



MARANA PLANNING COMMISSION
REGULAR COMMISSION MEETING
NOTICE AND AGENDA

11555 W. Civic Center Drive, Marana, Arizona 85653
Council Chambers, November 28, 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 November 28, 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 October 24, 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).
2. PCZ1806-001 & GPA1806-001: Tortolita Ridge Rezoning; A request for a recommendation to the Marana Town Council for approval to rezone approximately 17.3 acres of land from R-80 (single-family residential) and Zone C (Large Lot Zone) to R-8 (single-family residential) and a request for a recommendation for approval of a minor amendment to the Marana General Plan land use category from RDR (Rural Density Residential) to LDR (Low Density Residential). The property is located approximately .75 miles north of Moore Road on the west side of Tortolita Road. (Cynthia Ross).

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

1. Recommendation to move the Regular Planning Commission Meeting, scheduled for December 26, 2018, to December 19, 2018. (Jason Angell)

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: 11/28/2018

To: Planning Commission

From: Terri Byler, Executive Assistant

Date: November 28, 2018

Subject: **Approval of the October 24, 2018 Meeting Minutes**

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Attachments

Draft minutes



MARANA PLANNING COMMISSION
REGULAR COMMISSION MEETING MINUTES
11555 W. Civic Center Drive, Marana, Arizona 85653
Council Chambers, October 24, 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

REGULAR PLANNING COMMISSION MEETING

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 Tyson and Commissioner Miller were absent. A quorum was present.

CALL TO THE PUBLIC. No speaker cards presented.

APPROVAL OF AGENDA. *Motion to approve by Vice Chair Duncan, seconded by Commissioner Schachter. Passed unanimously.*

ANNOUNCEMENTS. Reminder that the Planning Commission serves as the Advisory Committee for the General Plan. The next scheduled meeting is November 14, 2018 at 6:30 pm in the 2nd floor conference center. (Jason Angell).

GENERAL ORDER OF BUSINESS. Approve Regular Planning Commission Meeting Minutes from September 26, 2018. *Motion to approve by Commissioner Fehrmann, seconded by Vice Chair Duncan. Passed unanimously.*

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).

Brian Varney noted some of the general revisions to the regulations include:

- Compliance with the 2015 Supreme Court decision in *Reed v. Town of Gilbert*.
 - develop a sign code that is content neutral and create time, place, and manner regulations
- Outdated terminology has been replaced with more contemporary standards
- Regulations have been simplified making the document more user friendly

Some regulatory revisions include:

- Planned Sign Programs (PSP) will require Planning Commission approval
- Freestanding interstate sign will require Planning Commission approval
- Standards added to encourage enhanced design of freestanding signs
- New regulations pertaining to temporary signage located in the Town's right-of-way
- Residential subdivision sign program has been created for home builders

“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 where the sign is located plus adjacent right-of-way used by the sign-premises owner, under a license from the town

“Exceptional Design Standards” for freestanding monument signs:

Freestanding monument signs will be allowed a 25% increase in area and height if the following criteria are met:

- The use of decorative materials such as brick, natural or simulated stone, decorative or treated wood, unpainted or unfinished metal, and similar materials on at least 50% of all surfaces of a sign structure, outside of the sign area, and the area of the sign structure equals or exceeds the sign area
- If at least 50% of the sign copy is placed in relief of the background and utilizes backlighting, the sign structure area may be reduced by 50%

Electronic message displays (EMD's) - Proposed

- Allowed for permitted freestanding monument signs and freestanding interstate signs
- May consist of up to 50% of the allowable sign area for a typical sign
- Drive-through signs may be entirely EMD
- Change rate decreased to 7.5 seconds

Temporary signs – New sign types - Proposed

- A-frame and T-frame signs allowed at one sign per business, and must be located within 30 feet of a building entrance
- Signs cannot exceed 12 square feet
- Inflatable and air activated signs may be used for three days per display period, twice per year

Temporary signs – Residential areas - Proposed

- Sign properties measuring one acre or less may display up to 9 square feet of signage with no limit to the quantity of signs
- Sign properties larger than one acre may display up to 16 square feet of signage with no limit to the quantity of signs
- No time limit for display

Temporary signs – Non-residential areas - Proposed

- Post signs
 - May be displayed at the beginning of the activity and removed within seven days after
 - No more than six signs per street frontage
 - Maximum 32 square feet and eight feet in height
- A-frame and T-frame signs allowed at one sign per business, and must be located within 30 feet of a building entrance. Signs cannot not exceed 12 square feet.
- Banner signs
 - Limited to 40 square feet
 - Maximum height of 25 feet or top of parapet
 - Freestanding banners limited to 10 feet in height
 - Display period of 21 days, four times per year

Temporary signs – Quill signs - Proposed

- One sign per 100 linear feet of street frontage on sign premises up to six signs per frontage
- Two signs per business
- Ten feet in height and 20 square feet
- Each business may be display up to 21 days, four times per calendar year
- Quill signs not permitted within the downtown overlay zone, for properties that have opted in to the new zones.

Residential subdivision sign program (temporary signs) - Proposed

- Applies to all new subdivisions
- Includes a sign package to be reviewed by staff during the subdivision design review
- A maximum of 500 square feet per builder
- No individual sign to exceed 128 square feet or 20 feet in height
- Includes all temporary signs, flags, banners

Temporary signs – Right of way signage - Proposed

- Up to eight signs may be placed within the ROW directing the public to
 - Any particular property
 - Any particular subdivision
 - Any particular event
- Signs must be located within five miles of the event
- May be placed at each major change in travel direction or at larger intersections
Six square feet and 30" in height

Mr. Varney noted that staff is requesting that the Commission continue the public hearing on this item to the November 28, 2018 meeting due to the following reasons:

- Staff has decided to reconsider our approach to the standards pertaining to temporary signs in the Town's right-of-way and would like to re-evaluate the options for time restrictions
- Staff would like to incorporate the clarification items

Chairman Schnee opened the public portion of the hearing. Ben Buehler-Garcia (SAHBA) noted when it comes to new subdivisions being built - the actual location may be up to 10 miles from the freeway, so the physical temporary signs directing traffic are very important. Mr. Buehler-Garcia felt the requirement for a homebuilder to remove the temporary directional signs every night would cause some challenges. **Chairman Schnee** closed the public portion of the hearing.

Chairman Schnee asked what type of sign a church would need in order to direct traffic to their site [within five miles of their location.] Mr. Varney stated the church could take advantage of the temporary directional signs that guide the public to an event. An A-frame sign could be considered as a temporary directional sign, as long as the sign meets the criteria; currently limited to 30" in height and six sq. ft. **Chairman Schnee** had a concern with the A-frame sign limitation, of one per business and within 30 feet of the business, meeting the temporary directional sign conditions. Mr. Varney noted that the intent of the A-frame signs is for onsite signage, the temporary directional signs pertain to signs in the right-of-way. **Chairman Schnee** liked the fact the staff reached out to the public and the Chamber of Commerce and felt staff put a lot of work into amending the Sign Code. **Commissioner Schachter** wanted to know how the town monitors signage that is limited to a certain number of times per year. Mr. Varney stated the town has a code enforcement division that actively patrols the town. A permit will be issued for the signs - with a copy of the permit sent to code enforcement.

Commissioner Fehrmann felt the Planned Sign Program could be customized to fit the needs of the developer. She thought it would be beneficial to incorporate directional signs into the Planned Sign Program, as it could serve as an advertising plan package for a new subdivision development in the town. Mr. Varney stated that staff could reevaluate and determine whether or not it would be feasible. Mr. Cassidy mentioned Commissioner Fehrmann's concept addresses Mr. Buehler-Garcia's comment regarding new subdivisions that are located quite a distance from the main road and the importance of directional signage. **Vice Chair Duncan** asked for clarification regarding the removal of subdivision signs. Mr. Varney specified not having a restriction on the time creates issues. Staff prefers to keep signs in the right-of-way to a minimum at this point. Staff could reevaluate this in the future.

Motion to continue the public hearing for PCM1810-001 to the November 28, 2018 Planning Commission meeting by Chairman Schnee, seconded by Commissioner Schachter. Passed unanimously. 5-0

COMMISSION ACTION.

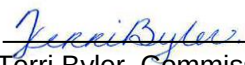
INFORMATIONAL ITEMS/POSSIBLE ACTION ITEMS.

FUTURE AGENDA ITEMS.

ADJOURNMENT. Motion to adjourn at 7:14 p.m. by Vice Chair Duncan, seconded by Commissioner Hill. Passed unanimously.

CERTIFICATION.

I hereby certify that the foregoing are the true and correct minutes of the Marana Planning Commission meeting held on October 24, 2018. I further certify that a quorum was present.


Terri Byler, Commission Secretary

Planning Commission - Regular Meeting

Meeting Date: 11/28/2018

To: Planning Commission

From: Brian Varney, Senior Planner

Date: November 28, 2018

Strategic Plan Focus Area:

Not Applicable

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.

The Planning Commission considered this request at a public hearing held on October 24, 2018. Staff requested that the Commission proceed with the public hearing as scheduled allowing staff to present the request as well as hear comments from the public, but continue the hearing and defer a vote to the November 28, 2018 meeting. The continuance was requested as staff had decided to reconsider the standards pertaining to temporary signs within the Town's right-of-way and needed additional time to re-evaluate options. Additionally, staff wanted to incorporate minor revisions to the draft document that occurred after the document was distributed to the Planning Commission the week prior to the meeting.

At the October 24, 2018 public hearing, Commissioner Fehrmann indicated the standards for the residential subdivision sign program could be tailored to better fit the needs of the development community. Commissioner Fehrmann indicated that staff should consider integrating both on-site and off-site signs into the program. Staff has re-evaluated the regulations contained in the October 22, 2018 draft and revised them accordingly.

The following substantive revisions are proposed in the current draft:

1. **Section 17-10-37, Residential subdivision sign program:** This section now includes standards for both on-site signs and off-site directional signs that may be located on private property as well as in the Town's right-of-way. Both types of signage may only be located at major changes in travel direction en-route to a subdivision and at intersections of collector or larger roadways. Off-site directional signs on private property may be up to eight feet in height and 32 square feet in area. Signs within the Town's right-of-way cannot exceed 30 inches in height and six square feet in area. Multiple builders within the same subdivision will be required to share individual signs. A

builder with multiple subdivisions will also be required to combine directional information on individual signs.

2. **Section 17-10-34, Portable directional signs:** This section was formerly called 'Temporary directional signs in the right-of-way'. The regulations have been revised to remove the provisions for subdivision signs and reintroduce the requirement for signs to be placed and removed daily. Any particular entity may display these signs a maximum of four days per week.
3. **Section 17-10-25, Signs in residential areas:** This section has been revised to accommodate both temporary and permanent signs. The allowable area has also been reduced to a maximum of six square feet in area for all signs. Signs are limited to a height of six feet unless they are attached to a wall or building (in which case they can be up to 10 feet high, per the wall sign provisions).

The following general revisions have also been included:

1. For ease of reference, all administrative and enforcement provisions have been placed together at the beginning of the Sign Code, regulations by sign type have been placed together in alphabetical order in the middle of the Sign Code, and regulations for temporary signs have been placed together in alphabetical order at the end of the Sign Code. A redline comparison of the new Sign Code version to the October 22 version is included in the backup material. The green typeface in the redline shows language that has been moved.
2. For ease of reference and readability, each temporary sign type has been given its own section.
3. Minor text and grammatical revisions have been performed to clarify intent of particular regulations or improve the readability of the document.
4. The sign type 'Temporary directional sign' has been replaced with 'Portable directional sign' to distinguish from longer term (but temporary) home builder signs.
5. The regulations pertaining to flags and flag poles now provide for more than one flag pole per property upon approval of a planned sign program or a residential subdivision sign program.

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

20181116 Draft Sign Code
PCM1810-001 Current Standards
10_22_2018 Draft
PC Minutes 10-24-2018_draft
RED 20181116 vs 20181022

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I. ADMINISTRATION AND GENERAL

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 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.

17-10-3 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. 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.
 10. 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.
 11. Commercial sign: Any sign that does not fit the definition of non-commercial sign.

12. Development activity 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, and conforming to the requirements of subparagraph 17-10-32 (development activity signs).
13. Directory sign: A monument sign that complies with the requirements of section 17-10-17 (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. Elevation: An exterior side of a building which includes the building wall face, parapet, fascia, windows, doors, canopies, and visible roof structures.
17. 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.
18. Flag: Fabric, vinyl, or similar flexible material typically attached at one edge to a staff.

19. Freestanding interstate sign: A freestanding sign that complies with the requirements of section 17-10-21 ([freestanding interstate signs](#))
20. Freestanding monument sign: A freestanding sign that complies with the requirements of section 17-10-22 ([freestanding monument signs](#)).
21. Freestanding sign: A sign erected or mounted on a self-supporting permanent base detached from supporting elements of a building.
22. Fuel service pump topper sign: A sign affixed to the top or side of an operable fuel dispensing pump.
23. 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.
24. Illuminated sign: A sign that uses artificial light, either projecting through its surface (internal illumination) or reflecting off its surface (externally illuminated).
25. 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.
26. 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
27. Non-residential area: Any land that is not in a residential area.
28. Polyhedron: A three-dimensional solid figure formed by plane faces that are polygons.
29. Portable directional sign: A portable sign directing the traveling public to a real estate open house or to an event.
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. Projected image sign: A temporary sign which is projected by an electronic device onto a building, structure, sidewalk or other surface.
32. 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.

33. 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.
34. 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.
35. Roadway construction business identification banner: A sign that complies with the requirements of section [17-10-38 \(roadway construction business identification banners\)](#).
36. Shingle sign: A wall mounted or hanging sign, located under a covered porch, walkway, extended roof or other similar structure.
37. 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.
38. 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.
39. Sign area: The area of a sign determined in accordance with paragraph [17-10-8 below](#).
40. Sign copy: All letters, numerals, figures, symbols, logos, and graphic elements comprising the content or message of a sign.
41. Sign face: The entire display surface area of a sign upon, against, or through which copy is placed.
42. 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.
43. 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.
44. Sign walker: A person who carries, holds or balances a sign.
45. T-frame: A portable sign typically constructed of wood or plastic with a structure in the appearance of an inverted 'T'.
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.

17-10-4 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 17-10-19 (electronic message displays) or section 17-10-33 (inflatable and air activated signs).
- C. Projected-image signs.
- D. Ribbons, streamers, balloons, or pin flags, except as expressly allowed by the provisions of section 17-10-33 (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.

17-10-5 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 17-10-20 ([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 signs that comply with the requirements of section 17-10-35 ([portable signs](#)).
- G. Portable directional signs that comply with the requirements of section 17-10-34 ([portable directional signs](#)).
- H. Roadway construction business identification banners that comply with the requirements of section 17-10-38 ([roadway construction business identification banners](#)).
- I. Signs carried or displayed by a sign walker in compliance with the requirements of section 17-10-24 ([sign walkers](#)).
- J. Signs integrated into the design of an automated bank teller machine.
- K. Signs relocated as the result of town construction projects.
- L. Vehicle signs that comply with the requirements of section 17-10-27 ([vehicle signs](#)).

- M. Window signs that comply with the requirements of section 17-10-29 (window signs).
- N. Temporary signs in residential areas that comply with the requirements of paragraph 17-10-25 C.
- O. Any sign authorized by this chapter that is six square feet or smaller, unless an application and permit are expressly required by this chapter.

17-10-6 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.

17-10-7 Sign design and construction

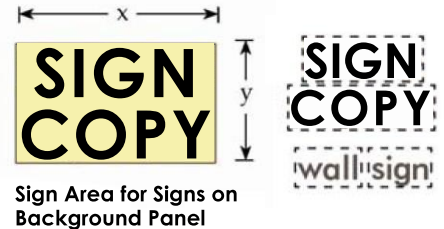
- A. All signs shall incorporate design elements consistent with the overall architectural character of buildings and other improvements on the sign-premises.
- B. Electric raceways and transformers shall be located to minimize visibility.

- 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.

17-10-8 Sign measurement

A. Sign area shall be measured as follows:

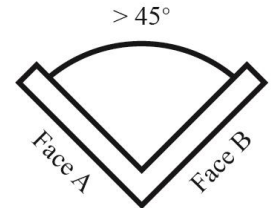
1. Sign copy mounted on or painted on a background panel or area distinctively painted, textured, or constructed as a background for the sign copy shall be measured as that area contained within the sum of the smallest rectangles that will enclose both the sign copy and the background.
2. Sign copy mounted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



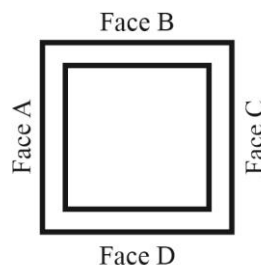
- a. The area of all faces shall be included in determining the area of the sign, except that only one face of a double-faced sign shall be considered in determining the sign area when both faces are parallel and the greatest distance between faces does not exceed five feet, or when the interior angle 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.



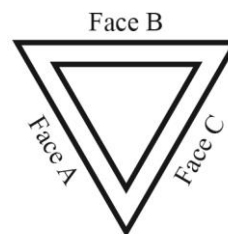
Total Sign Area = A



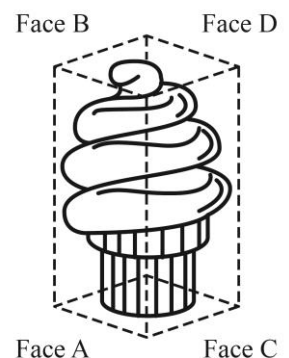
Total Sign Area = A+B



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



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

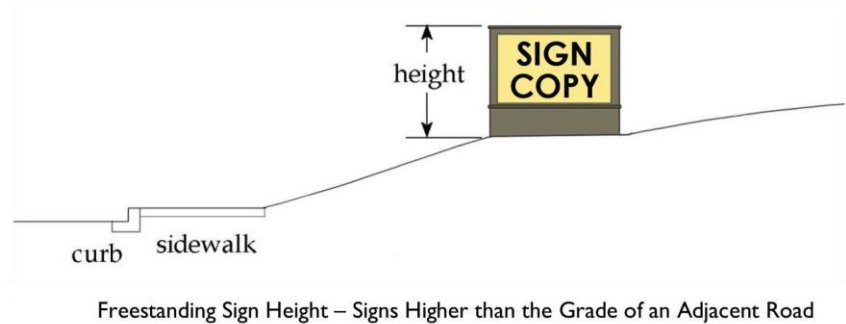
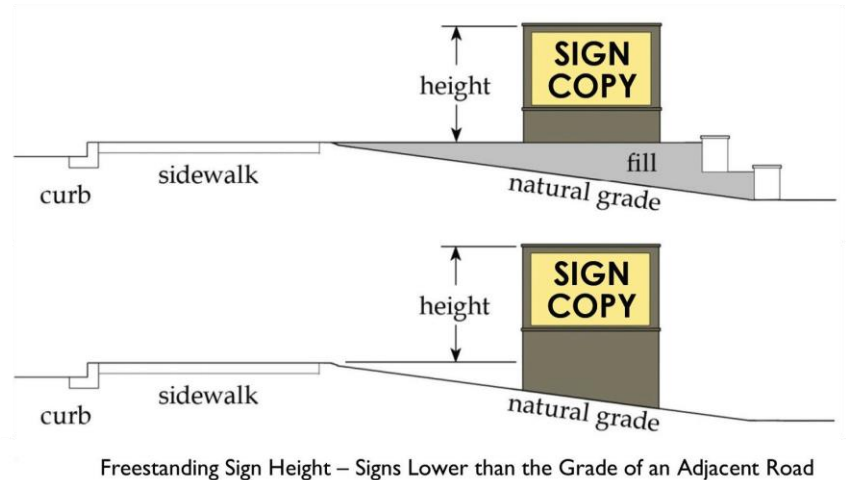


Total Sign Area =
 $(A + B + C + D) \div 2$

- 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.

