

DRAFT



AMENDED OCTOBER 22, 2018 @ 3:28 PM

MARANA PLANNING COMMISSION
REGULAR COMMISSION MEETING
NOTICE AND AGENDA

11555 W. Civic Center Drive, Marana, Arizona 85653
Council Chambers, October 24, 2018, at or after 6:30 PM

Thomas Schnee, Chairman
Don Duncan, Vice Chair
Terry Fehrmann, Commissioner
Ronald Hill, Commissioner
Richard Miller, Commissioner
Bryan Schachter, Commissioner
Sharon Tyson, Commissioner

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Marana Planning Commission and to the general public that the Planning Commission will hold a meeting open to the public on October 24, 2018, at or after 6:30 PM located in the Council Chambers of the Marana Municipal Complex, 11555 W. Civic Center Drive, Marana, Arizona.

ACTION MAY BE TAKEN BY THE COMMISSION ON ANY ITEM LISTED ON THIS AGENDA. Revisions to the agenda can occur up to 24 hours prior to the meeting. Revised agenda items appear in *italics*.

Marana Planning Commission

Welcome to this public meeting of the Marana Planning Commission. The Commission consists of seven citizens who are appointed by the Town Council and serve without pay. For the most part, the Commission acts in an advisory capacity to the Town Council on matters related to land use planning and zoning. Citizens are encouraged to address the Commission with their concerns on agenda items during the public testimony portions of the meeting, or other issues at the Call to the Public.

Meeting Times

Regular Commission meetings are usually held on the last Wednesday of each month at 6:30 PM at the Marana Municipal Complex, although the date or time may change and additional meetings may be called at other times and/or places.

Speaking at Meetings

If you are interested in speaking to the Commission during the Call to the Public or Public Hearings, you must fill out a speaker card (located in the lobby outside the Council Chambers) and deliver it to the Planning Commission Secretary prior to the convening of the meeting.

All persons attending the Commission meeting, whether speaking to the Commission or not, are expected to observe the Commission rules, as well as the rules of politeness, propriety, decorum and good

conduct. Any person interfering with the meeting in any way, or acting rudely or loudly will be removed from the meeting and will not be allowed to return.

Accessibility

To better serve the citizens of Marana and others attending our meetings, the Council Chambers are wheelchair and handicapped accessible. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the Town Clerk at (520) 382-1999. Requests should be made as early as possible to arrange the accommodation.

Agendas

Copies of the Agenda are available the day of the meeting in the lobby outside the Council Chambers or online at www.maranaaz.gov.

This Notice and Agenda posted no later than 24 hours prior to the meeting, at the Marana Municipal Complex, 11555 W. Civic Center Drive, the Marana Operations Center, 5100 W. Ina Road, and at www.maranaaz.gov.

REGULAR COMMISSION MEETING

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION/MOMENT OF SILENCE

ROLL CALL

CALL TO THE PUBLIC

At this time, any member of the public is allowed to address the Planning Commission on any issue within the jurisdiction of the Planning Commission, except for items scheduled for a Public Hearing at this meeting. The speaker may have up to three (3) minutes to speak. Any persons wishing to address the Commission must complete a speaker card (located at the rear of the Commission Chambers) and deliver it to the Commission Secretary prior to this agenda item being called. Pursuant to the Arizona Open Meeting Law, at the conclusion of Call to the Public, individual members of the Commission may respond to criticism made by those who have addressed the Commission, and may ask staff to review the matter, or may ask that the matter be placed on a future agenda. However, members of the Commission shall not discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action.

APPROVAL OF AGENDA

ANNOUNCEMENTS

GENERAL ORDER OF BUSINESS

A. Approval of the September 26, 2018 Meeting Minutes

B. Public Hearings

1. **PCM1810-001: Amendment to Title 17 (Land Development) of the Marana Town Code, adding a new chapter (Chapter 17-10. Signs) replacing the current Title 16 (Signs) of the Marana Land Development Code.**

Recommendation to the Town Council for approval of an amendment to Title 17 (Land Development) of the Marana Town Code, adding a new chapter (Chapter 17-10. Signs) to replace Title 16. (Signs) in the Land Development Code. Chapter 17-10. (Signs) includes comprehensive revisions to the existing sign regulations. (Brian D. Varney).

C. Commission Action

Opening remarks by an applicant should not exceed ten minutes. Comments by others should not exceed three minutes.

D. Informational Items/Possible Action Items

FUTURE AGENDA ITEMS

EXECUTIVE SESSIONS

Pursuant to A.R.S. 38-431.03, the Planning Commission may vote to go into executive session, which will not be open to the public, to discuss certain matters.

Executive Session pursuant to A.R.S. § 38-431.03(A)(3), the Planning Commission may ask for discussion or consultation for legal advice with the Town Attorney concerning any matter listed on this agenda.

ADJOURNMENT

Planning Commission - Regular Meeting

Meeting Date: 10/24/2018

To: Planning Commission

From: Terri Byler, Executive Assistant

Date: October 24, 2018

Subject: **Approval of the September 26, 2018 Meeting Minutes**

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Attachments

September 26, 2018 Meeting Minutes



MARANA PLANNING COMMISSION
REGULAR COMMISSION MEETING MINUTES
11555 W. Civic Center Drive, Marana, Arizona 85653
Council Chambers, September 26, 2018, at or after 6:30 P.M.

Thomas Schnee, Chairman
Don Duncan, Vice Chair
Terry Fehrmann, Commissioner
Ronald Hill, Commissioner
Richard Miller, Commissioner
Bryan Schachter, Commissioner
Sharon Tyson, Commissioner

CALL TO ORDER. Chairman Schnee called the meeting to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE AND INVOCATION/MOMENT OF SILENCE. Led by Chairman Schnee.

ROLL CALL. Commission Secretary Terri Byler called roll. Commissioner Hill and Commissioner Miller were absent. A quorum was present.

CALL TO THE PUBLIC. No speaker cards presented.

APPROVAL OF AGENDA. *Motion to approve by Commissioner Fehrmann, seconded by Commissioner Tyson. Passed unanimously.*

ANNOUNCEMENTS. Jason Angell gave an update on the General Plan process and mentioned the upcoming General Plan community workshops, scheduled for October 3rd and 4th.

GENERAL ORDER OF BUSINESS. Approve Regular Planning Commission Meeting Minutes from August 22, 2018. *Motion to approve by Commissioner Tyson, seconded by Vice Chair Duncan. Passed unanimously.*

PUBLIC HEARINGS.

1. CUP1801-001 Golden Leaf Wellness Facility Expansion. Approving and authorizing a conditional use permit for the expansion of the existing Medical Marijuana Facility located at 5390 W. Ina Road, A.P.N. 226-35-006Y. (Cynthia Ross)

Presented by **Cynthia Ross**, Senior Planner. Ms. Ross noted Golden Leaf Wellness was requesting approval of a conditional use permit to allow for the expansion of the medical marijuana facility, located at 5390 W. Ina Road. The site was previously approved for a medical marijuana dispensary, with on-site cultivation, in January 2013. The applicant is proposing a new dispensary building [3,060 sq. ft.] and new cultivation building [10,000 sq. ft.] The existing building would be converted to cultivation-use only. The 1.6 parcel is zoned E "Transportation Corridor Zone." Staff finds the proposed development complies with all zoning and condition use requirements and recommends approval of CUP 1801-001.

Chairman Schnee the provisions requiring a setback of 1000 feet from a public park apply only to established public parks. **Jason Angell** confirmed. **Vice Chair Duncan** asked how many active [medical marijuana] patients are currently in Marana. **Charles Remme** - Golden Leaf – noted approximately 3500 patients. **Vice Chair Duncan** asked how many patients visit the facility each month. Mr. Remme noted approximately 5,500 per month. Seeing there were no speaker cards, **Chairman Schnee** opened and closed the public portion of the hearing. **Chairman Schnee** noted that he was in favor of the request. **Commissioner Fehrmann** felt the plan was well thought out. She asked if there would be any wastewater from the cultivation reaching the leach field. Mr. Remme stated the wastewater will be from normal restroom use and sink use only.

Motion to approve by Commissioner Tyson, seconded by Commissioner Schachter. Passed unanimously. 5-0

2. PCM1808-002 Amendment to Section 17-6-4 of the Town Code (Height of Buildings and Structures) under General Development Regulations in Title 17 (Land Development Code). A request for a recommendation to the Marana Town Council to approve deletion of existing language generally requiring building setbacks to be equal to or greater than the building height, and adding language allowing additional height above that allowed by zoning for ornamental elements of buildings and structures. (Ryan Fagan)

Presented by **Ryan Fagan**, Planner I. Mr. Fagan noted this was a request for a recommendation to the Town Council to approve deletion of outdated language in Section 17 of the Town Code and add language allowing additional height above that currently allowed by zoning for ornamental elements of buildings and structures. Mr. Fagan mentioned Bruce Call recently applied for an amendment to the Land Development Code to allow exceptions to the zoning height limits. Staff also came up with a recommend version of Mr. Call's proposed language.

Chairman Schnee asked what the difference was between staff's recommended version and Mr. Call's version. Mr. Fagan stated staff is recommending a required 1:1 setback in order to offset elements of a greater height from the property line, a 50% increase over the existing zoning height limit would be allowed to be approved administratively.

Staff's version of the amendment limits the height of the ornamental elements to no greater than their distance from the closest property line. Any additional height would require a conditional use permit. Mr. Call's version includes this limit, but would allow exceptions subject to approval of a conditional use permit. Mr. Call suggested that when staff is addressing the height limit of an ornamental element, when it is over 50% increase of the zoning height, staff should also address the setback from the street. **Chairman Schnee** asked Mr. Fagan what concern staff had with Mr. Call's proposal. Mr. Fagan noted that one could make the argument about allowing a conditional use permit for exceptions for setbacks, heights, lot coverage, landscaping...etc. We have regulations that place limits on these examples. Staff believes that it makes sense to require the increased setback.

Chairman Schnee opened and closed the public portion of the hearing. **Chairman Schnee** liked the flexibility of Mr. Call's proposed language: "Elements higher than 50% above the zoning height limit, or that do not conform to the increased setbacks specified in section 17-6-4.A.4., shall:

- a. require a conditional use permit
- b. require a viewshed and shadow analysis showing the impact on nearby properties
- c. have a combined footprint not exceeding 25% of the roof area of the principal building

Motion to approve Mr. Call's language, "Elements higher than 50% above the zoning height limit, or that do not conform to the increased setbacks specified in section 17-6-4.A.4.", of PCM1808-002 amendment to Title 17 (Land Development Code) of the Town Code to revise section 17-6-4 regarding exceptions to height limits, by Vice Chair Duncan, seconded by Commissioner Tyson. Passed unanimously. 5-0

COMMISSION ACTION.

1. PRV1806-001 Rancho Marana 154 Block 3 Preliminary Plat. A request for a recommendation to the Town Council for approval of a preliminary plat for Rancho Marana 154 Block 3 Lots 1-128 and Common Areas "A" through "N" at the northeast corner of Tangerine Farms Road and Clark Farms Blvd. (Steven E. Vasquez)

Presented by **Steven Vasquez**, Senior Planner. Mr. Vasquez noted this was a request for a recommendation of approval for a preliminary plat, consisting of 128 residential lots and common areas on approximately 24 acres within Rancho Marana 154 development. The location is on the NEC of Tangerine Farms Road and Clark Farms Blvd and the zoning is "F – Specific Plan". Two entries are proposed; the first off of Tangerine Farms Road on Charismatic Drive and the second off of Clark Farms Blvd. on Wiggins Drive. A neighborhood design plan is to be submitted as part of the preliminary plat. The plan is intended to regulate the aesthetic quality and construction in the subdivision. Staff has reviewed the request against the Rancho Marana Specific Plan, the Land Development Code, the Town Code and the General Plan and staff recommends approval to the Town Council.

Chairman Schnee had a concern with the setback in terms of the garage. Mr. Vasquez stated when the specific plan was initially proposed, the setback in terms of the front-facing

garage was considered. **Vice Chair Duncan** wanted to know the one-story to two-story ratio for the project. Mr. Vasquez noted that 50% is allowed. The specific plan allows for no more than two two-story homes next to each other.

Motion to approve by Commissioner Fehrmann, seconded by Commissioner Tyson. Passed unanimously. 5-0

INFORMATIONAL ITEMS/POSSIBLE ACTION ITEMS.

Recommendation to move the October 31, 2018 Planning Commission meeting to October 24, 2018. (Jason Angell) *Motion to move the October 31, 2018 Planning Commission meeting to October 24, 2018 by Chairman Schnee, seconded by Vice Chair Duncan. Passed unanimously. 5-0*

FUTURE AGENDA ITEMS.

ADJOURNMENT. *Motion to adjourn at 7:20 p.m. by Commissioner Tyson, seconded by Vice Chair Duncan. Passed unanimously.*

CERTIFICATION.

I hereby certify that the foregoing are the true and correct minutes of the Marana Planning Commission meeting held on September 26, 2018. I further certify that a quorum was present.



Terri Byler, Commission Secretary

Planning Commission - Regular Meeting

Meeting Date: 10/24/2018

To: Planning Commission

From: Brian Varney, Senior Planner

Date: October 24, 2018

Strategic Plan Focus Area:

Strategic Plan Focus Area Additional Info:

Subject: PCM1810-001: Amendment to Title 17 (Land Development) of the Marana Town Code, adding a new chapter (Chapter 17-10. Signs) replacing the current Title 16 (Signs) of the Marana Land Development Code.

Recommendation to the Town Council for approval of an amendment to Title 17 (Land Development) of the Marana Town Code, adding a new chapter (Chapter 17-10. Signs) to replace Title 16. (Signs) in the Land Development Code. Chapter 17-10. (Signs) includes comprehensive revisions to the existing sign regulations. (Brian D. Varney).

Discussion:

Staff is requesting a recommendation to the Town Council for approval of the new chapter (Chapter 17-10. Signs) of the Marana Town Code, a comprehensive update of the Town's sign regulations currently Title 16. (Signs) in the Marana Land Development Code.

In June 2015, the United States Supreme Court issued its landmark ruling in *Reed v. Town of Gilbert*, a case challenging the Town of Gilbert's sign code. The *Reed* case called into question all sign regulations that require an enforcement officer to read a sign to know whether or not it's legal. In response to *Reed*, Town staff has been working on comprehensive revisions to the Marana Sign Code in order to create time, place, manner regulations to replace those that regulate the content or message of signs. The proposed comprehensive revisions to the sign regulations now seek to regulate signs based on their physical attributes and not their content. Signs previously described by their message or speaker such as 'development signs', 'construction signs', 'time and temperature signs', and 'fuel price signs' are now simply regulated by their physical description such as 'wall signs', 'freestanding signs', 'banner signs', and 'vehicle signs'. Sign regulations will control: *time* (when signs are displayed); *place* (where signs are displayed); and, *manner* (how signs are displayed). Distinctions are no longer made between commercial messages and non-commercial messages. Commercial speech is not favored over non-commercial speech, and non-commercial speech is not regulated by message content.

In addition to achieving compliance with the Supreme Court decision in *Reed v. Town of Gilbert*, and establishing a content neutral sign code, the following general improvements have been accomplished:

- Outdated standards and terminology have been replaced with contemporary standards addressing current needs and trends.
- Regulations have been simplified to be more user friendly without sacrificing effectiveness and enforceability.
- Standards are clear, concise, and will provide fair and reasonable sign allowances for our residents and businesses while preserving the functionality and attractiveness of our community.
- Integrated links within the document will facilitate navigation of the online version.

Some of the key regulatory revisions are as follows:

- Planned Sign Programs will no longer be approved administratively by Planning staff. Applicant's requesting approval of a sign program will appear before the Planning Commission.
- Standards pertaining to freestanding monument signs have been slightly restricted with an option for a 25% increase in height and/or area only if enhanced design elements are incorporated into the architecture of the sign.
- Area allowances for electronic message displays has been increased, and may now occupy 50% of the sign area with no maximum.
- Temporary sign regulations are generally more restricted across the board largely as a result of new standards for signs that were previously unregulated.
- A-frame signs are now allowed for regular use in all non-residential areas.
- A definition of 'sign-premises' was created to allow occupants within a larger commercial or industrial center to utilize the entire center (rather than just their own property) for the purpose of displaying temporary signs. This will greatly improve temporary sign visibility.
- Standards for 'Ground Monument Signs' and 'Pole Signs' have been consolidated into a single category 'Freestanding Monument Signs', and the regulations have been revised to be more effective.
- New standards have been created for residential signs.
- A residential subdivision sign program has been created for home builders.
- Inflatable and air-activated signs are allowed on a limited use basis.

Town staff has extensively engaged the business community in the update process in order to obtain crucial input and feedback. Early in the process, focus groups were established including members of the business community which proved to be instrumental in obtaining information from the perspective of the end user. These groups were comprised of a wide representation of industries including retail and service, real estate marketing and sales, land development, sign manufacture, and others. More recently, the draft regulations have been introduced and presented to Marana Chamber of Commerce, Metropolitan Pima Alliance, and the Southern Arizona Homebuilders Association. Additionally, the Planning Division created a section on our webpage detailing the progress of the update and providing links to the current draft as well as to a location where comments could be submitted to staff. Direct email contact was made with many business throughout the community directing them to the Planning Division webpage and requesting comment and feedback. Additionally, the Marana Chamber of Commerce has assisted in updating its members throughout the process and directing them to the Planning Division for additional information.

Staff Recommendation:

Staff recommends that the Planning Commission forward the proposed amendment to Title 17 (Land Development) of the Marana Town Code, adding a new Chapter 17-10. (Signs) replacing the current Title 16. (Signs) of the Marana Land Development Code, to the Town Council with a recommendation for approval.

Suggested Motion:

I move to recommend to the Town Council approval of PCM1810-001, amendment to Title 17 (Land Development) of the Marana Town Code, adding a new Chapter 17-10. (Signs) replacing the current Title 16. (Signs) of the Marana Land Development Code.

Attachments

PCM1810-001 Draft Standards

PCM1810-001 Current Standards

Attachment 1

Attachment 2

CHAPTER 17-10. SIGNS

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17-10-1 Purpose

This chapter establishes reasonable regulations for the design, placement, construction, and maintenance of all signs within the town, to protect the public interest and achieve these community objectives:

- A. To minimize the risk of personal injury and property damage from unregulated and improper sign placement, construction, and maintenance;
- B. To balance private and public interests by providing opportunities for adequate signage for business identification and essential communication while preserving and enhancing the community environment, unique character and qualities of the town;
- C. To promote the use of signs that are well-designed, of appropriate scale, and appropriately integrated into the built environment; and
- D. To preserve and enhance the streetscape appearance throughout the town and the general appearance of business corridors.

17-10-2 Definitions and sign types

- A. The following definitions supplement those found elsewhere in the town code and land development code. In the event of conflicting definitions related to signs, the definitions in this section prevail.
 - 1. Abandoned sign: A sign associated with a business, use, occupancy, product, or activity that has already occurred or has not existed for a period of 30 consecutive days, for reasons attributable at least in part to the sign-property owner.
 - 2. A-frame: A portable sign typically constructed of wood or plastic that folds out to form the shape of an 'A'.
 - 3. Animation: The movement, or optical illusion of movement, of any part of a sign structure, design, or pictorial segment including the movement of any illumination, flashing, or variation of light intensity, and including but not limited to the automatic changing of all or part of a sign achieved through mechanical, electrical, or environmental means including motion by activity such as wind, thermal changes, or other naturally occurring external forces.
 - 4. Awning: An architectural projection or shelter projecting from, and supported by the exterior wall of, a building and composed of a covering of rigid or non-rigid materials and/or fabric on a supporting framework that may be either permanent or retractable.
 - 5. Awning sign: A sign displayed on or attached to the surface of an awning.
 - 6. Balloon: An airtight bag filled with helium, hot air, or other gas, that is anchored to a building or structure with rope, cable or similar material.
 - 7. Banner: A temporary sign constructed of a flexible material on which copy or graphics may be displayed.
 - 8. Billboard: A sign not associated with a business, use, occupancy, product, or activity located or occurring on the sign-premises and with a sign area 24 square feet or larger.

9. Building elevation: An exterior side of a building which includes the building wall face, parapet, fascia, windows, doors, canopies, and visible roof structures.
10. Canopy: A multi-sided overhead structure or architectural projection supported by attachment to a building on one or more sides and cantilevered from the building or supported by columns.
11. Canopy sign: A sign affixed to a visible surface of a canopy that extends from the wall face of a building.
12. Canopy sign (freestanding): A wall sign placed upon the exterior fascia of a permanent freestanding canopy structure such as that used to cover an automobile fueling facility.
13. Change of sign copy: A replacement or modification of the message or design of an existing sign face without modifying the size, shape, framework or structure of the sign.
14. Commercial sign: Any sign that does not fit the definition of non-commercial sign.
15. Directory sign: A monument sign that complies with the requirements of section 17-10-22 (directory signs).
16. Drive-through sign: A sign that complies with the requirements of section 17-10-18 (drive-through signs).
17. Electronic message display: An electronically activated changeable message sign.
18. Exceptional design: Refers to a freestanding sign with an architecturally interesting design that complies with the following:
 - a. At least 50% of all surfaces of the sign structure shall consist of one or more of the following materials:
 - i. Brick
 - ii. Decorative block
 - iii. Natural or simulated stone
 - iv. Decorative or treated wood
 - v. Decorative unpainted or unfinished metal
 - vi. Other similar materials approved by the planning director
 - b. Except as described in subparagraph c below, the area of the sign structure must equal or exceed the sign area for each sign face.
 - c. If at least 50% of the sign copy is mounted independently and in relief of the sign face or background and utilizes back-lighting (halo or reverse channel illumination), the required area of the sign structure may be reduced by 50%.

- d. For purposes of this definition, the sign structure includes the entire structure of the sign other than the sign area.
 - e. For purposes of subparagraphs b and c above, the sign structure is measured as the surface area of the side of the structure that contains the sign face.
- 19. Flag: Fabric, vinyl, or similar flexible material typically attached at one edge to a staff.
 - 20. Freestanding interstate sign: A freestanding sign that complies with the requirements of section 17-10-17 ([freestanding interstate signs](#))
 - 21. Freestanding monument sign: A freestanding sign that complies with the requirements of section 17-10-16 ([freestanding monument signs](#)).
 - 22. Freestanding sign: A sign erected or mounted on a self-supporting permanent base detached from supporting elements of a building.
 - 23. Fuel service pump topper sign: A sign affixed to the top or side of an operable fuel dispensing pump.
 - 24. Government sign: A sign constructed, placed, or maintained by a government agency or a sign that a government agency requires to be constructed, placed, or maintained.
 - 25. Illuminated sign: A sign that uses artificial light, either projecting through its surface (internal illumination) or reflecting off its surface (externally illuminated).
 - 26. Legal nonconforming sign: A sign that was legally installed in conformance with all applicable sign regulations and ordinances in effect at the time of its installation; but that does not comply with current regulations.
 - 27. Non-commercial sign: A sign containing no message, statement, or expression related to commercial interests. Noncommercial signs include, but are not limited to:
 - a. Government signs
 - b. Signs expressing political, religious, or ideological views or positions
 - c. Signs with information about or announcements of non-profit organizations
 - 28. Non-residential area: Any land that is not in a residential area.
 - 29. Polyhedron: A three-dimensional solid figure formed by plane faces that are polygons.
 - 30. Portable sign: A freestanding, moveable sign not permanently affixed to any building, structure, or embedded into the ground. Examples include A-frames and T-frames.

31. Post sign: A temporary freestanding sign consisting of a rigid, durable sign face mounted on wood or metal posts embedded in the ground without the use of concrete or other permanent footing material.
32. Projected image sign: A temporary sign which is projected by an electronic device onto a building, structure, sidewalk or other surface.
33. Quill sign: A temporary sign constructed as a banner, typically in the shape of a feather or sail, attached to a pole assembly embedded in the ground and designed to move in the wind.
34. Reasonable repairs or alterations: Repairs or alterations determined by Arizona case law as being consistent with the “reasonable repairs and alterations” provision of A.R.S. § 9-462.02 (A). In the absence of case law guidance, reasonable repairs or alterations include repairs or alterations that cost less than half of the cost to replace the sign.
35. Residential area: All of the following:
 - a. Land zoned AG, RD-180, R-144, R-80, R-36, R-20, R-16, R-12, R-10, R-8, R-7, R-6, R-3.5, MR-2, MR-1, RV, and MH.
 - b. Land zoned A, B, and C, except those portions that have an existing non-residential use.
 - c. Portions of land zoned D and E that have an existing residential use.
 - d. Land with residential land use designations within specific plan areas (areas zoned F).
 - e. Parcels devoted solely to residential use.
36. Roadway construction business identification banner: A sign that complies with the requirements of section [17-10-26 \(roadway construction business identification banners\)](#).
37. Shingle sign: A wall mounted or hanging sign, located under a covered porch, walkway, extended roof or other similar structure.
38. Sight visibility triangle: An area extending along an intersection approach leg and across the included corners that must be kept clear of obstructions that might block a driver’s view of potentially conflicting vehicles or pedestrians.
39. Sign: A name, identification, description, display or illustration affixed to or painted or represented directly or indirectly on a building or other outdoor surface that directs attention to or is designed or intended to direct attention to the sign face or to an object, product, place, activity, person, institution, organization or business. Does not include anything that meets this definition but that is located completely within an enclosed building and is not visible from outside the building. A statue is a sign if

it calls attention or relates to an activity or use located on the sign-premises.

40. Sign area: The area of a sign determined in accordance with paragraph [17-10-12 below](#).
41. Sign copy: All letters, numerals, figures, symbols, logos, and graphic elements comprising the content or message of a sign.
42. Sign face: The entire display surface area of a sign upon, against, or through which copy is placed.
43. Sign-premises:
 - a. In residential areas, the sign-property plus adjacent right-of-way used by the sign-property owner under a license from the town.
 - b. In non-residential areas, the entire shopping center or industrial center where the sign is located plus adjacent right-of-way used by the sign-premises owner, owners, or owners association under a license from the town.
44. Sign-property: The specific lot or parcel of land upon which the sign is placed or erected. Adjacent lots or parcels under the same ownership and with the same use shall be considered one sign-property.
45. Sign walker: A person who carries, holds or balances a sign.
46. T-frame: A portable sign typically constructed of wood or plastic with a structure in the appearance of an inverted 'T'.
47. Temporary directional sign: A temporary sign directing the traveling public to the location of real estate offered for sale or to an event.
48. Temporary sign: A portable sign, a sign not permanently embedded in the ground, or a sign not permanently affixed to a building or permanent sign structure.
49. Tenant space: The area or portion of a building leased by an individual or entity.
50. Vehicle sign: A sign mounted, painted, attached or affixed to a truck, car, boat, trailer, or other vehicle or similar equipment.
51. Wall sign: A permanent sign fastened, attached, or connected to, or supported in whole or in part by, a building or structure.
52. Window sign: A sign affixed to the interior or exterior of a window, or placed immediately behind a window, and visible from outside of the building.
53. Yard sign: A freestanding sign affixed to a stake or frame embedded in the ground.

17-10-3 Permits

A. General.

1. The sign-property owner or the sign-property owner's representative may apply for a sign permit.
2. Except as provided in subparagraph 3 below, a sign permit is required prior to constructing, installing, placing, altering, or relocating any sign within the town.
3. A sign permit is not required for any of the following:
 - a. Change of sign copy
 - b. An exempt sign as defined in this chapter
 - c. A sign allowed by a state or federal law preemption of this chapter
 - d. Sign maintenance that does not change the design of the sign

B. Permit fees. Upon approval of an application for a sign permit, the applicant shall pay the applicable fee assessed in accordance with the fee schedule adopted and amended from time to time by the council.

C. Application.

1. A sign permit application shall be submitted for all signs requiring a permit.
2. A sign permit application must be accompanied by all items required by the sign permit application checklist.

D. Permit suspension or revocation. In addition to enforcement pursuant to chapter 5-7 of the town code, the planning director may suspend or revoke a sign permit issued as a result of the applicant's material omission or misstatement of fact. The planning director shall give notice of any suspension or revocation to the applicant and to the sign-property owner.

17-10-4 General

A. No content restrictions.

1. Any sign allowed under this chapter may contain, in lieu of any other copy, any otherwise lawful message that complies with applicable size, lighting, dimension, design, spacing, and permitting requirements of this chapter.
2. This chapter is intended to regulate signs in a manner that does not favor commercial speech over non-commercial speech and does not regulate non-commercial speech by message content.
3. Any regulation that distinguishes between on-site and off-site signs applies only to commercial messages, and allows any non-commercial message.

B. Conformity.

1. No sign shall be installed, placed, or maintained within the town except in conformance with this chapter or as allowed by a state or federal law preemption of this chapter.
2. If provisions of this chapter are in conflict with any other provision of the code, the more restrictive requirement shall apply.
3. Signs maintained contrary to the provisions of this chapter are declared to be nuisances and may be abated as provided by law.

