</p>	<p>Y</p>
<p>Subdivision Signs, For the Sale of Lots (including the sale of condominiums and rental of apartments).</p>	<p>Freestanding</p>	<p>Up to 5 signs</p>	<p>100 sq. ft. aggregate total. 12 ft. in height maximum</p>	<p>Y</p> <p>2-year duration. Requires a Use Permit thereafter.</p> <p>Apartment complexes may display directional signs for one year subsequent to the completion of construction subject to obtaining temp. sign permits.</p>

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§153.129 SPECIAL PURPOSE SIGNS (CONT'D)

Descriptions & Districts	Type	Number Permitted	Area & Height	Permit Required?
Property Signs for Office Complexes, Shopping Centers and Industrial Centers, For Rent or Lease.	Wall or Freestanding (g)	1 Freestanding 2 Wall	100 sq. ft. aggregate total. Freestanding signs shall not exceed 8 ft. in height	Y Temporary sign status can be maintained for 1 year subsequent to completion.
Property Signs for Self-Service Storage Facility.	Wall or Freestanding (g)	1 sign for each property line abutting a street ROW.	40 sq. ft. each. 15 ft. in height maximum	Y

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§153.130 OFF-PREMISE SIGNS

Descriptions & Districts	Type	Number Permitted	Area & Height	Permit Required?
<p>Off-Premise Signs</p> <p>Other than directional or temporary real estate property signs.</p> <p>Permitted only in C3, M1 & M2.</p>	<p>Ground-mounted, not to be constructed on more than three supports.</p> <p>Lighting shall be either internal or by indirect source per Town Code Sections §153.150-153</p>	<p>Must be min. of 1,000 ft. from advertised property and not within 1,500 ft. of an existing off-site sign or within 200 ft. of a residential zoning district.</p>	<p>Each sign 160 sq. ft. max. 20 ft. in height max.</p>	<p>Y</p>
<p>Temporary Off-Premise Signs for Community Events, Festivals & Similar Public Gatherings of a not-for-profit nature.</p> <p>Permitted only in C2, C3, M1 & M2.</p>	<p>Banners or other temporary means of advertising.</p>	<p>Signs may be placed within or across a public ROW with the Town's authorization but shall be limited to one entrance to the Town from a State Hwy.</p>	<p>To comply with General Provisions and those of each zoning district.</p>	<p>Y</p> <p>One temporary off-premise sign permit is required for each sign.</p>

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§153.131 SIGN REGULATIONS FOR USE DISTRICTS

Descriptions & Districts	Type	Number Permitted	Area & Height	Permit Required?
R1-L, RMM, R1, R2, Residential				
Residential Dwelling	Name Plate (a.)	1	4 sq. ft., 8 ft. in height	N
Multi-family	Wall or Freestanding (g)	1 per street frontage	16 sq. f, 10 ft. in height	Y
Subdivision	Monument	2	20 sq. ft. each, 6 ft. in height	Y
School, Place of Worship Religious assemblies	Wall or Freestanding which can be dbl. sided (b,d,e,f,h,m1.)	1 total , 2 if more than 5 ac. & frontage on two roads	24 sq. ft., 10 ft. in height	Y

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§153.132 SIGN REGULATIONS FOR USE DISTRICTS

Descriptions & Districts	Type	Number Permitted	Area & Height	Permit Required?
C1, Neighborhood Commercial	Wall (c,d,e,f,h)	Varies	Aggregate area on any one property shall not exceed 1 sq. ft. per lin. ft. of street frontage except that the total need not be < 24 sq. ft. or > 96 sq. ft.	
	Freestanding (g)	1	The allowed aggregate sign area less the combined areas of the freestanding and portable signs.	Y
	Portable	1	The sign area shall be > 1/3 of the aggregate area but not < 16 sq. ft. and may be dbl. sided, No more than 12 ft. in height.	Y
			6 sq. ft. & dbl. sided, no more than 4 ft. in height, The area of this sign shall be included in the total aggregate area.	Y

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§153.133 SIGN REGULATIONS FOR USE DISTRICTS