B. Sign height shall be measured as follows:

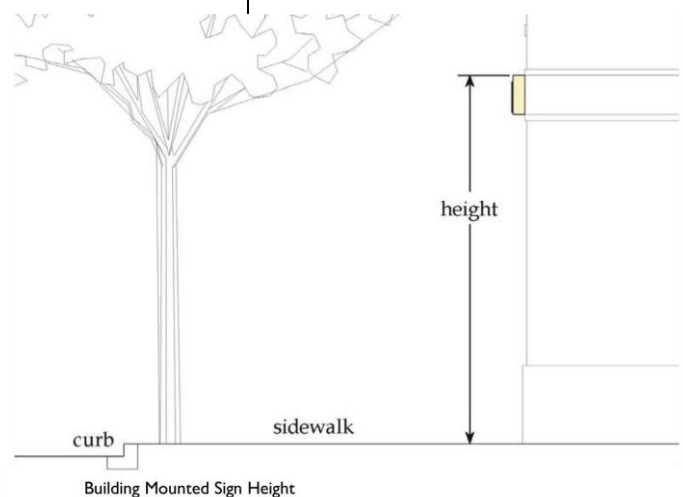
1. The height of a freestanding sign shall be measured as the vertical distance from the finished grade beneath the sign, exclusive of any filling, berming, mounding or landscaping done solely for the purpose of locating the sign, to the highest point of the sign. If the sign is proposed in a location 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.

17-10-9 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.



17-10-10 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.

17-10-11 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.

17-10-12 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 [17-10-3 A. 17 above](#)).

17-10-13 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 [17-10-13 B. 2 above](#).

17-10-14 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.

17-10-15 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.

II. REGULATIONS BY SIGN TYPE

17-10-16 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.

17-10-17 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.



17-10-18 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 17-10-19 (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 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.

17-10-20 Flags and flag poles

- A. Each sign-property may contain one flagpole bearing one or more flags, except as otherwise permitted under section 17-10-12 (planned sign programs) or section 17-10-37 (residential subdivision sign program).
- 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.

17-10-21 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 17-10-19 (electronic message displays).

17-10-22 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 17-10-3 A. 17 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 17-10-3 A. 17 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 17-10-3 A. 17 above.

17-10-23 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.

17-10-24 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.

17-10-25 Signs in residential areas

Signs are allowed in residential areas subject to the following requirements:

- A. All signs shall comply with the regulations of this chapter applicable to the sign type, as further regulated by this section.
- B. All signs shall be displayed on the sign-property.
- C. Temporary signs in residential areas are subject to the requirements of section 17-10-30 ([temporary signs – general requirements](#)), and each temporary sign must be clearly labeled with the name and telephone number of the sign owner.
- D. Signs shall not exceed six feet in height unless attached to a wall or structure.
- E. Each single-family residential sign-property shall be allowed a cumulative sign area of six square feet with no limit on the number of signs.
- F. For multi-family uses, each residential unit shall be allowed a cumulative sign area of five square feet with no limit on the number of signs.
- G. Signs have no display period limitations.
- H. Signs may not advertise offsite commercial activities.

17-10-26 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.

17-10-27 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.

17-10-28 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.

17-10-29 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 17-10-19 (electronic message displays).

III. REGULATIONS FOR TEMPORARY SIGNS

17-10-30 Temporary signs – general requirements

The requirements set forth in this section apply to all temporary signs.

- A. Temporary signs shall be constructed of fabric, plastic, wood, metal, or similar durable weather-resistant materials.
- B. Temporary signs shall be maintained free of chipped paint, cracks, loss of text or graphics, or similar defects.
- C. No temporary sign shall be placed upon any other sign assembly, utility pole, authorized traffic control device, utility box, fence, free-standing wall, boulder, tree, planter, vehicle, or similar structure.
- D. 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.
- E. Except as expressly allowed by this chapter, temporary signs shall not be located within the public right-of-way.
- F. 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.
- G. Temporary signs shall not include amplified sound, animation, motion or attachments such as balloons, flags, streamers, pinwheels, or ribbons, except as specifically authorized by section 17-10-33 (inflatable and air activated signs).
- H. Temporary signs shall not be illuminated other than by ambient light present on the property or by existing illumination intended for other uses.
- I. All temporary signs require a sign permit except portable signs (section 17-10-35), portable directional signs (section 17-10-34), and temporary signs in residential areas (paragraph 17-10-25 C) (see section 17-10-5, exempt signs).

17-10-31 Banners

Banners are temporary signs which are allowed in non-residential areas subject to the requirements of section 17-10-30 (temporary signs – general requirements) and the following additional requirements:

- A. Shall be displayed on the sign-premises.
- B. Shall be limited in quantity to one per business.
- C. Building-mounted banners shall not exceed a height of 25 feet or the top of the parapet, whichever is less.
- D. Freestanding banners shall not exceed a height of ten feet above grade.
- E. Sign area shall not exceed 40 square feet.
- F. May be displayed up to 21 days, four times per calendar year per business.

17-10-32 Development activity signs

Development activity signs are temporary signs which are allowed in non-residential areas subject to the requirements of section 17-10-30 (temporary signs – general requirements) and the following additional requirements:

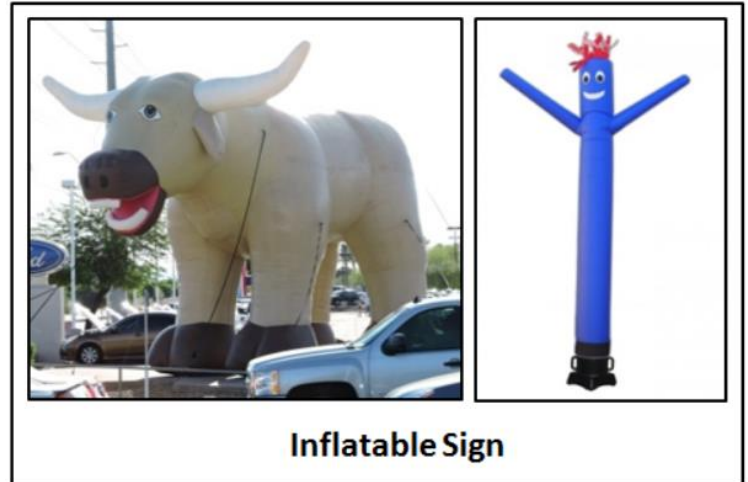
- A. Signs shall be displayed on the sign-premises.
- B. Signs may be displayed at the beginning of the duration of an activity, and shall be removed within seven days of the completion of the duration of the activity. The duration of an activity is the period of time between any of the following:
 - 1. 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.
 - 2. 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.
 - 3. 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.
- C. No more than three signs shall be allowed per street frontage.
- D. Each sign shall not exceed eight feet in height.

- E. Each sign shall not exceed 32 square feet in area.
- F. A development activity sign shall not be permitted on a residential subdivision that has an approved residential subdivision sign program (see section 17-10-37).

17-10-33 Inflatable and air activated signs

Inflatable and air activated signs are temporary signs which are allowed in non-residential areas subject to the requirements of section 17-10-30 (temporary signs – general requirements) and the following additional requirements:

- A. May be displayed in conjunction with a special event or activity.
- B. 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.
- C. Shall be located on the sign-premises.
- D. No more than two signs may be displayed concurrently on a sign-premises.
- E. Shall be setback a distance equal to or greater than the height of the sign from all property lines.
- F. Shall maintain 18 feet of clearance from overhead utility lines.
- G. Shall be placed and operate in accordance with applicable building and fire codes including proper anchoring to the ground.
- H. Shall not be placed on the roof of any building or structure.



17-10-34 Portable directional signs

Portable directional signs are permitted subject to the requirements of section 17-10-30 (temporary signs – general requirements) and the following additional requirements:

- A. Each sign must be clearly labeled with the name and telephone number of the sign owner.
- B. Each sign may not exceed six square feet in area and 30 inches in height.
- C. No more than eight signs may be placed:
 1. Directing the public to any particular real estate open house,
 2. Directing the public to any particular event, or
 3. With any particular message.
- D. Signs directing the public to a property or event must be located within five miles of the property or event.

- E. One sign may be placed at each major change in travel direction along the route leading to the property or event.
- F. On routes with infrequent major changes in travel direction, signs may be located at each intersection of collector or larger roadways.
- G. No sign shall be placed within 20 feet of another sign authorized by this section.
- H. Signs shall only be displayed between sunrise and sunset and must be removed daily.
- I. Signs shall not be displayed more than four days in any week.
- J. Signs shall not be placed within a median, sidewalk, multi-use path, or any location that would create an obstacle for pedestrians.
- K. Signs may be placed in the public right-of-way subject to the following additional requirements:
 - 1. 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.
 - 2. 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.
 - 3. 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 a two-foot setback for the sign from the edge of the path.

17-10-35 Portable signs

Portable signs are temporary signs which are allowed in non-residential areas subject to the requirements of section [17-10-30 \(temporary signs – general requirements\)](#) and the following additional requirements:

- A. Each sign must be clearly labeled with the name and telephone number of the sign owner.
- B. Shall be limited in quantity to one per business.
- C. Must be located within 30 feet of a building entrance on the sign-property.
- D. May only be displayed during hours of operation and must be removed at the end of each business day.
- E. Sign area shall not exceed 12 square feet.

17-10-36 Quill signs

Quill signs are temporary signs which are allowed in non-residential areas subject to the requirements of section [17-10-30 \(temporary signs – general requirements\)](#) and the following additional requirements:

- A. Shall be displayed on the sign-premises.

- B. One sign per 100 linear feet of street frontage up to six signs per frontage.
- C. A maximum of two signs may be displayed for any business.
- D. Each sign shall not exceed ten feet in height.
- E. Each sign shall not exceed 20 square feet in area.
- F. Each sign shall be no closer than 50 feet to another quill sign.
- G. May be displayed up to 21 days, four times per calendar year per business.
- H. Quill signs are not permitted within the downtown neighborhood (DN) or downtown (DT) zones.

17-10-37 Residential subdivision sign program

Residential subdivisions with a sales office and offering new homes for sale may submit a proposed residential subdivision sign program to regulate the use of temporary signs for the subdivision, subject to the requirements of section 17-10-30 (temporary signs—general requirements) and the following additional requirements:

- A. A proposed residential subdivision sign program shall be submitted to the planning director, who shall approve, deny, or require modification and resubmission based on the proposed program's compliance with the requirements of this section.
- B. A residential subdivision sign program must include:
 - 1. A site plan showing the location of all proposed signs; and
 - 2. A description of the type, number, size, placement, and materials of all proposed signs.
- C. The residential subdivision sign program shall expire when the sales office is permanently closed.
- D. All signs shall be removed upon expiration of the residential subdivision sign program.
- E. A residential subdivision sign program may include the following on-site signage:
 - 1. A maximum of 500 square feet of signage per builder.
 - 2. No individual sign may exceed an area of 128 square feet or a height of 20 feet.
 - 3. Temporary signs, flags (subject to the provisions of 17-10-20, flags and flag poles), and banners.
- F. A residential subdivision sign program may include off-site directional signs subject to the following additional requirements:
 - 1. Signs must be located within a reasonable distance of the subdivision, considering its remoteness from major transportation routes.

2. One sign may be placed at each major change in travel direction along the route leading to the subdivision.
 3. On routes with infrequent major changes in travel direction, signs may be located at each intersection of collector or larger roadways.
 4. Signs for an individual builder for multiple subdivisions shall be combined into a single sign; and
 5. Signs of multiple builders for any particular master development shall be combined into a single sign.
- G. In addition to the requirements of paragraph [F above](#), residential subdivision sign program offsite directional signs within the public right-of-way are subject to the following requirements:
1. Each sign may not exceed six square feet in area and 30 inches in height.
 2. Each sign must be clearly labeled with the permit number and the name and contact information of the sign permit applicant.
 3. The sign owner must comply with right-of-way use permit requirements (see chapter 12-7, construction in town rights-of-way).
- H. In addition to the requirements of paragraph [F above](#), residential subdivision sign program offsite directional signs on private property are subject to the following requirements:
1. Written permission of the sign-property owner is required.
 2. Each sign may not exceed 32 square feet in area and eight feet in height.

17-10-38 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.

**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.

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

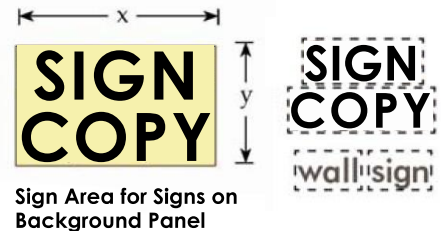
- A. Any sign or sign component shall be promptly repaired or replaced if it:
 - 1. Is damaged or deteriorated,
 - 2. Constitutes a danger or hazard to public safety, or
 - 3. Is reasonably determined by the planning director, by reason of its appearance as viewed at ground level from the public right-of-way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

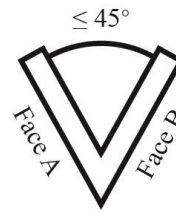
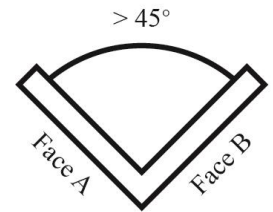


3. Signs with multiple faces shall be measured as follows:

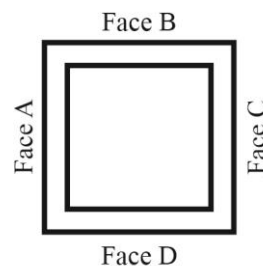
- a. The area of all faces shall be included in determining the area of the sign, except that only one face of a double-faced sign shall be considered in determining the sign area when both faces are parallel and the greatest distance between faces does not exceed five feet, or when the interior angle 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.



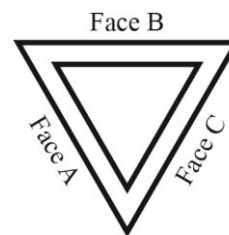
Total Sign Area = A



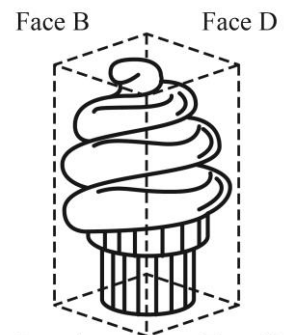
Total Sign Area = A+B



Total Sign Area =
(A + B + C + D) ÷ 2



Total Sign Area =
(A + B + C) ÷ 2

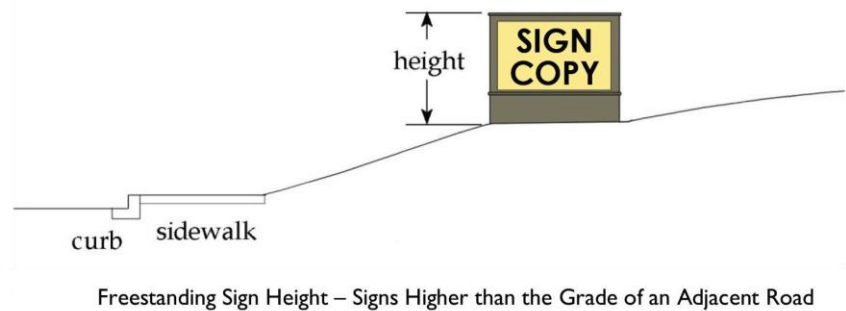
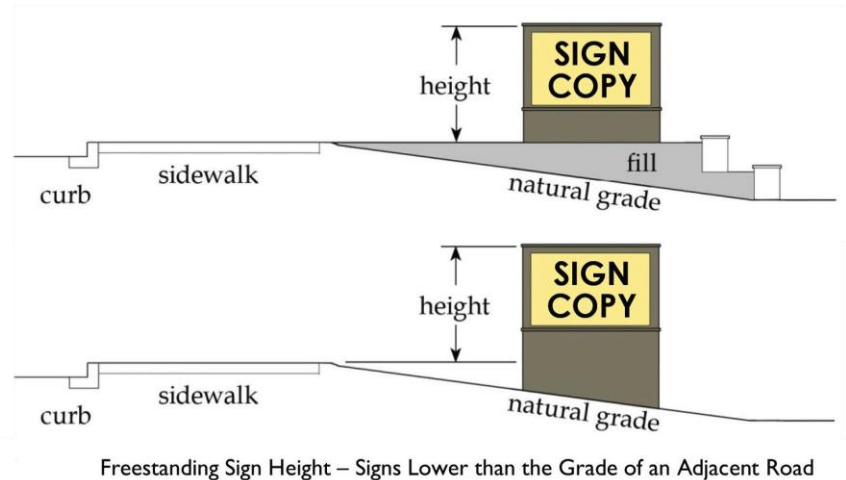


Total Sign Area =
(A + B + C + D) ÷ 2

- 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.

B. Sign height shall be measured as follows:

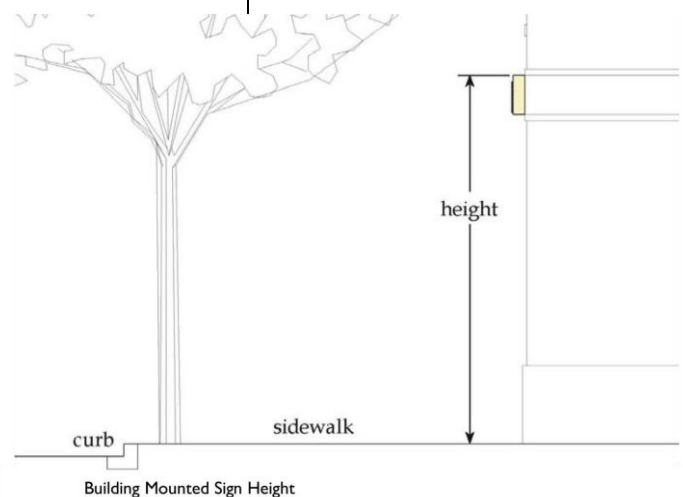
1. The height of a freestanding sign shall be measured as the vertical distance from the finished grade beneath the sign, exclusive of any filling, berming, mounding or landscaping done solely for the purpose of locating the sign, to the highest point of the sign. If the sign is proposed in a location 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.

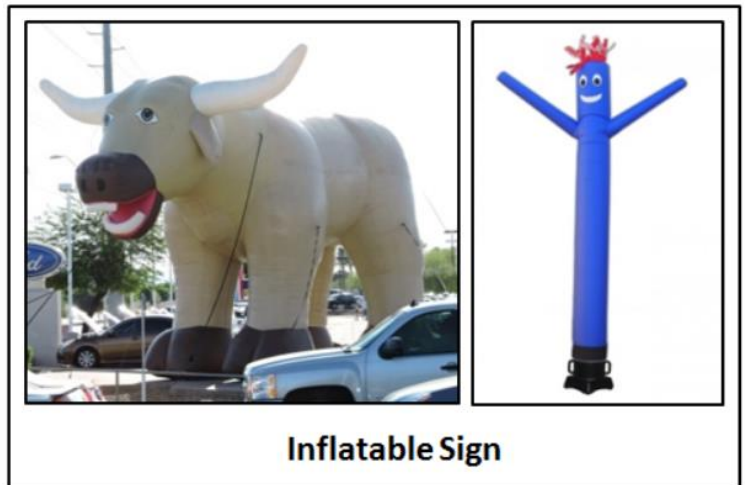
B. In non-residential areas, the following temporary signs are allowed subject to the following requirements:

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.



MARANA PLANNING COMMISSION
REGULAR COMMISSION MEETING MINUTES
11555 W. Civic Center Drive, Marana, Arizona 85653
Council Chambers, October 24, 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

REGULAR PLANNING COMMISSION MEETING

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 Tyson and Commissioner Miller were absent. A quorum was present.

CALL TO THE PUBLIC. No speaker cards presented.

APPROVAL OF AGENDA. *Motion to approve by Vice Chair Duncan, seconded by Commissioner Schachter. Passed unanimously.*

ANNOUNCEMENTS. Reminder that the Planning Commission serves as the Advisory Committee for the General Plan. The next scheduled meeting is November 14, 2018 at 6:30 pm in the 2nd floor conference center. (Jason Angell).

GENERAL ORDER OF BUSINESS. Approve Regular Planning Commission Meeting Minutes from September 26, 2018. *Motion to approve by Commissioner Fehrmann, seconded by Vice Chair Duncan. Passed unanimously.*

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).