17-10-5 Legal nonconforming signs

- A. Legal nonconforming signs are allowed, subject to the requirements of this section.
- B. Any legal nonconforming sign shall be permitted to remain, so long as it:
 1. Is not increased in area or height and remains structurally unchanged, except for reasonable repairs or alterations; or
 2. Is not relocated, unless at the request or requirement of the town so as to comply with applicable safety requirements.
- C. A legal nonconforming sign shall be rebuilt, repaired, or replaced only in conformance with the provisions of this chapter if it is:
 1. Structurally changed, except for reasonable repairs or alterations;
 2. Damaged by half or more of the cost to replace the sign as a result of fire, lack of maintenance, or other causes; or
 3. Temporarily or permanently moved or removed by any means, including an act of God, except as provided in subparagraph [17-10-5 B. 2 above](#).

17-10-6 Abandoned signs

- A. The planning director shall, upon determining that a sign is an abandoned sign, give notice to the sign owner that the sign is deemed an abandoned sign.
- B. Within 30 days after receipt of the planning director's notice, the sign owner shall take one of the following actions:
 1. Remove the sign and its supporting structure;
 2. Remove the sign face and replace it with a blank sign face; or
 3. Reverse the sign face and not illuminate the sign from the interior.

17-10-7 Prohibited signs

All signs not expressly allowed under this chapter are prohibited, including but not limited to:

- A. Billboards.
- B. Flashing, blinking, reflective, inflatable or animated signs, including signs with an intermittent or varying color or intensity of artificial illumination, whether deliberate or as a consequence of a defect in the sign or illumination source, except as expressly allowed by the provisions of section 17-10-23 (electronic message displays) or subparagraph 17-10-25 B. 5 (inflatable and air activated signs).
- C. Projected-image signs.
- D. Ribbons, streamers, balloons, or pin flags, except as expressly allowed by the provisions of subparagraph 17-10-25 B. 5 (inflatable and air activated signs).
- E. Searchlights.
- F. Signs projecting sound, except as expressly allowed by the provisions of section 17-10-18 (drive-through signs).
- G. Signs that obstruct free and clear vision of motor vehicle operators.
- H. Signs located in a sight visibility triangle, unless approved by the planning director.
- I. Signs placed in any location where by reason of position, shape, or color may interfere with or be confused with any authorized traffic sign, signal, or device.
- J. Signs placed on any curb, sidewalk, post, pole, hydrant, bridge, tree or other surface located on public property or over or across any street or public thoroughfare, or in the public right-of-way, except as expressly allowed by this chapter.
- K. Signs projecting above the top of the wall parapet, or roofline, or mounted on a roof.

17-10-8 Exempt signs

The following signs shall be exempt from the application and permit requirements of this chapter. Exempt signs must comply with all other applicable regulations contained in this chapter, if any.

- A. Flags that comply with the requirements of section 17-10-27 (flags and flag poles)
- B. Fuel service pump topper signs.
- C. Government signs.
- D. Grave markers, headstones, statues, historical markers, and cornerstones.
- E. Hazard warning and parking signs measuring three square feet or less.
- F. Portable, A-frame, or T-frame signs that comply with the requirements of section 17-10-25 (temporary signs).

- G. Roadway construction business identification banners that comply with the requirements of section 17-10-26 (roadway construction business identification banners).
- H. Signs carried or displayed by a sign walker in compliance with the requirements of section 17-10-28 (sign walkers).
- I. Signs integrated into the design of an automated bank teller machine.
- J. Signs relocated as the result of town construction projects.
- K. Vehicle signs that comply with the requirements of section 17-10-29 (vehicle signs).
- L. Window signs that comply with the requirements of section 17-10-21 (window signs).
- M. Yard signs that comply with the requirements of section 17-10-25 (temporary signs), paragraph C.
- N. Any sign authorized by this chapter that is six square feet or smaller, unless an application and permit are expressly required by this chapter.

17-10-9 Sign design and construction

- A. All signs shall incorporate design elements consistent with the overall architectural character of buildings and other improvements on the sign-premises.
- B. Electric raceways and transformers shall be located to minimize visibility.
- C. All signs shall be designed and constructed in conformance with current town building codes (see town code title 7).
- D. All temporary signs shall be constructed using suitably durable materials as approved by the planning director.

17-10-10 Sign illumination

- A. Signs may be illuminated, except where expressly prohibited in this chapter.
- B. All illuminated signs shall be constructed and operated in compliance with the outdoor lighting code.

17-10-11 Sign maintenance

- A. Any sign or sign component shall be promptly repaired or replaced if it:
 - 1. Is damaged or deteriorated,
 - 2. Constitutes a danger or hazard to public safety, or
 - 3. Is reasonably determined by the planning director, by reason of its appearance as viewed at ground level from the public right-of-way or from neighboring properties, to:

- a. Be detrimental to property value
- b. Be offensive to the senses, or
- c. Reduce the aesthetic appearance of the area.

B. Maintenance of a sign shall include all of the following:

- 1. Periodic cleaning
- 2. Replacement of defective light sources
- 3. Repair or replacement of any faded, peeled, cracked, or otherwise damaged or broken parts
- 4. Any other activity necessary to restore the sign to compliance with the requirements of the sign permit issued for its installation and the provisions of this chapter.

17-10-12 Sign measurement

A. Sign area shall be measured as follows:

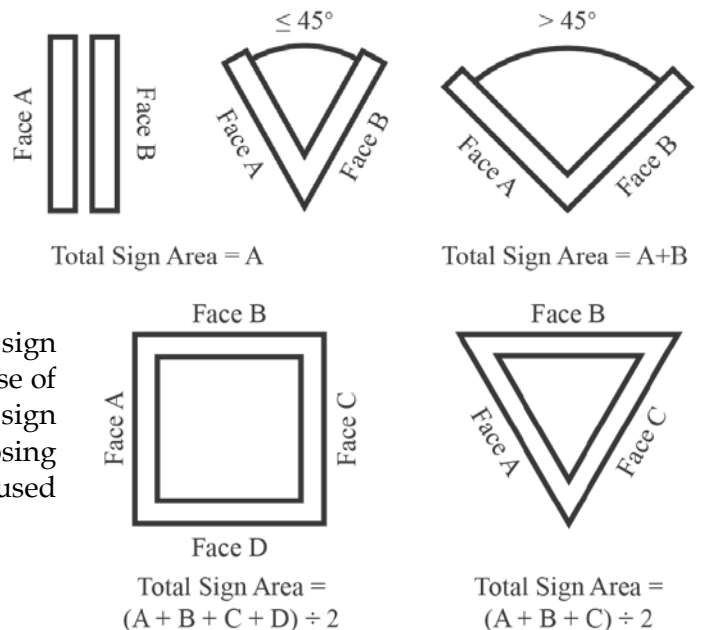
- 1. Sign copy mounted on or painted on a background panel or area distinctively painted, textured, or constructed as a background for the sign copy shall be measured as that area contained within the sum of the smallest rectangles that will enclose both the sign copy and the background.
- 2. Sign copy mounted as individual letters or graphics against a wall, fascia, mansard, or parapet of a building or other structure that has not been painted, textured, or otherwise altered to provide a distinctive background for the sign copy shall be measured as a sum of the smallest polygon of not more than 12 sides that will enclose each word and each graphic in the total sign.
- 3. Signs with multiple faces shall be measured as follows:

- a. The area of all faces shall be included in determining the area of the sign, except that only one face of a double-faced sign shall be considered in determining the sign area when both faces are parallel and the greatest distance between faces does not exceed five feet, or when the interior angle of the sign faces does not exceed 45 degrees in the case of a 'V'-configured sign. If the area of one sign face exceeds the area of the sign's opposing face, the area of the larger face shall be used to determine the sign area.

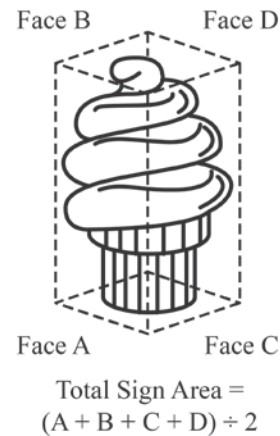
**SIGN
COPY**

Name
wall sign

Sign Copy
Wall Sign

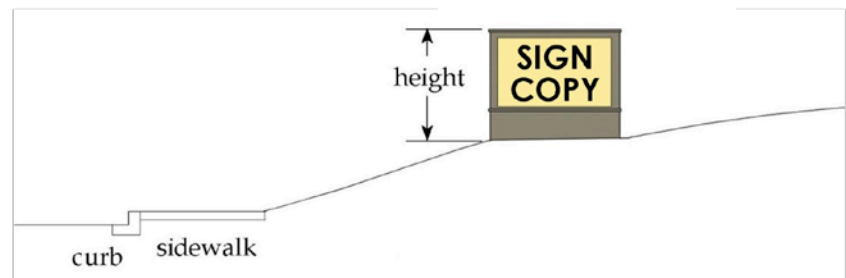


- b. The area of a sign that contains three or more faces shall be calculated as 50% of the sum of the area of all faces.
 - c. Spherical, free-form, sculptural, or other non-planar sign area is measured as 50% of the sum of the areas using only the four vertical faces of the smallest six-faced polyhedron that will encompass the sign structure.
4. The area of a freestanding sign shall include the frame, but shall not include the base of the sign or other architectural features unless such features contain sign copy or are otherwise designed to serve as a display device.

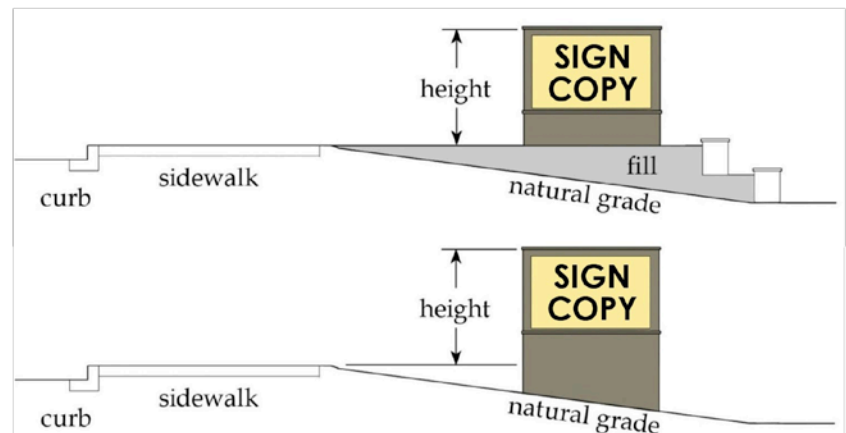


B. Sign height shall be measured as follows:

1. The height of a freestanding sign shall be measured as the vertical distance from the finished grade beneath the sign, exclusive of any filling, berming, mounding or landscaping done solely for the purpose of locating the sign, to the highest point of the sign. If the sign is proposed in a location in which the finished grade beneath the sign is lower than the grade of the adjacent roadway surface, the sign height shall be measured from the top of the curb, or crown of the adjacent roadway surface where no curb exists. The height of any monument base or other structure erected to support or ornament the sign shall be measured as part of the sign height.

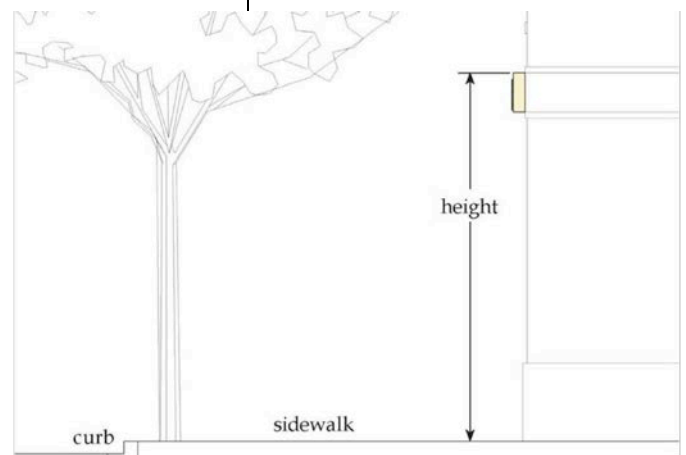


Freestanding Sign Height – Signs Higher than the Grade of an Adjacent Road



Freestanding Sign Height – Signs Lower than the Grade of an Adjacent Road

2. Wall fascia, mansard, and parapet-mounted signs shall be measured as the vertical distance to the top of the sign or sign structure from the base of the wall on which the sign is located.



Building Mounted Sign Height

17-10-13 Areas with special sign regulations

- A. Special sign districts. Special sign districts may be established by ordinance. Special sign districts may have unique regulations appli-

cable to them, which differ from those set forth in this chapter.

- B. Specific plans. Sign regulations approved as part of a specific plan take precedence over this chapter within the specific plan area. Particular signage elements not addressed by the specific plan sign regulations shall be governed by this chapter.
- C. Planned sign program. Sign regulations approved as part of a planned sign program take precedence over this chapter. Planned sign programs shall be reviewed by staff and subject to consideration and approval by the planning commission.

17-10-14 Planned sign programs

- A. A planned sign program is available for development projects consisting of multi-tenant buildings, non-residential developments with multiple buildings or mixed-use developments. The program shall be reviewed by staff and subject to consideration and approval by the planning commission. A planned sign program:
 - 1. Is intended to allow flexibility in order to achieve exceptional project design through architectural integration of the site, buildings, and signs.
 - 2. Is intended to provide for design compatibility of all signs and to establish and maintain a consistent design theme within a development.
 - 3. Shall be in substantial conformance with the general intent of the regulations of this chapter, but may establish reasonable and appropriate alternatives to the standard provisions of this chapter.
 - 4. Shall establish design standards, including, but not limited to, sign types, placement, size, design, colors, materials, textures, and method of illumination.
 - 5. Shall provide adequate identification and information for the development.
 - 6. Shall provide aesthetic appeal, promote traffic safety, and maintain consistency with other town regulations.
- B. A planned sign program application shall be submitted to the planning department and must be accompanied by all items required by the planned sign program application checklist and all applicable fees.
- C. All freestanding signs approved through a planned sign program and allowed an increase in either area or height above the basic standards for freestanding signs must be constructed to the standards of exceptional design as defined in this chapter (see subparagraph [17-10-2 A. 18 above](#)).

17-10-15 Wall signs

- A. Wall signs may be mounted flush, angled, bowed, or perpendicular to the wall.
- B. Wall signs in residential areas shall be subject to the following:
 - 1. In addition to an address sign as required by this chapter, a single-family residence shall be allowed one wall sign, not to exceed three square feet.
 - 2. Wall signs on single-family residences shall not be placed higher than 10 feet above finished grade.
 - 3. Freestanding signs are permissible and shall not exceed a height of five feet above finished grade.
 - 4. Multi-family residences shall be allowed one sign, not to exceed three square feet.
 - 5. A multi-family residential complex containing 12 units or more shall be allowed a maximum of 32 square feet of wall signage per street frontage.
 - 6. Illumination of signage shall be prohibited with the exception of multi-family residential complexes containing 12 units or more.
- C. Wall signs in non-residential areas shall be subject to the following:
 - 1. Shall be allowed on no more than three elevations of any building.
 - 2. The allowable sign area shall be calculated at a rate of 1.5 square feet for each linear foot of building elevation or tenant space frontage up to a maximum of 200 square feet per elevation.
 - 3. Shall only be placed on the first and top stories of a multi-story building.
 - 4. Shall be allowed on parapet walls that are structurally integrated into the original building design, and shall not be placed on parapet extensions added to an existing building.
 - 5. Signs up to a cumulative total of 75 square feet of signage per canopy are allowed on all sides of a freestanding canopy structure, calculated in the same manner as any other wall sign.

17-10-16 Freestanding monument signs

- A. A freestanding monument sign shall be allowed in non-residential areas subject to the following:
 - 1. One sign shall be allowed per street frontage of sign-premises provided that the sign-premises has a minimum street frontage of 100 feet.
 - 2. Two signs shall be allowed per street frontage for sign-premises with 600 feet or more of street frontage, and more

than one entrance to the sign-premises on that frontage. One additional freestanding monument sign shall be permitted for each additional 300 feet of street frontage with an additional entrance.

3. The sign area shall not exceed 40 square feet for a single tenant sign-premises.
4. The sign area for sign-premises occupied by two or more tenants shall not exceed 80 square feet.
5. The sign height shall not exceed eight feet.
6. A 25% increase in the area and/or height of a sign will be allowed for a sign of exceptional design as defined in subparagraph 17-10-2 A. 18 above.
7. A sign-premises containing two or more tenants shall be allowed an increase in the area and height of one freestanding monument sign per street frontage subject to the following:
 - a. One sign of increased area and height shall be allowed for each sign-premises street frontage exceeding 500 linear feet.
 - b. The sign area shall not exceed 150 square feet.
 - c. The sign height shall not exceed 20 feet.
 - d. The sign shall be constructed to the standards of exceptional design, as defined in subparagraph 17-10-2 A. 18 above, and shall not be allowed an increase in area or height.
8. The width of the base of a monument sign must be equal to or greater than 75% of the width of the sign face.
9. Signs shall be set back a minimum of five feet from any road right-of-way, and 30 feet from any residential area property line.
10. A freestanding monument sign shall be located at least 50 feet from any other freestanding monument sign.

B. Multi-family residential complex containing 12 units or more, including apartments, condominiums, townhome complexes, manufactured home parks, recreational vehicle parks, and similar uses, shall be allowed a freestanding monument sign subject to the following:

1. One freestanding monument sign shall be allowed per street frontage of the sign-premises.
2. Signs shall not exceed 40 square feet in area and eight feet in height.
3. A 25% increase in the area and height of a sign will be allowed for a sign of exceptional design as defined in subparagraph 17-10-2 A. 18 above.

17-10-17 Freestanding interstate signs

Freestanding interstate signs shall be allowed only upon approval of a conditional use permit by the planning commission and shall be subject to the following:

- A. A freestanding interstate sign may be allowed for commercial, industrial, or mixed-use sign-premises that are:
 - 1. A minimum of one acre in size,
 - 2. Within 250 feet of the interstate right-of-way or within 250 feet of the railroad right-of-way, and
 - 3. Within 250 feet of the right-of-way of an arterial roadway intersecting the interstate.
- B. A freestanding interstate sign shall not exceed a height of 65 feet above the finished grade beneath the sign, exclusive of any filling, berming, mounding or landscaping done solely for the purpose of locating the sign.
- C. A freestanding interstate sign shall not exceed an area of 300 square feet.
- D. A freestanding interstate sign shall not be located within 500 feet of another freestanding interstate sign.
- E. A freestanding interstate sign shall be approved only as a component of a planned sign program for a planned commercial, industrial, or mixed-use development.
- F. A freestanding interstate sign shall be a minimum of 500 feet from the property line of any existing residential use.
- G. A freestanding interstate sign may include an electronic message display component subject to section [17-10-23 \(electronic message displays\)](#).

17-10-18 Drive-through signs

- A. Drive-through signs may be freestanding or wall-mounted.
- B. Drive-through signs shall be limited to two signs per drive-through lane.
- C. Each drive-through sign shall be no greater than ten feet in height.
- D. Each drive-through sign shall be located adjacent to a drive-through lane.
- E. Drive-through signs may include electronic message displays subject to the requirements and limitations of section [17-10-23 \(electronic message displays\)](#), except that the display may occupy the entire area of the sign face.
- F. Sound emitted by drive-through signs must not be audible from any residential property.

17-10-19 Shingle signs

- A. Shingle signs shall be limited to one per tenant space frontage and shall be located at a point of public access.
- B. Shingle sign area shall not exceed five square feet.
- C. A shingle sign shall be located in front of the tenant space it pertains to and shall be suspended from a covered porch, walkway, extended roof or similar architectural element.
- D. A minimum clearance of eight feet shall be maintained beneath a shingle sign.

17-10-20 Awning signs

- A. An awning sign shall be allowed in lieu of, or in conjunction with, a wall sign.
- B. Awning sign area shall be calculated as part of the allowable area for wall signage for any given elevation.

17-10-21 Window signs

A window sign may be painted on, adhered to, or suspended behind a glass door or window surface, subject to the following:

- A. In non-residential areas, window signs shall cover no more than 40% of the window upon which the sign is displayed.
- B. Window signs shall only be displayed on first floor windows.
- C. Window signs shall only be internally illuminated.
- D. Portions of window signs consisting of electronic message displays shall be limited to five square feet and shall be subject to the requirements of section [17-10-23 \(electronic message displays\)](#).

17-10-22 Directory signs

Directory signs are allowed in non-residential area developments and multi-family complexes subject to the following:

- A. Each sign premise shall be allowed one directory sign at each entrance on each street frontage.
- B. Sign height shall not exceed eight feet.
- C. Sign area shall not exceed 40 square feet.
- D. Signs shall be located at least 100 feet from any abutting street right-of-way unless a building or other structure blocks the sign's visibility from the street.

17-10-23 Electronic message displays

- A. Electronic message displays are permitted as an integral component of either of the following:
 1. A permitted freestanding monument sign.



Class IV Monument Sign

2. A sign type whose regulations refer to this section, subject to any additional limitations on electronic message signs set forth in the regulations for that sign type.
- B. Electronic message displays may occupy up to 50% of the allowable area of a sign face.
- C. Electronic message displays may be full color and shall consist only of static messages that change not more frequently than once every 7.5 seconds.
- D. Electronic message display messages must transition by instant change method. Scrolling, travelling, flashing, full-motion video, use of sound, and similar operational effects are prohibited.
- E. Electronic message displays shall conform to the regulations of the outdoor lighting code.
- F. An electronic message display visible from an existing residential use shall be installed a minimum of 150 feet from the property line of the residential use.

17-10-24 Subdivision entry signs

A subdivision entry sign, consisting of a wall sign or freestanding monument sign, may be placed at a main entrance to a residential subdivision or complex, subject to the following:

- A. Subdivision entry wall signs may be mounted on a perimeter or landscape wall on both sides of a main entrance to a subdivision or complex. The cumulative wall sign area at each entrance to a subdivision shall not exceed 100 square feet.
- B. Subdivision entry freestanding monument signs shall be limited to one sign at each main entrance to a subdivision or complex subject to the following:
 1. The sign area shall not exceed 100 square feet.
 2. The sign must be setback a minimum of one foot from any property line.
 3. The sign may not include an electronic message display.

17-10-25 Temporary signs

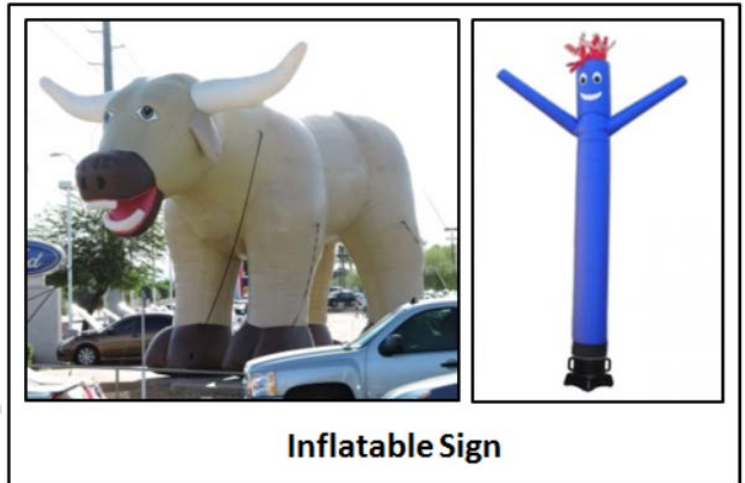
- A. General requirements.
 1. Temporary signs shall be constructed of fabric, plastic, wood, metal, or similar durable weather-resistant materials.
 2. Temporary signs shall be maintained free of chipped paint, cracks, loss of text or graphics, or similar defects.
 3. No temporary sign shall be placed upon any other sign assembly, utility pole, authorized traffic control device, utility box, fence, freestanding wall, boulder, tree, planter, vehicle, or similar structure.

4. Temporary signs shall be placed in a manner that prevents displacement during adverse weather conditions and does not result in a safety hazard to the public.
 5. Except as expressly allowed by this chapter, temporary signs shall not be located within the public right-of-way.
 6. Temporary signs shall not interfere with the free movement of pedestrians, bicycles, or vehicles, and shall be placed so that a minimum of six feet of clearance is maintained from all sidewalks, pedestrian access ways, parking area access lanes, and handicap-designated parking spaces.
 7. Temporary signs shall not include amplified sound, animation, motion or attachments such as balloons, flags, streamers, pin-wheels, or ribbons, except as specifically authorized by subparagraph 17-10-25 B. 5 (pertaining to inflatable and air activated signs).
 8. Temporary signs shall not be illuminated other than by ambient light present on the property or by existing illumination intended for other uses.
 9. All temporary signs require a sign permit unless specifically exempted by this chapter.
- B. In non-residential areas, the following temporary signs are allowed subject to the following requirements:
1. Post signs shall be displayed on a sign-premises, and shall be subject to the following:
 - a. Signs may be displayed at the beginning of the duration of an activity, and shall be removed within seven days of the completion of the duration of the activity. The duration of an activity is the period of time between any of the following:
 - i. From development plan approval to the earlier of:
 - a) The completion of the improvements shown on the development plan, or
 - b) The second anniversary of development plan approval.
 - ii. From the issuance of a building permit for a development project to the earliest of:
 - a) The issuance of a certificate of occupancy,
 - b) The final inspection approval, or
 - c) The second anniversary of the issuance of the building permit.
 - iii. From the date of listing a property for sale or lease to the earlier of:
 - a) The consummation of the sale or lease or

- b) The second anniversary of the listing date.
 - b. No more than six signs shall be allowed per street frontage.
 - c. Each sign shall not exceed eight feet in height.
 - d. Each sign shall not exceed 32 square feet in area.
2. A-frames, T-frames, and similarly designed temporary signs shall be limited in quantity to one per business and shall be subject to the following:
- a. Must be located within 30 feet of a building entrance on the sign-property.
 - b. May only be displayed during hours of operation and must be removed at the end of each business day.
 - c. Sign area shall not exceed 12 square feet.
3. Quill signs shall be displayed on the sign-premises and shall be subject to the following:
- a. One sign per 100 linear feet of street frontage up to six signs per frontage.
 - b. A maximum of two signs may be displayed for any business.
 - c. Each sign shall not exceed ten feet in height.
 - d. Each sign shall not exceed 20 square feet in area.
 - e. Each sign shall be no closer than 50 feet to another quill sign.
 - f. May be displayed up to 21 days, four times per calendar year per business.
 - g. Quill signs are not permitted within the downtown overlay zone.
4. Banners shall be displayed on the sign-premises, shall be limited in quantity to one per business, and shall be subject to the following:
- a. Building-mounted banners shall not exceed a height of 25 feet or the top of the parapet, whichever is less.
 - b. Freestanding banners shall not exceed a height of ten feet above grade.
 - c. Sign area shall not exceed 40 square feet.
 - d. May be displayed up to 21 days, four times per calendar year per business.

5. Inflatable and air activated signs may be displayed in conjunction with a special event or activity and shall be subject to the following:

- a. May be displayed for a period of up to three consecutive days and no more than two display periods shall be allowed per calendar year.
- b. Shall be located on the sign-premises.
- c. No more than two signs may be displayed concurrently on a sign-premises.



- d. Shall be setback a distance equal to or greater than the height of the sign from all property lines.
- e. Shall maintain 18 feet of clearance from overhead utility lines.
- f. Shall be placed and operate in accordance with applicable building and fire codes including proper anchoring to the ground.
- g. Shall not be placed on the roof of any building or structure.

C. In residential areas, temporary signs must be displayed on the sign-property, and shall be subject to the following requirements:

1. Each sign-property measuring one acre or less shall be allowed a cumulative sign area of nine square feet with no limit on the number of signs.
2. Each sign-property larger than one acre shall be allowed a cumulative sign area of 16 square feet with no limit on the number of signs.
3. Signs have no display period limitations.

D. Residential subdivisions with a sales office and offering new homes for sale may submit a residential subdivision sign program to regulate the use of temporary signs within the subdivision, subject to the following:

1. A sign program must include:
 - a. A site plan showing the location of all proposed signs; and
 - b. A description of the type, number, size, placement, and materials of all proposed signs.
2. A maximum of 500 square feet of signage per builder is permitted.
3. No individual sign may exceed an area of 128 square feet or a height of 20 feet.

4. The program shall expire when the sales office is permanently closed.
 5. All signs shall be removed upon expiration of the program.
 6. The program may include temporary signs, flags, and banners.
 7. Flags are subject to the provisions of [17-10-27 \(flags and flag poles\)](#).
- E. Temporary directional signs in the right-of-way. Temporary directional signs are permitted in town right-of-way and private right-of-way subject to the following:
1. All signs shall require a permit and payment of any applicable fee in an amount established by a fee schedule adopted by the council and amended from time to time.
 2. Each sign must be clearly labeled with the permit number and the name and contact information of the sign permit applicant.
 3. Each sign may not exceed six square feet in area and 30 inches in height.
 4. No more than eight signs may be placed in the right-of-way:
 - a. Directing the public to any particular property,
 - b. Directing the public to any particular subdivision,
 - c. Directing the public to any particular event,
 - d. By any particular sign permit applicant, or
 - e. With any particular message.
 5. Signs directing the public to a property, subdivision, or event must be located within five miles of the property, subdivision, or event.
 6. One sign may be placed at each major change in travel direction along the route leading to the property, subdivision, or event.
 7. On routes with infrequent major changes in travel direction, signs may be located at each intersection of collector or larger roadways.
 8. No sign shall be placed within 20 feet of another sign authorized by this subparagraph [E](#).
 9. Signs shall not be placed within a median, sidewalk, multi-use path, or any location that would create an obstacle for pedestrians.
 10. On curbed roadways, signs within the public right-of-way shall be placed at least two feet from the back side of the curb and at least two feet from a sidewalk or shared-use path.

