

**THE PLANNING & ZONING ADVISORY COMMISSION
FOR THE TOWN OF DEWEY-HUMBOLDT
REGULAR MEETING NOTICE
Thursday, December 6, 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 Chris Berry, Claire Clark, Dee Parker, Vice Chair Arlene Alen and Chair Bob Bowman.
4. **Disclosure of Ex Parte Contacts.**
5. **Informational Reports.** Individual members of the Commission and public may provide brief summaries of current events and activities. These summaries are strictly for the purpose of informing the Commission and public of such events, actions or activities. The Commission will take no discussion, consideration, or action on any such item except that an individual member of the Commission may request an item be placed on a future agenda.
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 November 8, 2012 Planning & Zoning Commission Regular Meeting.
7. **Discussion Agenda – New Business.** Discussion and Possible Action.
 - 7.1. **2013 P&Z Meeting Schedule.**
8. **Discussion Agenda – Unfinished Business.** Discussion and Possible Action on any issue which was not concluded, was postponed, or was tabled during a prior meeting.
9. **Public Hearing Agenda.** Discussion and Possible Action on matters not previously presented to the Commission.

9.1. Dewey-Humboldt Historical Society Use Permit.

9.2. Final Draft of Sign Code.

THIS CONCLUDES THE LEGAL ACTION PORTION OF THE AGENDA.

10. 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.

11. Adjourn.

For Your Information:

Next Town Council Work Session: Tuesday, December 11, 2012 at 2:00 p.m.

Next Town Council Meeting: Tuesday, December 18, 2012 at 6:30 p.m.

Next Planning & Zoning Commission Meeting: Thursday, January 3, 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.

Persons with a disability may request reasonable accommodations by contacting the Town Hall at 632-7362 at least 24 hours in advance of the meeting.

**TOWN OF DEWEY-HUMBOLDT
PLANNING & ZONING ADVISORY COMMISSION
REGULAR MEETING MINUTES
NOVEMBER 8, 2012, 6:00PM**

A REGULAR MEETING OF THE DEWEY-HUMBOLDT PLANNING AND ZONING COMMISSION WAS HELD ON THURSDAY, NOVEMBER 8, 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 6:03PM.
2. **Opening Ceremonies.**
 - 2.1. **Pledge of Allegiance.** Made.
3. **Roll Call.** Commissioners Chris Berry, Claire Clark, Dee Parker (arrived at 6:05PM), Vice Chair Arlene Alen and Chair Bob Bowman were present.
4. **Disclosure of Ex Parte Contacts.** None.
5. **Informational Reports.** Warren Colvin, Community Development Coordinator, noted the Informational Reports agenda item is a new addition; Town Planner Report and Commissioner Agenda Items were removed so general information could be addressed before the legal portion of the meeting; upon further research on fees for temporary sign permits, it is \$10; reviewed the sign code with the Town Manager and there were a few clerical changes made, the Town Attorney reviewed and recommended removing language in the definitions that were regulations which did not belong there so those changes were made, sign code will go for Public Hearing on December 6, 2012 and then scheduled for Town Council on December 18, 2012 for final approval. Chair Bob Bowman stated that the Town sent him to the American Planning Association conference in September and a report will be made to the Council on that subject.
6. **Consent Agenda.**
 - 6.1. **Minutes.** Minutes from the October 4, 2012 Planning & Zoning Commission Regular Meeting.

Commissioner Clark made a motion to approve the October 4, 2012 minutes as presented, seconded by Commissioner Parker. The motion passed unanimously.
7. **Discussion Agenda – New Business.** None.
8. **Discussion Agenda – Unfinished Business.**
 - 8.1. **Priority List for Proposed Text Amendments to Town Code.** Discussion and possible action.

Mr. Colvin included the top three priority items in the packet that came from the April 5, 2012 P&Z and Council Joint Session: illegal lot division, accessory dwelling units, historical buildings.

Chair Bowman recommended addressing the items in the order in which they were rated at the Joint Session; the Commission agreed.
 - 8.2. **New Sign Code Amendment to Section 153.130 – Off-Premise Signs.** Discussion and possible action.

Mr. Colvin stated that it was brought to his attention by Commissioner Berry that most of the other categories in the sign code had provisions for both wall-mount and ground-

mount signs but this particular section there were only provisions for ground-mount off-premise signs. There was discussion on height, width, how many, informational/directional signs and painted signs. Mr. Colvin stated signs painted on buildings are considered signs; commercial complex the maximum is 150 square feet and 30 feet height; commercial, education, religious, industrial the maximum is 100 square feet and no height restriction which are the two common sizes.

Chair Bowman made a motion that wall-mounted signs is added to the sign code wording; Commissioner Alen amended the motion to add that off premise signs have a maximum of 200 square feet.

Chair Bowman asked the Commission who favored reducing the maximum size of off-premise signs to 100 square feet. Commissioners Clark and Parker were in favor.

Chair Bowman asked the Commission who favored increasing the maximum size of off-premise signs to 200 square feet. Commissioners Berry, Alen, Bowman and Parker were in favor.

Chair Bowman restated the motion, adding wall-mounted off-premise signs to the sign code section 153.130, area and height will be a maximum of 200 square feet and retaining the 20 foot height, seconded by Commissioner Alen. The motion passed unanimously.

Mr. Colvin clarified that ground-mounted will remain 160 square foot maximum and adding a category for wall-mounted 200 square foot maximum.

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

None.

10. Comments from the Public.

Jerry Brady spoke on Prescott in process of completing sister city agreement with a town in Germany; Herbert Windolf, U.S. representative of the Karl May western history museum, could meet with the Commission to address public land use issues within historic districts and advantages of relationship; economic advantages under federal and state laws to the owners of historic properties operating in historic districts or overlays, voluntary participation; U.S. Public Land Survey System expediting resolution of differences of survey standards in AZ, Yavapai County Tax Assessor's office is lead agency.

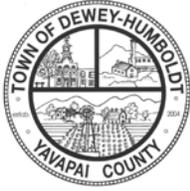
Commissioner Berry expressed interest in placing some of these items on a future agenda.