Brian Varney noted some of the general revisions to the regulations include:

- Compliance with the 2015 Supreme Court decision in *Reed v. Town of Gilbert*.
 - develop a sign code that is content neutral and create time, place, and manner regulations
- Outdated terminology has been replaced with more contemporary standards
- Regulations have been simplified making the document more user friendly

Some regulatory revisions include:

- Planned Sign Programs (PSP) will require Planning Commission approval
- Freestanding interstate sign will require Planning Commission approval
- Standards added to encourage enhanced design of freestanding signs
- New regulations pertaining to temporary signage located in the Town's right-of-way
- Residential subdivision sign program has been created for home builders

“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 where the sign is located plus adjacent right-of-way used by the sign-premises owner, under a license from the town

“Exceptional Design Standards” for freestanding monument signs:

Freestanding monument signs will be allowed a 25% increase in area and height if the following criteria are met:

- The use of decorative materials such as brick, natural or simulated stone, decorative or treated wood, unpainted or unfinished metal, and similar materials on at least 50% of all surfaces of a sign structure, outside of the sign area, and the area of the sign structure equals or exceeds the sign area
- If at least 50% of the sign copy is placed in relief of the background and utilizes backlighting, the sign structure area may be reduced by 50%

Electronic message displays (EMD's) - Proposed

- Allowed for permitted freestanding monument signs and freestanding interstate signs
- May consist of up to 50% of the allowable sign area for a typical sign
- Drive-through signs may be entirely EMD
- Change rate decreased to 7.5 seconds

Temporary signs – New sign types - Proposed

- A-frame and T-frame signs allowed at one sign per business, and must be located within 30 feet of a building entrance
- Signs cannot not exceed 12 square feet
- Inflatable and air activated signs may be used for three days per display period, twice per year

Temporary signs – Residential areas - Proposed

- Sign properties measuring one acre or less may display up to 9 square feet of signage with no limit to the quantity of signs
- Sign properties larger than one acre may display up to 16 square feet of signage with no limit to the quantity of signs
- No time limit for display

Temporary signs – Non-residential areas - Proposed

- Post signs
 - May be displayed at the beginning of the activity and removed within seven days after
 - No more than six signs per street frontage
 - Maximum 32 square feet and eight feet in height
- A-frame and T-frame signs allowed at one sign per business, and must be located within 30 feet of a building entrance. Signs cannot not exceed 12 square feet.
- Banner signs
 - Limited to 40 square feet
 - Maximum height of 25 feet or top of parapet
 - Freestanding banners limited to 10 feet in height
 - Display period of 21 days, four times per year

Temporary signs – Quill signs - Proposed

- One sign per 100 linear feet of street frontage on sign premises up to six signs per frontage
- Two signs per business
- Ten feet in height and 20 square feet
- Each business may be display up to 21 days, four times per calendar year
- Quill signs not permitted within the downtown overlay zone, for properties that have opted in to the new zones.

Residential subdivision sign program (temporary signs) - Proposed

- Applies to all new subdivisions
- Includes a sign package to be reviewed by staff during the subdivision design review
- A maximum of 500 square feet per builder
- No individual sign to exceed 128 square feet or 20 feet in height
- Includes all temporary signs, flags, banners

Temporary signs – Right of way signage - Proposed

- Up to eight signs may be placed within the ROW directing the public to
 - Any particular property
 - Any particular subdivision
 - Any particular event
- Signs must be located within five miles of the event
- May be placed at each major change in travel direction or at larger intersections
Six square feet and 30" in height

Mr. Varney noted that staff is requesting that the Commission continue the public hearing on this item to the November 28, 2018 meeting due to the following reasons:

- Staff has decided to reconsider our approach to the standards pertaining to temporary signs in the Town's right-of-way and would like to re-evaluate the options for time restrictions
- Staff would like to incorporate the clarification items

Chairman Schnee opened the public portion of the hearing. Ben Buehler-Garcia (SAHBA) noted when it comes to new subdivisions being built - the actual location may be up to 10 miles from the freeway, so the physical temporary signs directing traffic are very important. Mr. Buehler-Garcia felt the requirement for a homebuilder to remove the temporary directional signs every night would cause some challenges. **Chairman Schnee** closed the public portion of the hearing.

Chairman Schnee asked what type of sign a church would need in order to direct traffic to their site [within five miles of their location.] Mr. Varney stated the church could take advantage of the temporary directional signs that guide the public to an event. An A-frame sign could be considered as a temporary directional sign, as long as the sign meets the criteria; currently limited to 30" in height and six sq. ft. **Chairman Schnee** had a concern with the A-frame sign limitation, of one per business and within 30 feet of the business, meeting the temporary directional sign conditions. Mr. Varney noted that the intent of the A-frame signs is for onsite signage, the temporary directional signs pertain to signs in the right-of-way. **Chairman Schnee** liked the fact the staff reached out to the public and the Chamber of Commerce and felt staff put a lot of work into amending the Sign Code. **Commissioner Schachter** wanted to know how the town monitors signage that is limited to a certain number of times per year. Mr. Varney stated the town has a code enforcement division that actively patrols the town. A permit will be issued for the signs - with a copy of the permit sent to code enforcement.

Commissioner Fehrmann felt the Planned Sign Program could be customized to fit the needs of the developer. She thought it would be beneficial to incorporate directional signs into the Planned Sign Program, as it could serve as an advertising plan package for a new subdivision development in the town. Mr. Varney stated that staff could reevaluate and determine whether or not it would be feasible. Mr. Cassidy mentioned Commissioner Fehrmann's concept addresses Mr. Buehler-Garcia's comment regarding new subdivisions that are located quite a distance from the main road and the importance of directional signage. **Vice Chair Duncan** asked for clarification regarding the removal of subdivision signs. Mr. Varney specified not having a restriction on the time creates issues. Staff prefers to keep signs in the right-of-way to a minimum at this point. Staff could reevaluate this in the future.

Motion to continue the public hearing for PCM1810-001 to the November 28, 2018 Planning Commission meeting by Chairman Schnee, seconded by Commissioner Schachter. Passed unanimously. 5-0

COMMISSION ACTION.

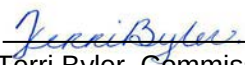
INFORMATIONAL ITEMS/POSSIBLE ACTION ITEMS.

FUTURE AGENDA ITEMS.

ADJOURNMENT. Motion to adjourn at 7:14 p.m. by Vice Chair Duncan, seconded by Commissioner Hill. Passed unanimously.

CERTIFICATION.

I hereby certify that the foregoing are the true and correct minutes of the Marana Planning Commission meeting held on October 24, 2018. I further certify that a quorum was present.


Terri Byler, Commission Secretary

CHAPTER 17-10. SIGNS

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I. ADMINISTRATION AND GENERAL

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 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.

17-10-3 ~~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.~~
- ~~9. 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.
- ~~10. 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.
- ~~11. 12.~~ Commercial sign: Any sign that does not fit the definition of non-commercial sign.
- ~~12. Development activity 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, and conforming to the requirements of subparagraph 17-10-32 (development activity signs).~~
13. Directory sign: A monument sign that complies with the requirements of section ~~17-10-22~~17 (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. Elevation: An exterior side of a building which includes the building wall face, parapet, fascia, windows, doors, canopies, and visible roof structures.~~
- ~~17. 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.

18. ~~17.~~ Flag: Fabric, vinyl, or similar flexible material typically attached at one edge to a staff.

19. ~~18.~~ Freestanding interstate sign: A freestanding sign that complies with the requirements of section ~~17-10-21~~7

20. (~~freestanding interstate signs~~)

21. ~~19.~~ Freestanding monument sign: A freestanding sign that complies with the requirements of section ~~17-10-16~~22 (~~freestanding monument signs~~).

22. ~~20.~~ Freestanding sign: A sign erected or mounted on a self-supporting permanent base detached from supporting elements of a building.

23. ~~21.~~ Fuel service pump topper sign: A sign affixed to the top or side of an operable fuel dispensing pump.

24. ~~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.

25. ~~23.~~ Illuminated sign: A sign that uses artificial light, either projecting through its surface (internal illumination) or reflecting off its surface (externally illuminated).

26. ~~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.

27. ~~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

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

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

30. Portable directional sign: A portable sign directing the traveling public to a real estate open house or to an event.

31. ~~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.~~

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

33. ~~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.

34. ~~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.

35. ~~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.
36. ~~34.~~ Roadway construction business identification banner: A sign that complies with the requirements of section ~~17-10-26~~38 (roadway construction business identification banners).
37. ~~35.~~ Shingle sign: A wall mounted or hanging sign, located under a covered porch, walkway, extended roof or other similar structure.
38. ~~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.
39. ~~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.
40. ~~38.~~ Sign area: The area of a sign determined in accordance with paragraph ~~17-10-128~~below.
41. ~~39.~~ Sign copy: All letters, numerals, figures, symbols, logos, and graphic elements comprising the content or message of a sign.
42. ~~40.~~ Sign face: The entire display surface area of a sign upon, against, or through which copy is placed.
43. ~~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.
44. ~~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.
45. ~~43.~~ Sign walker: A person who carries, holds or balances a sign.

~~46. 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.~~

47. 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.

48. Tenant space: The area or portion of a building leased by an individual or entity.

49. Vehicle sign: A sign mounted, painted, attached or affixed to a truck, car, boat, trailer, or other vehicle or similar equipment.

50. Wall sign: A permanent sign fastened, attached, or connected to, or supported in whole or in part by, a building or structure.

51. 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 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.~~

17-10-4 ~~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~~19~~ (electronic message displays) or ~~subparagraph~~section 17-10-25~~B. 533~~ (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~~section 17-10-25~~B. 533~~ (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.

17-10-5 ~~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 17-10-270 (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 17-10-235 (temporary portable signs).
- G. Portable directional signs that comply with the requirements of section n 17-10-34 (portable directional signs).
- H. ~~G.~~ Roadway construction business identification banners that comply with the requirements of section 17-10-2638 (roadway construction business identification banners).
- I. ~~H.~~ Signs carried or displayed by a sign walker in compliance with the requirements of section 17-10-284 (sign walkers).
- J. ~~I.~~ Signs integrated into the design of an automated bank teller machine.
- K. ~~J.~~ Signs relocated as the result of town construction projects.
- L. ~~K.~~ Vehicle signs that comply with the requirements of section 17-10-297 (vehicle signs).
- M. ~~L.~~ Window signs that comply with the requirements of section 17-10-249 (window signs).

N. ~~M. Yard~~ Temporary signs in residential areas that comply with the requirements of ~~section 17-10-25 (temporary signs)~~, paragraph 17-10-25 C.

O. ~~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.

17-10-6 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.

17-10-7 ~~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.~~

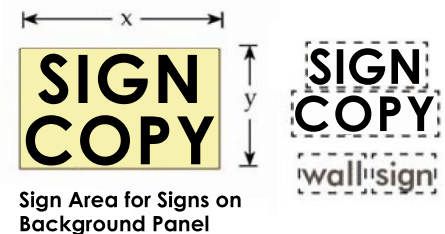
~~17-10-11~~ **Sign maintenance**

- ~~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.~~

17-10-8 ~~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.

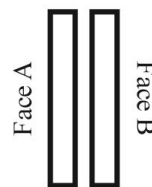


2. Sign copy mounted as individual letters or graphics against a wall, fascia, mansard, or parapet of a building or other structure that has not been painted, textured, or otherwise altered to provide a distinctive background for the sign copy shall be measured as a sum of the smallest polygon of not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

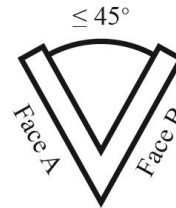
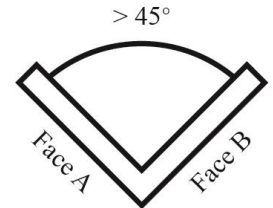
Sign Copy
Wall Sign

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

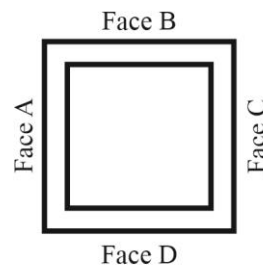
- a. The area of all faces shall be included in determining the area of the sign, except that only one face of a double-faced sign shall be considered in determining the sign area when both faces are parallel and the greatest distance between faces does not exceed five feet, or when the interior angle 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.



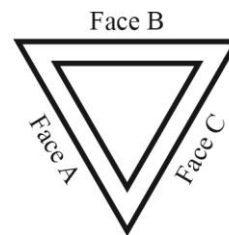
Total Sign Area = A



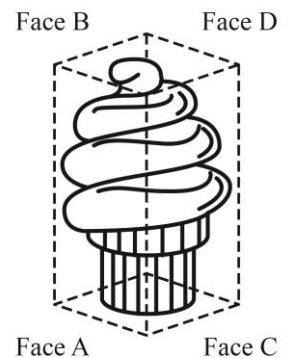
Total Sign Area = A+B



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



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

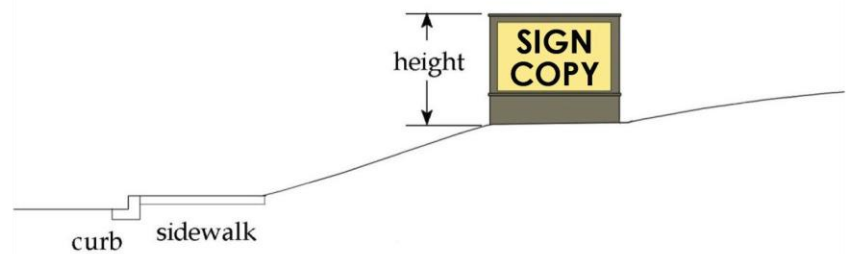


Total Sign Area =
 $(A + B + C + D) \div 2$

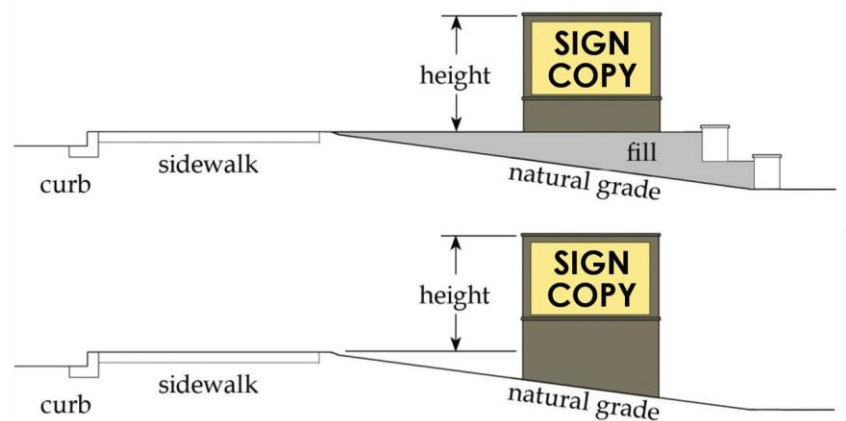
- b. The area of a sign that contains three or more faces shall be calculated as 50% of the sum of the area of all faces.
- c. Spherical, free-form, sculptural, or other non-planar sign area is measured as 50% of the sum of the areas using only the four vertical faces of the smallest six-faced polyhedron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

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.

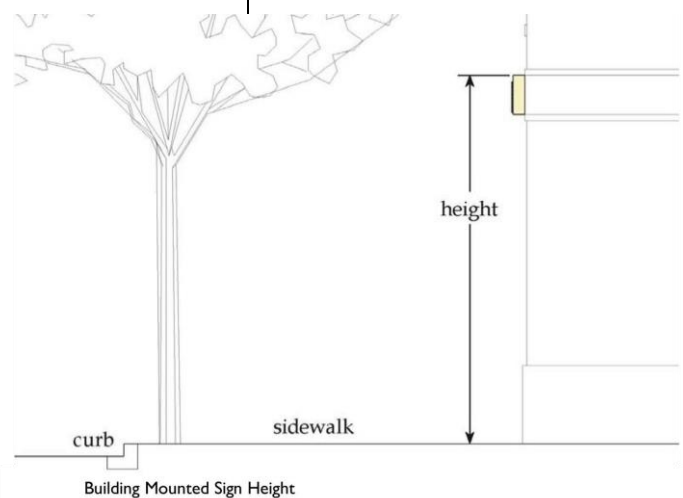


Freestanding Sign Height – Signs Higher than the Grade of an Adjacent Road



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

17-10-9 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.

17-10-10 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.

17-10-11 ~~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.

17-10-12 ~~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 ~~17-10-23~~ A. ~~16~~7 above).

17-10-13 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 17-10-13 B. 2 above.

17-10-14 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.

17-10-15 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.

II. REGULATIONS BY SIGN TYPE

17-10-16 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.

17-10-17 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.

17-10-18 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 17-10-19 (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 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.

17-10-20 Flags and flag poles

- A. Each sign-property may contain one flagpole bearing one or more flags, except as otherwise permitted under section 17-10-12 (planned sign programs) or section 17-10-37 (residential subdivision sign program).
- 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.

17-10-21 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 17-10-19 (electronic message displays).

17-10-22 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 17-10-3 A. 17 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 17-10-3 A. 17 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 17-10-3 A. 17 above.

17-10-23 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.

17-10-24 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.

17-10-25 Signs in residential areas

Signs are allowed in residential areas subject to the following requirements:

A. All signs shall comply with the regulations of this chapter applicable to the sign type, as further regulated by this section.

B. All signs shall be displayed on the sign-property.

C. Temporary signs in residential areas are subject to the requirements of section 17-10-30 (temporary signs – general requirements), and each temporary sign must be clearly labeled with the name and telephone number of the sign owner.

D. Signs shall not exceed six feet in height unless attached to a wall or structure.

E. Each single-family residential sign-property shall be allowed a cumulative sign area of six square feet with no limit on the number of signs.

F. For multi-family uses, each residential unit shall be allowed a cumulative sign area of five square feet with no limit on the number of signs.

G. Signs have no display period limitations.

H. Signs may not advertise offsite commercial activities.

17-10-26 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.

17-10-27 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.

17-10-28 ~~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.~~

17-10-29 ~~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~~19 (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.~~

III. REGULATIONS FOR TEMPORARY SIGNS**17-10-30 ~~17-10-25~~ Temporary signs**~~A. =~~ **General requirements**

The requirements set forth in this section apply to all temporary signs.

- A. ~~1.~~ Temporary signs shall be constructed of fabric, plastic, wood, metal, or similar durable weather-resistant materials.
- B. ~~2.~~ Temporary signs shall be maintained free of chipped paint, cracks, loss of text or graphics, or similar defects.
- C. ~~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.
- D. ~~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.
- E. ~~5.~~ Except as expressly allowed by this chapter, temporary signs shall not be located within the public right-of-way.
- F. ~~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.
- G. ~~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~~ section 17-10-25 B. 533 (~~pertaining to inflatable and air activated signs~~).
- H. ~~8.~~ Temporary signs shall not be illuminated other than by ambient light present on the property or by existing illumination intended for other uses.
- I. ~~9.~~ All temporary signs require a sign permit ~~unless specifically exempted by this chapter.~~ except portable signs (section 17-10-35), portable directional signs (section 17-10-34), and temporary signs in residential areas (paragraph 17-10-25 C) (see section 17-10-5, exempt signs).

17-10-31 Banners

Banners are temporary signs which are allowed in non-residential areas subject to the requirements of section 17-10-30 (temporary signs – general requirements) and the following additional requirements:

- A. Shall be displayed on the sign-premises.
- ~~B. In non-residential areas, the following temporary signs are allowed subject to the following requirements:~~ Shall be limited in quantity to one per business.
- C. Building-mounted banners shall not exceed a height of 25 feet or the top of the parapet, whichever is less.
- D. Freestanding banners shall not exceed a height of ten feet above grade.

E. Sign area shall not exceed 40 square feet.

F. May be displayed up to 21 days, four times per calendar year per business.

17-10-32 Development activity signs

Development activity signs are temporary signs which are allowed in non-residential areas subject to the requirements of section 17-10-30 (temporary signs – general requirements) and the following additional requirements:

A. ~~1. Post-signs~~ Signs shall be displayed on ~~at~~ the sign-premises, ~~and shall be subject to the following:~~

B. ~~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:

1. ~~i.~~ From development plan approval to the earlier of:

a. ~~a)~~ The completion of the improvements shown on the development plan, or

b. ~~b)~~ The second anniversary of development plan approval.

2. ~~ii.~~ From the issuance of a building permit for a development project to the earliest of:

a. ~~a)~~ The issuance of a certificate of occupancy,

b. ~~b)~~ The final inspection approval, or

c. ~~c)~~ The second anniversary of the issuance of the building permit.

3. ~~iii.~~ From the date of listing a property for sale or lease to the earlier of:

a. ~~a)~~ The consummation of the sale or lease or

b. ~~b)~~ The second anniversary of the listing date.