11. On roadways without curbs, signs within the public right-of-way shall be placed at least six feet from the edge of the paved surface.
12. Signs shall not be placed between a shared-use path and the paved surface of the roadway unless there is adequate distance to maintain a six-foot setback for the sign from the edge of the roadway and two-feet from the path.

17-10-26 Roadway construction business identification banners

- A. An existing use within a commercial, mixed-use, or industrial zoning district and within an area subject to long-term or substantial road construction activity performed by the town or other public entity or utility company may display one roadway construction business identification banner on each adjacent street frontage of sign-premises.
- B. Banners shall be located on the sign-premises.
- C. Banners shall not exceed 40 square feet.
- D. Banners may be displayed throughout the period of construction.

17-10-27 Flags and flag poles

- A. Each sign-property may contain one flagpole bearing one or more flags.
- B. A flag pole shall not exceed a height of 25 feet when accessory to a residential use. In all other situations, a flag pole shall not exceed the higher of:
 1. 30 feet, or
 2. 1.25 times the height of any building within 200 feet of where the flagpole is to be constructed, but in any event not to exceed 50 feet.
- C. The length of a flag shall be no greater than one-fourth of the height of the flag pole.
- D. A flag shall not encroach beyond the sign-premises.
- E. A flag shall not create a safety hazard.
- F. A flag may be illuminated in conformance with the outdoor lighting code.

17-10-28 Sign walkers

Sign walkers are allowed subject to the following:

- A. Sign walkers are prohibited in parking aisles or stalls, in driving lanes or driveways, in construction zones.
- B. Sign walkers are prohibited from operating in any manner that obstructs visibility or movement of pedestrians, motorists or cyclists.

- C. Signs displayed by sign walkers shall not include any form of illumination, animation, or attachment.
- D. Signs displayed by sign walkers shall not exceed eight square feet in area.

17-10-29 Vehicle signs

A vehicle sign may be displayed only when all of the following conditions are met:

- A. Signs must be painted on or applied directly to the vehicle and may not extend beyond the horizontal or vertical profile of the vehicle.
- B. Signs shall not be mounted in the bed of a truck.
- C. The vehicle displaying the sign must be operable, registered, licensed, and driven at least once a week.
- D. The vehicle displaying the sign must be parked in a legal parking space.

17-10-30 Classification; enforcement; removal

- A. General. Violation of this chapter is a civil infraction and shall be enforced pursuant to chapter 5-7 of the town code.
- B. Removal of signs by town; notice; fees.
 - 1. A code compliance officer or other authorized representative of the town may immediately remove or cause the removal of a sign in either of the following circumstances:
 - a. When the sign is unlawfully placed in the public right-of-way.
 - b. When the sign poses an immediate hazard to persons or property.
 - 2. If possible, when exercising its right to immediately remove or cause the removal of a sign, the town shall provide the sign owner with verbal or written notification of the removal at the time of the removal. The notice shall include all of the following:
 - a. The reason or reasons for the removal.
 - b. The location where the sign owner may claim the sign.
 - c. Notification that if the sign owner does not claim the sign within five days of the notice, the town may destroy or reuse the sign.
 - 3. If a sign is placed in violation of this chapter but does not pose an immediate hazard to persons or property and is not located in the public right-of-way, a code compliance officer or other authorized representative of the town shall provide written notice of violation to the sign owner.

- a. The notice shall include all of the following:
 - i. The reason or reasons the sign is in violation.
 - ii. Notification that if the sign is not removed within 48 hours of the notice, the town will remove the sign.
 - iii. The location where the sign owner may claim the sign if it is removed.
 - iv. Notification that if the sign is removed and the sign owner does not claim the sign within five days of the notice, the town may destroy or reuse the sign.
 - b. The notice shall be delivered either by personal delivery or, if the town is unable to determine the owner of the sign, by affixing it to the offending sign.
 - c. If the offending sign is not removed within the 48-hour period, a code compliance officer or other authorized representative of the town may remove or cause the removal of the sign.
4. The town's cost to remove or store a sign shall be borne by the sign owner in the amount set forth in the fee schedule approved by the council and amended from time to time.
- C. Effect. Neither the suspension nor revocation of a sign permit, nor the removal of a sign by the town, shall be a defense against prosecution.

**TITLE 16
SIGNS**

SECTIONS:

- 16-01 PURPOSE AND OBJECTIVES**
 - 16-02 PROCEDURE AND ENFORCEMENT**
 - 16-03 LIABILITY FOR INSURANCE AND DAMAGES**
 - 16-04 SIGNS PROHIBITED BY OMISSIONS**
 - 16-05 TYPES AND DEFINITIONS**
 - 16-06 GENERAL DEVELOPMENT STANDARDS**
 - 16-07 PROHIBITIONS**
 - 16-08 EXCEPTIONS**
 - 16-09 MISCELLANEOUS SIGNS**
 - 16-10 PERMITS, REVOCATION AND APPEALS**
 - 16-11 [RESERVED]**
 - 16-12 WAIVERS**
 - 16-13 ENFORCEMENT**
 - 16-14 DEVELOPMENT STANDARDS BY SIGN TYPE**
 - 16-15 PENALTIES**
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16-01 PURPOSE AND OBJECTIVES

The purpose and objectives of the provisions of this Title and of other provisions in this title is to establish reasonable regulations for the design, construction, installation and maintenance of signs in the Town of Marana. These provisions will further enable essential communication, by visual means, to be conducted in an acceptable manner. It is also the purpose of this Title to consolidate all general provisions relating to the installation, regulation and amortization of signs throughout the Town. More specifically the purpose of this Title is to:

- A. Provide a reasonable system of control of signs, integrated within and as part of the comprehensive zoning plan set forth by this code;
- B. Encourage signs which are well designed and pleasing in appearance and to provide incentive and spacing of signs and latitude for variety of good sign relationship;
- C. Protect the general public from injury or damage which may be caused by faulty and uncontrolled construction or improper situation of signs within the Town;
- D. Encourage a desirable urban character which has a minimum of overhead clutter, and distortion of scenic vistas;

- E. Enhance the economic value of the Town and each of area thereof through the regulations of such things as size, height, location and illumination of signs;
- F. Encourage signs which are compatible with adjacent land uses;
- G. Attract and direct persons to various activities and enterprises in order to provide for the maximum public convenience;
- H. Prevent a profusion of sign displays which are confusing to the general public;
- I. Reduce possible traffic and safety hazards to motorists and pedestrians through sound signing practices;
- J. Preserve and improve the appearance of the Town as a place in which to live and to work and as an attraction to non-residents who come to visit or trade; and
- K. Promote the public health, safety and general welfare of the Town.

16-02 PROCEDURE AND ENFORCEMENT

- A. The Planning Director is responsible for enforcing this Title. The Planning Director is therefore hereby authorized and empowered to ensure that all provisions of this Title are met in fact and intent. The procedures to be followed in exercising this authority are outlined throughout this Title.
- B. It shall be illegal for a sign to be placed or maintained in the Town of Marana except as provided in this Title.
- C. All signs maintained contrary to the provisions of this Title are declared to be nuisances, and such nuisances may be abated as provided by law.
- D. All signs permitted under this Title shall be installed and maintained in a professional and workman-like manner.

16-03 LIABILITY FOR INSURANCE AND DAMAGES

The provisions of this Title shall not be construed to relieve or to limit in any way the responsibility or liability of any person, firm, or corporation, which erects and owns any sign, nor for personal injury or property damage caused by or attributed to a sign. The provisions of this Title shall not be construed to impose upon the Town of Marana, its officers, or its employees any responsibility or liability by reason of the approval of any sign under the provisions of this Title.

16-04 SIGNS PROHIBITED BY OMISSIONS

In addition to those signs specifically prohibited by this Title, any sign not specifically allowed under provisions of this Title is prohibited.

16-05 TYPES AND DEFINITIONS

As used in this Title the following sign types and definitions, words and phrases have the meanings as defined in this section unless another meaning is clearly apparent from the context:

16-05-01 Sign Types

1. Awning sign: An on-site sign attached to or painted on an awning.
2. Changeable copy sign: A sign which, in part or whole, provides for periodic changes in the copy of the sign.
3. Construction sign: An on-site temporary sign for a project under construction, listing the name of the project and other allowable information.
4. Detached canopy sign: An on-site sign attached to or painted on a detached canopy.
5. Development sign: A temporary sign which identifies a development in progress.
6. Directional sign: An on-site sign that includes traffic information for drivers and pedestrians.
7. Directory sign: An on-site sign listing only the names and locations of the businesses or activities within a building or a multi-tenant development.

Electronic Message Display: An electronically activated changeable message sign that utilizes variable message and/or graphic presentation capabilities and can be electronically programmed.
8. Electronic message sign: A sign that permits the movement or frequent changing of messages by means of electronically controlled sign copy.
9. Entry-way monument sign: A freestanding sign identifying the entrance to a residential development, resort facility, subdivision, town-house complex, or a commercial plaza or district.
10. Freestanding pole sign: A sign which is supported by one or more columns, uprights or braces in or upon the ground but does not include billboards.
11. Governmental sign: A sign installed or required by a public agency. For example; traffic and public information signs.
12. Grand opening banner: An on-site temporary sign advertising the opening of an establishment, expansion or change of ownership of a commercial enterprise.
13. Incidental sign: An accessory wall sign identifying or advertising on-site business associates, products, services or facilities.
14. Kiosk sign: A structure on which off-site subdivisions, apartment and community signs may be mounted. Each kiosk shall not exceed eight feet in height and five feet in width. Each kiosk shall contain no more than six signs and no less than two signs. The "header" of the kiosk shall be painted with the words "Town of Marana". Each panel shall not exceed nine inches in height and five feet in width. Lettering styles may be in accordance with the logo of the identified subdivision. Each sign may contain the following information: Name of the project, developer logo and a directional arrow.
15. Menu board: An on-site sign displaying the bill of fare of a drive-through or drive-in restaurant.
16. On-site subdivision sign: An on-site temporary sign located at the entrance to a subdivision advertising that the development currently has lots or units for sale.

17. Political Sign: A sign relating to the election of a person to a partisan or non-partisan office, a sign relating to a political party, or a sign relating to a matter to be voted upon at an election called by a public body.
18. Portable sign: An outdoor temporary sign not designed to be permanently attached to the ground or a structure, including but not limited to, "A"-frame signs, PVC signs, and sandwich board signs.
19. Projecting sign: An on-site sign attached to and extending more than twelve inches from a structure not designed exclusively for the support of the sign.
20. Real estate property sign: An on-site temporary sign advertising that the property is currently for sale, rent or lease.
21. Residential sign: A sign on which is displayed the name and/or address of the occupant.
22. Service club sign: An off-site sign displaying logos, names and accessory information of service clubs such as the Lions International, Kiwanis International, Rotary International, and similar clubs organized as nonprofit corporations and established to serve the social and welfare needs of the community.
23. Shingle sign: A sign which identifies a business or activity whose front is under an extended roof (e.g. an overhang), a covered walkway, a covered porch, or the like.
24. Subdivision directional sign: An off-site temporary sign directing buyers to a subdivision that currently has lots or units for sale.
25. Temporary sign: A sign that is not permanently mounted and is intended to be displayed at the site for a limited period of time.

Temporary Qualifying Event Directional Sign: A temporary sign intended to direct pedestrians, motorists, and other passerby to (i) any assembly, gathering, activity, or meeting sponsored, arranged, or promoted by a religious, charitable, community service, educational, or other similar non-profit organization, or (ii) a small scale commercial or quasi-commercial event taking place within a residential zoned neighborhood such as a residential open house event, a garage sale, and similar events that traditionally occur on a residential property and are of a temporary nature. These provisions shall not apply to mobile vendors.
26. Time and temperature sign: An on-site sign displaying the current time and temperature.
27. Traffic directional sign: A sign whose purpose and placement is solely to define and streamline the flow of vehicular and pedestrian traffic so as to minimize congestion and promote safety.
28. Vehicle sign: A sign with identification or advertising sign copy on a vehicle or trailer parked for the primary purpose of functioning as a sign.
29. Wall sign: A sign attached to, painted on, or erected against a wall of a building or structure with the face of the sign in the plane of the wall or on a surface parallel to the face of the wall and does not extend above the roof, parapet, or building facade.
30. Window sign: An on-site sign inside of or painted on a window, intended to be seen from the outside.

16-05-02 Definitions

1. Abandoned sign: A sign which advertises, identifies or gives notice of a business which is no longer in operation or an activity which has already occurred. A permanent on-site sign that applies to a temporarily suspended business shall not be deemed to be abandoned unless the suspension exceeds three (3) months.
2. Accessory wall sign: An on-site sign attached to or painted on a building or tenant space wall, mansard or other vertical building surface, excluding the main wall identification sign. Examples of accessory wall signs include but are not limited to the following; menu board, awning, changeable copy directory, directional, incidental, projecting, suspended, time and temperature and permanent window signs.
3. Advertising: A sign which primarily lists products sold or services offered, or products manufactured on the premises.
4. Awning: A shelter or cover projecting from and supported by an exterior wall of a building.
5. Building facade: The portion of any exterior elevation of the building extending from grade to the top of the parapet wall or eaves and the entire width of the building.
6. Building frontage: The measurement between two (2) straight lines projecting from the outermost edges of a building or tenant space wall, that are perpendicular to a straight line running along the ground level of the front of the measured wall.
7. Detached canopy: A freestanding building without walls but with columns and a roof covering one (1) or more gasoline pumps or drive-through stalls.
8. Development complex: A site, having common vehicular access points, which is subject to a development plan.
9. Grand opening: An open-house type introduction, promotion, announcement of a new business, store, shopping center, office or of an established business changing ownership.
10. Ground level: The finished grade of existing sidewalks or, where there is no sidewalk, six (6) inches above street grade. In native terrain, ground level is the mean level of the area immediately around the sign.
11. Indirect lighting: A source of external illumination located a distance away from the sign, but which is itself not visible from any normal position of view.
12. Internal lighting: A source of illumination entirely within the sign which makes the contents of the sign visible at night by the light being transmitted through a translucent material but wherein the source of the illumination is not visible.
13. Landscaped ratio: The relationship between the landscape area surrounding a sign and the sign area.
14. Maintenance: The replacing or repairing of a part of a sign made unusable, unsafe, or unattractive by ordinary wear, tear, or damage beyond the control of the owner, or the repainting of an existing sign without changing the working, location, composition or color of said sign.
15. Multiple-tenant building: A structure which houses or is intended to house a variety of separate business activities.

16. Non-conforming sign: Any sign which does not conform to the provisions of this Title, but which, when first constructed, was legally allowed by the Town of Marana or the political subdivision then having control over signs.
17. Open house: A dwelling or office space which is for sale or for lease to which the public is invited for walk-in inspection.
18. Outline lighting: The outlining of a building by artificial lighting.
19. Permanent sign: Any display of letters, of numeral, symbols and/or insignia that is intended to be displayed for an indefinite or long-lasting period and the lettering or message of which is intended to remain essentially unchanged except for maintenance against normal effects of exposure to weather.
20. Residential Area: Property which is predominantly used or currently zoned for persons residing in single family dwellings, apartments, condominiums, townhomes, mobile homes and manufactured homes.
21. Right-of-way: A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, or for another special use. The usage of the term "right-of-way" for sign location purposes shall mean that every right-of-way hereafter established and shown on a final plat or dedicated by separate instrument is to be separate and distinct from the lots or parcels adjoining such right-of-way. (Typical right-of-way widths range from 36-feet to 150-feet depending on location, contact the Town of Marana when unsure of the dedicated width)
22. Roof line: The top edge of the roof or the top of the parapet, whichever forms the top line of the building silhouette.
23. Setback: The shortest straight line distance in feet from the nearest property or lot boundary to a main or accessory building, structure, sign, or the like located on the same property or lot.
24. Sign: Any display of any letter, numeral, figure, emblem, picture, outline, character, announcement, or means whereby the area made visible and for the purpose of attracting attention to make anything known, whether such display be made on, attached to or as a part of a structure erected for that propose or on, attached to or as part of any other structure, surface or thing, including but not limited to all outdoor advertising on any card, cloth, paper, plastic, metal, painted glass, wood or stone, and any and all devices, structural or otherwise.
25. Sign structure: A freestanding wall, pole, pedestal or object erected for the purpose of supporting a sign.

16-06 GENERAL DEVELOPMENT STANDARDS

16-06-01 Scope

This article provides development standards for signs in the Town of Marana.

16-06-02 Measurement and Location Standards

- A. The sign area of a sign shall be measured in compliance with the following:

1. Area of attached sign means and is calculated as the entire area within a single continuous perimeter of up to twelve (12) straight lines enclosing and connecting the extreme limits of up to three message areas consisting of any writing, representation, emblem or any figure or similar character together with any material forming an integral part of the display or used to differentiate such display from the background against which it is placed, excluding the necessary supports or uprights on which such sign is placed unless such supports, uprights, or structures are designed in such a manner as to form an integral background of the display.
 2. Area of a detached sign means the entire area enclosing the extreme limits of representation, emblem or any figure or similar characters excluding the necessary supports or uprights on which the such sign is placed, unless such supports, uprights or structures are designed in such a manner as to form an integral background of the display. Where a sign has two or more faces the area of all faces shall be included in determining the area of the sign, except where two such faces are placed back to back and are at no point more than two feet from one another. The area of the sign shall be taken as the area of one face if the two faces are of equal area or as the area of the larger face if the two faces are of unequal area.
- B. Sign height measurement: The sign height is measured as the vertical distance from the average finished grade beneath the sign to the topmost feature of the sign; except that if the sign location has an average finished grade lower than the adjoining grade of the road, the sign height is measured from the top of the curb (or crown of the road nearest the property if no curb exists) to the topmost feature of the sign.
- C. Clearance measurement: Clearance is measured as the shortest vertical distance between the underside of the sign and the average finished grade beneath the sign.
- D. Setback measurement: Setback is measured from the edge of the sign structure closest to the property lines.

16-06-03 Address Identification

- A. All residential and commercial buildings are assigned address numbers and shall display that number.
- B. The following standards for address identification shall be implemented:

Use Type	Minimum Height Size
Commercial	15 inches
Primary	3 inches by entrances
Suite Spaces	6 inches on overhang
Apartments	15 inches
Building	3 inches
Apartment Number	3 inches
R.V. and Manufactured Home Park	3 inches for space designation

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Entrance Signs	15 inches
Directional Signs	6 inches

- C. Names of streets, drives, circles, complexes, condominiums, etc., shall be identified.
- D. At least one (1) sign visible from the street shall contain the street address of the development complex in numerals at least three (3) inches tall.
- E. The site address may be included in the sign copy of a freestanding identification sign.
- F. The sign area allotment which exceeds sixteen (16) square feet shall include the area for a street address.

16-06-04 Building Standards

- A. Building Code: All signs shall be designed and constructed in conformity with the adopted Town of Marana Building Codes.
- B. Permanent sign materials: All permanent signs shall be constructed using structural members of materials subject to approval of the Planning Director, and/or the Town Engineer and/or the Town Chief Building Official. Non-structural trim may be of wood, metal, approved plastics, or any combination thereof but they must meet the Town Code.
- C. Materials for temporary signs: Materials proposed to be used in constructing temporary signs shall be at the discretion of the fabricator but shall be stated in the application for the sign permit. Adequacy of the materials proposed from the standpoints of stability, safety, composition and color shall be subject to approval by the Planning Director and/or the Town Engineer and/or the Town Chief Building Official.
- D. Support requirements: The supporting members of all signs shall be free of any external bracing such as guy wires or cables. All supporting columns shall be designed as an integral or architectural feature of the building or sign structure.
- E. Electrical signs: An electrical sign shall be erected by an applicant that has registered, with the Town Building Department, its file number as an authorized manufacturer with Underwriters Laboratories, Inc., or by an applicant that has received an inspection approval by an inspection agency approved by the Town Chief Building Official and who meets the requirements of the current adopted Electrical Code.

16-06-05 Location

- A. All signs subject to the provisions of this Title shall be erected in such a manner so as to not:
 - 1. Obstruct any exits;
 - 2. Obstruct any door, window, or fire escape of any building or interfere in any way with persons moving freely through any door, window, or fire escape;
 - 3. Interfere with or confuse traffic;

4. Present any traffic hazard;
 5. Obstruct the view of a motorist entering or exiting a road from a parking area, alley or other vehicular access point; or
 6. Project over any public sidewalk, street, alley, or Town right-of-way.
- B. A sign shall not be located in the following areas:
1. Rights-of-way or public property, except as permitted by this Code;
 2. Within the sight visibility triangle;
 3. Within twenty (20) feet of a street corner or so as to interfere with traffic visibility across the corner;
 4. In a location which obstructs the view of an authorized traffic sign, signal or device; or
 5. In a location which obstructs the view of a motorist entering a road from a parking area, alley or other vehicular access point.

0-06-06 Landscaping

- A. The base of all freestanding signs shall be integrated into a landscaped buffer and screening area. Such area shall comply with the following standards:

Sign Height	Planting Area	Minimum Width
1 – 10 feet	20 sq. feet	3 feet inside dimension
10 – 20 feet	40 sq. feet	5 feet inside dimension
20 feet and above	100 sq. feet	10 feet inside dimension

- B. The landscaped area shall conform to the Town's landscape requirements. A landscape and irrigation plan shall be submitted with the sign permit.
- C. The landscape design shall not permit plant or other materials to obstruct the visibility of the sign face from the street.
- D. Such landscaped area shall be maintained at all times.

16-06-07 Maintenance

- A. Signs shall be properly maintained in compliance with the following:
1. Defective or broken parts shall be immediately replaced; and
 2. Exposed surfaces determined by the Planning Director or the designee to be substantially deteriorated shall be replaced, painted or cleaned.
- B. A sign posing a safety hazard or a sign damaged to the extent of requiring a new building permit shall be replaced or repaired.

16-06-08 Illumination

- A. A sign shall comply with the standards set by the adopted Outdoor Lighting Code.

- B. No illumination of a sign is permitted in a rural or residential zone unless it is associated with a business or an office that remains open or is associated with medical or public services.
- C. All illuminated signs shall be turned off no later than 10:00 p.m., unless it is associated with a business or an office that remains open or is associated with medical or public services

16-06-09 Inspections

- A. Unless waived by the Planning Director and/or the Town Chief Building Official, all signs shall be subject to the following inspections as appropriate:
 - 1. Footing inspection on all freestanding signs;
 - 2. Electrical inspection on all illuminated signs;
 - 3. Inspection of braces, anchors, supports, and connections on all signs; and
 - 4. Inspection to insure that the sign has been constructed according to an approved application and sign permit.

16-06-10 Inconsistent Requirements

A sign subject to inconsistent requirements of any Federal, State or Town Statute, Ordinance or regulation shall meet the most restrictive requirement.

16-07 PROHIBITIONS

16-07-01 Prohibited Signs

- A. All signs shall be illegal in the Town limits of Marana except for the following:
 - 1. A sign allowed by this Title and not requiring a permit.
 - 2. A sign allowed by this Title for which a valid permit has been issued and is in force.
 - 3. A sign not allowed by this Title but which has been legalized by variance and proper permit.
 - 4. A sign allowed pursuant to a change in the principal use granted by a use permit as long as the proper permit is in force.
 - 5. A non-conforming sign as defined in definitions.
 - 6. Any sign whose permit renewal is delinquent for fourteen (14) days or more.
- B. Notwithstanding section 16-07-01, the following signs are specifically prohibited:
 - 1. A sign emitting visible matter or sounds (except a menu board or a lighted sign which meets the requirements of this Code and the Town Code).
 - 2. A sign on a permanent storage tank (except signs necessary to warn of danger).
 - 3. A sign resembling an official traffic sign.
 - 4. An abandoned sign.

5. A bench sign in a residential zone. No more than one (1) bench sign per bus stop in a non-residential zone.
6. A billboard.
7. A fixed balloon sign, except as permitted.
8. Flags, pennants, streamers or balloons, except where specifically permitted.
9. Flashing or moving lights, parts or sign.
10. More than six (6) pennants or flags on site on a pole which is no greater than twenty (20) feet in height.
11. An off-site sign, except those specifically permitted.
12. A portable sign, except those specifically permitted.
13. A sign attached to a utility pole.
14. A sign placed in the public right-of-way, except those specifically permitted.
15. A satellite dish containing sign copy.
16. A searchlight.
17. An electronic message board sign.
18. A statue used for advertising.
19. A temporary sign, except those specifically permitted.
20. A vehicle sign.

16-08 EXCEPTIONS

16-08-01 Signs Exempted from This Title

- A. The following signs shall be exempt from the application, permit and fee regulations of this Title, although an electrical or building permit may be required:
 1. A barber pole, provided it is attached to a wall, no more than eight (8) feet high and a maximum of three (3) feet in length.
 2. Six (6) or fewer flags attached to poles no greater than twenty (20) feet in height.
 3. Governmental signs.
 4. In addition to paragraph 2 above, one flag per property. The length of a flag shall be no greater than 1/4th the height of the flagpole. Flagpoles shall have the following maximum height:
 - (i) 25 feet when accessory to a residential use
 - (ii) In all other situations, the higher of:
 - (a) 30 feet, or
 - (b) 1.25 times the height of any building within 200 feet of where the flagpole is to be constructed, but in any event not to exceed 50 feet.
 5. A professional nameplate which meets the following requirements:

- (i) The maximum area does not exceed two (2) square feet; and
 - (ii) The sign meets the same setbacks as the main building setbacks per the underlying zone.
- 6. House numbers, nameplates and addresses with numbers or letters which are three (3) inches or less in height.
- 7. A memorial sign, tablet or cornerstone, not exceeding eight (8) square feet in area.
- 8. A non-commercial mural.
- 9. An off-premise temporary real estate open house or garage sale sign, in residential zones and subject to the following conditions:
 - (i) No more than six (6) off-premise open house signs shall be allowed for each residential open house;
 - (ii) No more than one (1) sign shall be allowed to be placed on any interior parcel and no more than two (2) on a corner lot (one per street frontage);
 - (iii) An off-premise open house sign shall only be displayed during daylight hours and shall be removed by 6:00 p.m. of the day of posting;
 - (iv) The sign shall be no larger than four (4) square feet and shall be located at a minimum of three (3) feet from the sidewalk, or five (5) feet from the right-of-way;
 - (v) The sign shall be no higher than three (3) feet;
 - (vi) The sign shall not be located within the Town's right-of-way;
 - (vii) An off-premise temporary real estate open house sign shall only be permitted in conjunction with an open house held for the resale of one single family residence, off-premise signs advertising the sale of more than one lot or more than two (2) dwellings constitute subdivision directional signs and shall be subject to those provisions;
 - (viii) Copy display on off-premise temporary real estate open house signs shall be limited to the words "Open House", the address of the property, the logo of the company, and a directional arrow; and
 - (ix) The sign shall carry the identity and address of the sign owner.
- 10. A "no trespassing" sign which does not exceed four (4) square feet in area.
- 11. A sign that is necessary to warn of a danger. The sign shall be of no greater height or size than is required to give the public adequate warning.
- 12. A sign that indicates access to persons with physical disabilities, which does not exceeds four (4) square feet in area.
- 13. A sign attached to a service station pump which, does not exceeds six (6) square feet in area.
- 14. An official notice of any court or public office and legal notices posted pursuant to law or ordinance.

15. A public, quasi-public and non-profit sign on or over public property permitted by special approval, with the written approval of the Town Engineer, subject to a Right-of-Way Permit.
 16. A special licensed sign on or over public property permitted by the Town Council by franchise, such as bus benches or trash receptacles.
 17. Seasonal decorations, greetings and displays, excluding advertising signs.
- B. Nothing contained in this section shall prevent the erection, construction, and maintenance of official traffic, fire or police signs, signals, devices and markings of the State of Arizona and/or the Town of Marana or other competent public authorities, or notices posted pursuant to law.