11. Adjourn. The meeting was adjourned at 6:41PM.

Robert Bowman, Chairman

ATTEST:

Mandi Garfield, Administrative Assistant



TOWN OF DEWEY-HUMBOLDT
P.O. BOX 69
HUMBOLDT, AZ 86329
Phone 928-632-8562 ▪ Fax 928-632-7365

MEETING OF THE TOWN PLANNING & ZONING ADVISORY COMMISSION
December 6, 2012, 6:00 p.m. Town Council Meeting Chambers

Agenda Item #7.1 2013 P&Z Meeting Schedule.

Recommendation: Discussion and overview of the 2013 Planning and Zoning dates. (No Action)

To: Planning & Zoning Advisory Commission
From: Warren Colvin, Community Development Coordinator

Date Submitted: November 27, 2012

Summary: Review P&Z Meeting dates for 2013. (No Action)

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2013 Holidays

New Year's Day	01-01-13	Tuesday
MLK Day	01-21-13	Monday
President's Day	02-18-13	Monday
Memorial Day	05-27-13	Monday
Independence Day	07-04-13	Thursday
Labor Day	09-02-13	Monday
Veterans' Day	11-11-13	Monday
Thanksgiving Day	11-28 & 29-13	Thursday and Friday
Christmas Day	12-25-13	Wednesday

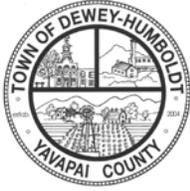
Council Meeting Dates

<u>Regular</u>	<u>Work Session</u>
01-01-13 (Holiday)	01-08-13
01-15-13	
02-05-13	02-12-13
02-19-13	
03-05-13	03-12-13
03-19-13	
04-02-13	04-09-13
04-16-13	
05-07-13	05-14-13
05-21-13	
06-04-13	06-11-13
06-18-13	
07-02-13	07-09-13
07-16-13	
08-06-13	08-13-13
08-20-13	
09-03-13	09-10-13
09-17-13	
10-01-13	10-08-13
10-15-13	
11-05-13	11-12-13
11-19-13	
12-03-13	12-10-13
12-17-13	

P&Z Meeting Dates

01-03-13
02-07-13
03-07-13
04-04-13
05-09-13
06-06-13
07-04-13 (Holiday)
08-08-13
09-05-13
10-03-13
11-07-13
12-05-13

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TOWN OF DEWEY-HUMBOLDT
P.O. BOX 69
HUMBOLDT, AZ 86329
Phone 928-632-8562 ▪ Fax 928-632-7365

MEETING OF THE TOWN PLANNING & ZONING ADVISORY COMMISSION
December 6, 2012 6:00 p.m. Town Council Meeting Chambers

Agenda Item #9.1 Public Hearing Historical Society Use Permit

Recommendation: Discussion and Possible Action for Approval of Use Permit for the Dewey-Humboldt Historical Society Museum.

To: Planning & Zoning Advisory Commission
From: Warren Colvin, Community Development Coordinator

Date Submitted: November 27, 2012

Summary: See Staff Report below.

Overview

The Town of Dewey-Humboldt has received an application from the Dewey-Humboldt Historical Society (DH HS) for the properties located at 12925 E. Main St. (the bank building) and its adjacent 30' strip Second Street right-of-way area. DH HS requests the properties be allowed for the use of a museum and related activities. DH HS also requests that the requirements of Town Code Section 153.085 (Outside Display, Commercial) be waived. In lieu of the Section 153.085 provisions, DH HS has agreed to comply with all conditions and requirements of the License Agreement for the 30' ROW area which was entered between DH HS and the Town in November 2012. DH HS also submitted a parking plan.

For the purpose of this memorandum, "museum properties" refers to the bank building property and its adjacent 30' wide Second St. ROW area.

The Use Permit application was submitted according to Town Code Sections 153.091, 153.022. Applicant has conducted the Citizen Participation Plan per requirements of Section 153.023 with no objections to the proposed Use.

Staff has sent out the Notice of Public Hearing to all property owners within 300' of the property along with all required postings and notifications required by Section 153.022(E).

Analysis

~ Museum use:

The bank building is zoned as C 1-1 Commercial; Neighborhood Sales and Services. Surrounding uses include the following: antique mall, restaurant, thrift store, church, telecommunication storage/supply/server building. Pursuant to Town Code Section 153.042 (B), a museum is not an outright permissible use. However, staff believes that the use of a museum is compatible with the Town's General Plan for Commercial District and would not be detrimental to its surrounding uses.

~ Outside Display (Town Code Section 153.085) waiver:

DH HS requests to waive all requirements of above Town Code section and is to comply with the License Agreement. Staff compared Section 153.085 and the License Agreement stipulations, specifically Section 6 "Conditions" dealing with land use. We believe that said License Agreement section and Town Code Section 153.085 "Outside Display, Commercial" share the same requirements essentially. Additionally, we examined the site plan provided by DH HS and found that the setback requirements outlined in Section (153.085(D)(1)(2) have been partially met. In response to DH HS's Town Code waiver request, staff presents the following conditions:

In lieu of Town Code Section 153.085,

1. As agreed by DH HS, all terms and conditions of the License Agreement entered in November 2012 would stand in full effect.
2. Activities covered under this use permit must be for museum related educational and history preservation purposes. Commercial activities conducted for personal or private gains on the "museum" properties will not be covered by this use permit. In order to be qualified as outside display items under this use permit, DH HS must provide written information of each item to be displayed demonstrating its historical significance. Items that do not meet above criteria will not be allowed to be stored or displayed on the museum properties.
3. DH HS shall submit a site plan for review and approval by the Town Zoning Administrator prior to placement of any new exhibits or installation of any items in the outside display areas, including the bank property and its adjacent 30' strip licensed area. Site Plan shall contain dimension and background information of the new items. (153.085 (A), (D), (I) and LA 6.d).
4. Upon obtaining the "use permit", DH HS shall provide a detailed screening plan for the entire outside display area immediately, no later than January 15, 2013. Screening is to be 6' in height except for the front setback yard area where a 4' height is required. Plan shall include types of materials of the screening and be approved by the Town Community Development Coordinator. (153.085 (B)(1)(2), (C) (1), (D), (G), (I)).
5. Outside display area shall be covered with an approved dust-free gravel material in lieu of Town Code Section 153.085 (F)'s paving requirement.
6. The parking plan submitted by DH HS in the use permit application is acceptable. Parking must be on premise required by Section 153.110(A).
7. All setbacks to the thirty (30') display area shall be in accordance with Town Code Section (D)(1)(2). Items must be a minimum twenty feet (20') from the nearest edge of pavement (or useable road surface); and six feet (6') from the right-of-way line.