C. ~~b.~~ No more than ~~six~~ three signs shall be allowed per street frontage.

D. ~~c.~~ Each sign shall not exceed eight feet in height.

E. ~~d.~~ Each sign shall not exceed 32 square feet in area.

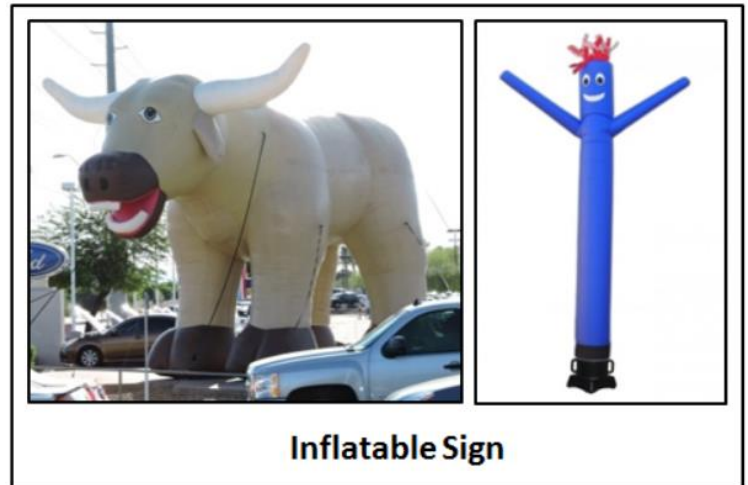
F. ~~2. A-frames, T-frames, and similarly designed temporary signs shall be limited in quantity to one per business and shall be subject to the following:~~ development activity sign shall not be permitted on a residential subdivision that has an approved residential subdivision sign program (see section 17-10-37).

17-10-33 Inflatable and air activated signs

Inflatable and air activated signs are temporary signs which are allowed in non-residential areas subject to the requirements of section 17-10-30

(temporary signs – general requirements) and the following additional requirements:

- A. May be displayed in conjunction with a special event or activity.
- B. 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.
- C. Shall be located on the sign-premises.
- D. No more than two signs may be displayed concurrently on a sign-premises.
- E. Shall be setback a distance equal to or greater than the height of the sign from all property lines.
- F. Shall maintain 18 feet of clearance from overhead utility lines.
- G. Shall be placed and operate in accordance with applicable building and fire codes including proper anchoring to the ground.
- H. Shall not be placed on the roof of any building or structure.



17-10-34 Portable directional signs

Portable directional signs are permitted subject to the requirements of section 17-10-30 (temporary signs – general requirements) and the following additional requirements:

- A. Each sign must be clearly labeled with the name and telephone number of the sign owner.
- B. Each sign may not exceed six square feet in area and 30 inches in height.
- C. No more than eight signs may be placed:
 - 1. Directing the public to any particular real estate open house,
 - 2. Directing the public to any particular event, or
 - 3. With any particular message.
- D. Signs directing the public to a property or event must be located within five miles of the property or event.
- E. One sign may be placed at each major change in travel direction along the route leading to the property or event.
- F. On routes with infrequent major changes in travel direction, signs may be located at each intersection of collector or larger roadways.
- G. No sign shall be placed within 20 feet of another sign authorized by this section.
- H. Signs shall only be displayed between sunrise and sunset and must be removed daily.

- I. Signs shall not be displayed more than four days in any week.
- J. Signs shall not be placed within a median, sidewalk, multi-use path, or any location that would create an obstacle for pedestrians.
- K. Signs may be placed in the public right-of-way subject to the following additional requirements:
 - 1. 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.
 - 2. 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.
 - 3. 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 a two-foot setback for the sign from the edge of the path.

17-10-35 Portable signs

Portable signs are temporary signs which are allowed in non-residential areas subject to the requirements of section 17-10-30 (temporary signs – general requirements) and the following additional requirements:

- A. Each sign must be clearly labeled with the name and telephone number of the sign owner.
- B. Shall be limited in quantity to one per business.
- C. a- Must be located within 30 feet of a building entrance on the sign-property.
- D. b- May only be displayed during hours of operation and must be removed at the end of each business day.
- E. c- Sign area shall not exceed 12 square feet.

17-10-36 ~~3. Quill signs shall~~ Quill signs

Quill signs are temporary signs which are allowed in non-residential areas subject to the requirements of section 17-10-30 (temporary signs – general requirements) and the following additional requirements:

- A. Shall be displayed on the sign-premises ~~and shall be subject to the following:~~
- B. a- One sign per 100 linear feet of street frontage up to six signs per frontage.
- C. b- A maximum of two signs may be displayed for any business.
- D. c- Each sign shall not exceed ten feet in height.
- E. d- Each sign shall not exceed 20 square feet in area.
- F. e- Each sign shall be no closer than 50 feet to another quill sign.

G. ~~f.~~ May be displayed up to 21 days, four times per calendar year per business.

H. ~~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.~~

~~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.~~

17-10-37 Residential subdivision sign program

~~D.~~—Residential subdivisions with a sales office and offering new homes for sale may submit a proposed residential subdivision sign program to regulate the use of temporary signs ~~within~~for the subdivision, subject to the requirements of section 17-10-30 (temporary signs—general requirements) and the following additional requirements:

A. A proposed residential subdivision sign program shall be submitted to the planning director, who shall approve, deny, or require modification and resubmission based on the proposed program's compliance with the requirements of this section.

B. ~~1.~~ A residential subdivision sign program must include:

1. ~~a.~~ A site plan showing the location of all proposed signs; and
2. ~~b.~~ A description of the type, number, size, placement, and materials of all proposed signs.

C. The residential subdivision sign program shall expire when the sales office is permanently closed.

D. All signs shall be removed upon expiration of the residential subdivision sign program.

E. A residential subdivision sign program may include the following on-site signage:

1. ~~2.~~ A maximum of 500 square feet of signage per builder ~~is permitted.~~
2. ~~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.~~
3. ~~6.~~ The program may include ~~temporary~~ Temporary signs, flags, and banners. ~~7. Flags are~~ (subject to the provisions of 17-10-270, (flags and flag poles), and banners.

~~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:~~

F. A residential subdivision sign program may include off-site directional signs subject to the following additional requirements:

1. Signs must be located within a reasonable distance of the subdivision, considering its remoteness from major transportation routes.
2. One sign may be placed at each major change in travel direction along the route leading to the subdivision.

3. On routes with infrequent major changes in travel direction, signs may be located at each intersection of collector or larger roadways.

4. Signs for an individual builder for multiple subdivisions shall be combined into a single sign; and

5. Signs of multiple builders for any particular master development shall be combined into a single sign.

G. In addition to the requirements of paragraph F above, residential subdivision sign program offsite directional signs within the public right-of-way are subject to the following requirements:

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. Each sign may not exceed six square feet in area and 30 inches in height.~~

2. Each sign must be clearly labeled with the permit number and the name and contact information of the sign permit applicant.

3. The sign owner must comply with right-of-way use permit requirements (see chapter 12-7, construction in town rights-of-way).

H. In addition to the requirements of paragraph F above, residential subdivision sign program offsite directional signs on private property are subject to the following requirements:

1. Written permission of the sign-property owner is required.

2. ~~3.~~ Each sign may not exceed ~~six~~³² square feet in area and ~~30 inches~~^{eight feet} 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.~~

17-10-38 ~~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.~~

Document comparison by Workshare 9.5 on Friday, November 16, 2018
10:15:26 AM

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Deleted cell	
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Split/Merged cell	
Padding cell	

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Total changes	1383

Planning Commission - Regular Meeting

Meeting Date: 11/28/2018

To: Planning Commission

From: Cynthia Ross, Senior Planner

Date: November 28, 2018

Strategic Plan Focus Area:

Not Applicable

Subject: PCZ1806-001 & GPA1806-001: Tortolita Ridge Rezoning; A request for a recommendation to the Marana Town Council for approval to rezone approximately 17.3 acres of land from R-80 (single-family residential) and Zone C (Large Lot Zone) to R-8 (single-family residential) and a request for a recommendation for approval of a minor amendment to the Marana General Plan land use category from RDR (Rural Density Residential) to LDR (Low Density Residential). The property is located approximately .75 miles north of Moore Road on the west side of Tortolita Road. (Cynthia Ross).

Discussion:

Rezoning Request

The Planning Center, on behalf of David Lam and DR Horton, is requesting a recommendation to the Town Council for approval of the Tortolita Ridge rezoning, a proposal to rezone approximately 17.3 acres of land from R-80 (single-family residential, minimum lot size 80,000 square feet) and Zone C (Large Lot Zone) to R-8 (single-family residential, minimum lot size 8,000 square feet). The property is located approximately .75 miles north of Moore Road on the west side of Tortolita Road.

Minor General Plan Amendment Request

The General Plan land use designation for this site is Rural Density Residential (RDR) with a density range of 0.1-0.5 residences per acre. The applicant proposes to change the land use designation to Low Density Residential (LDR) with a request for a minor General Plan amendment. The LDR land use category is typically characterized by single-family detached homes on relatively large lots with a density range of .5 to 2.0 residences per acre and depending on environmental factors, may allow for clustered housing projects.

Land Use

The proposed rezoning area consists of 15 acres of land zoned "R-80" (western two parcels: 218-44-022C and 218-44-022D) and 2.3 acres of land zoned "C" (eastern parcel 218-44-022H). The proposed land use plan consists of 34 single-family residences at a density of less than two homes per acre (1.96 residences per acre anticipated). Lots will vary slightly, but the typical lot size will be 65' x 125' with an 8,000-square-foot minimum. Lots will accommodate both one- and two-story homes. Lots 1, 3-8, 10-11, 13-14, 33 and 34 are limited to a single-story height restriction.

Landscape and Buffering

A 20-foot landscape buffer will be provided adjacent to Tortolita Road on the north side of the subdivision's main entrance and a 30-foot landscape buffer will be constructed on the south side of the entrance. The existing 5-foot sidewalk located on Tortolita Road, at the southernmost property line, will be extended north to the southernmost edge of the driveway located on parcel 218-44-022J. A 6-foot

landscape buffer will be provided along the southern property line and the northern and eastern property eastern boundaries adjacent to the existing large lot parcels. At the request of the neighbors in the Tortolita Reserve subdivision, the developer will provide a 5-foot decorative masonry rear yard wall on lots 1 - 14 and wrought iron view fencing shall be prohibited. A 5-foot screen wall will also be provided at the back of the lots along the eastern and northern property lines. A 33 to 35-foot landscape buffer will be provided north of lots 31-34 to adequately transition the proposed subdivision from the existing custom home north of parcel 218-44-022H.

Open Space

The Tortolita Ridge rezoning land use plan has been designed with minimal disturbance to the washes running through the site, preserving the site's native vegetation and facilitating wildlife connectivity across the site. The proposed development includes setting aside approximately 7.69 acres or nearly 45% of the site as natural undisturbed open space (NUOS). The total open space in Tortolita Ridge will be over 50% including revegetated open space areas.

Access and Circulation

The proposed development is accessible from Tortolita Road, a two-lane minor local road that borders the easternmost property boundary. An emergency access will be provided through an existing easement along the northern property boundary. Two public streets will be constructed, one of which will have access to Tortolita Road. The internal roadway network will be constructed in accordance with the Town of Marana Subdivision Street Standards.

Infrastructure and Public Utilities

The rezoning area is located within the Tucson Water service area and the water supply is assured. The developer will be responsible for the design and construction of all on-site and off-site water infrastructure required, serving potable water and fire protection to the development. A water service agreement, as well as plans for the water distribution system will be required prior to development. Sewer will be provided to future development within the rezoning area by Pima County. The Pima County Regional Wastewater Reclamation Department has indicated capacity is currently available for this project. Northwest Fire District provides service to the properties in the project vicinity; however, the project site is not currently included within the District's boundary and therefore must complete annexation prior to development. Trico Electric Company and Southwest Gas Corporation currently serve the rezoning area and will provide service to all future development in the rezoning area.

Citizen Participation

The applicant held three meetings with the surrounding residents of the proposed rezoning area; two were neighborhood meetings, and one was with the Tortolita Reserve subdivision HOA board members. All property owners within 300-feet of the rezoning boundary were invited to attend the neighborhood meetings, and all residents of Tortolita Reserve subdivision via the HOA manager. Each meeting was held at The Highlands at Dove Mountain Club House.

The first neighborhood meeting was held on August 1, 2018 and attended by approximately 27 neighbors. A second meeting was held on September 13, 2018, at the request of the Tortolita Reserve subdivision HOA board members. The final neighborhood meeting was held on September 17, 2018 as a follow up to the August 1 meeting. There were approximately 33 attendees at this meeting.

Predominant concerns from neighboring property owners include: the proximity of the homes at the proposed project's southern border, density, obstruction of mountain views, the price point at which DR Horton plans to market the homes, and traffic safety. A Neighborhood Meeting Summary detailing the meeting outcomes is attached to this report.

Concessions the applicant agreed to make were outlined in an October 4, 2018 email to concerned residents are detailed below. These concessions are shown on the attached conceptual site plan.

1. Limit homes to one-story when they are immediately adjacent to an existing single-story home in Tortolita Reserve, prohibiting two-story homes on lots 3-8, 10-11, 13-14 and 33.
2. Provide a 5-foot decorative masonry wall at the back of the lots along the southern boundary removing the potential for wrought iron view fencing along this boundary.
3. Provide a park area containing a ramada, BBQ pit, grassy area and picnic benches, similar to that provided in Tortolita Reserve. The exact size and location of the park area will be determined when detailed drainage studies have been performed.
4. Provide a 33-35 foot landscape buffer north of lots 31-34.
5. Extend the proposed 5-foot sidewalk along Tortolita Road to the southernmost edge of the Cook Property Driveway (218-44-022J).

Staff received multiple emails from neighbors opposing the proposed rezoning throughout September and August, and met with concerned neighbors opposing the project on August 14, 2018. Attached is letter of protest received by email and mail on 10/31/18 from Natasha Jabbar outlining concerns, signed by the majority of individuals that sent emails of opposition to Staff.

Public Notification

This public hearing was properly noticed in the Daily Territorial newspaper, and all property owners within 300 feet of the rezoning area were noticed by U.S. Mail of the date, time, and topic of the public hearing. Additional notice was posted at various locations within the community and on the Town website.

Recommended Findings of Fact

1. The property is currently zoned 'R-80' (single-family residential) and Zone C (Large Lot Zone). The proposed change in zoning from 'R-80' (single-family residential) and Zone C (Large Lot Zone) to 'R-8' will require a minor amendment to the Marana General Plan from the existing designation of Rural Density Residential (RDR) to Low Density Residential (LDR).
2. With the acceptance of the recommended conditions, the proposed rezoning is in compliance with all other development standards of the Land Development Code related to this zoning classification.
3. The proposed rezoning, with acceptance of the recommended conditions, does not appear to be detrimental to the immediate area or to the health, safety and welfare of the inhabitants of the area and the Town of Marana.

Case Analysis and Review Criteria

1. Ability to comply with development regulations, i.e. water, sanitation, access, developable parcel, etc.: With the acceptance of the recommended conditions, the proposed rezoning complies with the requirements of all agencies.
2. Ability to comply with requirements of the zoning regulations, i.e. lot size, frontage, setbacks, etc.: With the acceptance of the recommended conditions the proposed rezoning complies with the requirements of R-8 (single-family residential) zoning designation.
3. Consistent with the purpose of the regulations and with the intent of the General Plan: The proposed rezoning is consistent with the purpose and intent of the Land Development Code and the Town of Marana General Plan Low Density Residential land use designation.
4. Compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area or the development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the Town: Based upon the requirements and conditions, the proposed rezoning does not appear to be detrimental to the immediate area or to the general health, safety, and welfare of the inhabitants of the area and the Town of Marana.

Staff Recommendation:

Staff recommends that the Planning Commission recommends to the Marana Town Council approval of PCZ1806-001 and GPA1806-001 based upon the recommended findings and subject to the following conditions:

Recommended Conditions of Approval

1. Compliance with all applicable provisions of the Town's codes and ordinances current at the time of any subsequent development including, but not limited to, requirements for public improvements and payment of application fees and applicable development impact fees.
2. Any preliminary plat or development plan for any portion of the Rezoning Area shall be in general conformance with the conceptual land use plan presented to and approved by the Town Council as part of this Rezoning.
3. A master drainage study must be submitted by the Property Owners and accepted by the Town Engineer prior to Town approval of a preliminary plat or development plan for any portion of the Rezoning Area.
4. A detailed traffic impact analysis must be submitted by the Property Owners and accepted by Town staff prior to approval of a preliminary plat or development plan for any portion of the Rezoning Area.
5. A water infrastructure and phasing plan (WIP) must be submitted by the Property Owners and accepted by Tucson Water (the "water provider") prior to approval of a preliminary plat for any portion of the Rezoning Area. The WIP shall identify all on-site and off-site water facilities needed to serve the proposed development. The WIP shall include all information required by the water provider, such as (but not limited to) analysis of water use and fire flow requirements, and well source, reservoir, and booster station infrastructure needed to serve the proposed development. If the water provider requires a water service agreement as a condition of service to the proposed development, the Property Owners must enter into a water service agreement with the water provider consistent with the accepted WIP.
6. A master sewer plan must be submitted by the Property Owners and accepted by the Pima County Regional Wastewater Reclamation Department (the "wastewater utility") prior to the approval of any final plat or development plan for the Rezoning Area. The master sewer plan shall identify all on-site and off-site wastewater facilities needed to serve the proposed development, and shall include all information required by the wastewater utility. If the wastewater utility requires a sewer service agreement as a condition of service to the proposed development, the Property Owners must enter into a sewer service agreement with the wastewater utility consistent with the accepted master sewer plan.
7. The Property Owners must design and construct any roadway, drainage, water, and wastewater improvements, and dedicate or acquire any property rights associated with those improvements, that the Town requires based on the data and findings of the accepted traffic impact analysis, the accepted master drainage study, the accepted WIP, the accepted master sewer plan, and other studies approved in connection with the approval of a preliminary plat or development plan for any portion of the Rezoning Area.
8. The final design of all streets and circulation facilities, including gated access (if applicable) and emergency access, must be accepted by the Northwest Fire District prior to Town Council consideration of a final plat for any portion of the Rezoning Area.
9. The maximum number of single-family detached residential lots within the Rezoning Area shall not exceed 34 in the R-8 Zone.
10. No approval, permit or authorization by the Town of Marana authorizes violation of any federal or state law or regulation or relieves the Property Owners from responsibility to ensure compliance with all applicable federal and state laws and regulations, including the Endangered Species Act and the Clean Water Act. The Property Owners should retain appropriate experts and consult appropriate federal and state agencies to determine any action necessary to assure compliance with applicable laws and regulations.

11. The Property Owners shall transfer to Marana, by the appropriate Arizona Department of Water Resources form, those water rights being IGR, Type I or Type II for the Town providing designation of assured water supply and water service to the Rezoning Area. If Type I or Type II is needed on the Rezoning Area, the Town and the Property Owners shall arrive at an agreeable solution to the use of those water rights appurtenant to the affected portion of the Rezoning Area. (still applicable)
12. Prior to the issuance of any grading permits, the Property Owners shall submit evidence to the Town that all federal permit requirements have been met through the Corps of Engineers and the State Historic Preservation Office, if federal permits are required for the development of the Rezoning Area.
13. A 100% clearance survey for the desert tortoise shall be completed by a qualified biologist at the Property Owners' expense and a survey report shall be submitted to the Town and to the Arizona Game and Fish Department (AZGFD) prior to issuance of any grading permits. If a desert tortoise is found during the survey or at any time during construction, the Property Owners shall immediately notify the Town and AZGFD, and the tortoise shall be moved in accordance with the most current *AZGFD Tortoise Handling Guidelines* at the Property Owners' expense.
14. The Property Owners shall not cause any lot split of any kind without the written consent of the Town of Marana.
15. Within 60 days after the adoption of this ordinance, the Property Owners shall provide the Planning Department with 2 bound copies, 2 electronic CD copies in PDF format which will also include graphics of the conceptual land use plan in JPEG or other suitable format of the Tortolita Ridge Rezoning.
16. Before a certificate of occupancy can be issued for any dwelling unit on the property, the property Owners shall have completed or shall provide evidence to the Town's satisfaction that the Property Owners have made a diligent effort to complete the process of having Pima County Assessor parcel number 218-44-022H into the Northwest Fire District.
17. Homes on lots 1, 3-8, 10-11, 13-14, 33 and 34, as designated on the conceptual land use plan, shall be restricted to single-story height.
18. The developer shall enter into a written agreement addressing the funding, design and construction of off-site and on-site sewers to accommodate flow-through from any properties adjacent and up-gradient to the rezoning area that do not have adequate access to Pima County's public sewer system, in the manner specified at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan or request for building permit.
19. The Property Owners shall submit final covenants, conditions, and restrictions for the Rezoning Area for Town review and approval prior to the Town Council consideration of the final plat.
20. The conditions, covenants, and restrictions governing the project must include a provision stating that all natural undisturbed open space shall be left entirely undisturbed and in their natural desert state, except for utility installations, constructed drainage ways and road crossings, which shall be revegetated with native species similar to those found in the surrounding area.