16-09 MISCELLANEOUS SIGNS

16-09-01 Nonconforming Sign

- A. This Title shall not apply to a sign, legally constructed with a valid permit, existing as of the effective date of this ordinance, which does not comply with this Title, except as provided below.
1. Change of use: A nonconforming sign shall comply with this Title before the issuance of a certificate of occupancy, issued due to a change of use.
 2. Damaged or destroyed sign: A nonconforming sign damaged to the extent of requiring a new building permit shall be replaced with a conforming sign.
 3. Relocation: A nonconforming sign shall not be relocated without compliance with this Title.
 4. Alteration: Reasonable repairs and alterations may be made to nonconforming signs provided however that in the event of any nonconforming sign is damaged and the cost of repair exceeds fifty (50%) percent of the cost to replace the sign, such cost to be determined by a competent appraiser, or in the event such sign is removed by any means, including an act of nature or calamity, such sign may be restored, reconstructed, altered or repaired only in conformity with the provisions of this Title.
 - (i) Exception: a nonconforming freestanding identification sign remaining in the same location may be altered as long as it complies with the following requirements:
 - 1) The maximum sign area may be the greatest of:
 - a) That is permitted in the zone;
 - b) Sixty-four (64) square feet in commercial or industrial zones only; or
 - c) Fifty (50%) percent of the area of the nonconforming sign;
 - 2) The maximum sign height may be the greatest of:
 - a) That is permitted in the zone; or
 - b) The height of the roof line of the tallest main building on the site;

- 3) All structural components and braces (such as pipes, angle iron, cables, internal or back framing) shall be concealed with a pole cover or architectural embellishment.

16-09-02 Landmark Sign

A sign erected prior to the effective date of this ordinance may be given the status of a landmark sign and shall be exempt from the regulations of this Title if the Town Council finds it has significant cultural or historical character as a landmark.

16-09-03 Sign Program

- A. Signs for businesses located within commercial or industrial centers, complexes or buildings designed for multiple occupancy shall be coordinated so that a consistent design theme is established and maintained.
- B. In accordance with the provisions herein, signs may be allowed in commercial and industrial districts as part of a comprehensive planned sign program, notwithstanding that such signs do not conform to all the specific regulations applicable to signs allowed pursuant to this Title.
 1. A planned sign program is an optional alternative to the general sign regulations intended to provide latitude in order to achieve variety and good design.
 2. A planned sign program shall be in substantial compliance with the general intent of these regulations but exceptions to general sign regulations may include, but are not limited to, the number of signs, height, location, sign area, and types of signs.
- C. Decisions of the Planning Director regarding review of a sign program shall be guided by the following principles:
 1. Fluorescent paints should be avoided;
 2. Light color copy over dark contrasting background panel is encouraged;
 3. The sign copy should not extend beyond the edge of the background area on which it is applied;
 4. The copy area of signs, including logos, emblems, crests and pictorial representations, should not exceed fifty (50%) percent of the background area on which it is applied;
 5. The base of each freestanding sign shall maintain a width of at least thirty-five (35%) percent of the sign's height and this base shall be landscaped in accordance with the landscaping regulations of the Town of Marana.
 6. That the proposed number of signs does not lead to an visual clutter for the site and that it is the minimum amount to identify the center, complex or buildings.
 7. The sign program shall include all signage (i.e. freestanding, wall, etc.) proposed for the center, complex or buildings.
- D. Applications for a planned sign program shall be made to the Planning Director in duplicate. The application shall be accompanied by the required fee(s). In addition the applicant shall submit, in duplicate, the following documents:

1. A map (site plan) drawn to scale delineating the site proposed to be included within the planned sign program;
 2. Drawings and/or sketches indicating the exterior surface design details (elevations) of the buildings upon the site; and
 3. Drawings, drawn to scale, indicating the size, materials, method and intensity of illumination, height, color, sign area and general location of all signs proposed to be included within the planned sign program and all other proposed and existing signs.
- E. The Planning Director shall, prior to the approval of a planned sign program, make the following findings in regard to the design of the signs to be maintained upon the site:
1. Architectural style: The signs are designed with an intent and purpose to relate the signs to the architectural style of the main building or buildings upon the site; and
 2. Relationship to other signs: Each sign is related to all other signs maintained on the site by the incorporation of similar or identical elements, such as materials, letter style of sign copy, color, illumination, method used for structural support or attachment, and the shape of signs.
- F. The Planning Director, in his/her sole discretion, may attach appropriate and reasonable conditions to any approval of the planned sign program, including but not limited to, conditions which alter sign configurations, reduction of the sign area, relocation of signs upon the lot or buildings, or any other design modifications. The Planning Director may decline to take action to approve, deny or conditionally approve any such program and, in lieu thereof, refer a recommended action to the Planning Commission for decision.
- G. The decision of the Planning Director may be appealed to the Planning Commission in accordance with provisions of section 16-10-2 or, in the absence of such appeal, the determination by the Planning Director shall be final.

16-09-04 Political Sign

- A. Temporary election signs, which support candidates, issues, or any other means on the ballot of primary, general or special elections are allowed by Arizona Revised Statutes, Section 16-1019 in all zoning districts upon the application of a blanket permit which shall apply to any election signs erected within the Town boundaries, except those exempt under section 16-10-01 (C) (2). The individual or organization erecting the sign shall file with the Planning Director or their designee a sign permit application designating the name, address and telephone number of the individual responsible for the installation and removal of the signs.
- B. The sign shall not be placed in a location that is hazardous to public safety, obstructs clear vision in the area or interferes with the requirements of the Americans with disabilities act.
- C. The signs may be displayed during the period commencing 60 days before the election and ending 15 days after the election.

- D. Each sign may have a maximum area of 16 square feet, if the sign is located in an area zoned for residential use, or a maximum area of 32 square feet if the sign is located in any other area.
- E. The signs shall not be greater than ten feet in height from grade.
- F. The signs shall not be illuminated.
- G. Such signs shall not be placed on utility poles or any authorized traffic sign, signal or device.
- H. A blanket permit fee in an amount established by a fee schedule adopted by the council and amended from time to time is required for political signs authorized by this section.
- I. Any and all violations of this section shall be subject to the penalty provisions contained in this Title.

16-10 PERMITS, REVOCATION AND APPEALS

16-10-01 Permits

- A. Any property owner or authorized agent who possesses an authorized letter from the owner of the property on which the sign is to be installed may apply for a sign permit.
- B. The applicant shall submit to the Planning Director or their designee the following information:
 - 1. The following information as required by the Planning Director:
 - (i) A site plan for freestanding signs, including a north arrow, a legal description, dimensions of the required setbacks and location of the property lines, buildings frontages, roads and proposed signs;
 - (ii) A description, in the form of a sketch, of signs attached to a building, a building wall, building frontage and proposed and existing signs with their sign areas; and
 - (iii) A sign description in the form of a sketch of the proposed sign, showing the sign area dimensions, structural supports, height, clearance, copy, illumination, colors and materials.
 - 2. Signs which are to be illuminated electrically shall require a separate electrical permit in conformity with the Town Electrical Code, which shall be issued by the Town's Chief Building Official.
- C. A permit is not required for the following signs or sign alterations, but all such signs and alterations shall be subject to all pertinent provisions of this section:
 - 1. Signs required by this Title as listed in article 16-8;
 - 2. A single sign no larger than four square feet exhibited by the owner or tenant of a parcel or premises and which is located on the parcel or premises;
 - 3. Repainting without changing wording, composition, or colors;
 - 4. Non-structural repair other than electrical repair;
 - 5. Relocation of a sign as required by Town; and

6. A window sign, non-illuminated and having an area of four square feet or less.
- D. Every permit issued under this Title shall become null and void, if the work authorized by such permit is not completed within 90 days from the date of issuance of such permit. If a permit expires before the work is completed, a new permit shall first be obtained and the fee shall be one-half of the amount required for a new permit for such work, provided no changes have been or will be made in the original plans and specifications for such work.
- E. Approval of the sign permit shall be at the discretion of the Planning Director or their designee and such approval shall be required for all signs, with the exception of those signs that are specifically exempted by this Title.
- F. A denial of a sign permit by the Planning Director may be appealed to the Planning Commission pursuant to section 16-10-02.
- G. Permits for temporary signs shall be issued by the Planning Director only when the sign is specifically allowed by this Title. Temporary sign permits shall be issued and renewed only for periods of six (6) months. Subdivision signs may be allowed until the last residence is sold. Temporary signs shall be permitted in all zones unless otherwise specified.

16-10-02 Appeals

- A. Once the Planning Director has rendered a written decision per this Title or issued a notice of action per this Title, the aggrieved person may appeal the decision or action of the Planning Director by submitting a written appeal to the Planning Commission within ten (10) days of the decision or action of the Planning Director. The Planning Commission will act and render a decision on this appeal within forty-five (45) days. If no appeal is made within ten (10) days, the decision or action of the Planning Director shall be final.
- B. Either the aggrieved person or the Planning Director may appeal the decision of the Planning Commission to the Town Council. Such appeal must be made in writing to the Town Clerk within five (5) working days of the decision by the Planning Commission. When such a notice of appeal has been submitted to the Town Clerk, it will be brought before the Town Council at the Town council's next available regular meeting as a regular agenda item, classified as new business. The Town Council may then confirm or modify or reverse the decision of the Planning Commission. Any motion to modify or reverse the decision of the Planning Commission shall contain the explicit reasons therefore. If the Town Council takes no action on the matter, the decision of the Planning Commission shall be final.

16-10-03 Revocation of Permit

- A. The Planning Director has the authority to revoke any permit if the sign authorized by the permit has been constructed or is being maintained in a manner inconsistent with or at variance to the permit.
- B. Notice of the Planning Director's decision to revoke a sign permit shall be served upon the holder of the permit in one of the following manners:
 1. By personally delivering a copy of the notice to the holder of the permit, or to one of its officers;

2. By leaving a copy of the notice with any person in charge of the premises; or
 3. In the event that no such person can be found, by affixing a copy of the notice in a conspicuous position at an entrance to the premises or at the sign and another copy sent by certified mail addressed to the last known post office address of the holder of the permit.
- C. The notice shall state the reasons and grounds for revoking the permit, specifying the deficiencies or defects in such sign with reasonable definiteness, and the violations charged. Such notice shall specify what repairs, if any, will make such an installation conform to the requirements of this Title, and shall specify that the sign must be removed or made to conform with the provisions of this code within the notice period of thirty (30) days. This notice shall be known as a non-compliance notice.
- D. The holder of the permit may appeal the decision of the Planning Director to the Planning Commission pursuant to section 16-10-02.
- E. If no appeal has been made by the end of the fourteen (14) day appeal period, then the permit is revoked and the sign is illegal and the Planning Director then shall initiate the removal of the illegal sign.

16-11 [RESERVED]

16-12 WAIVERS

16-12-01 Waivers Generally

- A. A waiver to the setback requirements for freestanding signs may be granted by the Planning Director when there exists an unnecessary hardship substantially limiting the preservation of property rights and it does not conflict with any additional requirement (i.e. site visibility triangle, fall zones, etc...) and;
- B. A waiver shall not be granted unless:
1. The strict application of this Title creates an unnecessary hardship limiting the use of the property such as obscuring the sign face, reducing the required number of parking spaces, obstruction of an access point or creating a similar problem caused by a physical condition that is unusual or peculiar to the property;
 2. The waiver is the minimum necessary to afford relief;
 3. The waiver will not adversely affect the rights of surrounding property owners; and
 4. The waiver will comply with all other requirements of this Title.

16-12-02 Submittal Requirements

- A. The petitioner shall submit a site plan showing required setbacks, landscaping, the conditions that will result from the proposed waiver, and a written statement explaining the need for a waiver.

- B. If the sign is proposed to be set back ten (10) feet or less from a common lot line, the petitioner shall obtain a signed and notarized letter from the adjoining property owners consenting to sign an agreement to be recorded with the Town Clerk before final approval for the proposed waiver is given by the Planning Director.

16-12-03 Action by the Planning Director

The Planning Director or their designee shall review all the submitted information and provide a written response to the petitioner of the action. The response shall state the reasons for the decision if a request for a waiver is denied.

16-12-04 Appeals or Referrals

- A. The decision of the Planning Director may be appealed to the Town Council.
B. The Planning Director may refer any waiver request to the Board of Adjustments.

16-13 ENFORCEMENT

16-13-01 Seizure of a Prohibited Temporary Sign

- A. The Planning Director or their designee shall seize a prohibited temporary sign after proceeding as follows:
1. If the sign is within the right-of-way of a State or Town road, the Planning Director or their designee may seize the sign after confirming through the appropriate authority that the sign is in the right-of-way and no permit exists to allow said sign;
 2. If the sign is not within the right-of-way of a State or Town road, and no permit exists to allow said sign, the Planning Director or their designee shall give notice that the sign violates the provisions of this Title. The notice shall:
 - (i) Specify the Town's Land Development Code provision being violated;
 - (ii) Specify the date by which compliance must occur, allowing a reasonable time for compliance;
 - (iii) Explain the right to a hearing; and
 - (iv) Be posted on the sign or in a conspicuous place on the property.
 3. The seizure shall occur after the compliance date specified in the notice.
 4. At any time before the date of compliance, the party responsible for the prohibited sign may request a hearing before the Planning Commission. At the conclusion of the hearing, if the Planning Commission determines that the sign is prohibited, the party responsible for the sign shall remove the sign within twenty-four (24) hours of the Planning Commissions' decision. If it is not removed the Planning Director or their designee shall seize the sign.

16-13-02 Removal of Signs

- A. The cost of removal of a temporary sign by the Planning Director or their designee shall be borne by the party responsible for the erection and/or maintenance of the

prohibited sign. An action for recovery of costs may be brought by the Town Attorney upon certification of costs by the Planning Director or their designee.

- B. The Planning Director is authorized to cause the immediate removal or repair of any sign or signs found to be unsafe or defective to the extent that it creates an immediate hazard to persons or property.
- C. A sign seized by the Planning Director or their designee may be redeemed by the owner of the sign upon payment of all costs incurred by the Town for removal and storage of the sign. If not redeemed within thirty (30) days of seizure, a sign shall become Town property and may be sold or otherwise disposed of as provided by law.

16-14 DEVELOPMENT STANDARDS BY SIGN TYPE

16-14-01 Scope

This article provides development standards for various sign types.

16-14-02 Wall Sign

- A. Agricultural zones or uses: Wall signs facing a dedicated street shall not exceed one (1) square foot for each lineal foot of building frontage and the sign shall not exceed thirty-two (32) square feet.
- B. Multi-family zones:
 - 1. One (1) wall sign is allowed for each street frontage subject to the following requirements:
 - (i) A maximum of fifteen (15) square feet of sign area for buildings with a width of thirty (30) feet or less;
 - (ii) Buildings over thirty (30) feet in width shall be allowed an additional one (1) square foot for each foot over thirty (30) feet to a maximum of thirty (30) square feet;
 - (iii) In cases of more than one (1) building on the property, the area of the sign shall be based on the lineal frontage of the building on which it is placed; and
 - (iv) Only the name and address may be placed on the building.
 - 2. A one and one half (1½) square foot sign designating the location of the manager's office may be placed on or near the main entrance to the units. Such sign may be attached to the dwelling or incorporated in the design of the freestanding sign but the maximum square footage of the freestanding sign shall not be increased to accommodate such sign.
- C. Commercial and Industrial zones:
 - 1. Each business shall be allowed an area of one and one-half (1½) square foot of signage per lineal foot of the building frontage, to a maximum of 200 square feet. The signage shall be located at the main entrance or facing a dedicated street, alley or facing on-site parking areas for five (5) or more cars and walkways, a minimum of ten (10) feet in width to a maximum of three sides, with each side being calculated independently.

16-14-03 Freestanding Pole Sign

- A. Agricultural zones or uses: One freestanding sign not exceeding eight (8) square feet in sign area and ten (10) feet in height shall be allowed and the sign shall comply with a ten (10) foot front setback.
- B. Multi-family zones:
1. One (1) freestanding sign may be used in lieu of one wall sign.
 2. Through lots will be allowed an additional freestanding sign if the frontage is used for access.
 3. Only the name and the address may be placed on the sign except the vacancy status and location of the manager's office may be placed on the sign if desired, as part of the sign.
 4. The maximum height of any sign allowed by this subsection shall be five (5) feet.
 5. The maximum sign area shall be twelve (12) square feet, except an additional two (2) square feet may be added for the vacancy status.
 6. A separate freestanding vacancy sign, a maximum of three and one-half (3½) feet in height and two (2) square feet in area, may be used if no other freestanding exists on the property; otherwise, the sign shall be placed on the building.
- C. Commercial and Industrial zones:
1. A sign may contain one (1) square foot of area for each lineal foot of street frontage but shall not exceed one hundred-fifty (150) square feet. In the case of corner lots or through lots, only the frontage the sign is oriented to shall be counted toward the allowable sign area.
 2. The maximum height of any sign allowed by this subsection shall be twenty (20) feet .
 3. The minimum ground clearance of any sign allowed by this subsection shall be eight (8) feet.
 4. A sign shall not be permitted to project into the public right-of-way or within the visibility sight triangle.
 5. A sign shall comply with a ten (10) foot setback from all interior property lines, which may be reduced with an approved sign program pursuant to section 16-9-3.
 6. Only the name of the commercial complex and four (4) tenant signs, or a total of five (5) tenant signs may be displayed on the sign. Where the sign is used to identify the name of the complex or a major tenant, the sign shall be designed to identify proposed tenants up to the maximum herein. The minimum sign area allocated for each tenant shall be four (4) square feet.
 7. Corner parcels containing five (5) acres or more shall be allowed one (1) freestanding sign on each street frontage on a major or collector street and shall be spaced at intervals of not less than three hundred (300) feet apart and located in the front one-third (⅓) of the frontage. Such signs shall not face the side of any adjoining lot in a residential zone.

16-14-04 Ground (Monument) Sign

- A. A low-profile ground sign may be used in place of a freestanding pole sign.
- B. Commercial and Industrial Zones:
 - 1. The maximum height of any sign allowed by this subsection shall be eight (8) feet.
 - 2. The maximum sign area shall be forty (40) square feet.
 - 3. A sign shall comply with a five (5) foot setback from all streets and a ten (10) foot setback from all interior property lines which may be reduced with an approved sign program.
 - 4. The sign shall not be permitted to project into the public right-of-way or within the visibility sight triangle.
 - 5. Only the name of the commercial complex and four (4) tenant signs or a total of five (5) tenant signs may be displayed on the sign. Where a freestanding pole sign is used to identify the name of the complex or the major tenant, the sign shall be designed to identify proposed tenants up to the maximum number allowed herein. The maximum sign area allocated for each tenant shall be not less than ten (10) square feet.
 - 6. A sign structure shall be designed to be architecturally compatible with the main building and constructed with the same or similar materials.

16-14-05 Screening Wall or Fence Sign

- A. A sign on a screening wall or fence used as screening of a parking area may be used in lieu of a freestanding pole sign.
- B. Multi-family zones:
 - 1. One (1) sign may be placed on a structure used for screening of a parking area in lieu of a wall or freestanding sign subject to the following conditions:
 - (i) Only the name and address may be placed on the structure; and
 - (ii) The maximum area shall be fifteen (15) square feet.
- C. Commercial and Industrial zones:
 - (i) A sign may only denote the name of the principal business or the name of the commercial complex.
 - (ii) The maximum sign area shall be twenty-five (25) square feet.

16-14-06 Awning Sign

- A. No more than two (2) awning signs shall be permitted and no more than one (1) on each side of the building.
- B. The maximum sign area shall be twenty (20) square feet.
- C. The maximum sign height of any sign shall not exceed the roofline.
- D. Awning signs shall be calculated as part of the wall sign area allotment.

16-14-07 Changeable Copy Sign

- A. The total combined sign area for all changeable copy signs relating to a business shall not exceed eighty (80) square feet.
- B. No freestanding sign shall consist exclusively of changeable copy; however, changeable copy may be a component of a freestanding identification sign.
- C. The maximum height of any sign allowed by this subsection shall be fifteen (15) feet and shall not exceed the roofline.
- D. An accessory wall sign shall comply with the following:
 - 1. The maximum sign area shall be:
 - (i) Eight (8) square feet for movie marquees;
 - (ii) Twenty (20) square feet except the wall sign area allotment for incidental signs may be transferred to permit up to forty (40) square feet of changeable copy sign area for commercial uses; and
 - (iii) All changeable copy signs shall be calculated as part of the wall sign area allotment.
 - 2. No more than two (2) accessory wall signs are permitted on any two (2) sides of a building.
 - 3. Up to four (4) incidental signs shall be counted as one sign.

16-14-08 Electronic Message Displays

- A. Electronic message displays are permitted for non-residential uses, subject to the permit process and the requirements of this section.
- B. An electronic message display shall be allowed as an integral component of a permitted on-site ground monument sign or freestanding pole sign.
- C. The electronic message component may occupy 50 percent of the total sign area for which a permit is issued, up to 40 square feet.
- D. Displays may be full color and shall consist only of static messages that change not more frequently than once every 30 seconds. Messages must transition by instant change method. Scrolling, travelling, flashing, full-motion video, use of sound, and similar operational effects are prohibited.
- E. All electronic message displays proposed to face, directly or indirectly, an existing residential use shall be located a minimum distance of 150 feet from the property line of such residential use.
- F. All electronic sign displays shall comply with the Town of Marana Outdoor Lighting Code in effect at the time the sign permit is issued.
- G. All proposed electronic message displays shall be in compliance with all applicable federal and state laws and regulations. Appropriate experts should be retained and appropriate federal and state agencies should be consulted to determine any action necessary to assure compliance with applicable laws and regulations.

16-14-09 Incidental Sign

- A. No more than two (2) accessory wall signs are permitted on any two (2) sides of a building.
- B. The maximum area of any sign allowed by this subsection shall be twenty (20) square feet per building frontage, except that the sign area allotment for a changeable copy sign may be transferred to permit up to forty (40) square feet of incidental sign area.

16-14-10 Menu Board

- A. A sign shall be positioned so as not to be readable from a street.
- B. A sign shall not have a two-way speaker, which is audible from an adjoining residential zone.

16-14-11 On-site Subdivision Sign

- A. Sign copy may contain the subdivision name and any four of the following items of information:
 - 1. The name of the developer;
 - 2. The price;
 - 3. The residential type;
 - 4. The subdivision logo;
 - 5. The phone number for the subdivision; or
 - 6. The number of units.
- B. Copy changes relating to items such as sales price, phone or number of units are allowed without a new permit.
- C. The maximum area and number shall be as follows:
 - 1. Sixty-four (64) square feet per sign if two (2) signs are used; or
 - 2. One hundred twenty-eight (128) square feet if one (1) sign is used.
- D. The maximum height of any sign allowed by this subsection shall be twelve (12) feet.
- E. Illumination is not permitted.
- F. The first permit for an on-site subdivision sign is valid for a period of one (1) year and a maximum of three (3) one (1) year renewal permits may be granted.
- G. All signs shall be removed upon termination of an active on-site sales program.

16-14-12 Service Club Sign

- A. A service club sign structure shall require a sign permit.
- B. The maximum height of any sign allowed by this subsection shall be fifteen (15) feet.
- C. A sign shall comply with a ten (10) foot setback from lot lines.
- D. The maximum number of logo signs shall be six (6) per sign structure.

- E. Illumination is prohibited.

16-14-13 Time and Temperature Sign

- A. A freestanding time and temperature sign shall be a component of a freestanding identification sign.
- B. A time and temperature sign shall not be located within six hundred (600) feet of another time and temperature sign, not including a swing hand clock mounted on a wall.
- C. No more than one sign is permitted per site.

16-14-14 Single-family Residential Name Signs

- A. A single family residence is allowed name plate signs.
- B. These signs are to identify the home by showing either the name of the family and/or the name of the home. These signs are allowed in addition to a street number sign.
- C. A name plate sign shall not exceed two (2) square feet in area.
- D. A name plate sign may be freestanding but the height of the sign shall not exceed five (5) feet.
- E. A name plate sign shall comply with a ten (10) foot setback from all property lines.

16-14-15 Mobile Home and RV Developments Sign

- A. There shall be only one (1) wall sign or single or double-faced freestanding sign designating the use of the premises facing or adjacent to each street abutting the property.
 - 1. The height of a freestanding sign shall not exceed eight (8) feet, measured vertically from the base at ground level to the apex of the sign.
 - 2. The total face area of all wall and freestanding signs, excluding directional signs, shall not exceed one-tenth (1/10) square foot for each linear foot of street frontage, and no sign shall exceed a maximum area of thirty-two (32) square feet.
- B. One directional sign, not to exceed ten (10) square feet in area, may be placed at each entrance or each driveway.
 - 1. No such sign shall exceed a height of eight (8) feet measured vertically from the base at ground level to the apex of the sign.
 - 2. Directional signs may be lighted.

16-14-16 Temporary Tract Sign

- A. For any subdivision there may be one (1) indirectly-illuminated tract sign for each principal entrance to the subdivision advertising the sale of dwelling units or lots on the same premises or subdivision on which the sign is maintained.
 - 1. The maximum sign area of any sign allowed pursuant to this subsection shall be limited to two hundred (200) square feet, and the maximum height of any sign

- allowed pursuant to this subsection shall be twenty (20) feet for subdivisions with five (5) lots or more.
2. For subdivisions with four (4) or less lots, the man made sign area shall be limited to thirty-two (32) square feet and the maximum height of any signs shall be eight (8) feet.
 3. A sign shall be removed within ten (10) days after the sale of all the homes within the subdivisions or sooner, subject to staff review.
- B. Additional signs may be located on a model home site, subject to the following requirements:
1. Temporary signs may advertise the features within a model home on the lot where such signs are located;
 2. No more than two (2) signs totaling twelve (12) square feet for each model home in the subdivision shall be used; and
 3. All signs shall be removed upon sale of the model home or discontinuance of said use.

16-14-16 Shingle Sign in Commercial and Industrial Districts

- A. A shingle sign is a sign, which identifies a business or activity whose front is under an extended roof (e.g. an overhang), a covered walkway, a covered porch or the like.
- B. A shingle sign may be placed perpendicular or parallel to the street.
- C. One perpendicular and one parallel sign shall be allowed for each business front and shall be adjacent to the business, which is identified.
- D. A sign shall be suspended from a roof overhang, covered walkway, or covered porch. No part of a suspended sign shall extend beyond the edge of the over-hang.
- E. A sign placed parallel to the street may be attached to the fascia, provided no part of the sign extends above or below the fascia.
- F. A minimum clearance of six feet, eight inches (6' 8") shall be maintained beneath the sign.
- G. A sign shall state only of the name of the individual business, building, or building complex.
- H. The maximum size of a shingle sign shall be one (1) foot wide by five (5) feet long.
- I. No part of a shingle sign shall project beyond the marquee.
- J. Larger canopy signs facing a dedicated street or interior parking area may be used in lieu of a wall signs, subject to the approval of the Planning Director, and provided the signs do not exceed the maximum area permitted in the underlying zone for wall signs.

16-14-17 Fuel Price

- A. The maximum area of the fuel price shall be:
 1. 25 square feet when it is a component of a monument sign.

2. 40 square feet when it is a component of a freestanding sign.
3. 40 square feet when it is attached a fueling area canopy, provided that the fuel price shall be located on only one side of the canopy and shall not extend beyond the frame of the canopy.

B. The fuel price may be displayed electronically.

16-14-18 Theater Marquee

- A. Each theater shall be allowed to use changeable copy signs in addition to signs permitted in the underlying zone.
- B. The area of any sign allowed pursuant to this subsection shall not exceed sixty (60) square feet facing in any one direction, nor shall the total aggregate sign area exceed one hundred fifty (150) square feet.
- C. A drive-in theater marquee shall comply with the following requirements:
 1. A freestanding drive-in theater marquee sign shall not exceed two hundred and fifty (250) square feet in area or twenty-five (25) feet in height.
 2. Any sign allowed pursuant to this subsection shall comply with a twenty (20) foot setback from all property lines.

16-14-19 I-10 Freeway Interchange Business Sign

- A. The purpose of this subsection is to assist the I-10 Freeway traveler in safely identifying which I-10 Freeway interchange location provides retail business clusters serving the traveling public. Any sign erected pursuant to the provisions of this section relating to I-10 Freeway signage, is in addition to signs which are erected pursuant to other sign code provisions.
- B. The following definitions shall apply to this subsection:
 1. A high volume retail business serving the freeway traveler has at least one of the following motorist services: lodging, gas, vehicle repair, camping or food.
 2. I-10 Freeway interchange location shall mean property which meets all of the following requirements:
 - (i) The property is zoned to allow retail businesses;
 - (ii) The business property is located within four hundred (400) feet of the edge of the freeway right-of-way; or is located on the east side of the freeway, immediately adjacent to the railroad right-of-way;
 - (iii) The business property is located within five hundred (500) feet parallel to the freeway, measured from the edge of the right-of-way of the road intersecting the freeway; or is located on the east side of the freeway, immediately adjacent to the railroad right-of-way;
 - (iv) The business property fronts on either the freeway right-of-way, or the right-of-way of the roadway intersecting the freeway; or fronts the railroad right-of-way adjacent to the freeway right-of-way; and
 - (v) The interchange is serviced by an entrance ramp, an exit ramp, or both.