Descriptions & Districts	Type	Number Permitted	Area & Height	Permit Required?
C2, General Sales & Services Commercial	Wall (c,d,e,f,h,n)	Varies	Aggregate area on any one property shall not exceed 1 sq. ft. per lin. ft. of street frontage except that the total need not be < than 24 sq. ft. or > 128 sq. ft.	
	Freestanding (g), (m2)	1	The allowed aggregate sign area less the combined areas of the freestanding and portable signs.	Y
	Window (i,j)	Varies with number of windows	The area of the sign shall not exceed one half of the aggregate area but not be less than 24 sq. ft. and may be dbl. sided. No more than 15 ft. in height.	N
	Portable	1	6 sq. ft. & dbl. sided, no more than 4 ft. in height, The area of this sign shall be included in the total aggregate area.	N
	Off-Premises	1 per entrance	Banners or other temporary means of advertising for purposes of identifying community events.	N

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§153.134 SIGN REGULATIONS FOR USE DISTRICTS

Descriptions & Districts	Type	Number Permitted	Area & Height	Permit Required?
C3, M1, M2, Commercial & Industrial			Aggregate area on any one property shall not exceed 1- sq. ft. per lin. ft. of street frontage except that the total need not be less than 60 sq. ft. or more than 160 sq. ft.	
	Wall (c,d,e,f,h,)	Varies	The allowed aggregate sign area less the combined areas of the freestanding and portable signs.	Y
	Freestanding (g, m2)	1	The area of the sign shall not exceed one half of the aggregate area but not be less than 24 sq. ft. and may be dbl. sided, No more than 15 ft. in height except if located at interstate freeway interchanges where the height may not exceed 30 feet.	Y
	Window (i,j)	Varies with number of windows		N
	Off-Premise	Varies 1 per entrance to community from highway. May be placed within or across ROW with authorization	Max. Area + 160 sq. ft. Max. Height = 20 feet. (See. See. §153.130) Banners or other temporary means of advertising for purposes of identifying community events etc.	Y Y No Fee

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§153.135 SIGN REGULATIONS FOR USE DISTRICTS

Descriptions & Districts	Type	Number Permitted	Area & Height	Permit Required?
PUD & PAD			Use criteria from the district that most closely approximates the approved uses	

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§153.137 SIGN REGULATIONS FOR USE DISTRICTS

Descriptions & Districts	Type	Number Permitted	Area & Height	Permit Required?
Office Complexes Commercial and Industrial Centers	Wall-mounted or Under Canopy	1 per business	Aggregate area of all signs pertaining to one business shall not exceed 32 sq. ft. However, if the width of the building adjacent to the street frontage measures more than 40 lin. ft. then the aggregate of one face of all such signs may be increased in area at the rate of one sq. ft. for each foot of building frontage in excess of 40 lin. ft. The total of all signs for each business may not exceed 48 sq. ft. When two businesses share a common entrance they shall be considered one business for sign computation purposes.	Y
	Freestanding Center Identification only	1 per each street frontage, 2 per frontage if more than 200 lin. ft. All such signs shall be at least 100 lin. ft. apart	Under Canopy 6 sq. ft. max. Per sign: 32 sq. ft. max. No more than 12 ft. in height. Not counted in aggregate areas	Y
	Directory Signs Wall-mounted or on free-standing monument sign standards	1 per each business	Per sign: one sq. ft. max. No more than 6 ft. in height. Not counted in aggregate areas	Y

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Applicable Foot Notes:

- (a) A name plate sign identifying the occupant, occupant's profession or title and the address of the dwelling.
- (b) May be indirectly illuminated by one light bulb or fluorescent tube not exceeding 150 watts.
- (c) Wall-mounted or under architectural projection.
- (d) Attached signs shall not extend horizontally a distance greater than fifty percent of the width of the building wall on which it is displayed, except for buildings containing multiple occupancies.
- (e) Attached signs shall be on the occupants building only.
- (f) The abstract ratio of a wall-mounted sign cannot exceed 2:1.
- (g) Freestanding pole signs are not permitted unless the support member is concealed by a decorative enclosure.
- (h) Wall mounted signs must use back-lighted sign panels, individual letters or a painted plaque. ~~Canned signs are not permitted.~~
- (i) Maximum of 30 percent window coverage is allowed, 70 percent of the window must be able to be seen through. (Tabled pending research)**
- (j) Awning signs shall only be allowed on the ground floor of a building.
- (k) A Comprehensive Sign Plan Permit shall be required for signs on upper level stories of buildings exceeding two stories.
- (l) Reader Panel Signs:
 - 1. **Religious Assemblies Churches** may use up to one-half of the allowed freestanding sign area for a reader panel which shall display manually changeable copy only.
 - 2. Gasoline service stations may use up to one-half of the allowed freestanding sign area for a reader panel only to identify the current price of fuel being sold. The maximum sign area used for the reader panel shall be 24 square feet which shall display manually changeable copy only.
 - 3. Theaters:
 - a. One wall, fascia, mansard, or parapet sign may contain a reader panel.
 - b. The area of the reader panel shall not exceed 75 square feet or the maximum wall sign area otherwise allowed, whichever is less and shall display manually changeable copy only.
 - c. The reader panel shall be used exclusively for the purpose of identifying entertainment, motion pictures, or special events which occur on the premises.
- (m) Menu Boards for Drive-Thru Restaurants:
 - 1. One menu board is allowed per business. Such signs may be free-standing or wall-mounted.
 - 2. The maximum aggregate area for a menu board shall not exceed 45 square feet.
 - 3. The maximum sign height shall not exceed six feet for free-standing signs.
 - 4. The sign should be located so as to not be readable from the public right-of-way.