Suggested Motion:

I move to recommend to the Town Council, approval of the Tortolita Ridge Rezoning and Minor General Plan Amendment (PCZ1806-001 & GPA1806-001), subject to the recommended conditions.

Attachments

Rezoning Application
Minor General Plan Amendment Application
Conceptual Land Use Plan
Tortolita Ridge Rezoning document
Neighborhood Meeting Summary From Applicant
Neighborhood Protest Letter - Jabbar
Miller Protest Letter



Development Services / planning@maranaAZ.gov

11555 West Civic Center Drive / Marana, AZ 85653

Ph (520) 382-2600 / Fax (520) 382-2641 / maranaAZ.gov

PROJECT APPLICATION

PROJECT INFORMATION

Project Name: Tortolita Road Rezoning

Description of Project: Rezoning of 17.3 acres from R-80 & C to R-8

Number of Lots: 34

Parcel No.(s): 218-44-022C, 218-44-022D and 218-44-022H

Gross Area (Acres): 17.3

Project Address: n/a

Ref. Project No.: n/a

CONTACT INFORMATION

Owner: David Lam

Contact Name: Chip Yetzer

Address: 9151 PIONEER DR

City: Huntington Beach

State: CA

Zip: 92646

Email: cyetzer1@gmail.com

Phone No.: (520) 975-2609

Applicant: The Planning Center

Contact Name: Lexy Wellott/Linda Morales

Address: 2 E Congress Ste. 600

City: Tucson

State: AZ

Zip: 85716

Email: lwellott@azplanningcenter.com / lmorales@"..."

Phone No.: (520) 623-6146

Consultant/Engineer: Greg Carlson Engineering LLC

Contact Name: Greg Carlson

Address: 1521 E. Broadway

City: Tucson

State: AZ

Zip: 85719

Email: gregc@gceng.biz

Phone No.: (520) 624-4197

OWNER/APPLICANT AUTHORIZATION

I, the undersigned, certify that all of the facts set forth in this application are true and correct to the best of my knowledge and that I am either the owner of the property or that I have been authorized in writing by the owner to file this application. (If applicant is not the owner, attach written authorization from the owner.)

Lexy Wellott

6/6/2018

Applicant Name (PRINT)

Signature

Date

FOR OFFICIAL USE ONLY

Project No.

PC21806-001

Date Received

6/8/18

- | | | | |
|---|--|--|--|
| ☐ Annexation | ☐ Rezone | ☐ Specific Plan | ☐ General Plan Amendment |
| ☐ Preliminary Plat | ☐ Final Plat | ☐ Significant Land Use Change | ☐ Minor Land Division |
| ☐ Variance | ☐ Development Plan | ☐ Development Plan Package | ☐ Dedications / Easements |
| ☐ Lic. Agreement | ☐ Landscape Plan | ☐ Conditional Use Permit | ☐ Report (Type): _____ |
| ☐ SWPP | ☐ Native Plant Plan | ☐ Native Plant Exception | ☐ Other: _____ |

☐ Improvement Plan (Type): _____

Revision Date 1/26/2017

SUBMITTAL NO. 1



Development Services / planning@maranaAZ.gov

11555 West Civic Center Drive / Marana, AZ 85653

Ph (520) 382-2600 / Fax (520) 382-2641 / maranaAZ.gov

PROJECT APPLICATION

PROJECT INFORMATION

Project Name: Tortolita Ridge Rezoning - Minor General Plan Amendment

Description of Project: Minor General Plan Amendment from RDR to LDR

Number of Lots: 34

Parcel No.(s): 218-44-022C, 218-44-022D and 218-44-022H

Gross Area (Acres): 17.3

Project Address: n/a

Ref. Project No.: n/a

CONTACT INFORMATION

Owner: David Lam

Contact Name: Chip Yetzer

Address: 9151 PIONEER DR

City: Huntington Beach

State: CA

Zip: 92646

Email: cyetzer1@gmail.com

Phone No.: (520) 975-2609

Applicant: The Planning Center

Contact Name: Lexy Wellott/Linda Morales

Address: 2 E Congress Ste. 600

City: Tucson

State: AZ

Zip: 85716

Email: lwellott@azplanningcenter.com / lmorales@"..."

Phone No.: (520) 623-6146

Consultant/Engineer: Greg Carlson Engineering LLC

Contact Name: Greg Carlson

Address: 1521 E. Broadway

City: Tucson

State: AZ

Zip: 85719

Email: gregc@gceng.biz

Phone No.: (520) 624-4197

OWNER/APPLICANT AUTHORIZATION

I, the undersigned, certify that all of the facts set forth in this application are true and correct to the best of my knowledge and that I am either the owner of the property or that I have been authorized in writing by the owner to file this application. (If applicant is not the owner, attach written authorization from the owner.)

Lexy Wellott

6/6/2018

Applicant Name (PRINT)

Signature

Date

FOR OFFICIAL USE ONLY

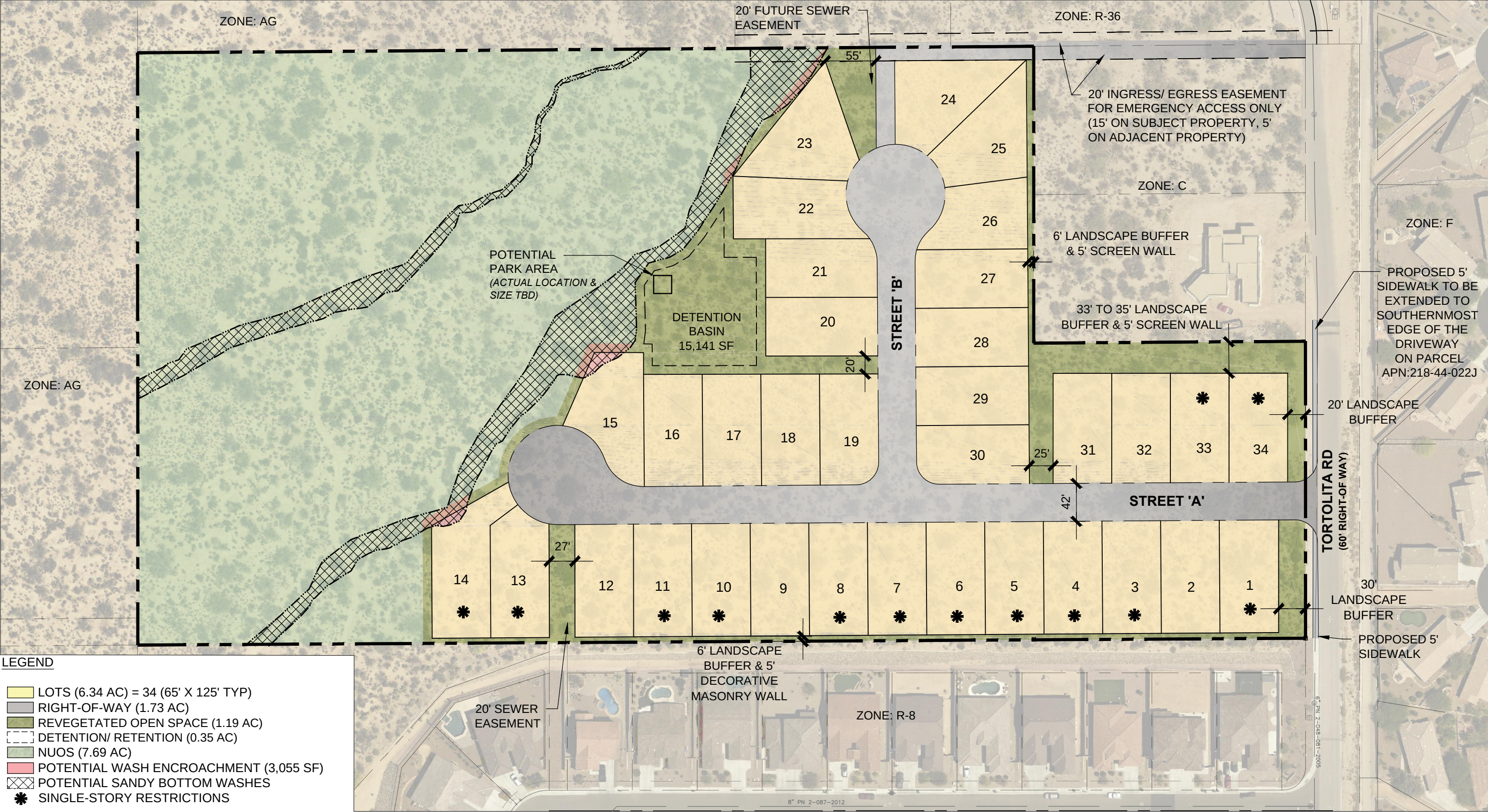
Project No. _____

Date Received _____

- | | | | |
|---|--|--|--|
| ☐ Annexation | ☐ Rezone | ☐ Specific Plan | ☐ General Plan Amendment |
| ☐ Preliminary Plat | ☐ Final Plat | ☐ Significant Land Use Change | ☐ Minor Land Division |
| ☐ Variance | ☐ Development Plan | ☐ Development Plan Package | ☐ Dedications / Easements |
| ☐ Lic. Agreement | ☐ Landscape Plan | ☐ Conditional Use Permit | ☐ Report (Type): _____ |
| ☐ SWPP | ☐ Native Plant Plan | ☐ Native Plant Exception | ☐ Other: _____ |
| ☐ Improvement Plan (Type): _____ | | | |

Revision Date 1/26/2017

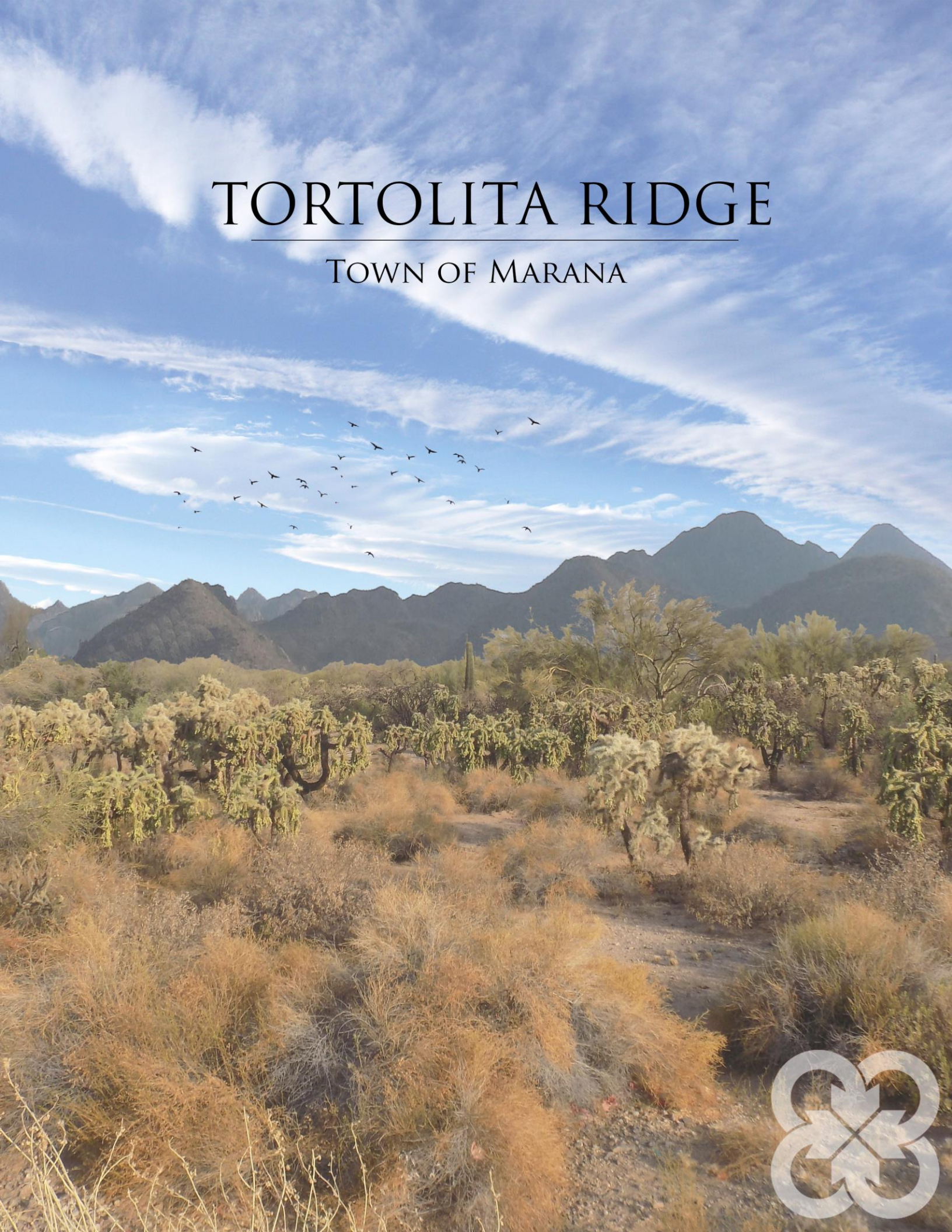
CONCEPTUAL LAND USE PLAN



TORTOLITA RIDGE REZONING

TORTOLITA RIDGE

TOWN OF MARANA



Tortolita Ridge Rezone

Marana, Arizona

Submitted to:

Town of Marana

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PCZ1806-001

November 2018



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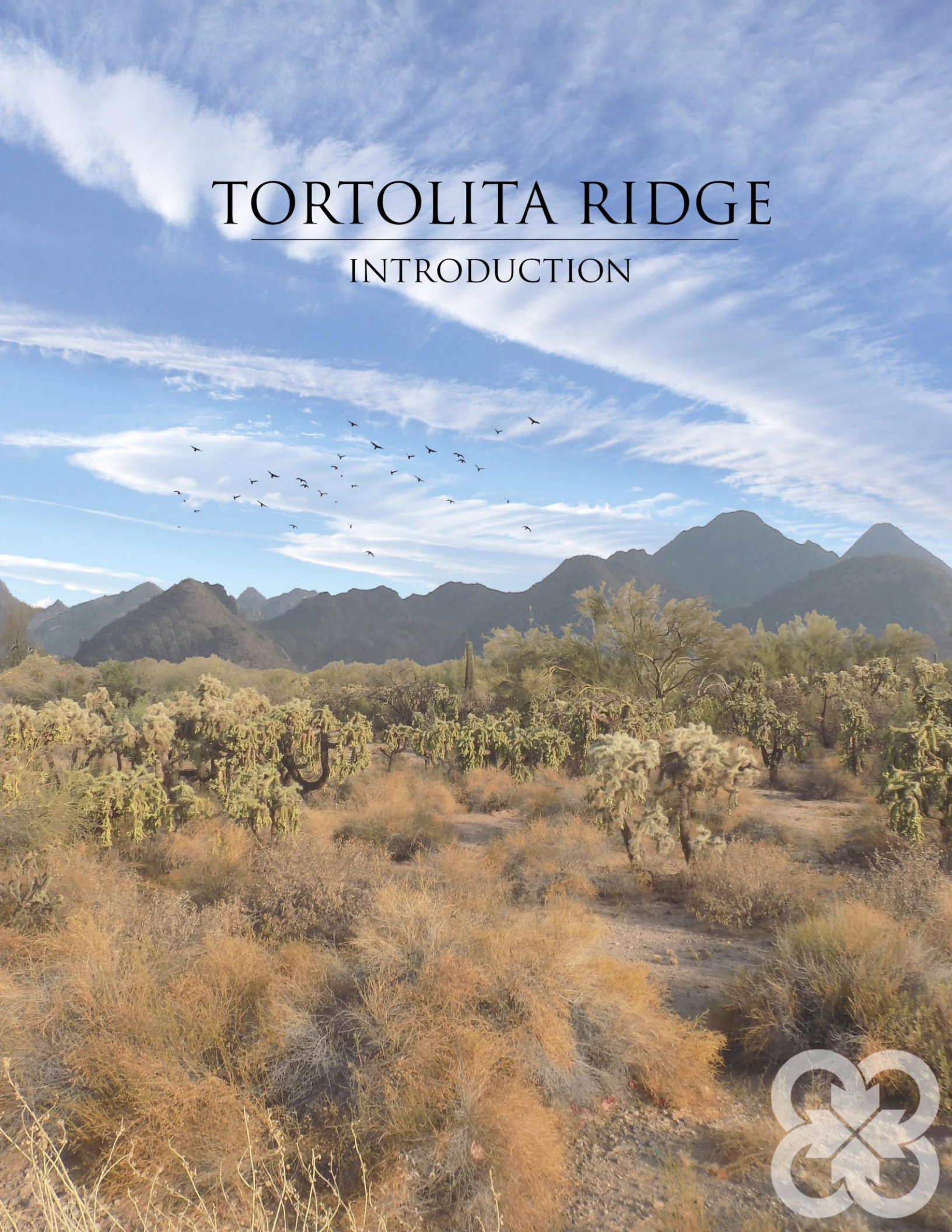


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TORTOLITA RIDGE

INTRODUCTION



A. Introduction

1. Anticipated Benefits to the Community

The proposed rezoning is for a ± 17.3-acre property located along Tortolita Road, approximately one-mile north of the intersection of Tortolita Road and Moore Road in the Town of Marana. This request is for the development of thirty-four (34) detached single-family homes. Given the current vacancy of the Dove Mountain Retail Center and the anticipated commercial pads along Tangerine Road and Twin Peaks, the goal of the proposed rezoning is to expand the current housing options as a means of stimulating the economic vitality of the area.

The proposed rezoning anticipates setting aside over 50% of the property as open space resulting in minimal disturbance to the environmentally sensitive features of the site. The proposed open space will provide passive recreational opportunities for the future residents and surrounding community as well as facilitate wildlife movement through the site. Moreover, the site will feature a retention and detention basin to minimize off-site drainage impacts.

2. Adherence to Town Plans

The Tortolita Ridge rezoning is designed in accordance with the Town of Marana's General Plan and the Town's Strategic Plan. The request is for approximately 17.3 acres of existing R-80 (Single Family Residential) and C (Large Lot Zone) land to be rezoned to R-8 (Single Family Residential). This rezoning will accommodate approximately thirty-four (34) single-family detached residences. According to the Town of Marana General Plan Future Land Use Map, the subject property is designated as Rural Density Residential (RDR). Given that the proposed rezoning exceeds the allowable density of the RDR land use designation, a minor General Plan amendment will be processed concurrently to re-designate the subject property as Low Density Residential (LDR). Upon approval of the minor plan amendment, the proposed development will comply with the allowable density of the LDR land use designation.

The subject site is also located within the Northeast Growth Area. The Northeast Growth Area typically has significant environmentally challenging areas that constrain development. The proposed rezoning responds to those constraints by preserving the environmentally sensitive areas found on the western portion of the site while configuring residential lots on the eastern portion of the property. The intent of this clustered configuration is to minimize land disturbance and protect the natural drainage ways and vegetation on-site. The Town's Draft Habitat Conservation Plan (HCP) designates the entire rezoning area as Zone 2 (20% developable, 80% NUOS). However, the proposed open space is similar to that of recently entitled properties in Zone 2 as well as nearby subdivisions such as Tortolita Reserve, which is located immediately adjacent to the south boundary.



The Tortolita Ridge rezoning adheres to the Town of Marana's Strategic Plan by supporting commerce through the creation of construction jobs and revenues from construction/consumer sales tax and development service fees. Additionally, the proposed rezoning will facilitate community growth by supplementing the current housing stock. Moreover, the proposed rezoning strives to develop high-performing, cost-saving homes and incorporate sustainable and innovative building practices and materials.

3. Proposed Densities

The proposed rezoning includes 34 detached single-family residences with an anticipated density of 1.96 units per acre.