3. Utility and/or railroad easements: If the business of the applicant fails to meet any of the requirements as outlined above, due to utility and/or railroad easements, the Planning Director for the Town may authorize the issuance of the permit if the following requirements are met:
 - (i) The business property is zoned to allow retail businesses; and
 - (ii) The business property is separated from the freeway right-of-way only utility and/or railroad easements; and
 - (iii) The business property is located within five hundred (500) feet parallel to the freeway, measured from the edge of the right-of-way of the road intersecting the freeway; and
 - (iv) The business property would front on either the freeway right-of-way, or the right-of-way of the road intersecting the freeway if the utility and/or railroad easements were not present; and
 - (v) The interchange is served by an entrance ramp, an exit ramp, or both.
- C. At I-10 Freeway interchange locations, signage meeting the following specifications shall be permitted for a high volume retail business serving the freeway traveling public:
 1. Each business located at the I-10 Freeway interchange location shall be permitted on freestanding identification sign pursuant to this subsection, to be located within the I-10 Freeway interchange location, on the same parcel as the business is located.
 2. Any sign allowed pursuant to this subsection may not exceed three hundred (300) square feet in area. In the event the sign is not solid, and includes "cutout" areas, the sign area shall be measured by filling in all "cutout" areas, as if the sign were the dimensions of the outside edges of all characters or designs.
 3. Any sign allowed pursuant to this subsection may not exceed a height of sixty-five (65) feet above base grade.
 4. Any sign allowed pursuant to this subsection shall have a minimum clearance of ten (10) feet.
 5. Any sign allowed pursuant to this subsection shall have a zero setback from the freeway right-of-way or railroad right-of-way adjacent to the freeway right-of-way.
 6. There shall be a maximum of one (1) sign allowed pursuant to this subsection at each corner of the freeway intersection.

16-14-20 Directory Sign

- A. A directory sign located on an exterior elevation of a building shall be placed flat against the building and shall be located at or near an entrance to the building or an area restricted to pedestrian traffic only.
- B. Any sign allowed pursuant to this subsection shall have a maximum permitted area of ten (10) square feet.
- C. A directory sign shall not exceed the roofline.

- D. A freestanding directory sign not more than ten (10) feet in height and fifty (50) square feet in area may be allowed at the discretion of the Planning Director, who shall consider such factors as:
 - 1. The need for the sign;
 - 2. Whether or not a wall directory sign is practical; and
 - 3. Whether the sign would create a traffic hazard.
- E. A directory sign shall comply with a forty-three (43) foot setback from the front and side lot line except from a side lot line not adjacent to a street, the setback may be thirty (30) feet.
- F. A maximum of one (1) directory sign may be located at each entrance into a development.
- G. A directory sign may be illuminated by indirect lighting.
- H. A directory sign may have a maximum area of two (2) square feet for each business listed on the sign, and four (4) square feet for the name of the building or complex.

16-14-21 Entry-way Monument Sign

- A. An entry-way monument sign is a freestanding sign which identifies the entrance to a residential development, resort facility, a townhouse complex, an apartment complex or a similar development.
- B. The area of an entry-way monument sign shall not exceed forty (40) square feet, and no part of the sign shall exceed five (5) feet above grade level.
- C. The setback of an entry-way monument sign shall be at least one (1) foot from the right-of-way line or property line, whichever is greater.
- D. Within the appropriate area limitations, one sign on each side of an entry-way shall be allowed, but there shall be no more than two (2) signs for each entry-way monument.
- E. Any sign allowed pursuant to this subsection may be double-faced but only one (1) double-faced sign shall be allowed per entry.
- F. An entry-way monument sign may be illuminated.
- G. An entry-way monument sign shall be placed so as not to interfere with traffic in any way, to confuse traffic, or to present a traffic hazard.
- H. An entry-way monument sign shall contain the name of the subdivision, builder and/or facility only.

16-14-22 Traffic Directional Sign

- A. A traffic directional sign is one whose purpose and placement is solely to define and streamline the flow of vehicular and/or pedestrian traffic so as to minimize congestion and promote safety.
- B. A traffic directional sign is allowed only on the approval of the Planning Director and/or the Town Engineer.

- C. One (1) single or double-faced freestanding sign shall be permitted for each entrance or exit.
- D. The height of a traffic directional sign shall not exceed three (3) feet.
- E. The area of each face of a traffic directional sign shall not exceed four (4) square feet.
- F. A traffic directional sign may be illuminated.

16-14-23 Sign Boards and Buildings

- A. The Planning Commission shall have the discretionary authority to allow structures specifically designed to accommodate signs, such as information boards, kiosks and freestanding reader boards within pedestrian-oriented areas in shopping centers and complexes, provided the following conditions are met:
 - 1. The structure shall be architecturally compatible with the surrounding buildings and/or approved theme; and
 - 2. The structure is pedestrian-oriented only.

16-14-24 Public, Quasi-Public and Non-Profit Signs

- A. Churches, schools, community centers and any other public, non-profit or institutional building, in any zone, shall be allowed the following signs subject to the following requirements:
 - 1. Churches shall be allowed one (1) wall sign, not to exceed thirty (30) square feet in area and one (1) bulletin board or announcement sign, not to exceed twenty-four (24) square feet in area and ten (10) feet in height. Any bulletin board or announcement sign not attached flat against the building shall comply with a ten (10) foot setback from all streets.
 - 2. Other public non-profit and quasi-public uses shall be allowed one (1) wall sign, not to exceed thirty (30) square feet in area and a bulletin board or announcement sign not to exceed fifty (50) square feet in area and twelve (12) feet in height. Any bulletin board or announcement sign not attached flat against the building shall comply with a ten (10) foot setback from all streets.
 - 3. Public and quasi-public and non-profits special event signs are permitted subject to the following requirements:
 - (i) Churches and other public and quasi-public uses may request a permit for the temporary use of a sign announcing a special event. Wall or freestanding signs of paper, cardboard, plastic or fabric are permitted; provided, that the Planning Director finds that the copy, color, and design of the sign will not adversely affect the order, amenity, or residential enjoyment of the neighborhood in which it is located.
 - (ii) Special event signs shall be located on the premises of the institution or organization having the special event, or on private property with the owners permission and shall be not more than eight (8) feet in height, nor contain more than forty (40) square feet of sign area. The sign may be single or double-faced. Freestanding signs shall comply with ten (10) foot setback from any property line abutting upon a street right-of-way. One (1) sign shall

be allowed for each street frontage. All such signs must be soundly constructed and erected as well as neat in appearance.

- (iii) Upon application for a permit, the applicant shall submit a statement and diagram noting the nature of the special event, and indicating the location, size, copy and colors of the proposed sign. A permit for a special event sign shall be valid for no more than two (2) weeks, and shall be removed within two (2) days after the event has taken place; and not more than six (6) such permits shall be issued to any one institution or organization in a calendar year. A permit fee shall not be charged for such signs.

16-14-25 Signs for Unclassified Uses

Whenever sign standards or provisions have not been established for an unclassified use requiring the issuance of a conditional use permit, the Planning Commission may establish sign standards and provisions concurrently with the request for the conditional use permit.

16-14-26 Off-Premise Wayfinding Sign

- A. An off-premise wayfinding sign helps motorists find a non-residential destination located on a minor roadway.
- B. For purposes of this section, a minor roadway is any of the following:
 - 1. A road with no outlet other than another minor roadway.
 - 2. An easement access road.
 - 3. A dirt road.
 - 4. A road with fewer than 800 average daily trips.
- C. The owner of a non-residential destination may place off-premise wayfinding signs on one route between the non-residential destination and the location where the route intersects the first roadway larger than a minor roadway.
- D. One off-premise wayfinding sign is allowed at each major change of direction on the route chosen by the owner of the non-residential destination.
- E. An off-premise wayfinding sign may be single or double faced.
- F. An off-premise wayfinding sign shall not be placed within the public right-of-way.
- G. An applicant for an off-premise wayfinding sign permit shall provide the written permission of the owner of the property where the sign will be located.
- H. An off-premise wayfinding sign shall not be placed within 100 feet of a residence without the written permission of the owner of the residence.
- I. An off-premise wayfinding sign shall be located outside of the sight visibility triangle and roadway clear zone as determined by the Town Engineer.
- J. An off-premise wayfinding sign shall be a single sign panel of not larger than four square feet.
- K. Whenever possible, off-premise wayfinding sign panels for multiple non-residential destinations shall be displayed on a single sign structure.

- L. The highest point of the structure displaying one or more off-premise wayfinding sign panels shall not be higher than six feet.
- M. The lettering of an off-premise wayfinding sign shall be at least six inches in height
- N. An off-premise wayfinding sign may only display the name of the non-residential destination, a logo, the distance to the destination, and an arrow.
- O. An off-premise wayfinding sign shall not be illuminated.
- P. Off-premise wayfinding signs are exempt from the requirements of section 16-06-06 ("Landscaping") of this Title.

16-14-27 Development Sign

- A. A development may have one freestanding sign on each street which abuts the development and the sign must be placed on the property being developed.
- B. The text of a development sign may include the name of the development and/or subdivision, the name and phone number of the developer or his/her agent, tenants, opening date, the price range of units to be available, and information essential to contacting the developer or agent.
- C. The area of a development sign may not exceed 64 square feet, a sign may be single or double-faced and shall be located at least ten feet from the property line or right-of-way.
- D. The height of a development sign may not exceed eight feet.
- E. A development sign shall be allowed only if a grading permit, development plan, or subdivision plat has been approved for the site or a building permit has been issued for construction on the site.
- F. A development sign shall be removed within ten days after the completion of the announced development.

16-14-28 Developer, Contractor and/or Subcontractor Identification Sign

- A. A development and/or developer, contractor, subcontractor, and lender participating in building or construction work may be so identified by having the names of the respective firms displayed on a sign conspicuous to the public.
- B. All agencies or firms desiring to be identified shall be displayed on the same sign.
- C. One identification sign shall be allowed on each street which abuts the development and the sign must be placed on the property being developed.
- D. An identification sign shall have an area no larger than 40 square feet nor a height in excess of eight feet.
- E. An identification sign may be freestanding and may be single or double-faced.
- F. An identification sign shall be at least ten feet from the property line or right-of-way.
- G. An identification sign shall not be illuminated.
- H. The legend appearing on an identification sign shall be limited to identifying the firms contributing to the development. That is, in addition to identifying the developer, the sign may identify also the firms that provided the engineering and architectural work,

the firm(s) providing the primary source(s) of financing and the principal subcontracting firms.

- I. A identification sign shall be allowed only if a grading permit, development plan, or subdivision plat has been approved for the site or a building permit has been issued for construction on the site.
- J. An identification sign shall be removed within ten days after the work of the contractor or last finishing contractor has been done.

16-14-29 Temporary Qualifying Event Directional Sign

Editor's note: Marana Ordinance No. 2012.10, effective December 8, 2012, temporarily amended Section 16-14-29 to allow Temporary Qualifying Event Directional Signs to be placed within the Town of Marana right-of-way. This temporary amendment automatically terminates, sunsets, and is of no further force and effect on December 8, 2013.

1. A Temporary Qualifying Event Directional Sign may be placed within the Town of Marana right-of-way subject to the following conditions:
 - a. Up to eight Temporary Qualifying Event Directional Signs not exceeding six square feet in area per sign and not greater than 30 inches in height (above adjacent grade), may be located within the Town's right-of-way for the purpose of providing direction to a qualifying event. Signs shall only be displayed during the event and shall only be displayed between the hours of 7:00 am and 8:00 pm. Signs shall be removed by 8:00 pm on the day of the posting.
 - b. One sign may be placed at each major change of travel direction along the route to the qualifying event. One additional sign may be placed each mile between changes in travel direction.
 - c. Signs may be placed within the public right-of-way with a valid sign permit. Signs shall not be placed within a median, on a sidewalk, multi-use path, or pedestrian access ramp. Signs shall not be placed within rights-of-way under the jurisdiction of the Arizona Department of Transportation.
 - d. On curbed roadways, signs within the public right-of-way shall be placed no less than two feet from the back side of the curb and no less than two feet from a sidewalk or shared-use path. On roadways without curbs, signs shall be placed no less than six feet from the edge of the paved surface. In locations where shared-use paths exist, signs shall not be placed between the path and the paved surface of the roadway unless there is adequate distance to maintain a six-foot setback for the sign from the edge of the roadway and two feet from the path.
 - e. Sign assemblies shall be constructed of sturdy materials such as metal, wood, or plastic; however, shall not be constructed of materials or to a weight or rigidity that could present a hazard to traffic. Sign assemblies may not be fixed or anchored in the ground within the public right-of-way; however, they should be of sufficient weight and strength to withstand wind gusts, storms, etc. It is the responsibility of the sign owner to ensure that a sign is placed in such a manner as to avoid displacement during windy conditions, or creating a safety hazard to the public.

- f. Signs shall not be placed upon any other sign assembly, tree, light pole, traffic signal pole or controller cabinet, utility box, fences, walls, boulders, planters, vehicles, or any other structure.
- g. Signs shall be constructed of durable weather-resistant materials and be maintained in such a manner so as to remain free of chipped paint, cracks, loss of text or graphics, etc.

16-14-30 Holiday Oriented Merchandise Sales

A sign erected for holiday oriented merchandise sales shall be removed ten (10) days after the subject holiday.

16-14-31 Directional Sign

- A. A directional sign is one whose primary purpose is to indicate the route to be followed in traveling to the destination named on the sign. This type of sign is only available for residential developments.
- B. One (1) directional sign is allowed at each major change of direction plus one (1) per mile between changes in direction.
- C. No sign shall be placed within one hundred (100) feet of a property on which there is a residence without the written permission of the owner or the resident of the premises.
- D. A sign allowed pursuant to this subsection sign may be single or double-faced.
- E. The maximum area and height of a directional sign placed in the Town shall be:
 - 1. A sign allowed pursuant to this subsection shall be no larger than sixteen (16) square feet; and
 - 2. A sign allowed pursuant to this subsection shall be no higher than six (6) feet.
- F. A directional sign shall not be attached to any light standard, flag pole, or onto any other sign except as provided herein.
- G. A sign allowed pursuant to this subsection shall comply with a five (5) foot setback from the right-of-way.
- H. A directional sign may be indirectly illuminated.
- I. The text displayed on a directional sign shall be limited to the name and the distance to the condominium, subdivision and/or business.
- J. A sign permit with associated fees is required.

16-14-32 Real Estate Sign

- A. One (1) real estate sign designating the sale, rental or lease of real property shall be allowed.
- B. A sign allowed pursuant to this subsection shall comply with a maximum sign area as follows:
 - 1. Commercial, industrial, and agriculture zones, thirty-two (32) square feet;

- 2. Residential zones, sixteen (16) square feet
- C. No freestanding sign shall exceed six (6) feet in height
- D. Lots shall be allowed one (1) real estate sign on each street frontage.
- E. A freestanding pole sign shall comply with a ten (10) foot setback from all property lines.
- F. A real estate sign reflecting the vacancy status and availability of commercial or industrial space within a structure designed for multiple occupancy, whether through rental, sale or lease, shall be limited to a maximum sign area of sixteen (16) square feet. Not more than one (1) sign may be used facing a dedicated street. A real estate sign may be attached flat against the abutting or be part of a permitted freestanding pole sign if designed to be part of said sign and providing that the total sign area does not exceed the area permitted for a freestanding pole sign.
- G. A real estate sign no larger than four (4) square feet shall comply with the following:
 - 1. Real estate agencies or agents shall be obliged to have a valid blanket permit to exhibit a sign or signs no larger than four (4) square feet;
 - 2. Such permit constitutes authority to the holder to exhibit or place only one (1) sign, four (4) square feet or smaller, on each street on which the parcel of land or premises which the holder of the permit to be advertised abut;
 - 3. Such permits will be valid only for the year or part of the year in which the permit is issued; and
 - 4. Agency permits shall be renewed annually in order to preserve the agent's or agency's blanket authority to exhibit such signs.
- H. A sign allowed pursuant to this subsection must be placed on the property being sold, leased, or rented.
- I. A sign allowed pursuant to this subsection may be single or double-faced.
- J. A sign allowed pursuant to this subsection shall not be placed on the Town right-of-way.
- K. The illumination of any sale, lease, or rent signs is prohibited.
- L. A sign allowed pursuant to this subsection shall be removed within thirty (30) days after the purpose of the sign is fulfilled.

16-14-33 Warning and Instructional Sign

- A. Warning and instructional signs, including but not limited to, "No Trespassing" and "No Dumping" signs shall be allowed.
- B. Any sign allowed pursuant to this subsection shall have a maximum sign area of no more than four (4) square feet.
- C. A freestanding pole sign shall not exceed six (6) feet in height.
- D. A warning or instructional sign shall not be attached to any light standard, flag pole, or any freestanding pole sign.
- E. Any sign allowed pursuant to this subsection shall not be placed in any right-of-way and shall not be placed as to create a traffic hazard.

- F. Any sign allowed pursuant to this subsection shall not be located closer than one hundred (100) feet to a similar sign on the same parcel of land.

16-14-34 Window Sign

- A. A window sign larger than two (2) square feet in area is not allowed on or in a residence.
- B. In all commercial and industrial zones, the allowed area for window signs is in addition to the area permitted or approved for wall signs but the aggregate area of all window signs shall not exceed the total area allowed for wall signs or forty (40%) percent of the window area, whichever is more restrictive.
- C. Placement of a sign on the inside surface of a window or behind (inside) the window is permitted subject to the following conditions:
1. A window sign shall not be internally illuminated unless it is to indicate that the business is open for operation or indicating the business address and does not exceed three (3) square feet in area; and
 2. A sign permit shall be obtained for an internally illuminated window sign.

16-14-35 Temporary Promotional Special Event Sign

- A. A temporary promotional sign is permitted for any business, which contains appurtenant sign copy to promote the following special events: grand openings, change of business address, change of ownership or lessee, business anniversaries, and holidays.
- B. Any sign allowed pursuant to this subsection may consist of paper, cardboard, plastic or fabric.
- C. Any sign allowed pursuant to this subsection shall be located on the premises of the business having the special event and provided that the number and location of the signs shall not create a traffic hazard because of the destructive character to motorists of any sign or the cumulative effect of all the signs on the lot, nor shall any sign unreasonably obscure existing signs or adjacent properties.
- D. No limitation shall be placed on the area of a temporary promotional special event sign except that a sign shall not conflict with the provisions herein and only one (1) freestanding pole sign shall be allowed on each street frontage.
- E. Any sign allowed pursuant to this subsection shall not be more than eight (8) feet in height or contain more than forty (40) square feet of sign area.
- F. A grand-opening sign is a sign is one which gives direction to an open-house type introduction, promotion, announcement of a new business, store, shopping center, office, or of an established business changing ownership.
- G. A temporary special events sign permit shall be obtained and is subject to the approval of the Planning Director.
1. The location(s) and sign types shall be indicated on the permit.
 2. No more than eight (8) temporary special events sign permits shall be issued in a year.

3. Such permit shall only be valid for no more than two (2) weeks and shall not be issued within three (3) weeks of the expiration of the last same permit for each business.
- H. There shall be only one (1) grand-opening sign permitted per business.
- I. Flags, plastic, cloth or other non-rigid banners and pennants used to attract attention and/or for signs shall only be used in conjunction with an approved temporary special events sign permit and shall only be displayed for the duration of the valid sign permit.

16-14-36 Street Banner

A street banner may be used to announce Town events and approved non-profit (i.e. little league, Red-Cross, etc.) from three (3) weeks prior to the event to one (1) week after the event. The location, height and mounting of a street banner shall be approved by the Development Services Administrator.

16-14-37 Road Construction Area Sign

- A. An existing use located within a commercial or industrial zoning district and within an area subject to long-term or substantial roadway construction activity performed by the Town or other public entity or utility company may display on its premises one temporary road construction area sign along each adjacent street frontage.
- B. A temporary road construction area sign shall require a sign permit issued by the town.
- C. A temporary road construction area sign may be displayed for the duration of the construction activity, or as determined by the planning department.
- D. Each sign shall have a maximum sign area of 40 square feet.
- E. All signs shall be constructed of durable weather-resistant materials such as fabric, plastic, wood, metal, or similar materials as approved by the planning department, and shall be maintained in a manner so as to remain free of chipped paint, cracks, loss of text or graphics or other defects.
- F. A temporary road construction area sign shall not be placed upon any other sign assembly, utility pole, authorized traffic control device, utility box, fence, wall, boulder, tree, planter, vehicle, or similar structure.
- G. A temporary road construction area sign shall not be placed within public right of way.
- H. A temporary road construction area sign shall not be located above the roofline of any building on the premises.
- I. A-frames and similarly designed temporary signs shall be allowed subject to the following:
 1. Signs must be located within 20 feet of the entrance to the building which is owned, leased, or rented by the owner of the sign.
 2. Signs may only be displayed during daylight hours and must be removed and replaced each day.

3. Signs in the open position must not exceed a height of 40 inches and shall not exceed 30 inches in width.
4. Shall be placed at grade level, and in a manner that does not obstruct a sidewalk, pedestrian access way, parking area access lane, or a designated parking space.
5. Shall be placed so that a minimum of four feet of clearance is maintained for pedestrian access on all sidewalks and walkways.

16-15 PENALTIES

16-15-01 Violations of this Title

- A. Any person, firm, entity or corporation found to be in violation of any of the provisions of this Title shall be guilty of a civil infraction and subjected to a maximum fine of \$500.00 for each violation, in addition to any other civil penalties which may attach.
- B. Each sign and each day a violation continues shall be considered as a separate offense.
- C. When work for which a permit is required by this Title has begun before a permit has been obtained, the fees shall be doubled, but the payment of such double-fee shall not relieve any person from complying fully with the requirements of this Title in the execution of the work, or from any penalties prescribed herein.

**ADDITIONAL PROPOSED REVISIONS TO THE SIGN CODE AS SET FORTH IN THE
PLANNING COMMISSION'S OCTOBER 24, 2018, AGENDA PACKET**

I. Delete the definitions of "canopy sign" and "canopy sign (freestanding)" (with numbering revised to conform):

- ~~11. Canopy sign: A sign affixed to a visible surface of a canopy that extends from the wall face of a building.~~
- ~~12. Canopy sign (freestanding): A wall sign placed upon the exterior fascia of a permanent freestanding canopy structure such as that used to cover an automobile fueling facility.~~

II. Revise the definition of "residential area" (17-10-2, paragraph 35) as follows:

- e. Parcels devoted solely to residential, park, or open space uses.

III. Revise 17-10-12 (sign measurement) to delete subparagraph A.4:

- ~~4. The area of a freestanding sign shall include the frame, but shall not include the base of the sign or other architectural features unless such features contain sign copy or are otherwise designed to serve as a display device.~~

IV. Revise 17-10-15 (wall signs) to revise subparagraph B as follows (with numbering revised to conform):

- ~~3. Freestanding signs are permissible and shall not exceed a height of five feet above finished grade.~~
4. Multi-family residences shall be allowed one sign per dwelling unit, not to exceed three square feet.

V. Revise 17-10-17 (freestanding interstate signs) to revise the introductory paragraph and to delete paragraph E as follows (with numbering revised to conform):

Freestanding interstate signs shall be allowed only upon approval by the planning commission of a conditional use permit or a planned sign program ~~by the planning commission~~ and shall be subject to the following:

[No changes in A through D]

- ~~E. A freestanding interstate sign shall be approved only as a component of a planned sign program for a planned commercial, industrial, or mixed-use development.~~

VI. Revise the graphic accompanying 17-10-22 (directory signs) to delete the words "Class IV Monument Sign"

VII. Revise 17-10-23 (electronic message displays), paragraph B as follows:

- B. Except as provided in section 17-10-18 (drive-through signs), electronic message displays may occupy up to 50% of the allowable area of a sign face.

VIII. Revise the quill sign regulations found in 17-10-25.B.3.g as follows:

- g. Quill signs are not permitted within the downtown neighborhood (DN) or downtown (DT) ~~over-lay~~ zones.

CHAPTER 17-10. SIGNS

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17-10-1 Purpose

This chapter establishes reasonable regulations for the design, placement, construction, and maintenance of all signs within the town, to protect the public interest and achieve these community objectives:

- A. To minimize the risk of personal injury and property damage from unregulated and improper sign placement, construction, and maintenance;
- B. To balance private and public interests by providing opportunities for adequate signage for business identification and essential communication while preserving and enhancing the community environment, unique character and qualities of the town;
- C. To promote the use of signs that are well-designed, of appropriate scale, and appropriately integrated into the built environment; and
- D. To preserve and enhance the streetscape appearance throughout the town and the general appearance of business corridors.

17-10-2 Definitions and sign types

- A. The following definitions supplement those found elsewhere in the town code and land development code. In the event of conflicting definitions related to signs, the definitions in this section prevail.
 - 1. Abandoned sign: A sign associated with a business, use, occupancy, product, or activity that has already occurred or has not existed for a period of 30 consecutive days, for reasons attributable at least in part to the sign-property owner.
 - 2. A-frame: A portable sign typically constructed of wood or plastic that folds out to form the shape of an 'A'.
 - 3. Animation: The movement, or optical illusion of movement, of any part of a sign structure, design, or pictorial segment including the movement of any illumination, flashing, or variation of light intensity, and including but not limited to the automatic changing of all or part of a sign achieved through mechanical, electrical, or environmental means including motion by activity such as wind, thermal changes, or other naturally occurring external forces.
 - 4. Awning: An architectural projection or shelter projecting from, and supported by the exterior wall of, a building and composed of a covering of rigid or non-rigid materials and/or fabric on a supporting framework that may be either permanent or retractable.
 - 5. Awning sign: A sign displayed on or attached to the surface of an awning.
 - 6. Balloon: An airtight bag filled with helium, hot air, or other gas, that is anchored to a building or structure with rope, cable or similar material.
 - 7. Banner: A temporary sign constructed of a flexible material on which copy or graphics may be displayed.
 - 8. Billboard: A sign not associated with a business, use, occupancy, product, or activity located or occurring on the sign-premises and with a sign area 24 square feet or larger.

9. Building elevation: An exterior side of a building which includes the building wall face, parapet, fascia, windows, doors, canopies, and visible roof structures.
10. Canopy: A multi-sided overhead structure or architectural projection supported by attachment to a building on one or more sides and cantilevered from the building or supported by columns.
11. Change of sign copy: A replacement or modification of the message or design of an existing sign face without modifying the size, shape, framework or structure of the sign.
12. Commercial sign: Any sign that does not fit the definition of non-commercial sign.
13. Directory sign: A monument sign that complies with the requirements of section 17-10-22 ([directory signs](#)).
14. Drive-through sign: A sign that complies with the requirements of section 17-10-18 ([drive-through signs](#)).
15. Electronic message display: An electronically activated changeable message sign.
16. Exceptional design: Refers to a freestanding sign with an architecturally interesting design that complies with the following:
 - a. At least 50% of all surfaces of the sign structure shall consist of one or more of the following materials:
 - i. Brick
 - ii. Decorative block
 - iii. Natural or simulated stone
 - iv. Decorative or treated wood
 - v. Decorative unpainted or unfinished metal
 - vi. Other similar materials approved by the planning director
 - b. Except as described in subparagraph c below, the area of the sign structure must equal or exceed the sign area for each sign face.
 - c. If at least 50% of the sign copy is mounted independently and in relief of the sign face or background and utilizes back-lighting (halo or reverse channel illumination), the required area of the sign structure may be reduced by 50%.
 - d. For purposes of this definition, the sign structure includes the entire structure of the sign other than the sign area.
 - e. For purposes of subparagraphs b and c above, the sign structure is measured as the surface area of the side of the structure that contains the sign face.

17. Flag: Fabric, vinyl, or similar flexible material typically attached at one edge to a staff.
18. Freestanding interstate sign: A freestanding sign that complies with the requirements of section 17-10-17 ([freestanding interstate signs](#))
19. Freestanding monument sign: A freestanding sign that complies with the requirements of section 17-10-16 ([freestanding monument signs](#)).
20. Freestanding sign: A sign erected or mounted on a self-supporting permanent base detached from supporting elements of a building.
21. Fuel service pump topper sign: A sign affixed to the top or side of an operable fuel dispensing pump.
22. Government sign: A sign constructed, placed, or maintained by a government agency or a sign that a government agency requires to be constructed, placed, or maintained.
23. Illuminated sign: A sign that uses artificial light, either projecting through its surface (internal illumination) or reflecting off its surface (externally illuminated).
24. Legal nonconforming sign: A sign that was legally installed in conformance with all applicable sign regulations and ordinances in effect at the time of its installation; but that does not comply with current regulations.
25. Non-commercial sign: A sign containing no message, statement, or expression related to commercial interests. Noncommercial signs include, but are not limited to:
 - a. Government signs
 - b. Signs expressing political, religious, or ideological views or positions
 - c. Signs with information about or announcements of non-profit organizations
26. Non-residential area: Any land that is not in a residential area.
27. Polyhedron: A three-dimensional solid figure formed by plane faces that are polygons.
28. Portable sign: A freestanding, moveable sign not permanently affixed to any building, structure, or embedded into the ground. Examples include A-frames and T-frames.
29. Post sign: A temporary freestanding sign consisting of a rigid, durable sign face mounted on wood or metal posts embedded in the ground without the use of concrete or other permanent footing material.