Recommendation

Staff recommends the approval of the use permit under above conditions. Staff also recommends the use permit be granted for a period of one year with possible renewal for additional years up to five years by the Council (See Town Code Section 153.091 (C) (1) (a)).

Attachments: DH HS use permit application, site plan, public hearing notices, citizen participation plan material, signed license agreement

UP 2012-2

TOWN OF DEWEY-HUMBOLDT DEVELOPMENT APPLICATION

PROJECT DESCRIPTION:

permit to use Bank building as museum

- | | | |
|--|---|--|
| <input type="checkbox"/> General Plan Amendment - Major | <input type="checkbox"/> General Plan Amendment - Minor | <input type="checkbox"/> Pre-Application |
| <input type="checkbox"/> Community Master Plan | <input type="checkbox"/> Major Use / Site Plan | <input type="checkbox"/> Preliminary plat |
| <input type="checkbox"/> Commercial Design Review | <input type="checkbox"/> Annexation | <input type="checkbox"/> Zoning Clearance |
| <input checked="" type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Abandonment | <input type="checkbox"/> Rezone |
| <input type="checkbox"/> Land split (3 parcels max) | <input type="checkbox"/> Lot Combine | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Area Plan / Amendment | <input type="checkbox"/> Final Plat / Amendment | <input type="checkbox"/> Land Use District |
| <input type="checkbox"/> Other _____ | | |

LEGAL DESCRIPTION:

Property Address: 12925 E Main Street, Humboldt

Number of Lots / Units Proposed: 2

Assessor's Parcel Number: 402-10-018 Parcel Size (Acres): 0.158

Existing Land Use District: _____ Proposed Land Use District: _____

Plat Name: Humboldt Block: 3 Lot: 18 and 19 Tract: Book 2 of maps p 8,9

DESCRIBE UTILITIES AVAILABLE TO PROPERTY:

- | | | |
|---|--|--------------------------------------|
| <input checked="" type="checkbox"/> Water _____ | <input checked="" type="checkbox"/> Gas _____ | <input type="checkbox"/> Sewer _____ |
| <input checked="" type="checkbox"/> Phone _____ | <input checked="" type="checkbox"/> Electric _____ | <input type="checkbox"/> Cable _____ |

Describe Public Access to Property:

main door facing Main St.
2 lower-floor doors facing Second St.

FEES

Base Fees: _____ Other Fees: _____ Other Fees: _____ Subtotal: _____ Total: _____

*APPLICANT / CONTACT INFORMATION:		OWNER INFORMATION:	
Name: <u>Gerald Hoyer</u>	Name: <u>Gateway Baptist, Inc.</u>		
Address: <u>PO Box 540</u>	Address: _____		
Phone: <u>928 632 3962</u>	Phone: _____		
Email: <u>ghoyer@outdns.net</u>	Email: _____		

Gerald Hoyer
Signature of owner or representative

*If application is being submitted by someone other than the owner of the property under consideration, a letter of authorization or other corresponding information must be provided.



TOWN OF DEWEY-HUMBOLDT

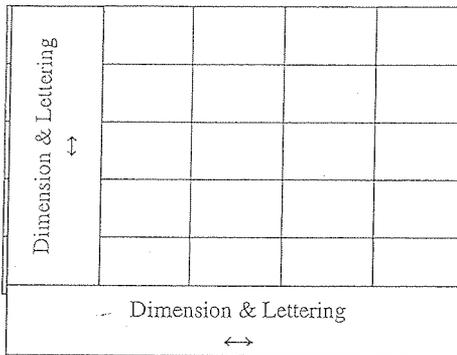
Plot Plan Sketch and Affidavit

I certify that I am authorized by the property owner to make this application, that all information provided for this application is correct and that this plot plan, as part of the permit, indicates all structures (including fences, walls, and pads), correct property and building dimensions; setback distances; legal access and easements; road cuts; walls and/or any water course (including washes, drainage ditches etc.) on or within 50'; 100' and 200' respectively of the property. We agree to conform to all applicable laws of this jurisdiction.

Gael Hoyer
Signature

29 Nov 2012
Date

Orientation of Plot Plan.



Scale 1" = 30'