4. Impacts and Mitigation

Given the environmental and physical constraints presented on the proposed site, a variety of mitigation measures will be incorporated throughout the rezoning area to minimize any potential adverse impacts of the project. The proposed development includes setting aside over half of the site as a combination of revegetated open space and natural undisturbed open space (NUOS) as a means of preserving the natural drainageways and riparian vegetation while facilitating wildlife connectivity across the site. The areas designated as revegetated open space contains landscape buffers, potential park amenities and areas to be hydroseeded for vegetation regrowth. The developer of Tortolita Ridge will be responsible for installing the revegetation during construction. Upon project completion, it will be the responsibility of the established homeowners' association to maintain the revegetated open space areas. Approximately 15,000 square feet of the site will be dedicated for retention/detention basins to minimize any adverse impacts associated with impervious surface runoff. Additional stormwater mitigation measures and best practices will be encouraged to reduce the adverse impacts associated with the proposed development.

5. Anticipated Employment

While the subject proposal does not consist of uses that will provide long-term employment opportunities, it is anticipated that the subject proposal will provide short-term employment opportunities during the construction phases of the project.



TORTOLITA RIDGE

DEVELOPMENT CAPABILITY INVENTORY ANALYSIS



B. Development Capability Inventory Analysis

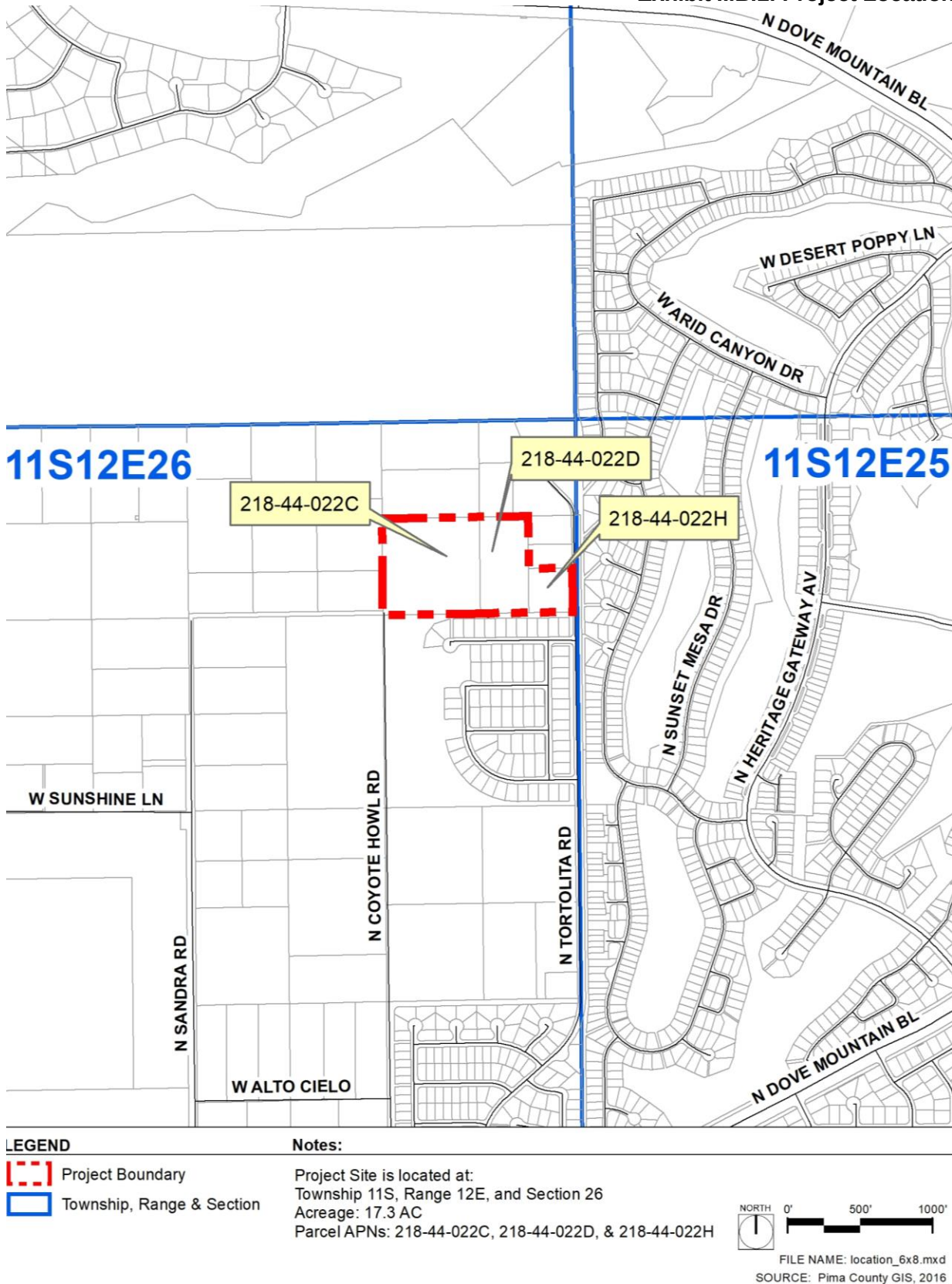
The primary purpose of the Development Capability Inventory Analysis is to identify the site's opportunities, constraints and various physical characteristics, which will provide a means whereby development is designed in a sensitive and responsive manner to the physical conditions of the site. Information for this section was compiled using a variety of sources, including site visits, topographic, hydrological, archaeological, and traffic analyses, as well as correspondence with Town staff and other reviewing agencies. The Development Capability Inventory Analysis follows the requirements outlined in the Town of Marana Land Development Code.

1. Site Location

The subject property being evaluated in this rezoning application is located within Township 11 South, Range 12 East and Section 27 of Pima County, Arizona. More specifically, the subject parcels are located on Tortolita Road less than one-mile north of the intersection of Dove Mountain Boulevard and Moore Road (refer to *Exhibit II.B.1: Project Location*). The site will consist of an assemblage of three contiguous parcels defined by Assessor's Parcel Numbers 218-44-022C, 218-44-022D and 218-44-022H, which total approximately 17.3 acres.



Exhibit II.B.1: Project Location



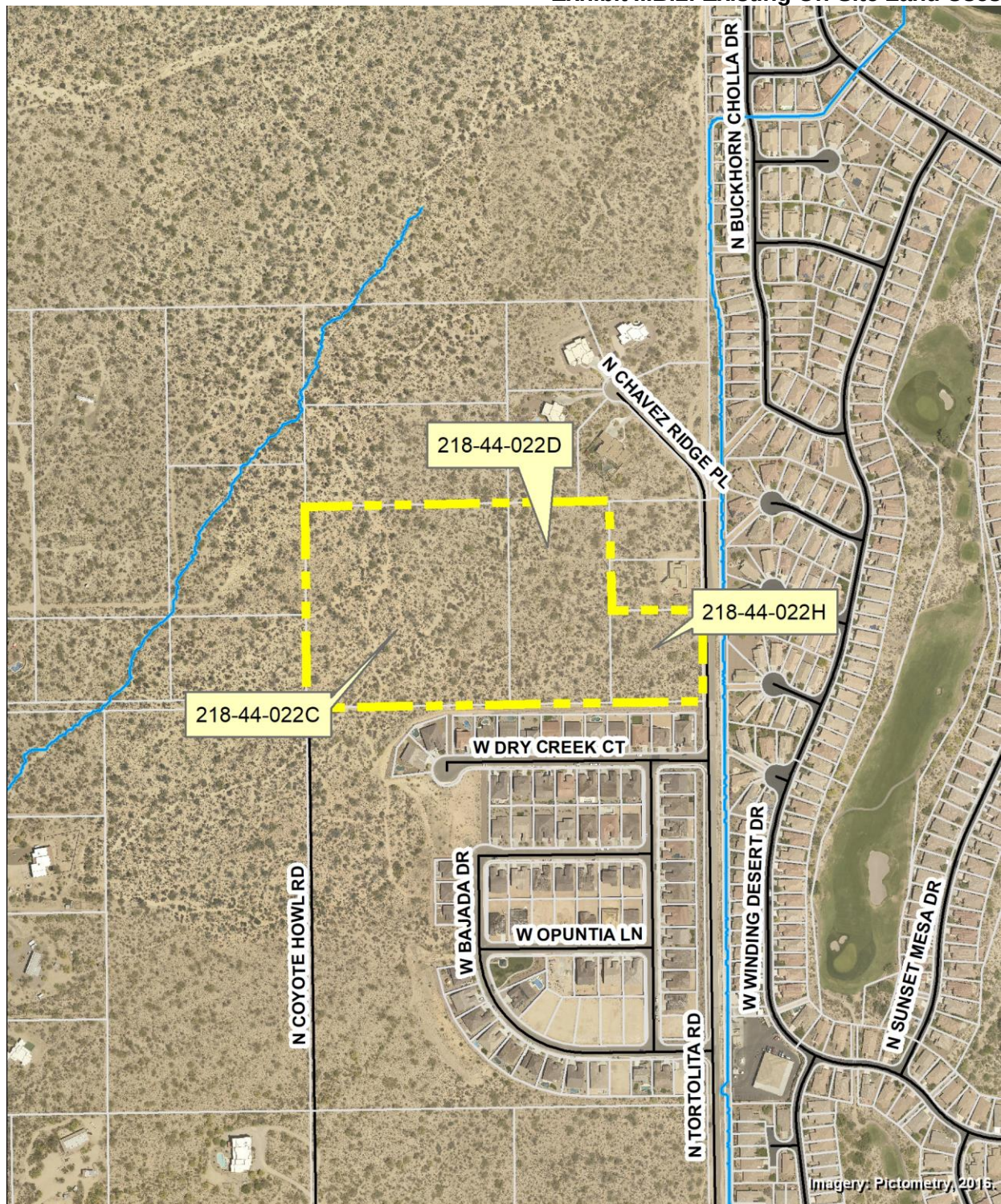
2. Existing Uses On-site

The site is currently vacant with no existing structures on-site (refer to *Exhibit II.B.2: Existing On-site Land Uses.*). Parcels identified by APNs 218-44-022C and 218-44-022D are currently zoned as “R-80,” Single-Family Residential while the parcel identified as 218-44-022H is zoned as “C,” Large Lot Zone (refer to *Exhibit II.B.3.a: Existing Zoning*).

The Town of Marana General Plan designates the subject property as Rural Density Residential (RDR). A minor amendment to the General Plan will be processed concurrently with the rezoning application to re-designate the subject parcel as Low Density Residential (LDR). See *Exhibit II.B.4: General Plan Designations*.



Exhibit II.B.2: Existing On-Site Land Uses



LEGEND

- Project Boundary
- Parcels
- Washes



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SOURCE: Pima County GIS, 2016



3. Property Information within One-Quarter Mile of the Site

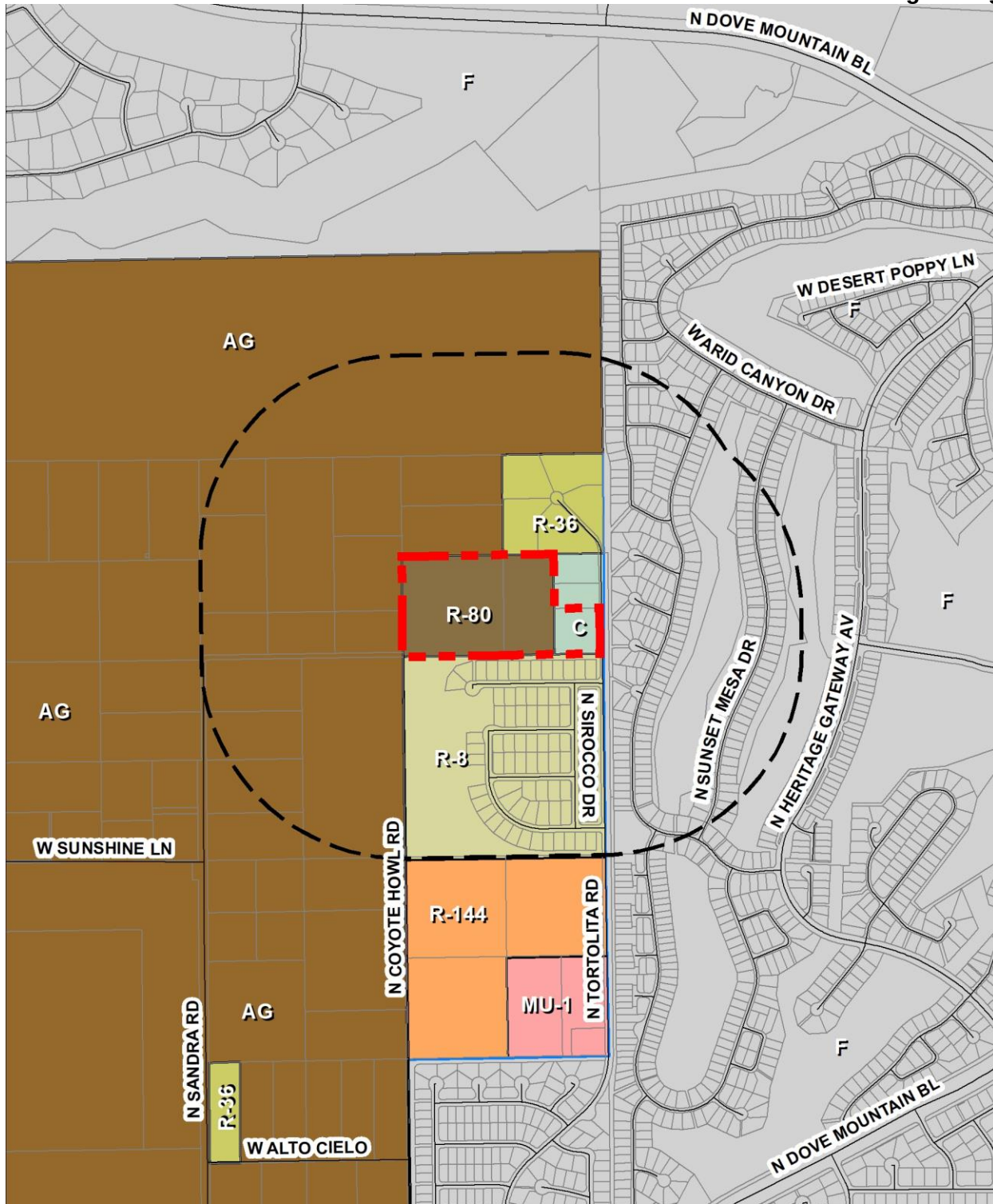
a. Existing Zoning

The zoning designations of surrounding properties, as depicted in *Exhibit II.B.3.a: Existing Zoning* are as follows:

North: AG (Agriculture) and R-36 (Single Family Residential)
South: R-8 (Single Family Residential) and R-144 (Single Family Residential)
East: C (Large Lot Zone) and F (Dove Mountain Specific Plan)
West: AG (Agriculture)



Exhibit II.B.3.a: Existing Zoning



LEGEND

- Project Boundary
- 1/4 Mile Radius
- Parcels

Town of Marana Zoning

- | | |
|---|--|
| F | AG |
| C | MU-1 |
| R-36 | R-8 |
| R-144 | R-80 |



0' 500' 1000'

FILE NAME: zoning_6x8.mxd
SOURCE: Pima County GIS, 2016



b. General Plan Land Use

The 2010 Town of Marana General Plan Future Land Use Map indicates the site is designated as Rural Density Residential. A minor amendment to the General Plan Future Land Use Map will be processed concurrently with this rezoning application to designate the subject property as Low Density Residential (LDR). The surrounding general plan designations within one-quarter mile of the site, as depicted in *Exhibit II.B.3.b: General Plan Designations*, are as follows:

North: Rural Density Residential and Public Preserve

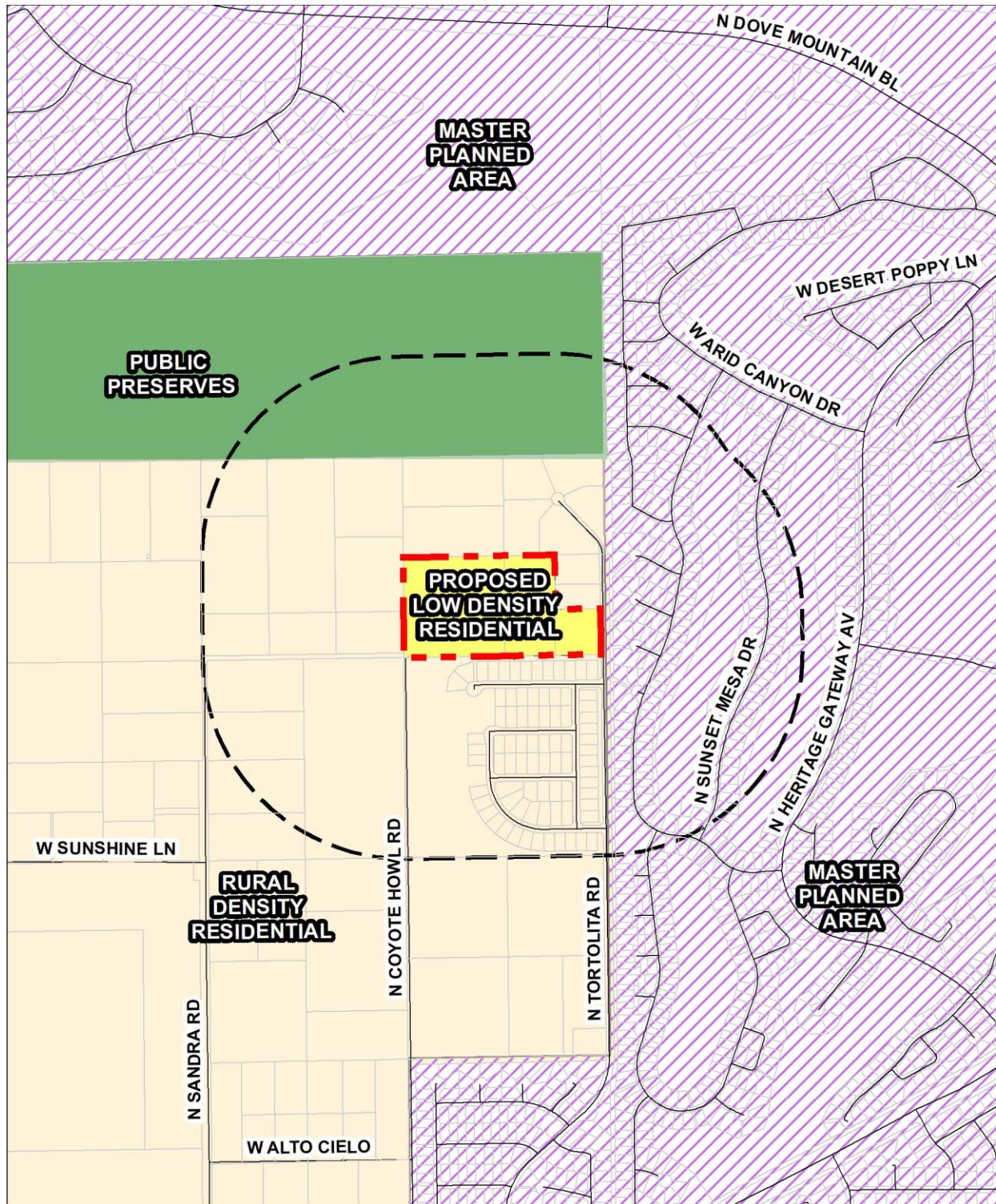
South: Rural Density Residential

East: Master Plan Area

West: Rural Density Residential



Exhibit II.B.3.b: General Plan Designations

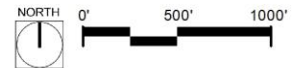


LEGEND

- Project Boundary
- 1/4 Mile Radius
- Parcels

General Plan Land Use Designations

- Master Planned Area
- Public Preserves
- Rural Density Residential
- Low Density Residential



FILE NAME: genplan_6x8.mxd
SOURCE: Pima County GIS, 2016



c. Existing Surrounding Land Uses

The land uses of surrounding properties within one-quarter mile, as depicted in *Exhibit II.B.3.c: Existing Land Uses* are as follows:

North: Hidden Springs Subdivision (Single Family Residential), Vacant Land, and Public Preserve (Tortolita Preserve)