30. Projected image sign: A temporary sign which is projected by an electronic device onto a building, structure, sidewalk or other surface.
31. Quill sign: A temporary sign constructed as a banner, typically in the shape of a feather or sail, attached to a pole assembly embedded in the ground and designed to move in the wind.
32. Reasonable repairs or alterations: Repairs or alterations determined by Arizona case law as being consistent with the “reasonable repairs and alterations” provision of A.R.S. § 9-462.02 (A). In the absence of case law guidance, reasonable repairs or alterations include repairs or alterations that cost less than half of the cost to replace the sign.
33. Residential area: All of the following:
 - a. Land zoned AG, RD-180, R-144, R-80, R-36, R-20, R-16, R-12, R-10, R-8, R-7, R-6, R-3.5, MR-2, MR-1, RV, and MH.
 - b. Land zoned A, B, and C, except those portions that have an existing non-residential use.
 - c. Portions of land zoned D and E that have an existing residential use.
 - d. Land with residential land use designations within specific plan areas (areas zoned F).
 - e. Parcels devoted solely to residential, park, or open space uses.
34. Roadway construction business identification banner: A sign that complies with the requirements of section [17-10-26 \(roadway construction business identification banners\)](#).
35. Shingle sign: A wall mounted or hanging sign, located under a covered porch, walkway, extended roof or other similar structure.
36. Sight visibility triangle: An area extending along an intersection approach leg and across the included corners that must be kept clear of obstructions that might block a driver’s view of potentially conflicting vehicles or pedestrians.
37. Sign: A name, identification, description, display or illustration affixed to or painted or represented directly or indirectly on a building or other outdoor surface that directs attention to or is designed or intended to direct attention to the sign face or to an object, product, place, activity, person, institution, organization or business. Does not include anything that meets this definition but that is located completely within an enclosed building and is not visible from outside the building. A statue is a sign if it calls attention or relates to an activity or use located on the sign-premises.

38. Sign area: The area of a sign determined in accordance with paragraph [17-10-12 below](#).
39. Sign copy: All letters, numerals, figures, symbols, logos, and graphic elements comprising the content or message of a sign.
40. Sign face: The entire display surface area of a sign upon, against, or through which copy is placed.
41. Sign-premises:
 - a. In residential areas, the sign-property plus adjacent right-of-way used by the sign-property owner under a license from the town.
 - b. In non-residential areas, the entire shopping center or industrial center where the sign is located plus adjacent right-of-way used by the sign-premises owner, owners, or owners association under a license from the town.
42. Sign-property: The specific lot or parcel of land upon which the sign is placed or erected. Adjacent lots or parcels under the same ownership and with the same use shall be considered one sign-property.
43. Sign walker: A person who carries, holds or balances a sign.
44. T-frame: A portable sign typically constructed of wood or plastic with a structure in the appearance of an inverted 'T'.
45. Temporary directional sign: A temporary sign directing the traveling public to the location of real estate offered for sale or to an event.
46. Temporary sign: A portable sign, a sign not permanently embedded in the ground, or a sign not permanently affixed to a building or permanent sign structure.
47. Tenant space: The area or portion of a building leased by an individual or entity.
48. Vehicle sign: A sign mounted, painted, attached or affixed to a truck, car, boat, trailer, or other vehicle or similar equipment.
49. Wall sign: A permanent sign fastened, attached, or connected to, or supported in whole or in part by, a building or structure.
50. Window sign: A sign affixed to the interior or exterior of a window, or placed immediately behind a window, and visible from outside of the building.
51. Yard sign: A freestanding sign affixed to a stake or frame embedded in the ground.

17-10-3 Permits

A. General.

1. The sign-property owner or the sign-property owner's representative may apply for a sign permit.

2. Except as provided in subparagraph 3 below, a sign permit is required prior to constructing, installing, placing, altering, or re-locating any sign within the town.
3. A sign permit is not required for any of the following:
 - a. Change of sign copy
 - b. An exempt sign as defined in this chapter
 - c. A sign allowed by a state or federal law preemption of this chapter
 - d. Sign maintenance that does not change the design of the sign
- B. Permit fees. Upon approval of an application for a sign permit, the applicant shall pay the applicable fee assessed in accordance with the fee schedule adopted and amended from time to time by the council.
- C. Application.
 1. A sign permit application shall be submitted for all signs requiring a permit.
 2. A sign permit application must be accompanied by all items required by the sign permit application checklist.
- D. Permit suspension or revocation. In addition to enforcement pursuant to chapter 5-7 of the town code, the planning director may suspend or revoke a sign permit issued as a result of the applicant's material omission or misstatement of fact. The planning director shall give notice of any suspension or revocation to the applicant and to the sign-property owner.

17-10-4 General

- A. No content restrictions.
 1. Any sign allowed under this chapter may contain, in lieu of any other copy, any otherwise lawful message that complies with applicable size, lighting, dimension, design, spacing, and permitting requirements of this chapter.
 2. This chapter is intended to regulate signs in a manner that does not favor commercial speech over non-commercial speech and does not regulate non-commercial speech by message content.
 3. Any regulation that distinguishes between on-site and off-site signs applies only to commercial messages, and allows any non-commercial message.
- B. Conformity.
 1. No sign shall be installed, placed, or maintained within the town except in conformance with this chapter or as allowed by a state or federal law preemption of this chapter.
 2. If provisions of this chapter are in conflict with any other provision of the code, the more restrictive requirement shall apply.

3. Signs maintained contrary to the provisions of this chapter are declared to be nuisances and may be abated as provided by law.

17-10-5 Legal nonconforming signs

- A. Legal nonconforming signs are allowed, subject to the requirements of this section.
- B. Any legal nonconforming sign shall be permitted to remain, so long as it:
 1. Is not increased in area or height and remains structurally unchanged, except for reasonable repairs or alterations; or
 2. Is not relocated, unless at the request or requirement of the town so as to comply with applicable safety requirements.
- C. A legal nonconforming sign shall be rebuilt, repaired, or replaced only in conformance with the provisions of this chapter if it is:
 1. Structurally changed, except for reasonable repairs or alterations;
 2. Damaged by half or more of the cost to replace the sign as a result of fire, lack of maintenance, or other causes; or
 3. Temporarily or permanently moved or removed by any means, including an act of God, except as provided in subparagraph [17-10-5 B. 2 above](#).

17-10-6 Abandoned signs

- A. The planning director shall, upon determining that a sign is an abandoned sign, give notice to the sign owner that the sign is deemed an abandoned sign.
- B. Within 30 days after receipt of the planning director's notice, the sign owner shall take one of the following actions:
 1. Remove the sign and its supporting structure;
 2. Remove the sign face and replace it with a blank sign face; or
 3. Reverse the sign face and not illuminate the sign from the interior.

17-10-7 Prohibited signs

All signs not expressly allowed under this chapter are prohibited, including but not limited to:

- A. Billboards.
- B. Flashing, blinking, reflective, inflatable or animated signs, including signs with an intermittent or varying color or intensity of artificial illumination, whether deliberate or as a consequence of a defect in the sign or illumination source, except as expressly allowed by the provisions of section [17-10-23 \(electronic message displays\)](#) or subparagraph [17-10-25 B. 5 \(inflatable and air activated signs\)](#).

- C. Projected-image signs.
- D. Ribbons, streamers, balloons, or pin flags, except as expressly allowed by the provisions of subparagraph 17-10-25 B. 5 (inflatable and air activated signs).
- E. Searchlights.
- F. Signs projecting sound, except as expressly allowed by the provisions of section 17-10-18 (drive-through signs).
- G. Signs that obstruct free and clear vision of motor vehicle operators.
- H. Signs located in a sight visibility triangle, unless approved by the planning director.
- I. Signs placed in any location where by reason of position, shape, or color may interfere with or be confused with any authorized traffic sign, signal, or device.
- J. Signs placed on any curb, sidewalk, post, pole, hydrant, bridge, tree or other surface located on public property or over or across any street or public thoroughfare, or in the public right-of-way, except as expressly allowed by this chapter.
- K. Signs projecting above the top of the wall parapet, or roofline, or mounted on a roof.

17-10-8 Exempt signs

The following signs shall be exempt from the application and permit requirements of this chapter. Exempt signs must comply with all other applicable regulations contained in this chapter, if any.

- A. Flags that comply with the requirements of section 17-10-27 (flags and flag poles)
- B. Fuel service pump topper signs.
- C. Government signs.
- D. Grave markers, headstones, statues, historical markers, and cornerstones.
- E. Hazard warning and parking signs measuring three square feet or less.
- F. Portable, A-frame, or T-frame signs that comply with the requirements of section 17-10-25 (temporary signs).
- G. Roadway construction business identification banners that comply with the requirements of section 17-10-26 (roadway construction business identification banners).
- H. Signs carried or displayed by a sign walker in compliance with the requirements of section 17-10-28 (sign walkers).
- I. Signs integrated into the design of an automated bank teller machine.
- J. Signs relocated as the result of town construction projects.

- K. Vehicle signs that comply with the requirements of section 17-10-29 (vehicle signs).
- L. Window signs that comply with the requirements of section 17-10-21 (window signs).
- M. Yard signs that comply with the requirements of section 17-10-25 (temporary signs), paragraph C.
- N. Any sign authorized by this chapter that is six square feet or smaller, unless an application and permit are expressly required by this chapter.

17-10-9 Sign design and construction

- A. All signs shall incorporate design elements consistent with the overall architectural character of buildings and other improvements on the sign-premises.
- B. Electric raceways and transformers shall be located to minimize visibility.
- C. All signs shall be designed and constructed in conformance with current town building codes (see town code title 7).
- D. All temporary signs shall be constructed using suitably durable materials as approved by the planning director.

17-10-10 Sign illumination

- A. Signs may be illuminated, except where expressly prohibited in this chapter.
- B. All illuminated signs shall be constructed and operated in compliance with the outdoor lighting code.

17-10-11 Sign maintenance

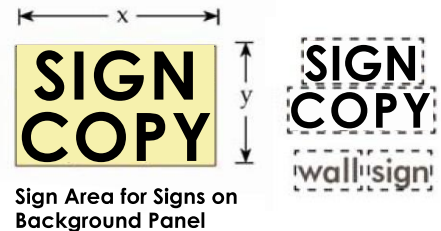
- A. Any sign or sign component shall be promptly repaired or replaced if it:
 - 1. Is damaged or deteriorated,
 - 2. Constitutes a danger or hazard to public safety, or
 - 3. Is reasonably determined by the planning director, by reason of its appearance as viewed at ground level from the public right-of-way or from neighboring properties, to:
 - a. Be detrimental to property value
 - b. Be offensive to the senses, or
 - c. Reduce the aesthetic appearance of the area.
- B. Maintenance of a sign shall include all of the following:
 - 1. Periodic cleaning
 - 2. Replacement of defective light sources

3. Repair or replacement of any faded, peeled, cracked, or otherwise damaged or broken parts
4. Any other activity necessary to restore the sign to compliance with the requirements of the sign permit issued for its installation and the provisions of this chapter.

17-10-12 Sign measurement

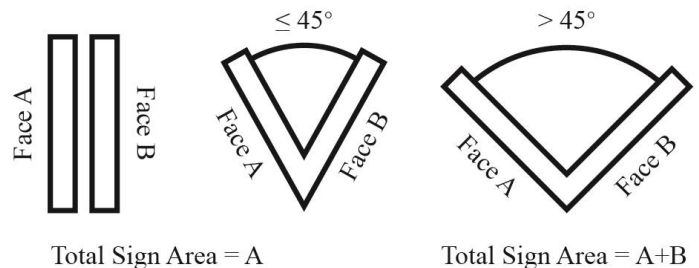
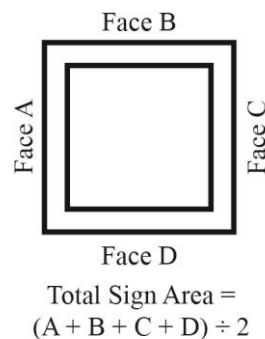
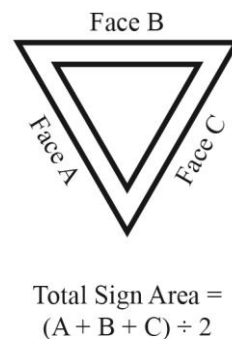
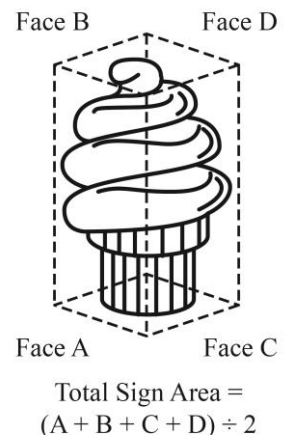
A. Sign area shall be measured as follows:

1. Sign copy mounted on or painted on a background panel or area distinctively painted, textured, or constructed as a background for the sign copy shall be measured as that area contained within the sum of the smallest rectangles that will enclose both the sign copy and the background.
2. Sign copy mounted as individual letters or graphics against a wall, fascia, mansard, or parapet of a building or other structure that has not been painted, textured, or otherwise altered to provide a distinctive background for the sign copy shall be measured as a sum of the smallest polygon of not more than 12 sides that will enclose each word and each graphic in the total sign.



3. Signs with multiple faces shall be measured as follows:

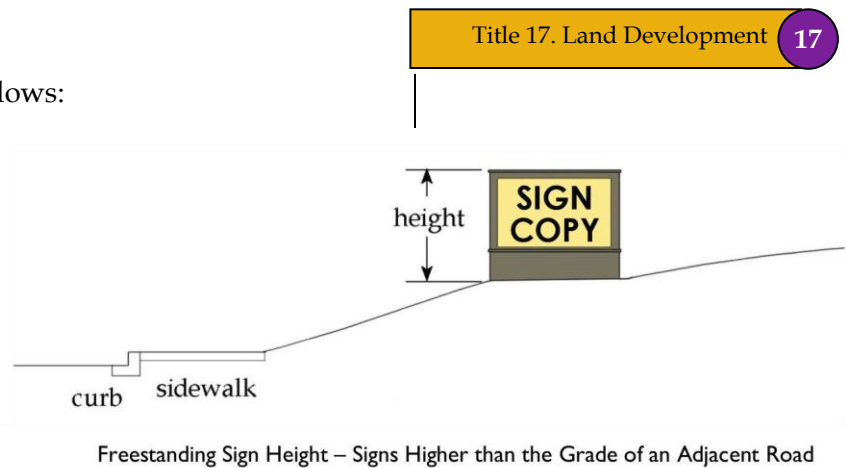
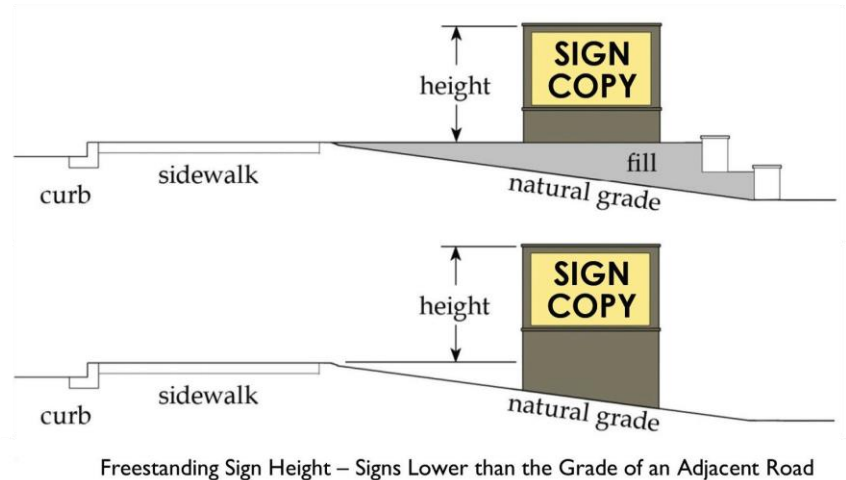
- a. The area of all faces shall be included in determining the area of the sign, except that only one face of a double-faced sign shall be considered in determining the sign area when both faces are parallel and the greatest distance between faces does not exceed five feet, or when the interior angle of the sign faces does not exceed 45 degrees in the case of a 'V'-configured sign. If the area of one sign face exceeds the area of the sign's opposing face, the area of the larger face shall be used to determine the sign area.



- b. The area of a sign that contains three or more faces shall be calculated as 50% of the sum of the area of all faces.
- c. Spherical, free-form, sculptural, or other non-planar sign area is measured as 50% of the sum of the areas using only the four vertical faces of the smallest six-faced polyhedron that will encompass the sign structure.

B. Sign height shall be measured as follows:

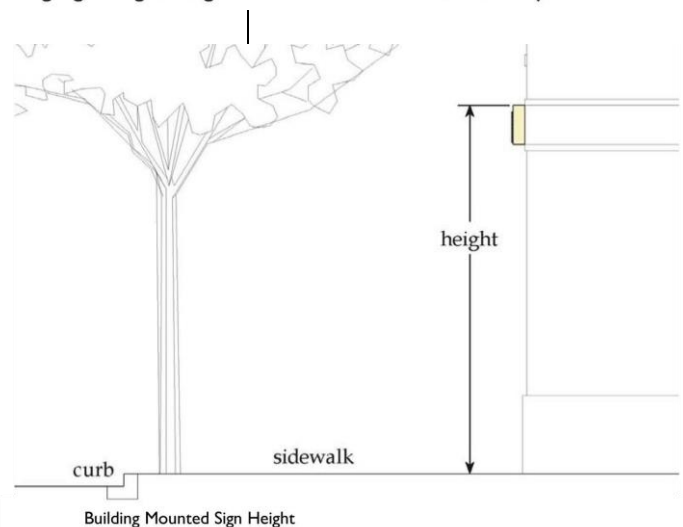
1. The height of a freestanding sign shall be measured as the vertical distance from the finished grade beneath the sign, exclusive of any filling, berming, mounding or landscaping done solely for the purpose of locating the sign, to the highest point of the sign. If the sign is proposed in a location in which the finished grade beneath the sign is lower than the grade of the adjacent roadway surface, the sign height shall be measured from the top of the curb, or crown of the adjacent roadway surface where no curb exists. The height of any monument base or other structure erected to support or ornament the sign shall be measured as part of the sign height.



2. Wall fascia, mansard, and parapet-mounted signs shall be measured as the vertical distance to the top of the sign or sign structure from the base of the wall on which the sign is located.

17-10-13 Areas with special sign regulations

- A. Special sign districts. Special sign districts may be established by ordinance. Special sign districts may have unique regulations applicable to them, which differ from those set forth in this chapter.
- B. Specific plans. Sign regulations approved as part of a specific plan take precedence over this chapter within the specific plan area. Particular signage elements not addressed by the specific plan sign regulations shall be governed by this chapter.
- C. Planned sign program. Sign regulations approved as part of a planned sign program take precedence over this chapter. Planned sign programs shall be reviewed by staff and subject to consideration and approval by the planning commission.



17-10-14 Planned sign programs

- A. A planned sign program is available for development projects consisting of multi-tenant buildings, non-residential developments with multiple buildings or mixed-use developments. The program shall be reviewed by staff and subject to consideration and approval by the planning commission. A planned sign program:
1. Is intended to allow flexibility in order to achieve exceptional project design through architectural integration of the site, buildings, and signs.
 2. Is intended to provide for design compatibility of all signs and to establish and maintain a consistent design theme within a development.
 3. Shall be in substantial conformance with the general intent of the regulations of this chapter, but may establish reasonable and appropriate alternatives to the standard provisions of this chapter.
 4. Shall establish design standards, including, but not limited to, sign types, placement, size, design, colors, materials, textures, and method of illumination.
 5. Shall provide adequate identification and information for the development.
 6. Shall provide aesthetic appeal, promote traffic safety, and maintain consistency with other town regulations.
- B. A planned sign program application shall be submitted to the planning department and must be accompanied by all items required by the planned sign program application checklist and all applicable fees.
- C. All freestanding signs approved through a planned sign program and allowed an increase in either area or height above the basic standards for freestanding signs must be constructed to the standards of exceptional design as defined in this chapter (see subparagraph [17-10-2 A. 16 above](#)).

17-10-15 Wall signs

- A. Wall signs may be mounted flush, angled, bowed, or perpendicular to the wall.
- B. Wall signs in residential areas shall be subject to the following:
1. In addition to an address sign as required by this chapter, a single-family residence shall be allowed one wall sign, not to exceed three square feet.
 2. Wall signs on single-family residences shall not be placed higher than 10 feet above finished grade.
 3. Multi-family residences shall be allowed one sign per dwelling unit, not to exceed three square feet.

4. A multi-family residential complex containing 12 units or more shall be allowed a maximum of 32 square feet of wall signage per street frontage.
5. Illumination of signage shall be prohibited with the exception of multi-family residential complexes containing 12 units or more.

C. Wall signs in non-residential areas shall be subject to the following:

1. Shall be allowed on no more than three elevations of any building.
2. The allowable sign area shall be calculated at a rate of 1.5 square feet for each linear foot of building elevation or tenant space frontage up to a maximum of 200 square feet per elevation.
3. Shall only be placed on the first and top stories of a multi-story building.
4. Shall be allowed on parapet walls that are structurally integrated into the original building design, and shall not be placed on parapet extensions added to an existing building.
5. Signs up to a cumulative total of 75 square feet of signage per canopy are allowed on all sides of a freestanding canopy structure, calculated in the same manner as any other wall sign.

17-10-16 Freestanding monument signs

A. A freestanding monument sign shall be allowed in non-residential areas subject to the following:

1. One sign shall be allowed per street frontage of sign-premises provided that the sign-premises has a minimum street frontage of 100 feet.
2. Two signs shall be allowed per street frontage for sign-premises with 600 feet or more of street frontage, and more than one entrance to the sign-premises on that frontage. One additional freestanding monument sign shall be permitted for each additional 300 feet of street frontage with an additional entrance.
3. The sign area shall not exceed 40 square feet for a single tenant sign-premises.
4. The sign area for sign-premises occupied by two or more tenants shall not exceed 80 square feet.
5. The sign height shall not exceed eight feet.
6. A 25% increase in the area and/or height of a sign will be allowed for a sign of exceptional design as defined in subparagraph [17-10-2 A. 16 above](#).
7. A sign-premises containing two or more tenants shall be allowed an increase in the area and height of one freestanding monument sign per street frontage subject to the following:

- a. One sign of increased area and height shall be allowed for each sign-premises street frontage exceeding 500 linear feet.
 - b. The sign area shall not exceed 150 square feet.
 - c. The sign height shall not exceed 20 feet.
 - d. The sign shall be constructed to the standards of exceptional design, as defined in subparagraph 17-10-2 A. 16 above, and shall not be allowed an increase in area or height.
8. The width of the base of a monument sign must be equal to or greater than 75% of the width of the sign face.
9. Signs shall be set back a minimum of five feet from any road right-of-way, and 30 feet from any residential area property line.
10. A freestanding monument sign shall be located at least 50 feet from any other freestanding monument sign.
- B. Multi-family residential complex containing 12 units or more, including apartments, condominiums, townhome complexes, manufactured home parks, recreational vehicle parks, and similar uses, shall be allowed a freestanding monument sign subject to the following:
1. One freestanding monument sign shall be allowed per street frontage of the sign-premises.
 2. Signs shall not exceed 40 square feet in area and eight feet in height.
 3. A 25% increase in the area and height of a sign will be allowed for a sign of exceptional design as defined in subparagraph 17-10-2 A. 16 above.

17-10-17 Freestanding interstate signs

Freestanding interstate signs shall be allowed only upon approval by the planning commission of a conditional use permit or a planned sign program and shall be subject to the following:

- A. A freestanding interstate sign may be allowed for commercial, industrial, or mixed-use sign-premises that are:
1. A minimum of one acre in size,
 2. Within 250 feet of the interstate right-of-way or within 250 feet of the railroad right-of-way, and
 3. Within 250 feet of the right-of-way of an arterial roadway intersecting the interstate.
- B. A freestanding interstate sign shall not exceed a height of 65 feet above the finished grade beneath the sign, exclusive of any filling, berming, mounding or landscaping done solely for the purpose of locating the sign.
- C. A freestanding interstate sign shall not exceed an area of 300 square feet.

- D. A freestanding interstate sign shall not be located within 500 feet of another freestanding interstate sign.
- E. A freestanding interstate sign shall be a minimum of 500 feet from the property line of any existing residential use.
- F. A freestanding interstate sign may include an electronic message display component subject to section 17-10-23 (electronic message displays).

17-10-18 Drive-through signs

- A. Drive-through signs may be freestanding or wall-mounted.
- B. Drive-through signs shall be limited to two signs per drive-through lane.
- C. Each drive-through sign shall be no greater than ten feet in height.
- D. Each drive-through sign shall be located adjacent to a drive-through lane.
- E. Drive-through signs may include electronic message displays subject to the requirements and limitations of section 17-10-23 (electronic message displays), except that the display may occupy the entire area of the sign face.
- F. Sound emitted by drive-through signs must not be audible from any residential property.

17-10-19 Shingle signs

- A. Shingle signs shall be limited to one per tenant space frontage and shall be located at a point of public access.
- B. Shingle sign area shall not exceed five square feet.
- C. A shingle sign shall be located in front of the tenant space it pertains to and shall be suspended from a covered porch, walkway, extended roof or similar architectural element.
- D. A minimum clearance of eight feet shall be maintained beneath a shingle sign.

17-10-20 Awning signs

- A. An awning sign shall be allowed in lieu of, or in conjunction with, a wall sign.
- B. Awning sign area shall be calculated as part of the allowable area for wall signage for any given elevation.

17-10-21 Window signs

A window sign may be painted on, adhered to, or suspended behind a glass door or window surface, subject to the following:

- A. In non-residential areas, window signs shall cover no more than 40% of the window upon which the sign is displayed.

- B. Window signs shall only be displayed on first floor windows.
- C. Window signs shall only be internally illuminated.
- D. Portions of window signs consisting of electronic message displays shall be limited to five square feet and shall be subject to the requirements of section 17-10-23 (electronic message displays).

17-10-22 Directory signs

Directory signs are allowed in non-residential area developments and multi-family complexes subject to the following:

- A. Each sign premise shall be allowed one directory sign at each entrance on each street frontage.
- B. Sign height shall not exceed eight feet.
- C. Sign area shall not exceed 40 square feet.
- D. Signs shall be located at least 100 feet from any abutting street right-of-way unless a building or other structure blocks the sign's visibility from the street.



17-10-23 Electronic message displays

- A. Electronic message displays are permitted as an integral component of either of the following:
 1. A permitted freestanding monument sign.
 2. A sign type whose regulations refer to this section, subject to any additional limitations on electronic message signs set forth in the regulations for that sign type.
- B. Except as provided in section 17-10-18 (drive-through signs), electronic message displays may occupy up to 50% of the allowable area of a sign face.
- C. Electronic message displays may be full color and shall consist only of static messages that change not more frequently than once every 7.5 seconds.
- D. Electronic message display messages must transition by instant change method. Scrolling, travelling, flashing, full-motion video, use of sound, and similar operational effects are prohibited.
- E. Electronic message displays shall conform to the regulations of the outdoor lighting code.
- F. An electronic message display visible from an existing residential use shall be installed a minimum of 150 feet from the property line of the residential use.

17-10-24 Subdivision entry signs

A subdivision entry sign, consisting of a wall sign or freestanding monument sign, may be placed at a main entrance to a residential subdivision or complex, subject to the following:

- A. Subdivision entry wall signs may be mounted on a perimeter or landscape wall on both sides of a main entrance to a subdivision or complex. The cumulative wall sign area at each entrance to a subdivision shall not exceed 100 square feet
- B. Subdivision entry freestanding monument signs shall be limited to one sign at each main entrance to a subdivision or complex subject to the following:
 - 1. The sign area shall not exceed 100 square feet.
 - 2. The sign must be setback a minimum of one foot from any property line.
 - 3. The sign may not include an electronic message display.

17-10-25 Temporary signs

A. General requirements.

- 1. Temporary signs shall be constructed of fabric, plastic, wood, metal, or similar durable weather-resistant materials.
- 2. Temporary signs shall be maintained free of chipped paint, cracks, loss of text or graphics, or similar defects.
- 3. No temporary sign shall be placed upon any other sign assembly, utility pole, authorized traffic control device, utility box, fence, freestanding wall, boulder, tree, planter, vehicle, or similar structure.
- 4. Temporary signs shall be placed in a manner that prevents displacement during adverse weather conditions and does not result in a safety hazard to the public.
- 5. Except as expressly allowed by this chapter, temporary signs shall not be located within the public right-of-way.
- 6. Temporary signs shall not interfere with the free movement of pedestrians, bicycles, or vehicles, and shall be placed so that a minimum of six feet of clearance is maintained from all sidewalks, pedestrian access ways, parking area access lanes, and handicap-designated parking spaces.
- 7. Temporary signs shall not include amplified sound, animation, motion or attachments such as balloons, flags, streamers, pinwheels, or ribbons, except as specifically authorized by subparagraph 17-10-25 B. 5 (pertaining to inflatable and air activated signs).
- 8. Temporary signs shall not be illuminated other than by ambient light present on the property or by existing illumination intended for other uses.
- 9. All temporary signs require a sign permit unless specifically exempted by this chapter.