no building proposed
sign on building front

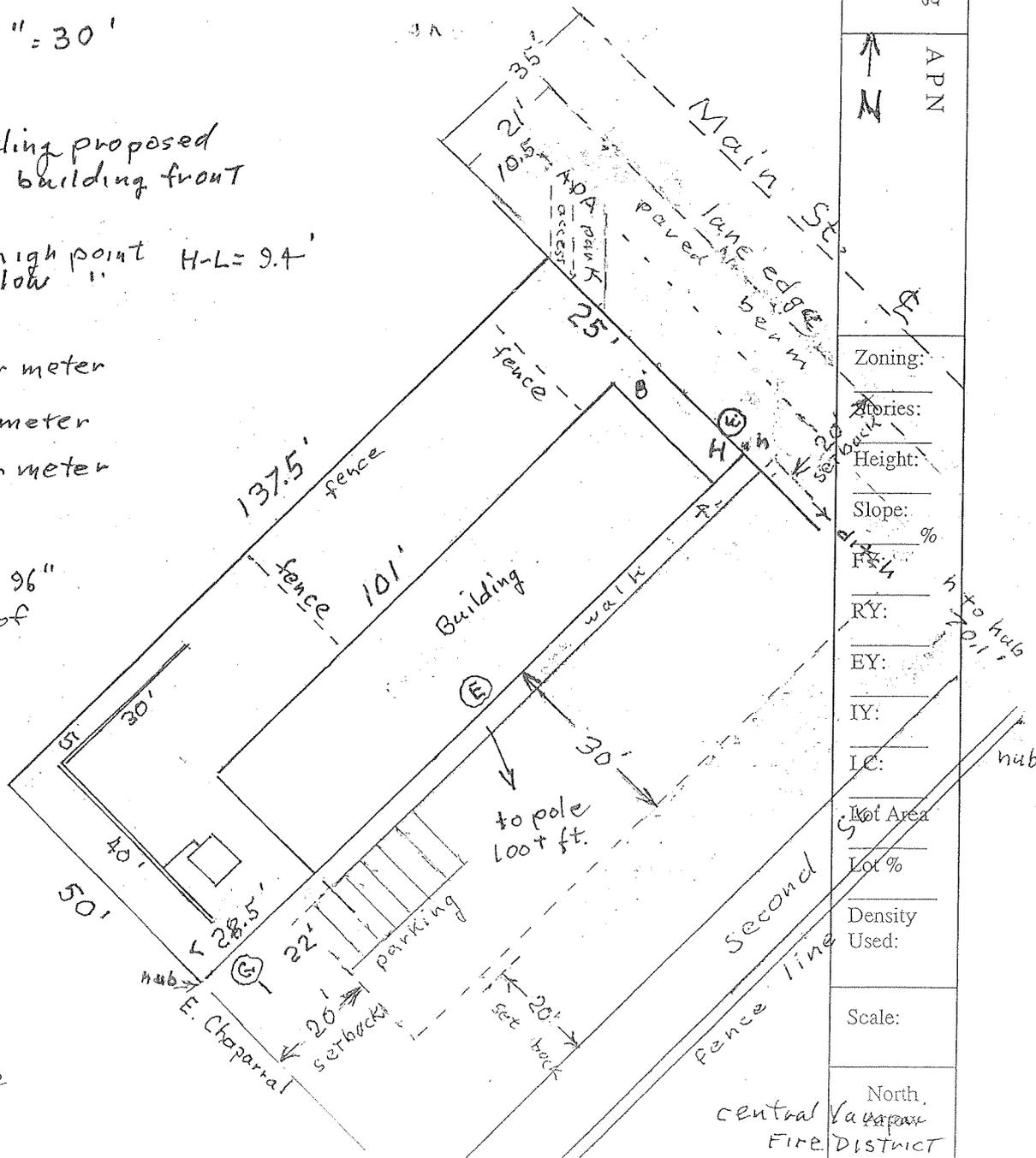
H = lot high point H-L = 9.4'
L = " low "

- (W) water meter
- (G) gas meter
- (E) power meter

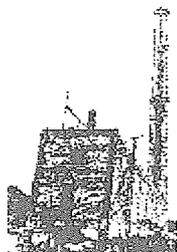
1 sign 18" x 96"
on front of building

BANK
MUSEUM

Oct 18, 2012



Document #	Sec	Twn	Rng	APN	Zoning:	Stories:	Height:	Slope:	FR:	RY:	BY:	IY:	LC:	Lot Area	Lot %	Density Used:	Scale:	North
																		central Vapor FIRE DISTRICT



Dewey-Humboldt Historical Society

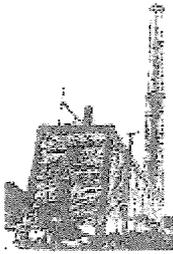
September 24, 2012

Citizen's participation Report; Conditional Use Permit application

On September 12, the Society initiated a plan to involve citizens in our interest in using the Bank building in Humboldt as a Community Museum. Action taken was as follows:

1. Compile statements in letter form describing our plans, explaining the need for the issuance of a "conditional use permit" to allow the Bank building to be used as a museum and inviting citizen comment.
2. We compiled a list of 20 landowners of 40 parcels that are located within 300 feet of the Bank parcel and the lot parcel across Main St. from the Bank building.
3. On Sept 13, we mailed the letter to each landowner inviting them to attend a meeting on September 20 about the "conditional use permit" and asking for comments. The same day we hand-delivered copies of the letter to 20 residents of nearby properties and to the members of the town council and town staff. We also posted copies of the letter on community bulletin boards.
4. On September 19, a copy of the letter was published in the "letters" column of the Prescott Valley Tribune. There was also a short public notice of the meeting in the same issue.
5. Turn-out for the meeting was low; seven people. All who attended were in favor of the Society museum effort.
6. There has been no follow-up contact via the phone number provided.

Gerald Hoyer, Committee Chairman, DHHS



Dewey-Humboldt Historical Society

September 24, 2012

Letter of Intent; Conditional Use Permit application

To :

Town Staff, Dewey-Humboldt;
PO Box 69 Humboldt AZ 86329

The Society's interest in using the bank building on Main Street, Humboldt, as a Community historical museum is well known and has been supported by your work on our behalf. We hope this summary letter of intent helps make your work easier.

It is the Society's intention to manage the Bank building on Main Street as a museum, hopefully opening in December. We also intend to use the ~~open lot across Main Street~~ from the Bank as a display area for large artifacts and as part of a view area for a Historic Walking Tour of Humboldt. The lot is included as part of the permit application. SEE AGREEMENT
W/ TOWN FOR
30' R.O.-W.

In addition we intend to continue to use the museum to provide history-based activities for the Community. And when the Conditional Use Permit has been issued we can open to the public and function as real museum, not as a temporary one as we have been during our current establishment period.

It is the Society's intention to manage the museum permanently and we prefer that the Conditional Use Permit be for as long as possible, easily renewable and free of cost.

Thank you for your help toward making the museum possible for the Community.

Sincerely,

Gerald Hoyer, Committee Chairman, for DHHS



Dewey-Humboldt Historical Society

P.O. Box 85, Humboldt Az., 86329

November 2, 2012

Town of Dewey-Humboldt
Attn. Town Manager,

This letter relates to the Society's cooperative effort with the Town of Dewey-Humboldt for a use permit for displaying artifacts on the 30-foot strip of land between the bank building property on 12925 E Main Street, Humboldt, (Assessor's parcel number 402-10-018) and Second Street.

We request a waiver of the entire section of zoning regulation 153.085, Outside Display, Commercial. In place of that section of the zoning regulations, the Society will follow all of the requirements and conditions as specified in the license agreement between the Town and the Society for use of the 30-foot strip.

Sincerely,

Gerald E. Hoyer,
Committee Chairman for DHHS

Kathryn Hoyer,
Secretary and Board member.