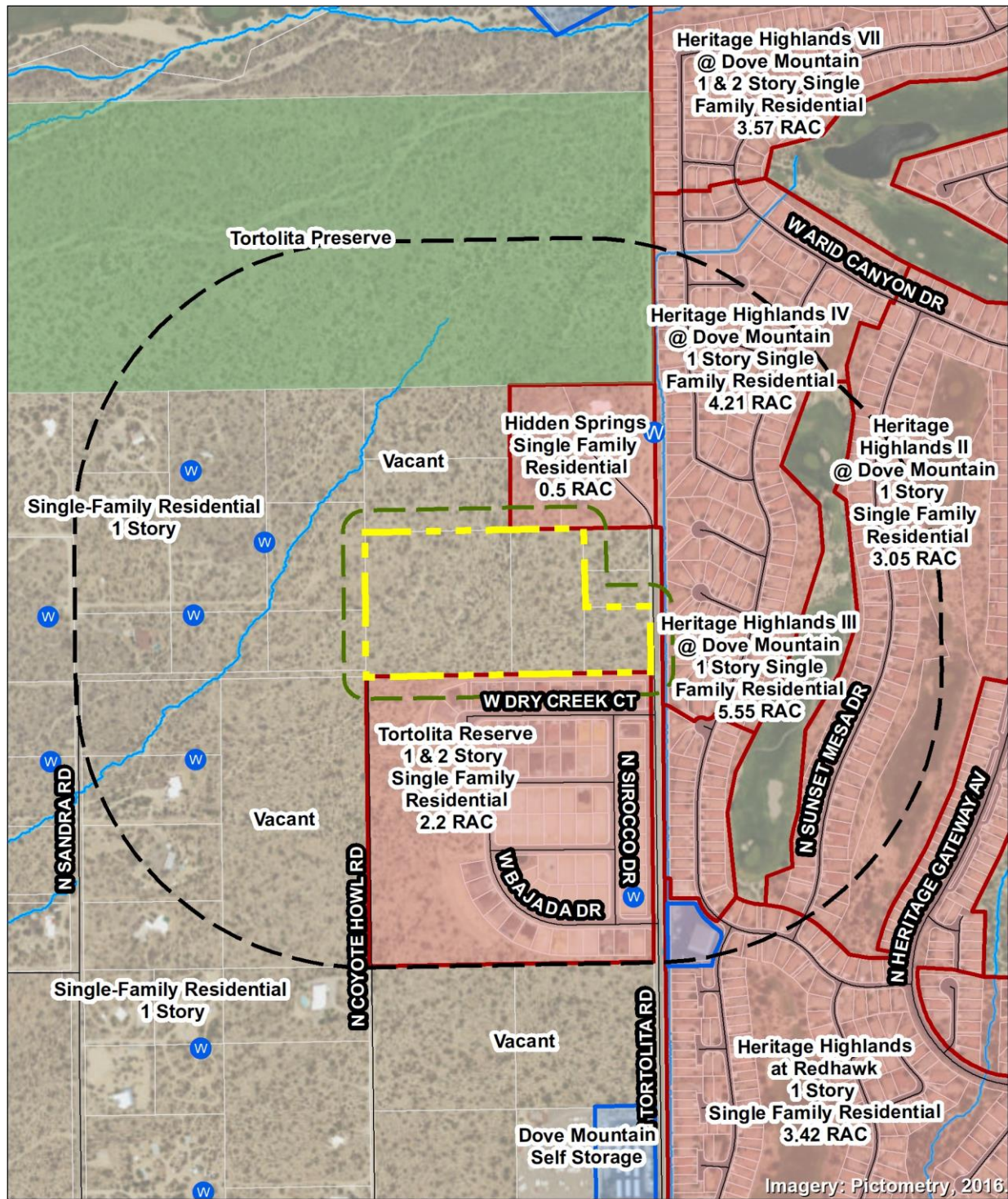
South: Tortolita Reserve Subdivision (Single Family Residential)

East: Dove Mountain Specific Plan (Single Family Residential and Golf Course)

West: Vacant Land, Large Lot Single Family Residential



Exhibit II.B.3.c: Existing Surrounding Land Uses

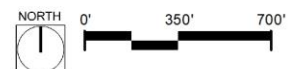


LEGEND

- Project Boundary
- 1/4-Mile Radius
- 100-Foot Radius
- Parcels

- Approved Subdivision Plat
- Approved Development Plan

- Washes
- Wells



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SOURCE: Pima County GIS, 2016



d. Number of Stories of Existing Structures

There are no existing structures on the site. There are one-story single-family residences located north of the site in the Hidden Springs subdivision and adjacent to the southern boundary are one- and two-story single-family residences in the Tortolita Reserve subdivision. Across Tortolita Road, east of the subject property, are one -story single-family residences in the Heritage Highlands at Dove Mountain subdivision. The custom home on the property just north of parcel 218-44-022H is one-story in height.

e. Pending Rezoning

There are no pending rezonings of properties within one-quarter mile of the site.

f. Conditional Rezoning

There are no conditional rezonings of properties within one-quarter mile of the site.

g. Subdivision/Development Plans Approved

Approved development plans within a quarter-mile radius of the project site include the following:

- DPR96030 Heritage Highlands Maintenance Yard

Approved subdivisions within a quarter-mile radius of the project site are as follows:

- PRV-11033F Tortolita Reserve, Lots 1-79
- PRV-0002F Heritage Highlands III at Dove Mountain
- PRV-95-04 Heritage Highlands at Redhawk, Lots 1-392
- PRV-02036FP Heritage Highlands VI at Dove Mountain
- PRV-02096F Hidden Springs

h. Architectural Styles of Adjacent Development

Heritage Highlands and Tortolita Reserve represent the bulk of existing homes in the area and are more typical of conventional tract subdivision production-built single-family detached housing. Other existing homes in the area are rural custom-home type single-family residences with southwest and ranch architectural style.

4. Well Sites within 100 Feet of the Property

According to Pima County Geographic Information Systems and the Arizona Department of Water Resources (ADWR) registry, no wells are located on-site or within 100 feet of the site. See *Exhibit II.B.3.c: Existing Surrounding Land Uses*.



5. Topography

a. Description

The elevations on the property range from approximately 2,758 feet in the northeast corner of the property, to approximately 2,704 feet in the southwestern corner of the property. There are no named washes found on-site. Existing topography at two-foot contour intervals is shown on *Exhibit II.B.5: Topography and Slope*.

i. Hillside Conservation Areas

There are no restricted peaks or ridges on the site.

ii. Rock Outcrops

There are no rock outcrops located on the site.

iii. Slopes of 15% or Greater

The project slopes from the northeast to the southwest at a relatively consistent rate. There are minimal slopes that exceed 15% or greater found on the site. These are located in the northeastern corner of the property adjacent to the Hidden Springs subdivision.

iv. Other Significant Topographic Features

None.

v. Pre-Development Cross-Slope

The average cross-slope of the property is approximately 6.2%.

The pre-development cross slope calculation and values used are as follows:

$$\text{Cross-slope} = (I \times L \times 0.0023) / A$$

Where:

I = contour interval (2')

L = total length of contours (23,387.60)

0.0023 = conversion of "square feet" into "acres x 100"

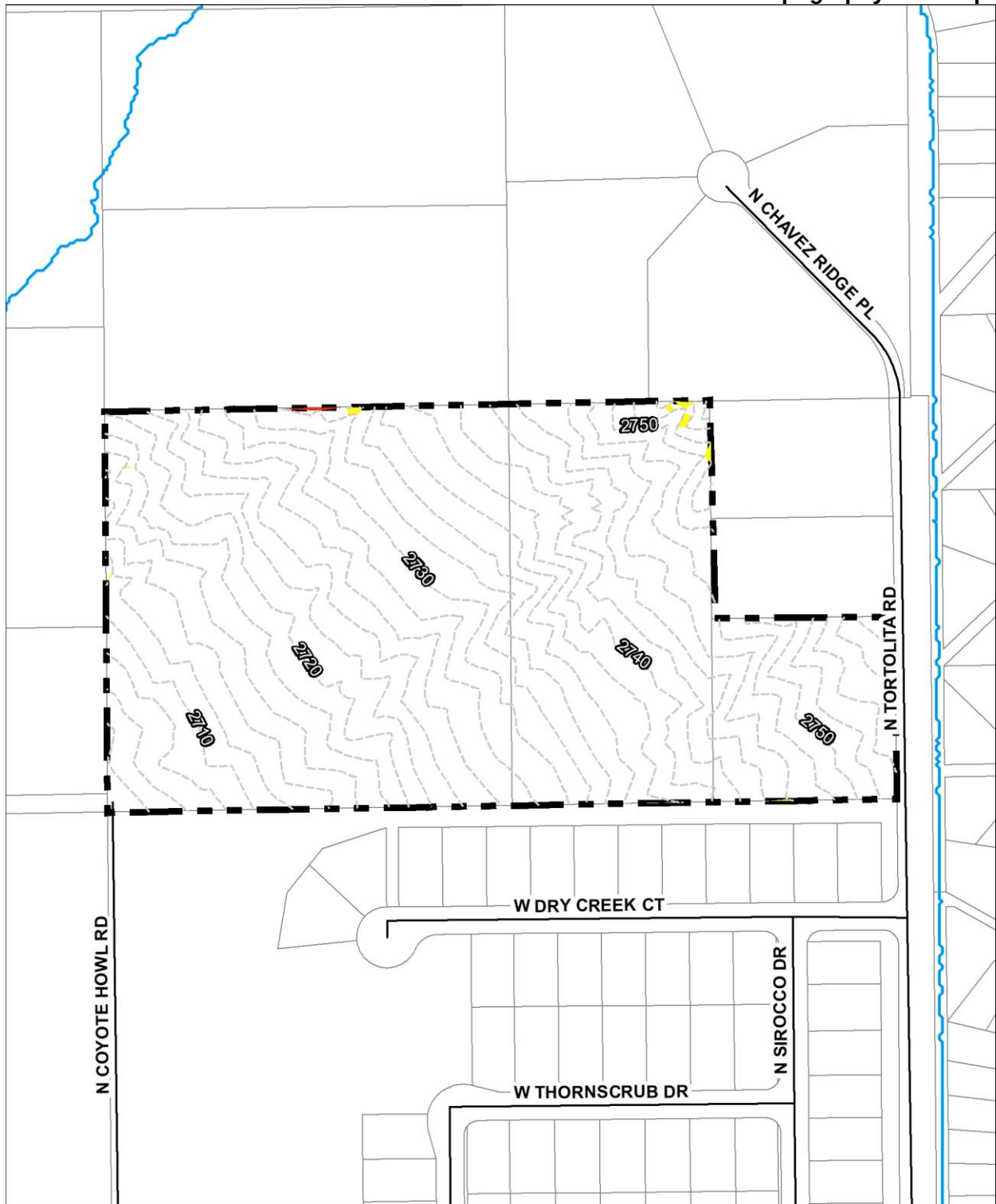
A = total site area in acres (17.3)

$$\text{Cross Slope} = \frac{2 \times 23,387.60 \times 0.0023}{17.3}$$

$$= \sim 6.2\%$$



Exhibit II.B.3.c: Topography and Slope



LEGEND

- Project Boundary
- Parcels
- 2' Elevation Contours
- Washes
- 15-25% Slopes
- Greater than 25% Slopes



FILE NAME: topo_6x8.mxd
SOURCE: Pima County GIS, 2016



6. Pre-Development Hydrology and Water Resources

This portion of the rezoning document includes predevelopment on-site and off-site hydrologic characteristics and water resources. Greg Carlson Engineering, LLC conducted a preliminary drainage assessment for the project site.

Off-site Watersheds

Tortolita Ridge is located within the Tortolita Fan watershed which is designated as a Critical Basin. The subject parcels are not included in a FEMA Flood Hazard Zone, as shown on *Exhibit II.B.6.a: Off-Site Watershed Map*. The local off-site watercourses are tributary to the Ruelas Canyon Wash and are depicted on *Exhibit II.B.6.a*.

Off-site Features

Flood control structures were installed as part of the development of the adjacent subdivisions. The Heritage Highlands VI subdivision located along the east side of Tortolita Road installed a concrete lined collector channel, which flows south, parallel to the east right-of-way of Tortolita Road, which intercepts any historic drainage that would have passed over Tortolita Road and onto the site.

The Tortolita Reserve subdivision along the southern boundary of the site constructed a rip-rap lined collector channel along its north property line to intercept off-site drainage originating from the project site and re-directs the off-site drainage to the west.

Pre-development On-site Hydrology

The Tortolita Ridge project site contains five (5) watersheds under existing conditions. The watershed delineations are shown on *Exhibit II.B.6.a: Off-Site Watershed Map* and *Exhibit II.B.6.b: Existing Conditions On-Site Watershed Map*.

- i. Regulatory Washes*
Only one wash, Watershed C, contributes flow over 50 cfs under existing conditions.
- ii. Sheet Flooding Areas*
The flow patterns for all of the washes are distributary, but no sheet flooding zones have been identified on the project site.
- iii. Federally Mapped Floodways and Floodplains*
There are no federally mapped floodways or floodplains located on the project site.
- iv. Peak Discharges*
Only one wash, Watershed C, contributes flow over 50 cfs under existing conditions. The hydrologic data for the five watersheds, at the downstream concentration point are provided in *Table II.B: Existing Peak Discharges*.



Table II.B: Existing Peak Discharges

Watershed	Area (ac)	Soil	Q ₁₀₀ (cfs)	Q ₁₀ (cfs)	Q ₂ (cfs)
A	1.65	100% B	9.7	3.4	1
B	6.50	100% B	38	13	3.8
C	13.00	100% B	74	26	7.4
D	4.65	100% B	28	9.9	2.8
E	4.24	100% B	25	8.7	2.5

Existing condition flows for both upstream and downstream boundaries of the project are provided on *Exhibit II.B.6.b: Existing Conditions On-Site Watershed Map*.

v. *Existing Drainage Infrastructure Along Boundaries*

The existing drainage infrastructure constructed as part of the Heritage Highlands VI subdivision located east of the project site, intercepts a significant portion of the historic off-site flows. The existing collector channel along the south property line is designed to intercept the existing conditions flows from the proposed project. No drainage infrastructure currently exists on the site.

vi. *Perennial Surface Water*

There is no perennial surface water on the project site.

vii. *Erosion Hazard Setbacks*

An erosion hazard setback will be required for the regulatory wash associated with Wash C. The location of the erosion hazard setback shall be determined in the Drainage Reports during the platting process.



Exhibit II.B.6.a: Off-Site Watershed Map

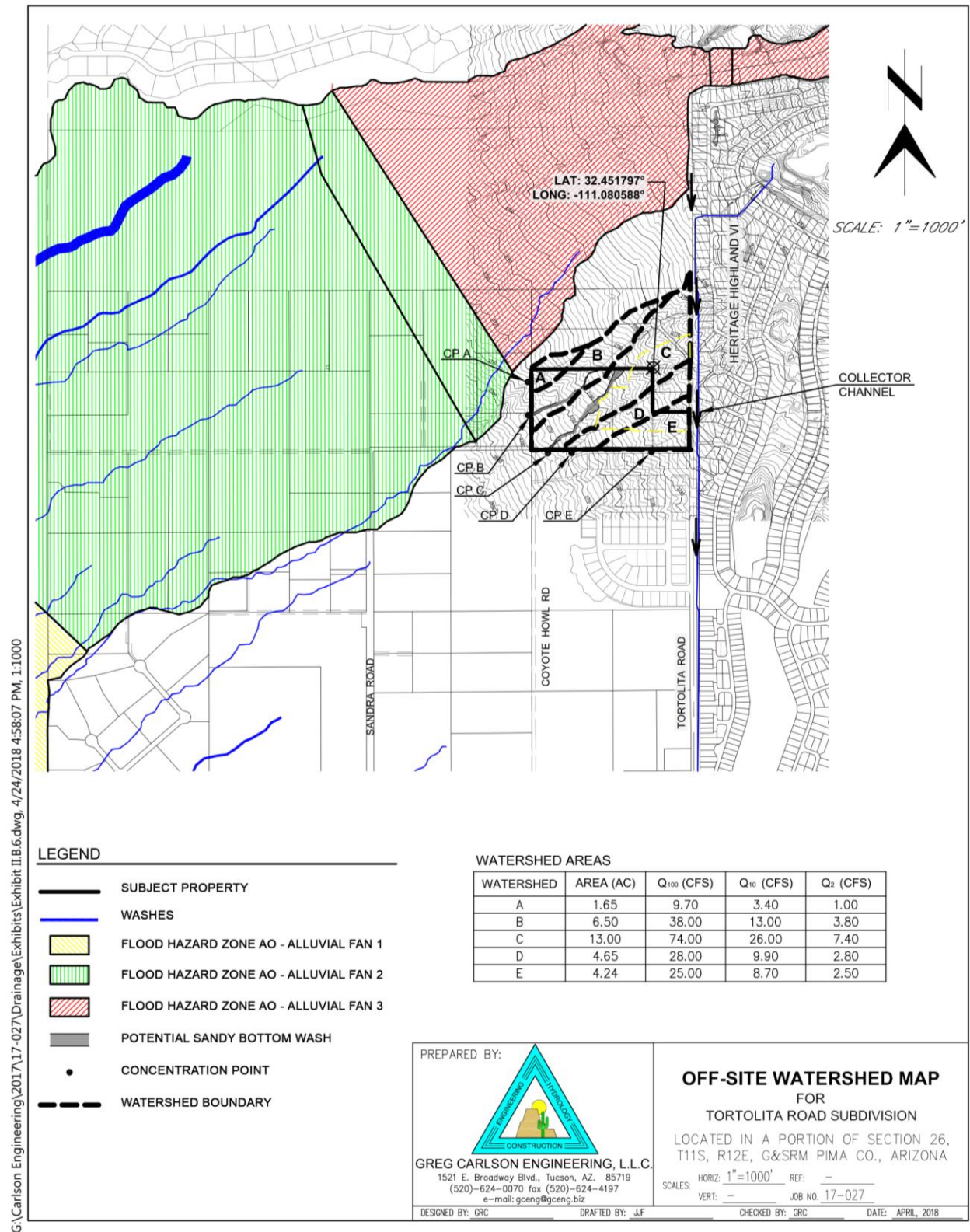
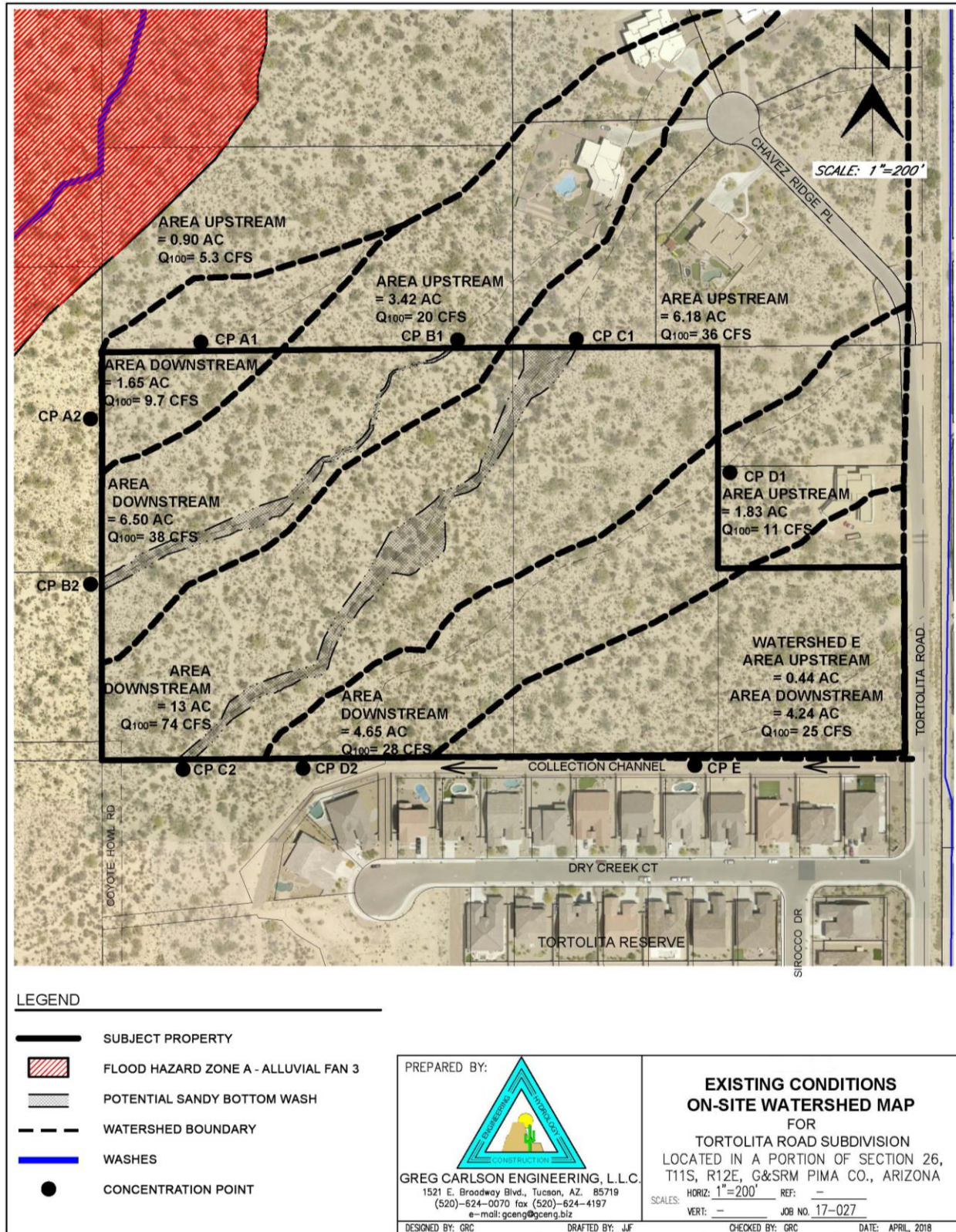


Exhibit II.B.6.b: Existing Conditions On-Site Watershed Map



7. Vegetation

a. Vegetative Communities and Associations On-Site

The project site is located in the Town of Marana, in Pima County, Arizona, and contains native vegetation that is typical of that found in the Sonoran Desert. The property occurs within the Arizona Upland subdivision of the Sonoran Desert Scrub biotic community (Brown and Lowe 1980¹). As shown on *Exhibit II.B.7.a: Vegetation Communities*, the existing on-site vegetation is categorized as Palo Verde – Mixed Cacti across the entirety of the site as well as having an Ironwood Special Element designation (Pima County GIS, 2015). The Ironwood Special Element designation was created through a mapping exercise commissioned by Pima Association of Governments in which generalized vegetation communities were mapped. The Ironwood Special Element designation suggests that significant ironwood populations may be present on a site and should be preserved accordingly. A site visit in June 2017 revealed that there are no significant populations of Ironwoods found on the property.