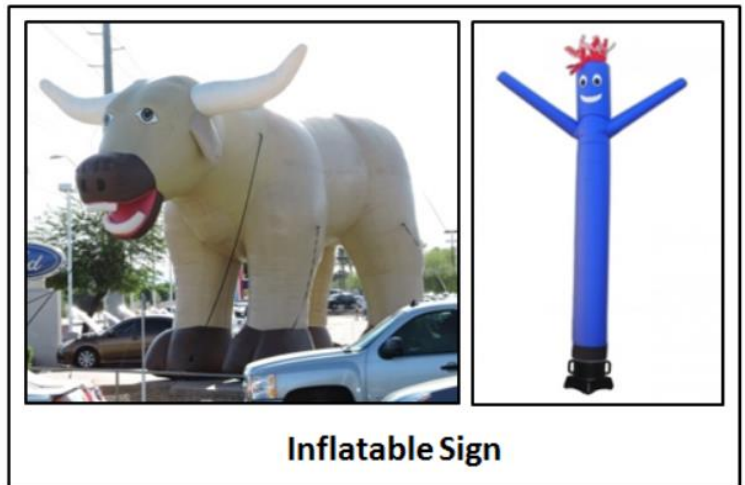
B. In non-residential areas, the following temporary signs are allowed subject to the following requirements:

1. Post signs shall be displayed on a sign-premises, and shall be subject to the following:
 - a. Signs may be displayed at the beginning of the duration of an activity, and shall be removed within seven days of the completion of the duration of the activity. The duration of an activity is the period of time between any of the following:
 - i. From development plan approval to the earlier of:
 - a) The completion of the improvements shown on the development plan, or
 - b) The second anniversary of development plan approval.
 - ii. From the issuance of a building permit for a development project to the earliest of:
 - a) The issuance of a certificate of occupancy,
 - b) The final inspection approval, or
 - c) The second anniversary of the issuance of the building permit.
 - iii. From the date of listing a property for sale or lease to the earlier of:
 - a) The consummation of the sale or lease or
 - b) The second anniversary of the listing date.
 - b. No more than six signs shall be allowed per street frontage.
 - c. Each sign shall not exceed eight feet in height.
 - d. Each sign shall not exceed 32 square feet in area.
2. A-frames, T-frames, and similarly designed temporary signs shall be limited in quantity to one per business and shall be subject to the following:
 - a. Must be located within 30 feet of a building entrance on the sign-property.
 - b. May only be displayed during hours of operation and must be removed at the end of each business day.
 - c. Sign area shall not exceed 12 square feet.
3. Quill signs shall be displayed on the sign-premises and shall be subject to the following:
 - a. One sign per 100 linear feet of street frontage up to six signs per frontage.
 - b. A maximum of two signs may be displayed for any business.
 - c. Each sign shall not exceed ten feet in height.
 - d. Each sign shall not exceed 20 square feet in area.

- e. Each sign shall be no closer than 50 feet to another quill sign.
 - f. May be displayed up to 21 days, four times per calendar year per business.
 - g. Quill signs are not permitted within the downtown neighborhood (DN) or downtown (DT) zones.
4. Banners shall be displayed on the sign-premises, shall be limited in quantity to one per business, and shall be subject to the following:
- a. Building-mounted banners shall not exceed a height of 25 feet or the top of the parapet, whichever is less.
 - b. Freestanding banners shall not exceed a height of ten feet above grade.
 - c. Sign area shall not exceed 40 square feet.
 - d. May be displayed up to 21 days, four times per calendar year per business.

5. Inflatable and air activated signs may be displayed in conjunction with a special event or activity and shall be subject to the following:

- a. May be displayed for a period of up to three consecutive days and no more than two display periods shall be allowed per calendar year.
- b. Shall be located on the sign-premises.
- c. No more than two signs may be displayed concurrently on a sign-premises.
- d. Shall be setback a distance equal to or greater than the height of the sign from all property lines.



Inflatable Sign

- e. Shall maintain 18 feet of clearance from overhead utility lines.
- f. Shall be placed and operate in accordance with applicable building and fire codes including proper anchoring to the ground.
- g. Shall not be placed on the roof of any building or structure.

- C. In residential areas, temporary signs must be displayed on the sign-property, and shall be subject to the following requirements:

- 1. Each sign-property measuring one acre or less shall be allowed a cumulative sign area of nine square feet with no limit on the number of signs.
- 2. Each sign-property larger than one acre shall be allowed a cumulative sign area of 16 square feet with no limit on the number of signs.

3. Signs have no display period limitations.

D. Residential subdivisions with a sales office and offering new homes for sale may submit a residential subdivision sign program to regulate the use of temporary signs within the subdivision, subject to the following:

1. A sign program must include:
 - a. A site plan showing the location of all proposed signs; and
 - b. A description of the type, number, size, placement, and materials of all proposed signs.
2. A maximum of 500 square feet of signage per builder is permitted.
3. No individual sign may exceed an area of 128 square feet or a height of 20 feet.
4. The program shall expire when the sales office is permanently closed.
5. All signs shall be removed upon expiration of the program.
6. The program may include temporary signs, flags, and banners.
7. Flags are subject to the provisions of [17-10-27 \(flags and flag poles\)](#).

E. Temporary directional signs in the right-of-way. Temporary directional signs are permitted in town right-of-way and private right-of-way subject to the following:

1. All signs shall require a permit and payment of any applicable fee in an amount established by a fee schedule adopted by the council and amended from time to time.
2. Each sign must be clearly labeled with the permit number and the name and contact information of the sign permit applicant.
3. Each sign may not exceed six square feet in area and 30 inches in height.
4. No more than eight signs may be placed in the right-of-way:
 - a. Directing the public to any particular property,
 - b. Directing the public to any particular subdivision,
 - c. Directing the public to any particular event,
 - d. By any particular sign permit applicant, or
 - e. With any particular message.
5. Signs directing the public to a property, subdivision, or event must be located within five miles of the property, subdivision, or event.
6. One sign may be placed at each major change in travel direction along the route leading to the property, subdivision, or event.

7. On routes with infrequent major changes in travel direction, signs may be located at each intersection of collector or larger roadways.
8. No sign shall be placed within 20 feet of another sign authorized by this subparagraph E.
9. Signs shall not be placed within a median, sidewalk, multi-use path, or any location that would create an obstacle for pedestrians.
10. On curbed roadways, signs within the public right-of-way shall be placed at least two feet from the back side of the curb and at least two feet from a sidewalk or shared-use path.
11. On roadways without curbs, signs within the public right-of-way shall be placed at least six feet from the edge of the paved surface.
12. Signs shall not be placed between a shared-use path and the paved surface of the roadway unless there is adequate distance to maintain a six-foot setback for the sign from the edge of the roadway and two-feet from the path.

17-10-26 Roadway construction business identification banners

- A. An existing use within a commercial, mixed-use, or industrial zoning district and within an area subject to long-term or substantial road construction activity performed by the town or other public entity or utility company may display one roadway construction business identification banner on each adjacent street frontage of sign-premises.
- B. Banners shall be located on the sign-premises.
- C. Banners shall not exceed 40 square feet.
- D. Banners may be displayed throughout the period of construction.

17-10-27 Flags and flag poles

- A. Each sign-property may contain one flagpole bearing one or more flags.
- B. A flag pole shall not exceed a height of 25 feet when accessory to a residential use. In all other situations, a flag pole shall not exceed the higher of:
 1. 30 feet, or
 2. 1.25 times the height of any building within 200 feet of where the flagpole is to be constructed, but in any event not to exceed 50 feet.
- C. The length of a flag shall be no greater than one-fourth of the height of the flag pole.
- D. A flag shall not encroach beyond the sign-premises.

- E. A flag shall not create a safety hazard.
- F. A flag may be illuminated in conformance with the outdoor lighting code.

17-10-28 Sign walkers

Sign walkers are allowed subject to the following:

- A. Sign walkers are prohibited in parking aisles or stalls, in driving lanes or driveways, in construction zones.
- B. Sign walkers are prohibited from operating in any manner that obstructs visibility or movement of pedestrians, motorists or cyclists.
- C. Signs displayed by sign walkers shall not include any form of illumination, animation, or attachment.
- D. Signs displayed by sign walkers shall not exceed eight square feet in area.

17-10-29 Vehicle signs

A vehicle sign may be displayed only when all of the following conditions are met:

- A. Signs must be painted on or applied directly to the vehicle and may not extend beyond the horizontal or vertical profile of the vehicle.
- B. Signs shall not be mounted in the bed of a truck.
- C. The vehicle displaying the sign must be operable, registered, licensed, and driven at least once a week.
- D. The vehicle displaying the sign must be parked in a legal parking space.

17-10-30 Classification; enforcement; removal

- A. General. Violation of this chapter is a civil infraction and shall be enforced pursuant to chapter 5-7 of the town code.
- B. Removal of signs by town; notice; fees.
 - 1. A code compliance officer or other authorized representative of the town may immediately remove or cause the removal of a sign in either of the following circumstances:
 - a. When the sign is unlawfully placed in the public right-of-way.
 - b. When the sign poses an immediate hazard to persons or property.
 - 2. If possible, when exercising its right to immediately remove or cause the removal of a sign, the town shall provide the sign owner with verbal or written notification of the removal at the time of the removal. The notice shall include all of the following:
 - a. The reason or reasons for the removal.

- b. The location where the sign owner may claim the sign.
 - c. Notification that if the sign owner does not claim the sign within five days of the notice, the town may destroy or reuse the sign.
3. If a sign is placed in violation of this chapter but does not pose an immediate hazard to persons or property and is not located in the public right-of-way, a code compliance officer or other authorized representative of the town shall provide written notice of violation to the sign owner.
- a. The notice shall include all of the following:
 - i. The reason or reasons the sign is in violation.
 - ii. Notification that if the sign is not removed within 48 hours of the notice, the town will remove the sign.
 - iii. The location where the sign owner may claim the sign if it is removed.
 - iv. Notification that if the sign is removed and the sign owner does not claim the sign within five days of the notice, the town may destroy or reuse the sign.
 - b. The notice shall be delivered either by personal delivery or, if the town is unable to determine the owner of the sign, by affixing it to the offending sign.
 - c. If the offending sign is not removed within the 48-hour period, a code compliance officer or other authorized representative of the town may remove or cause the removal of the sign.
4. The town's cost to remove or store a sign shall be borne by the sign owner in the amount set forth in the fee schedule approved by the council and amended from time to time.
- C. Effect. Neither the suspension nor revocation of a sign permit, nor the removal of a sign by the town, shall be a defense against prosecution.

CHAPTER 17-10. ~~SIGN REGULATIONS~~SIGNS

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17-10-1 Purpose

This chapter establishes reasonable regulations for the design, placement, construction, and maintenance of all signs within the town, to protect the public interest and achieve these community objectives:

- A. To minimize the risk of personal injury and property damage from unregulated and improper sign placement, construction, and maintenance;
- B. To balance private and public interests by providing opportunities for adequate signage for business identification and essential communication while preserving and enhancing the community environment, unique character and qualities of the town;
- C. To promote the use of signs that are well-designed, of appropriate scale, and appropriately integrated into the built environment; and
- D. To preserve and enhance the streetscape appearance throughout the town and the general appearance of business corridors.

17-10-2 Definitions and sign types

- A. The following definitions supplement those found elsewhere in the town code and land development code. In the event of conflicting definitions related to signs, the definitions in this section prevail.
 - 1. Abandoned sign: A sign associated with a business, use, occupancy, product, or activity that has already occurred or has not existed for a period of 30 consecutive days, for reasons attributable at least in part to the sign-property owner.
 - 2. A-frame: A portable sign typically constructed of wood or plastic that folds out to form the shape of an 'A'.
 - 3. Animation: The movement, or optical illusion of movement, of any part of a sign structure, design, or pictorial segment including the movement of any illumination, flashing, or variation of light intensity, and including but not limited to the automatic changing of all or part of a sign achieved through mechanical, electrical, or environmental means including motion by activity such as wind, thermal changes, or other naturally occurring external forces.
 - 4. Awning: An architectural projection or shelter projecting from, and supported by the exterior wall of, a building and composed of a covering of rigid or non-rigid materials and/or fabric on a supporting framework that may be either permanent or retractable.
 - 5. Awning sign: A sign displayed on or attached to the surface of an awning.
 - 6. Balloon: An airtight bag filled with helium, hot air, or other gas, that is anchored to a building or structure with rope, cable or similar material.
 - 7. Banner: A temporary sign constructed of a flexible material on which copy or graphics may be displayed.
 - 8. Billboard: A sign not associated with a business, use, occupancy, product, or activity located or occurring on the sign-premises and with a sign area 24 square feet or larger.

9. Building elevation: An exterior side of a building which includes the building wall face, parapet, fascia, windows, doors, canopies, and visible roof structures.
10. Canopy: A multi-sided overhead structure or architectural projection supported by attachment to a building on one or more sides and cantilevered from the building or supported by columns.
- ~~11. Canopy sign: A sign affixed to a visible surface of a canopy that extends from the wall face of a building.~~
- ~~12. Canopy sign (freestanding): A wall sign placed upon the exterior fascia of a permanent freestanding canopy structure such as that used to cover an automobile fueling facility.~~
11. 13. Change of sign copy: A replacement or modification of the message or design of an existing sign face without modifying the size, shape, framework or structure of the sign.
12. Commercial sign: Any sign that does not fit the definition of non-commercial sign.
13. 14. Directory sign: A monument sign that complies with the requirements of section 17-10-22 (directory signs), ~~containing any content but intended to provide information about the location of a business, building, or address within a residential, commercial, or industrial complex.~~
14. Drive-through sign: A sign that complies with the requirements of section 17-10-18 (drive-through signs).
15. Electronic message display: An electronically activated changeable message sign.
16. Exceptional design: Refers to a freestanding sign with ~~two~~an architecturally interesting design that complies with the following:
- a. At least 50% of all surfaces of the sign structure shall consist of one or more of the following ~~elements or features incorporated into the design~~ materials:
 - i. Brick
 - ii. Decorative block
 - iii. Natural or simulated stone
 - iv. Decorative or treated wood
 - v. Decorative ~~unpainted or unfinished~~ metal
 - vi. Other similar materials approved by the planning director
 - b. Except as described in subparagraph c below, the area of the sign structure must equal or exceed the sign area for each sign face.

~~c. a. Individual letters and other~~ If at least 50% of the sign copy is mounted independently and in relief of the sign face or background ~~on at least 20% of the area of the sign face. b.~~ Backlighting and utilizes back-lighting (halo or reverse channel illumination) ~~on all raised letter sign copy of a, the~~ required area of the sign structure may be reduced by 50%.

~~e. Utilizing a dark-colored background with white or light-colored sign copy.~~

d. For purposes of this definition, the sign structure includes the entire structure of the sign other than the sign area.

~~d. The use of brick, treated wood, unpainted or unfinished metal, natural or simulated stone, or similar materials on at least 50% of the sign face and structure.~~ For purposes of subparagraphs b and c above, the sign structure is measured as the surface area of the side of the structure that contains the sign face.

17. Flag: Fabric, vinyl, or similar flexible material typically attached at one edge to a staff.
18. Freestanding interstate sign: A freestanding sign that complies with the requirements of section 17-10-17 (freestanding interstate signs)
19. Freestanding monument sign: A freestanding sign that complies with the requirements of section 17-10-16 (freestanding monument signs).
20. Freestanding sign: A sign erected or mounted on a self-supporting permanent base detached from supporting elements of a building.
21. Fuel service pump topper sign: A sign affixed to the top or side of an operable fuel dispensing pump.
22. Government sign: A sign ~~installed~~ constructed, placed, or required by a public agency maintained by a government agency or a sign that a government agency requires to be constructed, placed, or maintained.
23. Illuminated sign: A sign that uses artificial light, either projecting through its surface (internal illumination) or reflecting off its surface (externally illuminated).
24. Legal nonconforming sign: A sign that was legally installed in conformance with all applicable sign regulations and ordinances in effect at the time of its installation; but that does not comply with current regulations.
25. Non-commercial sign: A sign containing no message, statement, or expression related to commercial interests. Noncommercial signs include, but are not limited to:
 - a. Government signs

b. Signs expressing political, religious, or ideological views or positions

c. Signs with information about or announcements of non-profit organizations

26. ~~25.~~ Non-residential area: Any land that is not in a residential area.

27. ~~26.~~ Polyhedron: A three-dimensional solid figure formed by plane faces that are polygons.

28. ~~27.~~ Portable sign: A freestanding, moveable sign not permanently affixed to any building, structure, or embedded into the ground. Examples include A-frames and T-frames.

29. ~~28.~~ Post sign: A temporary freestanding sign consisting of a rigid, durable sign face mounted on wood or metal posts embedded in the ground without the use of concrete or other permanent footing material.

30. ~~29.~~ Projected image sign: A temporary sign which is projected by an electronic device onto a building, structure, sidewalk or other surface.

31. ~~30.~~ Quill sign: A temporary sign constructed as a banner, typically in the shape of a feather or sail, attached to a pole assembly embedded in the ground and designed to move in the wind.

32. Reasonable repairs or alterations: Repairs or alterations determined by Arizona case law as being consistent with the "reasonable repairs and alterations" provision of A.R.S. § 9-462.02 (A). In the absence of case law guidance, reasonable repairs or alterations include repairs or alterations that cost less than half of the cost to replace the sign.

33. ~~31.~~ Residential area: All of the following:

- a. Land zoned AG, RD-180, R-144, R-80, R-36, R-20, R-16, R-12, R-10, R-8, R-7, R-6, R-3.5, MR-2, MR-1, RV, and MH.
- b. Land zoned A, B, and C, except those portions that have an existing non-residential use.
- c. Portions of land zoned D and E that have an existing residential use.
- d. Land with residential land use designations within specific plan areas (areas zoned F).
- e. Parcels devoted solely to residential ~~use~~, park, or open space uses.

34. Roadway construction business identification banner: A sign that complies with the requirements of section 17-10-26 (roadway construction business identification banners).

35. ~~32.~~ Shingle sign: A wall mounted or hanging sign, located under a covered porch, walkway, extended roof or other similar structure.
36. ~~33.~~ Sight visibility triangle: An area extending along an intersection approach leg and across the included corners that must be kept clear of obstructions that might block a driver's view of potentially conflicting vehicles or pedestrians.
37. ~~34.~~ Sign: A name, identification, description, display or illustration affixed to or painted or represented directly or indirectly on a building or other outdoor surface that directs attention to or is designed or intended to direct attention to the sign face or to an object, product, place, activity, person, institution, organization or business. Does not include anything that meets this definition but that is located completely within an enclosed building and is not visible from outside the building. A statue is a sign if it calls attention or relates to an activity or use located on the sign-premises.
38. ~~35.~~ Sign area: The area of a sign determined in accordance with paragraph 17-10-12 below.
39. ~~36.~~ Sign copy: All letters, numerals, figures, symbols, logos, and graphic elements comprising the content or message of a sign.
40. ~~37.~~ Sign face: The entire display surface area of a sign upon, against, or through which copy is placed.
41. ~~38.~~ Sign-premises:
- In residential areas, the sign-property plus adjacent right-of-way used by the sign-property owner under a license from the town.
 - In non-residential areas, the entire shopping center or industrial center where the sign is located plus adjacent right-of-way used by the sign-premises owner, owners, or owners association under a license from the town.
42. ~~39.~~ Sign-property: The specific lot or parcel of land upon which the sign is placed or erected. Adjacent lots or parcels under the same ownership and with the same use shall be considered one sign-property.
43. ~~40.~~ Sign walker: A person who carries, holds or balances a sign.
44. ~~41.~~ T-frame: A portable sign typically constructed of wood or plastic with a structure in the appearance of an inverted 'T'.
45. Temporary directional sign: A temporary sign directing the traveling public to the location of real estate offered for sale or to an event.
46. ~~42.~~ Temporary sign: A portable sign, a sign not permanently embedded in the ground, or a sign not permanently affixed to a building or permanent sign structure.

47. ~~43.~~ Tenant space: The area or portion of a building leased by an individual or entity.
48. ~~44.~~ Vehicle sign: A sign mounted, painted, attached or affixed to a truck, car, boat, trailer, or other vehicle or similar equipment.
49. ~~45.~~ Wall sign: A permanent sign fastened, attached, or connected to, or supported in whole or in part by, a building or structure.
50. ~~46.~~ Window sign: A sign affixed to the interior or exterior of a window, or placed immediately behind a window ~~but, and~~ visible from outside of the building.
51. ~~47.~~ Yard sign: A freestanding sign affixed to a stake or frame embedded in the ground.

17-10-3 Permits

A. General.

1. The sign-property owner or the sign-property owner's representative may apply for a sign permit.
2. ~~A~~ Except as provided in subparagraph 3 below, a sign permit is required prior to constructing, installing, placing, ~~painting,~~ altering, or relocating any sign within the town, ~~other than change.~~
3. A sign permit is not required for any of the following:
 - a. Change of sign copy, ~~an~~
 - b. An exempt sign as defined in this chapter, ~~or a~~
 - c. A sign allowed by a state or federal law preemption of this chapter. ~~A sign permit is not required for routine sign~~
 - d. Sign maintenance that does not change the design of the sign.

B. Permit fees. Upon approval of an application for a sign permit, the applicant shall pay the applicable fee assessed in accordance with the fee schedule adopted and amended from time to time by the council.

C. Application.

1. A sign permit application shall be submitted for all signs requiring a permit.
2. A sign permit application must be accompanied by all items required by the sign permit application checklist.

D. Permit suspension or revocation. In addition to enforcement pursuant to chapter 5-7 of the town code, the planning director may suspend or revoke a sign permit issued as a result of the applicant's material omission or misstatement of fact. The planning director shall give notice of any suspension or revocation to the applicant and to the sign-property owner.

17-10-4 General

A. No content restrictions.

1. Any sign allowed under this chapter may contain, in lieu of any other copy, any otherwise lawful message that complies with applicable size, lighting, dimension, design, spacing, and permitting requirements of this chapter.
2. This chapter is intended to regulate signs in a manner that does not favor commercial speech over non-commercial speech and does not regulate non-commercial speech by message content.
3. Any regulation that distinguishes between on-site and off-site signs applies only to commercial messages, and allows any non-commercial message.

B. Conformity.

1. No sign shall be installed, placed, or maintained within the town except in conformance with this chapter or as allowed by a state or federal law preemption of this chapter.
2. If provisions of this chapter are in conflict with any other provision of the code, the more restrictive requirement shall apply.
3. Signs maintained contrary to the provisions of this chapter are declared to be nuisances and may be abated as provided by law.

17-10-5 Legal nonconforming signs

A. Legal nonconforming signs are allowed, subject to the requirements of this section.

B. Any legal nonconforming sign shall be permitted to remain, so long as it:

1. Is not increased in area or height and remains structurally unchanged, except for reasonable repairs or alterations; or
2. Is not relocated ~~in a manner, unless at the request or requirement of the town~~ so as to comply with applicable safety requirements.

C. ~~If a~~ legal nonconforming sign ~~is structurally changed or is damaged by~~ shall be rebuilt, repaired, or replaced only in conformance with the provisions of this chapter if it is:

1. Structurally changed, except for reasonable repairs or alterations;
2. Damaged by half or more of the cost to replace the sign as a result of fire, lack of maintenance, or other causes ~~by more than 50% of the cost to replace the sign, or is temporarily;~~ or
3. Temporarily or permanently moved or removed by any means, including an act of God, ~~then the sign shall be rebuilt, repaired, or replaced only in conformance with the provisions of this chapter.~~ except as provided in subparagraph 17-10-5 B. 2 above.

17-10-6 Abandoned signs

- A. The planning director shall, upon determining that a sign is an abandoned sign, give notice to the sign owner that the sign is deemed an abandoned sign.
- B. Within 30 days after receipt of the planning director's notice, the sign owner shall take one of the following actions:
 - 1. Remove the sign and its supporting structure;
 - 2. Remove the sign face and replace it with a blank sign face; or
 - 3. Reverse the sign face and not illuminate the sign from the interior.

17-10-7 Prohibited signs

All signs not expressly allowed under this chapter are prohibited, including but not limited to:

- A. Billboards.
- B. Flashing, blinking, reflective, inflatable or animated signs, including signs with an intermittent or varying color or intensity of artificial illumination, whether deliberate or as a consequence of a defect in the sign or illumination source, except as expressly allowed by the provisions of section [17-10-23 \(electronic message displays\)](#) or [subparagraph 17-10-25 B. 5 \(inflatable and air activated signs\)](#).
- C. Projected-image signs.
- D. Ribbons, streamers, balloons, or pin flags, [except as expressly allowed by the provisions of subparagraph 17-10-25 B. 5 \(inflatable and air activated signs\)](#).
- E. Searchlights.
- F. Signs projecting sound, except [as expressly allowed by the provisions of section 17-10-18 \(drive-through ~~restaurant-menu~~ signs\)](#).
- G. Signs that obstruct free and clear vision of motor vehicle operators.
- H. Signs located in a sight visibility triangle, unless approved by the planning director.
- I. Signs placed in any location where by reason of position, shape, or color may interfere with or be confused with any authorized traffic sign, signal, or device.
- J. Signs placed on any curb, sidewalk, post, pole, hydrant, bridge, tree or other surface located on public property or over or across any street or public thoroughfare, or in the public right-of-way, except as expressly allowed by this chapter.
- K. Signs projecting above the top of the wall parapet, or roofline, or mounted on a roof.

17-10-8 Exempt signs

The following signs shall be exempt from the application and permit requirements of this chapter. Exempt signs must comply with all other applicable regulations contained in this chapter, if any.

- A. Flags that comply with the requirements of section 17-10-27 (flags and flag poles)
- B. Fuel service pump topper signs.
- C. Government signs.
- D. Grave markers, headstones, statues, historical markers, and cornerstones.
- E. Hazard warning and parking signs measuring three square feet or less.
- F. Portable, A-frame, or T-frame signs that comply with the requirements of section 17-10-25 (temporary signs).
- G. Roadway construction business identification banners that comply with the requirements of section 17-10-26 (roadway construction business identification banners).
- H. Signs carried or displayed by a sign walker in compliance with the requirements of section 17-10-28 (sign walkers).
- I. Signs integrated into the design of an automated bank teller machine.
- J. Signs relocated as the result of town construction projects.
- K. Vehicle signs that comply with the requirements of section 17-10-29 (vehicle signs).
- L. Window signs that comply with the requirements of section 17-10-21 (window signs).
- M. Yard signs that comply with the requirements of section 17-10-25 (temporary signs), paragraph C.
- N. Any sign authorized by this chapter that is six square feet or smaller, unless an application and permit are expressly required by this chapter.

17-10-9 Sign design and construction

- A. All signs shall incorporate design elements consistent with the overall architectural character of buildings and other improvements on the sign-premises.
- B. Electric raceways and transformers shall be located to minimize visibility.
- C. All signs shall be designed and constructed in conformance with current town building codes. ~~D. All permanent signs shall be constructed using materials approved by the planning director and building official~~ (see town code title 7).

D. ~~E.~~ All temporary signs shall be constructed using suitably durable materials as approved by the planning director.

17-10-10 Sign illumination

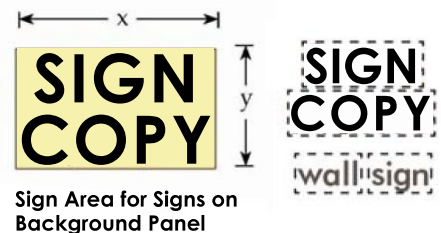
- A. Signs may be illuminated, ~~unless illumination is~~ except where expressly prohibited in this chapter.
- B. All illuminated signs shall be constructed and operated in compliance with the outdoor lighting code.

17-10-11 Sign maintenance

- A. Any sign or sign component ~~that is~~ shall be promptly repaired or replaced if it:
 1. Is damaged or deteriorated, ~~constitutes~~
 2. Constitutes a danger or hazard to public safety, or ~~a visual blight, shall be promptly repaired or replaced.~~
 3. Is reasonably determined by the planning director, by reason of its appearance as viewed at ground level from the public right-of-way or from neighboring properties, to:
 - a. Be detrimental to property value
 - b. Be offensive to the senses, or
 - c. Reduce the aesthetic appearance of the area.
- B. Maintenance of a sign shall include ~~periodic~~ all of the following:
 1. Periodic cleaning, ~~replacement~~
 2. Replacement of defective light sources, ~~repair~~
 3. Repair or replacement of any faded, peeled, cracked, or otherwise damaged or broken parts, ~~and any~~
 4. Any other activity necessary to restore the sign to compliance with the requirements of the sign permit issued for its installation and the provisions of this chapter.

17-10-12 Sign measurement

- A. Sign area shall be measured as follows:
 1. Sign copy mounted on or painted on a background panel or area distinctively painted, textured, or constructed as a background for the sign copy shall be measured as that area contained within the sum of the smallest rectangles that will enclose both the sign copy and the background.

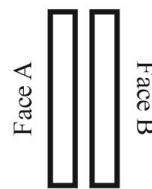


2. Sign copy mounted as individual letters or graphics against a wall, fascia, mansard, or parapet of a building or other structure that has not been painted, textured, or otherwise altered to provide a distinctive background for the sign copy shall be measured as a sum of the smallest polygon of not more than 12 sides that will enclose each word and each graphic in the total sign.