Town of Dewey-Humboldt

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

PUBLIC HEARINGS NOTICE

The following hearing application shall appear in addition to previously set matters by the

**TOWN OF DEWEY-HUMBOLDT PLANNING & ZONING ADVISORY COMMISSION
ON DECEMBER 6, 2012 AT 6:00 PM**

And

**DEWEY-HUMBOLDT TOWN COUNCIL
ON DECEMBER 18, 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: APPLICATION FOR A USE PERMIT

Planning & Zoning Case Number: UP2012-2

APN: 402-10-018

Applicant: DH Historical Society
Gerald Hoyer
12925 E. Main Street
Humboldt AZ. 86329

Request: Use Permit for Museum and Outside Display

NOTICE TO THE PUBLIC: Property owners 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

When Recorded Mail To:

Town Clerk
Town of Dewey-Humboldt
2735 South Highway 69, Suite 12
Humboldt Station
Humboldt, AZ 86329

LICENSE AGREEMENT

This License Agreement is made this 6 day of November 2012, by and between the Town of Dewey-Humboldt, an Arizona municipal corporation (hereinafter "Town") and the Dewey-Humboldt Historical Society (hereinafter "Licensee").

Recitals:

- A. Town owns the real property that is the subject of this Agreement.
- B. Town has determined that Licensed Property is not necessary for roadway purposes at this time, but retains ownership of the right-of-way for utility, drainage and future right-of-way purposes.
- C. Licensee has leased the property and building adjacent to the Licensed Property where it plans to open and operate a Dewey-Humboldt museum.
- D. Licensee desires to use Licensed Property for display of large historic items and parking lot purposes and is willing to assume full responsibility for installation and maintenance of said items and parking lot.
- E. Town is willing to grant a revocable License to Licensee to use the Licensed Property for the above-stated purposes as long as Licensee agrees to maintain said items and parking lot installed by Licensee without cost to Town.

NOW THEREFORE, in consideration of the covenants and agreements contained herein, Town hereby grants Licensee a revocable license conveying the right and privilege to enter upon and use Licensed Property under the following terms and conditions:

Terms and Conditions:

1. Licensed Property: The real property that is the subject of this License is a 30 foot strip of the 2nd Street right-of-way, as legally described and shown on the map in Exhibit A ("Licensed Property"), which is attached hereto and incorporated herein by this reference.

License Agreement
Town of D-H & Historical Society

2. Purpose: The purpose of the License is to allow installation and maintenance of exhibition of large historic items, parking lot, and related improvements within the Licensed Property. Town specifically consents to entry upon Town's property by contractors and agents of Licensee solely to install and maintain these improvements.

3. Ownership of Licensed Property. Town will retain ownership of Licensed Property.

4. License Fee. There shall be no fee for the license granted herein.

5. Maintenance. Licensee shall keep the Licensed Property, exhibits, parking lot, landscaping, and any and all facilities installed by Licensee, in good condition, free from weeds and litter at Licensee's sole expense.

6. Conditions. This License shall be subject to the following conditions:

a. This License is nonexclusive and nothing herein shall be construed to prevent or restrict Town from granting other privileges to use Licensed Property in a manner not inconsistent with Licensee's use of Licensed Property.

b. Town shall not be liable for any expense, cost or charge arising from Licensee's exercise of rights granted by this Agreement.

c. Licensee shall at all times allow access to public utility facilities located within the Licensed Property and shall not construct or install any exhibitions or installations that would interfere with the operation of public utility facilities within the Licensed Property. Licensee shall reimburse Town for any and all costs and expenses incurred by Town to remove or relocate utility facilities and landscaping to accommodate the purposes for which this License is issued.

d. Prior to beginning work on any exhibition, installation, landscaping or construction of any improvements on Licensed Property, Licensee shall submit plans to and obtain approval from the Town Manager.

e. Licensee shall screen all exhibits at Licensee's sole expense as required and approved by the Town Zoning Administrator and/or the Town Codes, including but not limited to § 153.085 of the Dewey-Humboldt Town Code.

f. The License granted herein is subject to all prior licenses, leases and easements of record.

- g. Town reserves the right to impose other reasonable conditions in order to protect public health, safety and welfare upon thirty (30) days written notice to Licensee.

7. Indemnification: To the extent not prohibited by law or expressly excepted herein, Licensee its successors and assigns (“Indemnitors”), shall indemnify, release and hold harmless Town, and the officers, employees, agents, successors and assigns thereof, against and from any damage, loss or liability caused in whole or in part by Indemnitor, regardless of whether caused in part by Town or any of them, and suffered by Town as a result of any claim, demand, lawsuit or action of any kind whether such damage or loss is to person or property, arising out of, resulting from or caused by: (a) the acts or omissions of Indemnitor, its agents, contractors, officers, directors, or employees; (b) Indemnitor’s use or occupancy of the Licensed Property for the purposes contemplated by this Agreement, including but not limited to claims by third parties who are invited or permitted onto the Licensed Property, either expressly or impliedly, by Licensee or by the nature of Licensee’s improvement or other use of the Licensed Property pursuant to this Agreement; (c) Licensee’s failure to comply with or fulfill its obligations established by this Agreement or by law. Such obligation to indemnify shall extend to and encompass all costs incurred by Town in defending against such claims, demands, lawsuits or actions, including but not limited to attorney, witness and expert witness fees, and any other litigation related expenses. Indemnitor’s obligation pursuant to this Section shall not extend to any damage, loss or liability as a result of any claim, demand, lawsuit or action of any kind, whether such damage, loss or liability is to person or property arising out of, resulting from or caused by the sole, exclusive acts or omissions of Town, its contractors, directors, officers, employees, agents, successors or assigns for which Town shall indemnify, release and hold harmless Indemnitors. Town’s obligation to indemnify Indemnitors shall extend to and encompass all costs incurred by Indemnitors in defending against such claims, demands, lawsuits or actions, including but not limited to attorney, witness and expert witness fees, and any other litigation expenses. The provisions of this Section shall survive termination of this Agreement.

8. Term:

- a. If Licensee continues to operate a museum on the adjacent premises, the term of this Agreement shall be one year from the date of execution of this Agreement, subject to termination by either party upon thirty (30) days' prior written notice. The parties may extend the term of this License upon mutual written agreement.
- b. If Licensee terminates its lease of the adjacent premises or discontinues museum operations on the adjacent premises, the License granted by this Agreement shall terminate immediately.