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§153.138 SIGN PERMITS

(A) *Permit required.* A sign permit shall be secured from the Town Development Services Department prior to the erection, relocation, construction, installation or substantial reconstruction (including painting or enlarging a painted sign on the surface of a permitted structure) or any non-exempt sign exceeding six square feet in area, or higher than eight feet above grade at the sign, regardless of value.

(B) *Fees.*

(1) Per Appendix A, Fees, Town Code Chapter 153 Zoning Regulations.

(2) The sign permit fees established in division (B)(1) above shall be double in the event that the erection, relocation, construction, installation or substantial reconstruction of any sign is begun prior to the issuance of a sign permit.

(C) *Sign permit application.* Each application for a sign permit shall be made at the Town Hall on the appropriate form(s) and shall contain at a minimum the following information:

(1) Assessor's parcel number identifying the property;

(2) Street address, if any, legal description of the property, and dimensions thereof. In the case of a metes and bounds parcel (a parcel that is not part of a recorded subdivision), a copy of the recorded legal description must be submitted with the application;

(3) ~~Copy to be placed on the sign(s);~~

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(4) Nature of the proposed use of the sign and premises;

(5) Type of sign and materials used, methods of support, freestanding or other;

(6) Estimated true value of sign and associated structural supports;

(7) Dimensions of sign panel as well as bottom and top heights above grade;

(8) Type, placement and strength of illumination, if any;

(9) Number and orientations of faces of sign (aerial-view sketch, if necessary, to depict faces and orientation);

(10) A (signed) plot plan showing the following:

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- (a) Shape and dimensions of lot boundaries, adjacent street right-of-way, driveway, buildings (existing and proposed);
 - (b) North designation; and
 - (c) Location of sign (s) on property (indicate type).
- (11) A (signed) elevation view, with dimensions and approximate copy ad design, of the sign(s) faces;
 - (12) Such other information as the Zoning Administrator may require for the purpose of determining whether the application complies with the subchapter requirements;
 - (13) Name, address and phone number of property owner and agent, if any; and
 - (14) Signature of applicant or agent.

(D) ~~Pre-existing signs~~*Non-Conforming*. Legal ~~conforming signs and legal~~ nonconforming signs existing prior to the effective date of this subchapter, shall be permitted to continue subject to general provisions regarding the removal of dangerous or abandoned signs and off-premises signs of this code, regarding obsolescence and abandonment. Continuation shall include the right to repaint or change the message or copy on the sign, provided the size and height is not increased and provided the sign is not converted from on-premises to off-premises use. Changes of ownership and/or business name shall not in and of itself alter the right of continued use of a sign. {see § 153.127 (L)}

(E) *Signs not requiring permits*. Signs not requiring permits by virtue of their height and size must nevertheless comply with all other requirements and restrictions of this code.

(F) *Temporary sign permits*. Signs with a limited duration of use, such as those provided in §§ 153.129, 153.130, and 153.133 shall obtain a temporary sign permit. The requirements and criteria for such signs are as follows:

- (1) A temporary sign permit is specifically required for community special event banners and signs, signs advertising the forthcoming construction of a building, exceptions granted administratively for grand openings, and one-time events.
- (2) Temporary sign permits shall be issued for no more than one year. An extension of a temporary sign permit shall be made the subject of an application for a use permit.
- (3) Temporary signs shall conform to all other requirements of this code.
- (4) The fee for a temporary sign permit shall be the same as a permanent sign permit, except as otherwise noted.

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[File: 1908-008-0001-0000; Desc: Sign Code Amendments SG 4-26-12; Doc#: 125165v2](#)[File: 1908-008-0000-0000; Desc: Sign Code Amendments YK 10-06-11; Doc#: 125165v1](#)