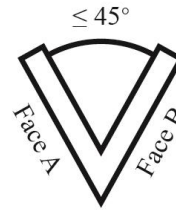
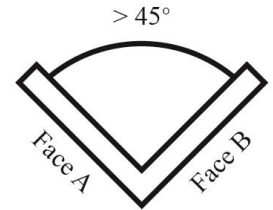
Sign Copy
Wall Sign

3. Signs with multiple faces shall be measured as follows:

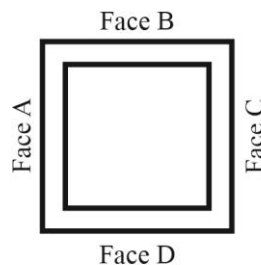
- a. The area of all faces shall be included in determining the area of the sign, except that only one face of a double-faced sign shall be considered in determining the sign area when both faces are parallel and the greatest distance between faces does not exceed five feet, or when the interior angle of the sign faces does not exceed 45 degrees in the case of a 'V'-configured sign. If the area of one sign face exceeds the area of the sign's opposing face, the area of the larger face shall be used to determine the sign area.



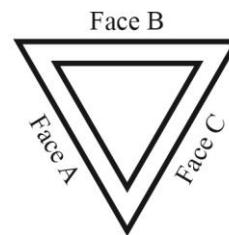
Total Sign Area = A



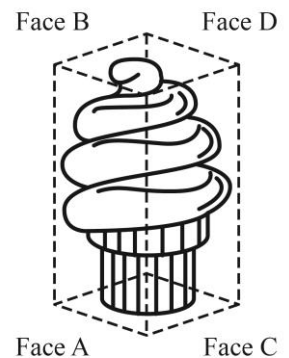
Total Sign Area = A+B



Total Sign Area =
 $(A + B + C + D) \div 2$



Total Sign Area =
 $(A + B + C) \div 2$



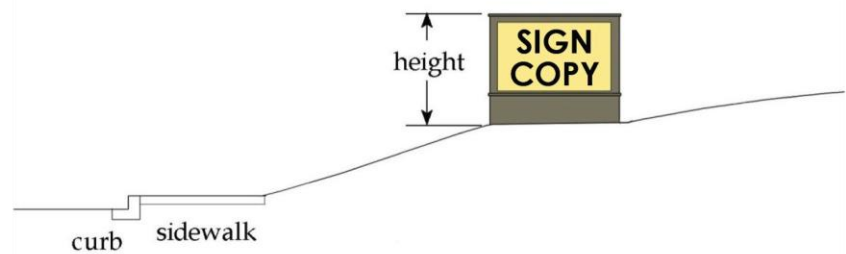
Total Sign Area =
 $(A + B + C + D) \div 2$

- b. The area of a sign that contains three or more faces shall be calculated as 50% of the sum of the area of all faces.
- c. Spherical, free-form, sculptural, or other non-planar sign area is measured as 50% of the sum of the areas using only the four vertical faces of the smallest six-faced polyhedron that will encompass the sign structure.

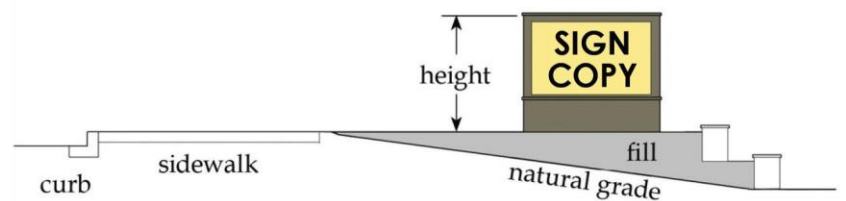
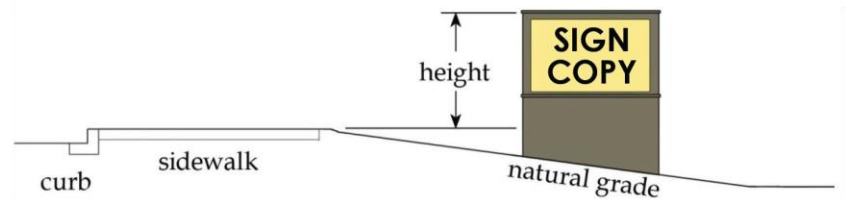
~~4. The area of a freestanding sign shall include the frame, but shall not include the base of the sign or other architectural features unless such features contain sign copy or are otherwise designed to serve as a display device.~~

B. Sign height shall be measured as follows:

1. The height of a freestanding sign shall be measured as the vertical distance from the finished grade beneath the sign, exclusive of any filling, berming, mounding or landscaping done solely for the purpose of locating the sign, to the highest point of the sign. If the sign is proposed in a location in which the finished grade beneath the sign is lower than the grade of the adjacent roadway surface, the sign height shall be measured from the top of the curb, or crown of the adjacent roadway surface where no curb exists. The height of any monument base or other structure erected to support or ornament the sign shall be measured as part of the sign height.

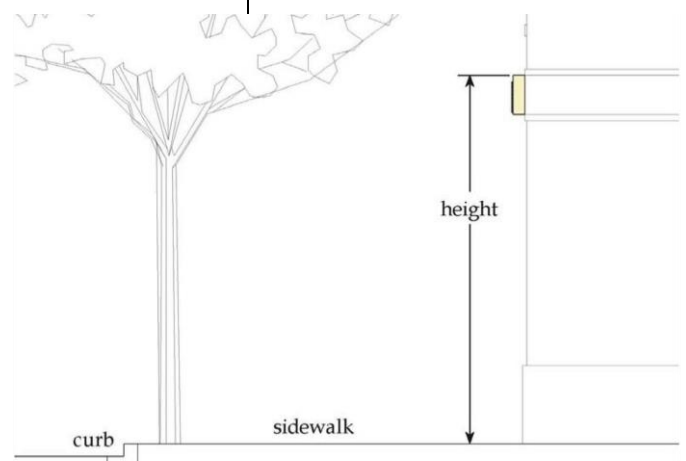


Freestanding Sign Height – Signs Higher than the Grade of an Adjacent Road



Freestanding Sign Height – Signs Lower than the Grade of an Adjacent Road

2. Wall fascia, mansard, and parapet-mounted signs shall be measured as the vertical distance to the top of the sign or sign structure from the base of the wall on which the sign is located.



Building Mounted Sign Height

17-10-13 Areas with special sign regulations

- A. Special sign districts. Special sign districts may be established by ordinance. Special sign districts may have unique regulations applicable to them, which differ from those set forth in this chapter.
- B. Specific plans. Sign regulations approved as part of a specific plan take precedence over this chapter within the specific plan area. Particular signage elements not addressed by the specific plan sign regulations shall be governed by this chapter.
- C. Planned sign program. Sign regulations approved as part of a planned sign program take precedence over this chapter. Planned sign programs shall be reviewed by staff and subject to consideration and approval by the planning commission.

17-10-14 Planned sign programs

- A. A planned sign program is available for development projects consisting of multi-tenant buildings, non-residential developments with multiple buildings or mixed-use developments. The program shall be reviewed by staff and subject to consideration and approval by the planning commission. A planned sign program:
1. Is intended to allow flexibility in order to achieve exceptional project design through architectural integration of the site, buildings, and signs.
 2. Is intended to provide for design compatibility of all signs and to establish and maintain a consistent design theme within a development.
 3. Shall be in substantial conformance with the general intent of the regulations of this chapter, but may establish reasonable and appropriate alternatives to the standard provisions of this chapter.
 4. Shall establish design standards, including, but not limited to, sign types, placement, size, design, colors, materials, textures, and method of illumination.
 5. Shall provide adequate identification and information for the development.
 6. Shall provide aesthetic appeal, promote traffic safety, and maintain consistency with other town regulations.
- B. A planned sign program application shall be submitted to the planning department and must be accompanied by all items required by the planned sign program application checklist and all applicable fees.
- C. All freestanding signs approved through a planned sign program and allowed an increase in either area or height above the basic standards for freestanding signs must be constructed to the standards of exceptional design as defined in this chapter (see subparagraph 17-10-2 A. 16 above).

17-10-15 Wall signs

- A. Wall signs may be mounted flush, angled, bowed, or perpendicular to the wall.
- B. Wall signs in residential areas shall be subject to the following:
1. In addition to an address sign as required by this chapter, a single-family residence shall be allowed one wall sign, not to exceed three square feet.
 2. Wall signs on single-family residences shall not be placed higher than 10 feet above finished grade.
 - ~~3. Freestanding signs are permissible and shall not exceed a height of five feet above finished grade.~~

- ~~3. 4.~~ Multi-family residences shall be allowed one sign per dwelling unit, not to exceed three square feet.
- ~~4. 5.~~ A multi-family residential complex containing 12 units or more shall be allowed a maximum of 32 square feet of wall signage per street frontage.
- ~~5. 6.~~ Illumination of signage shall be prohibited with the exception of multi-family residential complexes containing 12 units or more.

C. Wall signs in non-residential areas shall be subject to the following:

1. ~~Wall signs shall~~ Shall be allowed on no more than three elevations of any building.
2. The allowable sign area shall be calculated at a rate of 1.5 square feet for each linear foot of building elevation or tenant space frontage up to a maximum of ~~15~~ 200 square feet per elevation.
3. ~~Wall signs shall~~ Shall only be placed on the first and top stories of a multi-story building.
4. ~~Wall signs shall~~ Shall be allowed on parapet walls that are structurally integrated into the original building design. ~~Signs, and~~ shall not be placed on parapet extensions added to an existing building.
5. ~~Freestanding canopy signs shall be~~ Signs up to a cumulative total of 75 square feet of signage per canopy are allowed on all sides of a freestanding canopy structure, ~~and shall be~~ calculated in the same manner as any other wall sign ~~up to a cumulative total of 75 square feet of signage per canopy.~~

17-10-16 Freestanding monument signs

A. A freestanding monument sign shall be allowed in non-residential areas subject to the following:

1. One sign shall be allowed per street frontage of sign-premises provided that the sign-premises has a minimum street frontage of 100 feet.
2. Two signs shall be allowed per street frontage for sign-premises with 600 feet or more of street frontage, and more than one entrance to the sign-premises on that frontage. One additional freestanding monument sign shall be permitted for each additional 300 feet of street frontage with an additional entrance.
3. The sign area shall not exceed 40 square feet for a single tenant sign-premises.
4. The sign area for sign-premises occupied by two or more tenants shall not exceed 80 square feet.
5. The sign height shall not exceed eight feet.

6. A 25% increase in the area and/or height of a sign will be allowed for a sign of exceptional design as defined in subparagraph 17-10-2 A. 16 above.

~~7. If an increase in area and/or height is provided for a sign of exceptional design, an additional increase will not be allowed through the approval of a planned sign program.~~

~~7.~~ 8. A sign-premises containing two or more tenants shall be allowed an increase in the area and height of one freestanding monument sign per street frontage subject to the following:

- a. One sign of increased area and height shall be allowed for each sign-premises street frontage exceeding 500 linear feet.
- b. The sign area shall not exceed 150 square feet.
- c. The sign height shall not exceed 20 feet.
- d. The sign shall be constructed to the standards of exceptional design, as defined in subparagraph 17-10-2 A. 16 above, and shall not be allowed an increase in area or height.

~~8.~~ 9. The width of the base of a monument sign must be equal to or greater than 75% of the width of the sign face.

~~9.~~ 10. Signs shall be set back a minimum of five feet from any road right-of-way, and 30 feet from any residential area property line.

~~10.~~ 11. A freestanding monument sign shall be located at least 50 feet from any other freestanding monument sign.

B. Multi-family residential complex containing 12 units or more, including apartments, condominiums, townhome complexes, manufactured home parks, recreational vehicle parks, and similar uses, shall be allowed a freestanding monument sign subject to the following:

1. One freestanding monument sign shall be allowed per street frontage of the sign-premises.
2. Signs shall not exceed 40 square feet in area and eight feet in height.
3. A 25% increase in the area and height of a sign will be allowed for a sign of exceptional design as defined in subparagraph 17-10-2 A. 16 above.

17-10-17 Freestanding interstate signs

Freestanding interstate signs shall be allowed only upon approval by the planning commission of a conditional use permit ~~by the planning commission~~ or a planned sign program and shall be subject to the following:

A. A freestanding interstate sign may be allowed for commercial, industrial, or mixed-use sign-premises that are ~~a:~~

1. A minimum of one acre in size, ~~within~~

2. Within 250 feet of the interstate right-of-way or within 250 feet of the railroad right-of-way, and ~~within~~

3. Within 250 feet of the right-of-way of an arterial roadway intersecting the interstate.

B. A freestanding interstate sign shall not exceed a height of 65 feet above the finished grade beneath the sign, exclusive of any filling, berming, mounding or landscaping done solely for the purpose of locating the sign.

C. A freestanding interstate sign shall not exceed an area of 300 square feet.

D. A freestanding interstate sign shall not be located within 500 feet of another freestanding interstate sign.

~~E. A freestanding interstate sign shall be approved only as a component of a planned sign program for a planned commercial, industrial, or mixed-use development.~~

~~F. In lieu of a freestanding interstate sign, a sign premises meeting the locational criteria above may be allowed an increase in wall sign area. For elevations visible from the interstate, wall sign area may be calculated at a rate of up to two square feet for each linear foot of building elevation or tenant space up to a maximum of 200 square feet per elevation.~~

E. ~~G.~~ A freestanding interstate sign shall be a minimum of 500 feet from the property line of any existing residential use.

F. ~~H.~~ A freestanding interstate sign may include an electronic message display component subject to section 17-10-23 (electronic message displays) ~~and the approval of a conditional use permit.~~

17-10-18 Drive-through ~~restaurant~~ signs

A. Drive-through ~~restaurant~~ signs may be freestanding or wall-mounted.

B. Drive-through ~~restaurant~~ signs shall be limited to two signs per drive-through lane.

C. Each drive-through ~~restaurant~~ sign shall be no greater than ten feet in height.

D. Each drive-through sign shall be located adjacent to a drive-through lane.

E. ~~D.~~ Drive-through ~~restaurant~~ signs may include electronic message displays subject to the requirements and limitations of section 17-10-23 (electronic message displays), except that the display may occupy the entire area of the sign face.

F. ~~E.~~ Sound emitted by drive-through signs must not be audible from any residential property.

17-10-19 Shingle signs

- A. Shingle signs shall be limited to one per tenant space frontage and shall be located at a point of public access.
- B. Shingle sign area shall not exceed five square feet.
- C. A shingle sign shall be located in front of the tenant space it pertains to and shall be suspended from a covered porch, walkway, extended roof or similar architectural element.
- D. A minimum clearance of eight feet shall be maintained beneath a shingle sign.

17-10-20 Awning signs

- A. An awning sign shall be allowed in lieu of, or in conjunction with, a wall sign.
- B. Awning sign area shall be calculated as part of the allowable area for wall signage for any given elevation.

17-10-21 Window signs

A window sign may be painted on, adhered to, or suspended behind a glass door or window surface, subject to the following:

- A. In non-residential areas, window signs shall cover no more than 40% of the window upon which the sign is displayed.
- B. Window signs shall only be displayed on first floor windows.
- C. Window signs shall only be internally illuminated.
- D. Portions of window signs consisting of electronic message displays shall be limited to five square feet and shall be subject to the requirements of section 17-10-23 (electronic message displays).

17-10-22 Directory signs

Directory signs are allowed in non-residential area developments and multi-family complexes subject to the following:

- A. Each sign premise shall be allowed one directory sign at each entrance on each street frontage.
- B. Sign height shall not exceed eight feet.
- C. Sign area shall not exceed 40 square feet.
- D. Signs shall be located at least 100 feet from any abutting street right-of-way unless a building or other structure blocks the sign's visibility from the street.

17-10-23 Electronic message displays

- A. Electronic message displays are permitted as an integral component of either of the following:
 1. A permitted freestanding monument sign.



Class IV Monument Sign

2. A sign type whose regulations refer to this section, subject to any additional limitations on electronic message signs set forth in the regulations for that sign type.
- B. ~~Electronic~~ Except as provided in section 17-10-18 (drive-through signs), electronic message displays may occupy up to 50% of the ~~entire~~ allowable area of a sign face.
- C. Electronic message displays may be full color and shall consist only of static messages that change not more frequently than once every 7.5 seconds.
- D. Electronic message display messages must transition by instant change method. Scrolling, travelling, flashing, full-motion video, use of sound, and similar operational effects are prohibited.
- E. Electronic message displays shall conform to the regulations of the outdoor lighting code.
- F. An electronic message display visible from an existing residential use shall be installed a minimum of 150 feet from the property line of the residential use.

17-10-24 Subdivision entry signs

A subdivision entry sign, consisting of a wall sign or freestanding monument sign, may be placed at a main entrance to a residential subdivision or complex, subject to the following:

- A. Subdivision entry wall signs may be mounted on a perimeter or landscape wall on both sides of a main entrance to a subdivision or complex. The cumulative wall sign area at each entrance to a subdivision shall not exceed 100 square feet
- B. Subdivision entry freestanding monument signs shall be limited to one sign at each main entrance to a subdivision or complex subject to the following:
 1. The sign area shall not exceed 100 square feet.
 2. The sign must be setback a minimum of one foot from any property line.
 3. The sign may not include an electronic message display.

17-10-25 Temporary signs

A. General requirements.

1. Temporary signs shall be constructed of fabric, plastic, wood, metal, or similar durable weather-resistant materials.
2. Temporary signs shall be maintained free of chipped paint, cracks, loss of text or graphics, or similar defects.
3. No temporary sign shall be placed upon any other sign assembly, utility pole, authorized traffic control device, utility box, fence, freestanding wall, boulder, tree, planter, vehicle, or similar structure.

4. Temporary signs shall be placed in a manner that prevents displacement during adverse weather conditions and does not result in a safety hazard to the public.
 5. Except as expressly allowed by this chapter, temporary signs shall not be located within the public right-of-way.
 6. Temporary signs shall not interfere with the free movement of pedestrians, bicycles, or vehicles, and shall be placed so that a minimum of six feet of clearance is maintained from all sidewalks, pedestrian access ways, parking area access lanes, and handicap-designated parking spaces.
 7. Temporary signs shall not include amplified sound, animation, motion or attachments such as balloons, flags, streamers, pinwheels, or ribbons, except as specifically authorized by subparagraph 17-10-25 B. 5 (pertaining to inflatable and air activated signs).
 8. Temporary signs shall not be illuminated other than by ambient light present on the property or by existing illumination intended for other uses.
 9. All temporary signs require a sign permit unless specifically exempted by this chapter.
- B. In non-residential areas, the following temporary signs are allowed subject to the following requirements:
1. Post signs shall be displayed on a sign-premises, and shall be subject to the following:
 - a. Signs may be displayed at the beginning of the duration of an activity, and shall be removed within seven days of the completion of the duration of the activity. The duration of an activity is the period of time between any of the following:
 - i. From development plan approval to the earlier of:
 - a) The completion of the improvements shown on the development plan, or
 - b) The second anniversary of development plan approval.
 - ii. From the issuance of a building permit for a development project to the earliest of:
 - a) The issuance of a certificate of occupancy,
 - b) The final inspection approval, or
 - c) The second anniversary of the issuance of the building permit.
 - iii. From the date of listing a property for sale or lease to the earlier of:
 - a) The consummation of the sale or lease or

- b) The second anniversary of the listing date.
 - b. No more than six signs shall be allowed per street frontage.
 - c. Each sign shall not exceed eight feet in height.
 - d. Each sign shall not exceed 32 square feet in area.
2. A-frames, T-frames, and similarly designed temporary signs shall be limited in quantity to one per business and shall be subject to the following:
- a. Must be located within 30 feet of a building entrance on the sign-property.
 - b. May only be displayed during hours of operation and must be removed at the end of each business day.
 - c. Sign area shall not exceed 12 square feet.
3. Quill signs shall be displayed on the sign-premises and shall be subject to the following:
- a. One sign per 100 linear feet of street frontage up to six signs per frontage.
 - b. A maximum of two signs may be displayed for any business.
 - c. Each sign shall not exceed ten feet in height.
 - d. Each sign shall not exceed 20 square feet in area.
 - e. Each sign shall be no closer than 50 feet to another quill sign.
 - f. May be displayed up to 21 days, four times per calendar year per business.
 - g. Quill signs are not permitted within the downtown ~~overlay zone~~neighborhood (DN) or downtown (DT) zones.
4. Banners shall be displayed on the sign-premises, shall be limited in quantity to one per business, and shall be subject to the following:
- a. Building-mounted banners shall not exceed a height of 25 feet or the top of the parapet, whichever is less.
 - b. Freestanding banners shall not exceed a height of ten feet above grade.
 - c. Sign area shall not exceed 40 square feet.
 - d. May be displayed up to 21 days, four times per calendar year per business.

5. Inflatable and air activated signs may be displayed in conjunction with a special event or activity and shall be subject to the following:

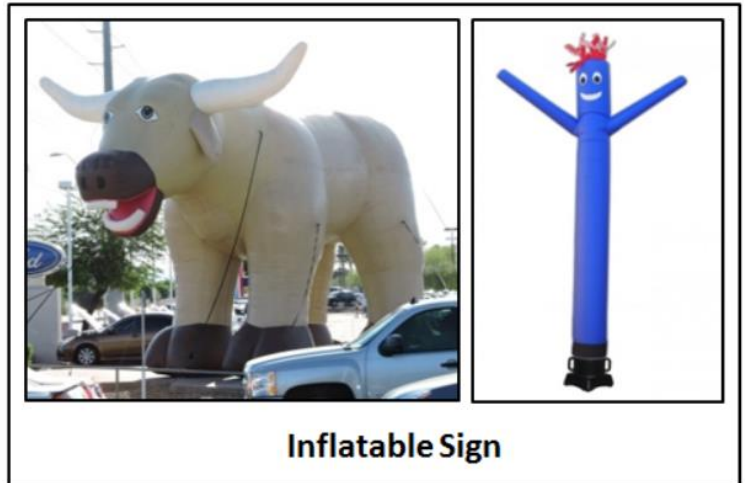
- a. May be displayed for a period of up to three consecutive days and no more than two display periods shall be allowed per calendar year.
- b. Shall be located on the sign-premises.
- c. No more than two signs may be displayed concurrently on a sign-premises.
- d. Shall be setback a distance equal to or greater than the height of the sign from all property lines.
- e. Shall maintain 18 feet of clearance from overhead utility lines.
- f. Shall be placed and operate in accordance with applicable building and fire codes including proper anchoring to the ground.
- g. Shall not be placed on the roof of any building or structure.

C. In residential areas, temporary signs must be displayed on the sign-property, and shall be subject to the following requirements:

1. Each sign-property measuring one acre or less shall be allowed a cumulative sign area of nine square feet with no limit on the number of signs.
2. Each sign-property larger than one acre shall be allowed a cumulative sign area of 16 square feet with no limit on the number of signs.
3. Signs have no display period limitations.

D. Residential subdivisions with a sales office and offering new homes for sale may submit a residential subdivision sign program to regulate the use of temporary signs within the subdivision, subject to the following:

1. A sign program must include:
 - a. A site plan showing the location of all proposed signs; and
 - b. A description of the type, number, size, placement, and materials of all proposed signs.
2. A maximum of ~~4~~500 square feet of signage per builder is permitted.
3. No individual sign may exceed an area of 128 square feet or a height of 20 feet.



4. The program shall expire when the sales office is permanently closed.
 5. All signs shall be removed upon expiration of the program.
 6. The program may include temporary signs, flags, and banners.
 7. Flags are subject to the provisions of 17-10-27 (flags and flag poles).
- E. Temporary directional signs in the right-of-way. ~~Real estate~~Temporary ~~directional signs, event directional signs, and non-commercial~~ signs are permitted in town right-of-way and private right-of-way subject to the following:
1. All signs shall require a permit and payment of any applicable fee in an amount established by a fee schedule adopted by the council and amended from time to time.
 2. Each sign must be clearly labeled with the permit number and the name and contact information of the sign permit applicant.
 3. Each sign may not exceed six square feet in area and 30 inches in height.
 4. No more than eight signs may be placed in the right-of-way:
 - a. Directing the public to any particular ~~home~~property,
 - b. Directing the public to any particular subdivision,
 - c. Directing the public to any particular event,
 - d. By any particular sign permit applicant, or
 - e. With any particular message.
 5. Signs directing the public to a ~~home~~property, subdivision, or event must be located within ~~two~~five miles of the ~~home~~property, subdivision, or event.
 6. One sign may be placed at each major change in travel direction along the route leading to the ~~home~~property, subdivision, or event.
 7. On routes with infrequent major changes in travel direction, signs may be located at each intersection of collector or larger roadways.
 8. No sign shall be placed within 20 feet of another sign authorized by this subparagraph ~~E.9. — Signs shall only be displayed between sunrise and sunset and must be removed daily.~~
 - ~~9. 10.~~ Signs shall not be placed within a median, sidewalk, multi-use path, or any location that would create an obstacle for pedestrians.
 - ~~10. 11.~~ On curbed roadways, signs within the public right-of-way shall be placed at least two feet from the back side of the curb and at least two feet from a sidewalk or shared-use path.

11. ~~12.~~ On roadways without curbs, signs within the public right-of-way shall be placed at least six feet from the edge of the paved surface.

12. ~~13.~~ Signs shall not be placed between a shared-use path and the paved surface of the roadway unless there is adequate distance to maintain a six-foot setback for the sign from the edge of the roadway and two-feet from the path.

17-10-26 Roadway construction business identification banners

- A. An existing use within a commercial, mixed-use, or industrial zoning district and within an area subject to long-term or substantial road construction activity performed by the town or other public entity or utility company may display one roadway construction business identification banner on each adjacent street frontage of sign-premises.
- B. Banners shall be located on the sign-premises.
- C. Banners shall not exceed 40 square feet.
- D. Banners may be displayed throughout the period of construction.

17-10-27 Flags and flag poles

- A. Each sign-property may contain one flagpole bearing one or more flags.
- B. A flag pole shall not exceed a height of 25 feet when accessory to a residential use. In all other situations, a flag pole shall not exceed the higher of:
 - 1. 30 feet, or
 - 2. 1.25 times the height of any building within 200 feet of where the flagpole is to be constructed, but in any event not to exceed 50 feet.
- C. The length of a flag shall be no greater than one-fourth of the height of the flag pole.
- D. A flag shall not encroach beyond the sign-premises.
- E. A flag shall not create a safety hazard.
- F. A flag may be illuminated in conformance with the outdoor lighting code.

17-10-28 Sign walkers

Sign walkers are allowed subject to the following:

- A. Sign walkers are prohibited in parking aisles or stalls, in driving lanes or driveways, in construction zones.
- B. Sign walkers are prohibited from operating in any manner that obstructs visibility or movement of pedestrians, motorists or cyclists.

- C. Signs displayed by sign walkers shall not include any form of illumination, animation, or attachment.
- D. Signs displayed by sign walkers shall not exceed eight square feet in area.

17-10-29 Vehicle signs

A vehicle sign may be displayed only when all of the following conditions are met:

- A. Signs must be painted on or applied directly to the vehicle and may not extend beyond the horizontal or vertical profile of the vehicle.
- B. Signs shall not be mounted in the bed of a truck.
- C. The vehicle displaying the sign must be operable, registered, licensed, and driven at least once a week.
- D. The vehicle displaying the sign must be parked in a legal parking space.

17-10-30 Classification; enforcement; removal

A. General. Violation of this chapter is a civil infraction and shall be enforced pursuant to chapter 5-7 of the town code.

B. Removal of signs by town; notice; fees.

1. A code compliance officer or other authorized representative of the town may immediately remove or cause the removal of a sign in either of the following circumstances:
 - a. When the sign is unlawfully placed in the public right-of-way.
 - b. When the sign poses an immediate hazard to persons or property.
2. If possible, when exercising its right to immediately remove or cause the removal of a sign, the town shall provide the sign owner with verbal or written notification of the removal at the time of the removal. The notice shall include all of the following:
 - a. The reason or reasons for the removal.
 - b. The location where the sign owner may claim the sign.
 - c. Notification that if the sign owner does not claim the sign within five days of the notice, the town may destroy or reuse the sign.
3. If a sign is placed in violation of this chapter but does not pose an immediate hazard to persons or property and is not located in the public right-of-way, a code compliance officer or other authorized representative of the town shall provide written notice of violation to the sign owner.
 - a. The notice shall include all of the following:

- i. The reason or reasons the sign is in violation.
 - ii. Notification that if the sign is not removed within 48 hours of the notice, the town will remove the sign.
 - iii. The location where the sign owner may claim the sign if it is removed.
 - iv. Notification that if the sign is removed and the sign owner does not claim the sign within five days of the notice, the town may destroy or reuse the sign.
 - b. The notice shall be delivered either by personal delivery or, if the town is unable to determine the owner of the sign, by affixing it to the offending sign.
 - c. If the offending sign is not removed within the 48-hour period, a code compliance officer or other authorized representative of the town may remove or cause the removal of the sign.
 - 4. The town's cost to remove or store a sign shall be borne by the sign owner in the amount set forth in the fee schedule approved by the council and amended from time to time.
- C. Effect. Neither the suspension nor revocation of a sign permit, nor the removal of a sign by the town, shall be a defense against prosecution.

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Moved cell	
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Padding cell	

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