9. Return to Pre-License Condition: Within thirty (30) days of termination of the License, Licensee shall, at its sole expense, remove all exhibits, fencing and screening facilities and return the Licensed Property to its pre-License or better condition. If Licensee fails to return the Licensed Property to its pre-License or better condition to the satisfaction of Town, Town reserves the right to do the work itself and require reimbursement of any and all expenses plus a reasonable administrative fee.

10. Insurance: Licensee shall provide insurance for the Licensed Property as required by the Town.

11. Not a Lease: Licensee shall not, by virtue of this Agreement, be deemed to have become the tenant of the Town.

12. Governing Law: This License is entered into in Arizona and shall be construed and interpreted under the laws of the State of Arizona.

13. Attorneys' Fees: Should litigation be necessary to enforce any term or provision of this Agreement, or to collect any damages claimed or portion of the amount payable under this Agreement then all litigation and collection expenses, witness fees, court costs, and attorneys' fees shall be paid to the prevailing party.

14. Conflict of Interest: In the event Town elects to cancel this Agreement due to a conflict of interest as outlined in A.R.S. § 38-511, as amended, Town agrees to immediately give notice thereof to Licensee.

15. Notice: All notices and demands required or permitted by this License shall be in writing and shall be deemed to have been given properly when sent by certified mail (postage pre-paid), delivered personally or given by telefacsimile to the party at the address below or to such other address as may be furnished:

Notices to Town

Notices to Licensee

Town Manager

Dewey-Humboldt Historical

Town of Dewey-Humboldt
2735 South Highway 69, Suite 12
Humboldt Station
Humboldt, AZ 86329

Society
PO Box 85
Humboldt, Arizona 86329

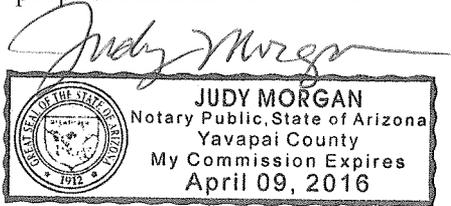
IN WITNESS WHEREOF, the parties hereto have executed this License this
7th day of November, 2012.

TOWN OF DEWEY-HUMBOLDT:


Terry Nolan, Mayor

STATE OF ARIZONA)
) ss.
County of Yavapai)

The foregoing instrument was acknowledged before me, the undersigned Notary Public, this 7th day of November, 2012, by Terry Nolan, Mayor, who personally appeared and acknowledged himself to be acting as Mayor of the Town of Dewey-Humboldt, Arizona, and that he as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained.



LICENSEE:

By 

ACKNOWLEDGMENT

STATE OF ARIZONA)
) ss.
County of Yavapai)

The foregoing instrument was acknowledged before me, the undersigned Notary Public, this 7th day of November, 2012 by Carl Marsee, who personally appeared and acknowledged himself to be a Licensee of License Agreement, and that he as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.


Notary Public

My Commission Expires:

April 9, 2016

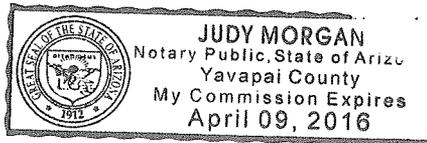
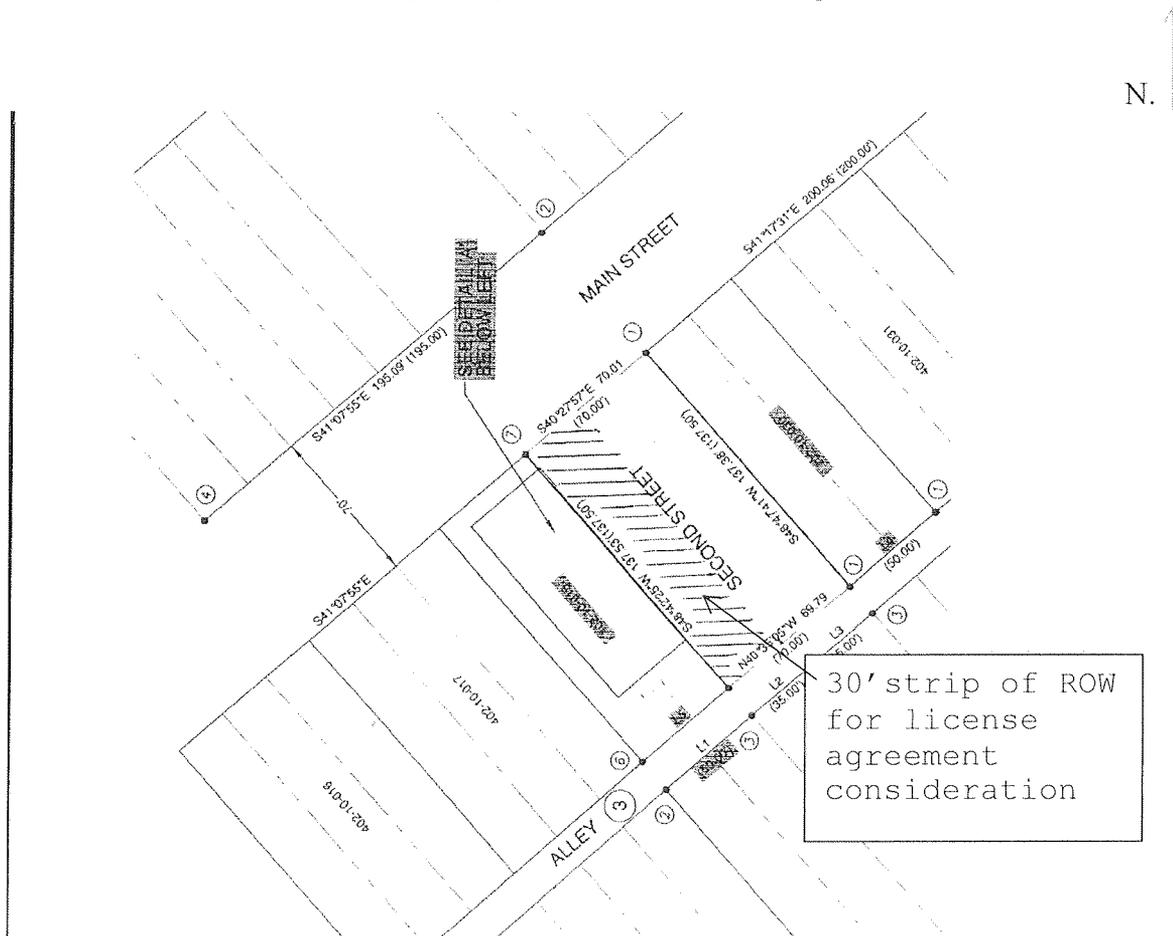


EXHIBIT A

Licensed Property (a 30' strip of land of Second St. Right of Way) Legal Description

A 30' strip of land being a portion of the 70' right of way of Second St at its intersection with Main St situated in the Southeast Quarter Southeast Quarter of Section 15, Township 31 N, Range 1 East, Gila and Salt River Base Meridian, Yavapai County, Arizona described as follows:

Beginning at the most easterly corner of Lot 19, Block 3, Second Amended Plat of the Town of Humboldt as shown in Book 2 of Plats, page 9 records of Yavapai County, Arizona; thence $S40^{\circ}27'57''$ E for 30.00 feet along the southeasterly projection of Main St; thence $S48^{\circ}42'25''$ W for 137.47 feet (137.50 feet); thence $N40^{\circ}35'05''$ W for 30.00 feet to the most southerly corner of said Lot 19; thence $N48^{\circ}42'25''$ E along the southeasterly property line of said Lot 19 for 137.53 (137.50) feet to the point of beginning. Area contains 4125 square feet or 0.095 acres.



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TOWN OF DEWEY-HUMBOLDT
P.O. BOX 69
HUMBOLDT, AZ 86329
Phone 928-632-8562 ▪ Fax 928-632-7365

MEETING OF THE TOWN PLANNING & ZONING ADVISORY COMMISSION
December 6, 2012 6:00 p.m. Town Council Meeting Chambers

Agenda Item #9.2 Public Hearing on Final Draft of Sign Code

Recommendation: Discussion and Possible Action for Approval of Final Draft of Sign Code to Send to Town Council for Approval.

To: Planning & Zoning Advisory Commission
From: Warren Colvin, Community Development Coordinator

Date Submitted: November 27, 2012

Summary: Public Hearing of Final Draft of Sign Code.

Attachment: Final Draft of Sign Code

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DEWEY-HUMBOLDT SIGN CODE (Revised after Meeting with Town Manager 10/22/12; meeting with Town attorney 11/05/2012; P&Z final review on 11/9/2012)

§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 in harmony with the values and character of this country community, 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 to insure 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.

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.

EMBLEM: A symbol representing any government, whether state, federal or local.

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

FLAG: Any fabric or banner containing distinctive colors, patterns, or symbols used as a symbol of a government, whether state, federal or local.

POSTER: A temporary bill or placard for advertising community events.

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 to the sign base.

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

PAD: Planned Area Development as defined in section 153.048.

POSTER: A temporary bill or placard for advertising community events.

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.

SANDWICH BOARD: A temporary sign which is of the A-frame type that sits on the ground.

SIGN: Any identification, description, illustration, symbol or device which is affixed directly or indirectly upon a building, vehicle, structure or land and which conveys information identifying or directing attention to or advertising a product, place, activity, person, institution or business.

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, 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 and not advertising a product or service, other than an identification-sign.

SIGN, NONCONFORMING: Any sign which is not allowed under this Code but when first constructed was lawfully permitted, constructed and installed.

SIGN, NUMBER OF FACES ON:

(1) **Single-faced:** If a sign has copy on one side-only.

(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.

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 constructed of durable materials, attached to the ground or a building and intended to remain in use for 6 months or more.

SIGN, POLITICAL: A temporary sign announcing or supporting or opposing 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, 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, 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 less than 6 months.

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.

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.
- (B) Lighted beacons, searchlights or similar lights, are prohibited (see *Light Pollution*, Town Code Sections §150.150 – 150.153).
- (C) No sign may encroach on or overhang an adjacent property, public right-of-way, utility right-of-way or easement unless an Encroachment Permit or License has been issued and approved by the Town.
- (D) No sign shall be attached to a utility pole, light standard, bridge or other fixture in the public right-of-way.
- (E) No sign shall be painted directly on or affixed to any natural object in its natural location.
- (F) No sign shall exceed 30 feet in height.
- (G) 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.
- (H) No sign shall display any statement, symbol or picture of an obscene nature.
- (I) Signs may be painted directly onto vertical structural surfaces.
- (J) Signs that are not permitted in a residential zone shall not be placed closer than 20 feet of any residentially zoned lot.
- (K) New signs exceeding 8 sq. ft. in area or exceeding eight feet in height shall follow the permitting requirements specified 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.
- (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 border 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 or designee, 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).
- (O) 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.*
- (P) Sandwich Board signs shall be displayed only during times when the business being advertised is open for business.
- (Q) *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. If a non-conforming sign becomes a hazard to public safety, it shall be removed, in compliance with Arizona law and this Code.

§153.128 EXEMPT SIGNS* The following types of signs are exempt from permitting requirements, but shall be subject to the limitations and requirements set forth below:

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	No Limit	Sec. 153.127(J)	N

Descriptions & Districts	Type	Number Permitted	Area & Height	Permit Required?
Emblems and Posters		No Limit	Sec. 153.127(J)	N
Religious Symbols		No Limit	No Limit	N
Flags		No Limit	No Limit	N
Sandwich Boards		2 Per Frontage	10 SQ.FT	N
Signs Located within Structures in commercial zoned district	Window Signs	No Limit	No Limit	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	16 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)	Wall or ground-mounted standard	No Limit. Install 60 days prior to election- Remove w/in 15 days of last day of vote casting	32 Sq. Ft. Max.	N
Political Signs, Commercial / Industrial (in right-of-way)	Wall or ground-mounted standard	No Limit. Install 60 days prior to election- Remove w/in 15 days of last day of vote casting	32 Sq. Ft. Max.	

*No more than two exempt signs shall be allowed per business.

§153.129 SPECIAL PURPOSE SIGNS

Descriptions & Districts	Type	Number Permitted	Area & Height	Lighting Allowed?	Permit Required?
<p>Directory or Informational Signs</p> <p>Permitted in all zoning districts.</p>	Wall or Ground-mounted standard which can be double-sided.	1 per sign for each building entrance and exit from a parking area.	Max. 32 sq. ft. Max. 20 ft. high	Yes – Refer to Dewey-Humboldt Light Pollution for restrictions	Y
<p>Property signs for all properties except those abutting highways</p> <p>Permitted in all zoning districts</p> <p>Shall not impede traffic and shall not be located in any public ROW</p> <p>Shall be removed w/in 30 days of sale or rental.</p>	Wall or Freestanding	1 each – on each street frontage.	Max. 18 sq. ft. Max. 8 ft. high	No	N
<p>Property Signs for 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>	Wall or Freestanding	1 sign per ROW frontage	32 sq. ft. and 8 ft. in height Property to be at least 2 acres.	No	Y

Shall be removed w/in 30 days of sale.					
Construction Signs Permitted in all zoning districts. Unlighted	Unspecified	1 each for each construction site.	Max. 24 sq. ft. Max. 8 ft. high	No	Y
Subdivision Signs 2-year duration. Requires a Use Permit thereafter.	Freestanding	Up to 5 signs	100 sq. ft. aggregate total. 12 ft. in height maximum	Yes – Refer to Dewey-Humboldt Light Pollution for restrictions	Y

§153.130 OFF-PREMISE SIGNS

Descriptions & Districts	Type	Number Permitted	Area & Height	Lighting Allowed?	Permit Required?
Off-Premise Signs Shall not be closer than 200 ft. of a residential zoning district.	Wall or ground mounted, not to be constructed on more than three supports.	Max. 1 per parcel.	Ground Mounted- Max. 160 sq. ft. Max. 20 ft. in height. Wall Mounted- Max 200 sq. ft. Max. 20 ft. height	Yes, illuminated sign shall be either internal or by external source per Dewey Light Pollution	Y
Temporary Off-Premise Signs for Community Events, Festivals & Similar Public	Banners or other temporary means of advertising.	Signs may be placed within or across a public ROW with the Town's authorization	Max. 48 sq. ft. Max. 8 ft. high	No	Y

§153.131 SIGN REGULATIONS FOR USE DISTRICTS (b)(c)

Descriptions & Districts	Type	Number Permitted	Area & Height	Lighting Allowed?	Permit Required?
Residential	Name Plate (a) Historical Marker	1	Max. 15 sq. ft. Max. 16 ft. in clear height	Yes - Refer to Dewey- Humboldt Light Pollution Code for restrictions	N
Multi-family (for more than four units – for less than four units see residential above)	Wall or Freestanding	1 per street frontage	Max. 16 sq. ft. Max. 10 ft. in height	Yes - Refer to Dewey- Humboldt Light Pollution Code for restrictions	Y
Subdivision	Monument	2	Max. 120 sq. ft. Max. 6 ft. in height	Yes - Refer to Dewey- Humboldt Light Pollution Code for restrictions	Y

Commercial, Education, Religious, Industrial ^(d)	Wall or Freestanding which can be dbl. sided	2 total - 1 wall & 1 freestanding- 3 total allowed if more than 5 acres of frontage on two roads then 2 freestanding signs will be allowed	Wall signs: Max. 100 sq. ft. No height restriction Freestanding signs: Max. 80 sq. ft. Max. 10 ft. high	Yes - Refer to Dewey-Humboldt Light Pollution Code for restrictions Y	Y
	Temporary Banners	3 each road frontage	Max. 64Sq. ft.		Y
Commercial Complexes (for more than 3 Commercial use occupants joined together) ^(d)	Wall or Freestanding	1 on each road frontage	Max. 150 Sq. ft. Max. 30 ft. high	Yes - Refer to Dewey-Humboldt Light Pollution Code for restrictions	Y
	Temporary Banners	3 each road frontage	Max 64 Sq. ft.		Y
PAD			Must submit a comprehensive sign plan.	Y	

Applicable Foot Notes:

- (a) A name plate sign identifying the occupant, occupant's profession or title and the address of the dwelling.
- (b) Attached signs shall be on the occupants building only.
- (c) Awning signs shall only be allowed on the ground floor of a building.
- (d) Menu Boards for Drive-Thru Restaurants:
 - 1. One pre-order and one order 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.

The sign should be located so as to not be readable from the public right-of-way.

§153.132 Reserved:

§153.133 Reserved:

§153.134 Reserved:

§153.135 Reserved:

§ 153.136 SIGN REGULATIONS, MOBILE HOME, TRAVEL TRAILER AND RECREATIONAL VEHICLE PARKS.

(A) Signs placed or maintained within any mobile home park are subject to all the regulations set forth under § 153.131.

(1) Permanent mobile home park entrance signs shall comply with the regulations set forth under § 153.131.

(2) Signs identifying travel trailer parks and recreational vehicle parks are subject to all the regulations set forth under § 153.131.

(Ord. § 601(J), passed 9-4-2008)

§153.137 Reserved:

§153.138 SIGN PERMITS

(A) *Permit required.* A sign permit shall be secured from the Town Community Development 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 eight (8) square feet in area, or higher than eight feet above grade at the sign, regardless of value.

(B) *Fees.*

(1) The fees shall be as set forth in and amended from time to time, = 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) Nature of the proposed use of the sign and premises;

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

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

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

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

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

(9) 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).

(10) A (signed) elevation view, with dimensions and approximate copy ad design, of the sign(s) faces;

(11) Such other information as the Zoning Administrator may require for the purpose of determining whether the application complies with the subchapter requirements;

- (12) Name, address and phone number of property owner and agent, if any; and
- (13) Signature of applicant or agent.

(D) *Signs not requiring permits.* Signs not requiring permits as set forth in Section 153.128 through 153.131 shall comply with all other applicable requirements and restrictions of this code.

(E) *Temporary sign permits.* Signs with a limited duration of use, such as those provided in §§ 153.130 and 153.131, 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 six months. An extension of a temporary sign permit may be obtained pursuant to the granting of 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.