The site visit also revealed that the site's vegetation is dominated by large stands of Chain Fruit Cholla (*Opuntia Fulgida*). The remainder of the vegetation is comprised of shrubs consistent with Sonoran Desert Scrub, such as Creosote and Brittlebush, interspersed with Foothills Palo Verdes, Ironwoods, and the occasional Mesquite. Most trees observed on-site were in poor health, which was evident by mistletoe infections, dead and/or dying limbs, and insect infestations. The vegetation, while dense, is in a poor state of health.

Table II.B.7.a: Species list of plant species observed on site.

SCIENTIFIC NAME	COMMON NAME
<i>Ambrosia Deltoidea</i>	Triangle-Leaf Bursage
<i>Carnegiea Gigantea</i>	Saguaro Cactus
<i>Celtis Palida</i>	Hackberry Bush
<i>Echinocereus</i> sp.	Hedgehog Cactus
<i>Encelia Ferinosa</i>	Brittlebush
<i>Ferocactus Wislizenii</i>	Barrel Cactus
<i>Fouquieria Splendens</i>	Ocotillo
<i>Larrea Tridentata</i>	Creosote Bush
<i>Olneya Tesota</i>	Ironwood Tree
<i>Opuntia Engelmannii</i>	Prickly Pear Cactus
<i>Opuntia Fulgida</i>	Chain Fruit Cholla
<i>Opuntia Versicolor</i>	Staghorn Cholla
<i>Parkinsonia Microphylla</i>	Foothills Palo Verde



<i>Parkinsonia Florida</i>	Blue Palo Verde
<i>Prosopis Velutina</i>	Velvet Mesquite
<i>Senegalia Greggii</i>	Catclaw Acacia
<i>Vachellia Constricta</i>	White Thorn Acacia

b. Significant Cacti and Groups of Trees & Federally Listed Threatened or Endangered Species

The saguaro population appears to have an indeterminate age structure, with few young plants throughout the site (See *Exhibit II.B.7.b: Site Resource Inventory*). There are three specimens found on-site that meet the criteria for significance; each have been identified on Exhibit II.B.7.b.

The U.S. Fish and Wildlife Service (USFWS) identifies six plant species in Pima County that have protection under the Endangered Species Act (ESA) (Table II.E.3)². None of these species are expected to occur on the property.

Table II.B.7.b: USFWS List of Plant Species for Pima County

Common Name	Scientific Name	ESA Status
Plants		
Acuña Cactus	<i>Echinomastus Erectocentrus</i> Var. <i>Acunensis</i>	Proposed Endangered
Gooding's Onion	<i>Allium Gooddingii</i>	Conservation Agreement
Huachuca Water Umbel	<i>Lilaeopsis Schaffneriana</i> Ssp. <i>Recurva</i>	Endangered
Kearney's Blue Star	<i>Amsonia Kearneyana</i>)	Endangered
Pima Pineapple Cactus	<i>Coryphantha Scheeri</i> Var. <i>Robustispina</i>	Endangered
Nichol Turk's Head Cactus	<i>Echinocactus Horizontalonius</i> Var. <i>Nicholii</i>	Endangered

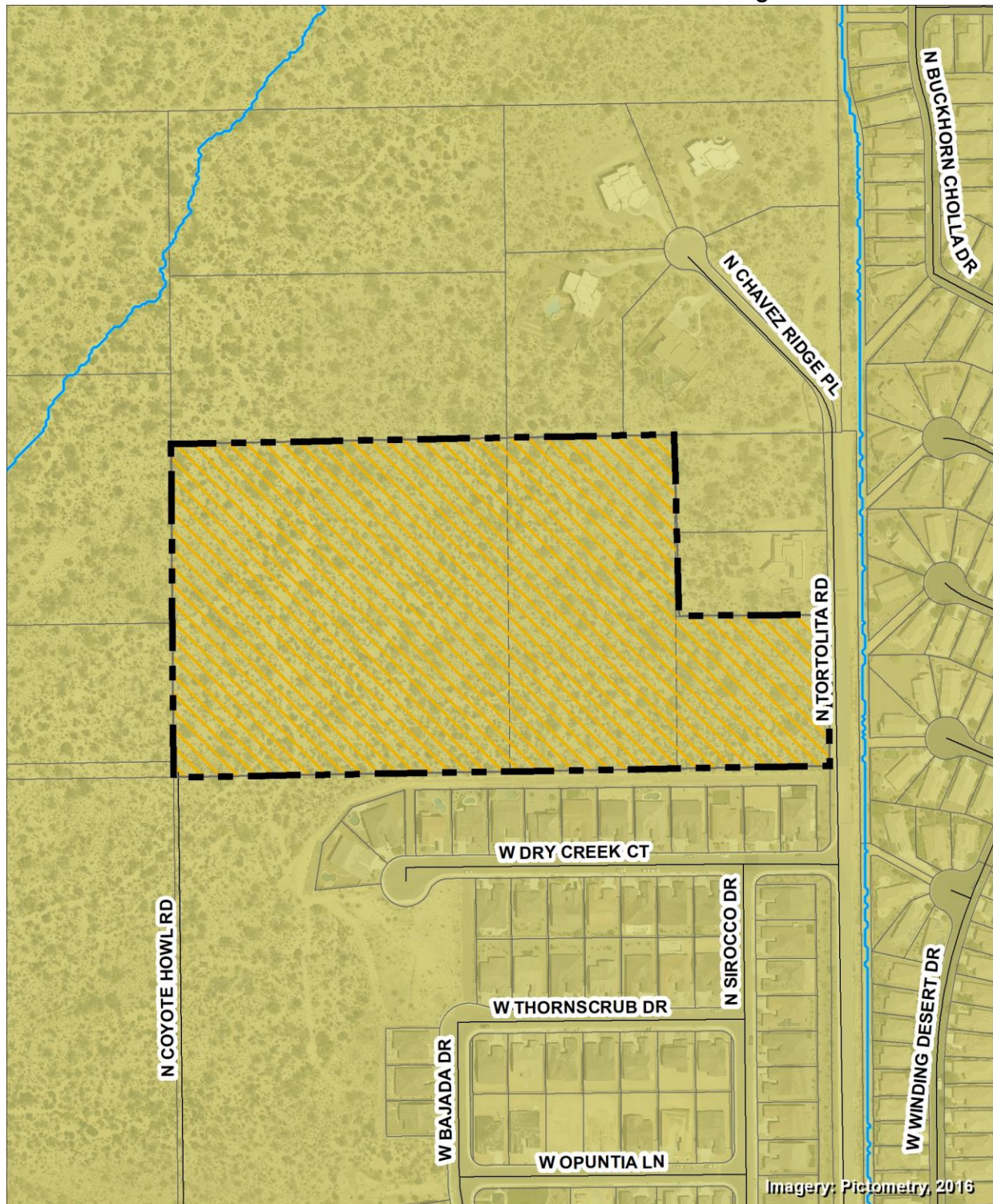
c. Vegetative Densities by Percentage of Plant Cover

Pima County GIS (2016) categorizes the upland, Palo Verde – Mixed Cactus vegetation on the property as medium density. According to 2016 Pima County GIS data, the Palo Verde – Mixed Cacti accounts for 17.3 acres.

² <http://www.fws.gov/southwest/es/arizona/Documents/CountyLists/Pima.pdf>



Exhibit II.B.7.a: Vegetation Communities



LEGEND		Vegetation	Pima County Special Elements
	Project Boundary		
	Parcels	Sonoran Desertscrub	Palo Verde/Mixed Cacti
	Washes		

Note: The entire site is classified as an Ironwood Special Element

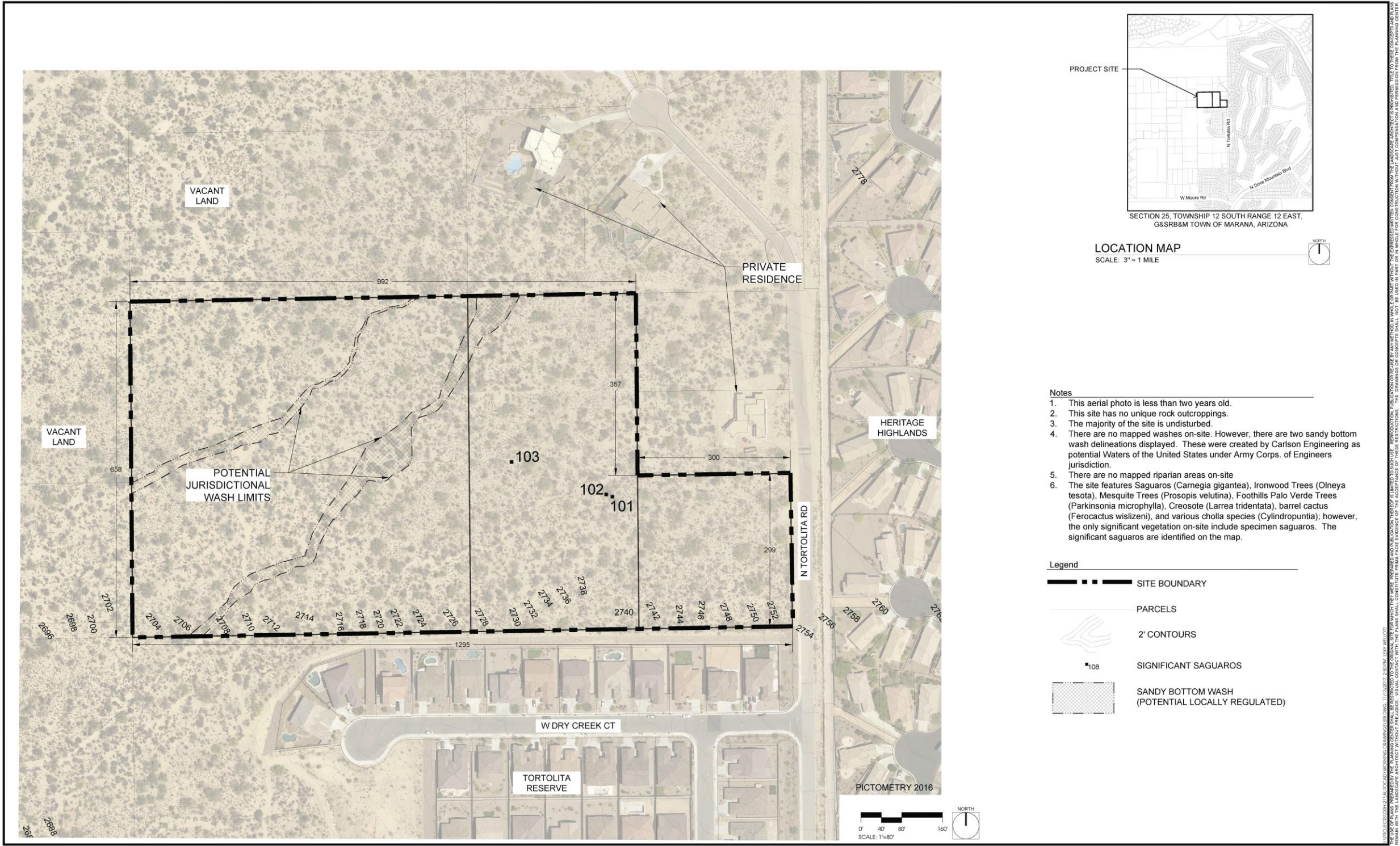
NORTH

0' 150' 300'

FILE NAME: vegetation_6x8
SOURCE: Pima County GIS, 2016



Exhibit II.B.7.b: Site Resource Inventory



THE PLANNING CENTER
a division of TPC Group, Inc.
2 E Congress, Ste 600, Tucson, AZ 85701 | 520.623.6146 | 520.622.1950 | azplanningcenter.com

PROJECT: DRH-21
DATE: 11/13/17
DRAWN BY: C.J.L.
CHECKED BY: F.W.

CALL TWO WORKING DAYS BEFORE YOU DIG
602-263-1100
1-800-STAKE-IT
(OUTSIDE MARICOPA COUNTY)

#	REVISIONS/SUBMITTALS	DATE

PLANNER:
THE PLANNING CENTER
2 E CONGRESS, SUITE 600
TUCSON, AZ 85701
TEL: 520-623-6146

FOR AGENCY REVIEW AND APPROVAL ONLY. NOT FOR CONSTRUCTION. NOT FOR BIDDING

TORTOLITA ROAD
SITE RESOURCE INVENTORY (SRI)

CASE NO:
REFERENCE:
SRI
1 OF 1

8. Wildlife

a. Letter from Habitat Specialist

Arizona Game and Fish Department's (AZGFD) Heritage Data Management System was consulted via the On-line Environmental Review to locate records of endangered or threatened wildlife species that have occurred within three miles of the property. The summary page from the HDMS review has been included as *Exhibit: II.B.8: AGFD On-line Environmental Review*. The entire HDMS review document is included in the appendices of this rezoning document.

i. Presence of any Threatened or Endangered Species

The Sonoran Desert Tortoise (*Gopherus Morafkai*) is a candidate to be protected under the Endangered Species Act (ESA). The HDMS search found that the desert tortoise occurs within three miles of the property. The tortoise carries a sensitive (S) designation by the United States Forest Service (USFS). The species also is listed by the State as WSC (Wildlife of Special Concern.)

The Golden Eagle (*Aquila Crysaetos*) occurs within three miles of the project location and falls under the federal protection of the Bald and Golden Eagle Protection Act (16 U.S.C. 668(a); 50 CFR 22), which prohibits the taking of any Golden Eagle without a permit. The eagle also carries a sensitive (S) designation from the Bureau of Land Management (BLM).

The Cactus Ferruginous Pygmy-owl (*Glaucidium Brazilianum Cactorum*) has been identified by the HDMS as occurring within three miles of the project site. The owl carries a SC (species of concern) designation by the US Fish and Wildlife Service (USFWS), and listed as a sensitive species (S) by the USFWS and the BLM.

The Gila Monster (*Heloderma Suspectum*) has been identified by the HDMS as occurring within three miles of the project site. The Gila Monster is a Species of Greatest Conservation Need (SGCN) and is scored 1A for vulnerability.

ii. High Densities of given Species Population

As indicated by the HDMS review, there are no high densities of a given species located on the proposed site.

iii. Aquatic or Riparian Ecosystems

There are no Pima County Important Riparian Areas (IRA) located on-site.

iv. Wildlife corridor

The property has been identified by the HDMS as being within three miles of the Tucson – Tortolita – Santa Catalina Mountains Linkage Design wildlife corridor.



b. AGFD Wildlife Concerns

No concerns have been brought forth by the Arizona Game and Fish Department as a result of the proposed development. The proposed development will consider specific recommendations presented by the AGFD in regard to the design of the project as a means of maintaining wildlife connectivity and minimizing adverse impacts to wildlife.

c. Wildlife Crossings

There are no wildlife crossings in the vicinity of the project.



Exhibit II.B.8: AGFD Online Environmental Review

Arizona Game and Fish Department
Project ID: HGIS-05735

project_report_drh_21_tortolita_rd_rezonin_23657_24280.pdf
Review Date: 7/10/2017 02:07:30 PM

Special Status Species and Special Areas Documented within 3 Miles of Project Vicinity

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
<i>Aquila chrysaetos</i>	Golden Eagle	BGA		S		1B
<i>Glaucidium brasilianum cactorum</i>	Cactus Ferruginous Pygmy-owl	SC	S	S		1B
<i>Gopherus morafkai</i>	Sonoran Desert Tortoise	CCA	S	S		1A
<i>Heloderma suspectum</i>	Gila Monster					1A
Tucson - Tortolita - Santa Catalina Mountains Linkage Design	Wildlife Corridor					

Note: Status code definitions can be found at <https://www.azgfd.com/wildlife/planning/wildlife-guidelines/status-definitions/>

Species of Greatest Conservation Need

Predicted within Project Vicinity based on Predicted Range Models

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
<i>Aix sponsa</i>	Wood Duck					1B
<i>Ammodramus savannarum perpallidus</i>	Western Grasshopper Sparrow					1B
<i>Ammospermophilus harrisi</i>	Harris' Antelope Squirrel					1B
<i>Anaxyrus retiformis</i>	Sonoran Green Toad			S		1B
<i>Anthus spragueii</i>	Sprague's Pipit	SC				1A
<i>Antrostomus ridgwayi</i>	Buff-collared Nighthawk		S			1B
<i>Aquila chrysaetos</i>	Golden Eagle			S		1B
<i>Aspidoscelis flagellicauda</i>	Gila Spotted Whiptail					1B
<i>Aspidoscelis stictogramma</i>	Giant Spotted Whiptail	SC	S			1B
<i>Athene cunicularia hypugaea</i>	Western Burrowing Owl	SC	S	S		1B
<i>Botaurus lentiginosus</i>	American Bittern					1B
<i>Buteo regalis</i>	Ferruginous Hawk	SC		S		1B
<i>Chilomeniscus stramineus</i>	Variable Sandsnake					1B
<i>Chionactis occipitalis klauberi</i>	Tucson Shovel-nosed Snake	SC				1A
<i>Colaptes chrysoides</i>	Gilded Flicker			S		1B
<i>Coluber bilineatus</i>	Sonoran Whipsnake					1B
<i>Corynorhinus townsendii pallescens</i>	Pale Townsend's Big-eared Bat	SC	S	S		1B
<i>Crotalus cerberus</i>	Arizona Black Rattlesnake					1B
<i>Crotalus tigris</i>	Tiger Rattlesnake					1B
<i>Cynanthus latirostris</i>	Broad-billed Hummingbird		S			1B
<i>Cyprinodon macularius</i>	Desert Pupfish	LE				1A
<i>Dipodomys spectabilis</i>	Banner-tailed Kangaroo Rat			S		1B
<i>Euderma maculatum</i>	Spotted Bat	SC	S	S		1B
<i>Eumops perotis californicus</i>	Greater Western Bonneted Bat	SC		S		1B
<i>Falco peregrinus anatum</i>	American Peregrine Falcon	SC	S	S		1A
<i>Glaucidium brasilianum cactorum</i>	Cactus Ferruginous Pygmy-owl	SC	S	S		1B
<i>Glaucidium gnoma gnoma</i>	Mountain Pygmy-owl					1B

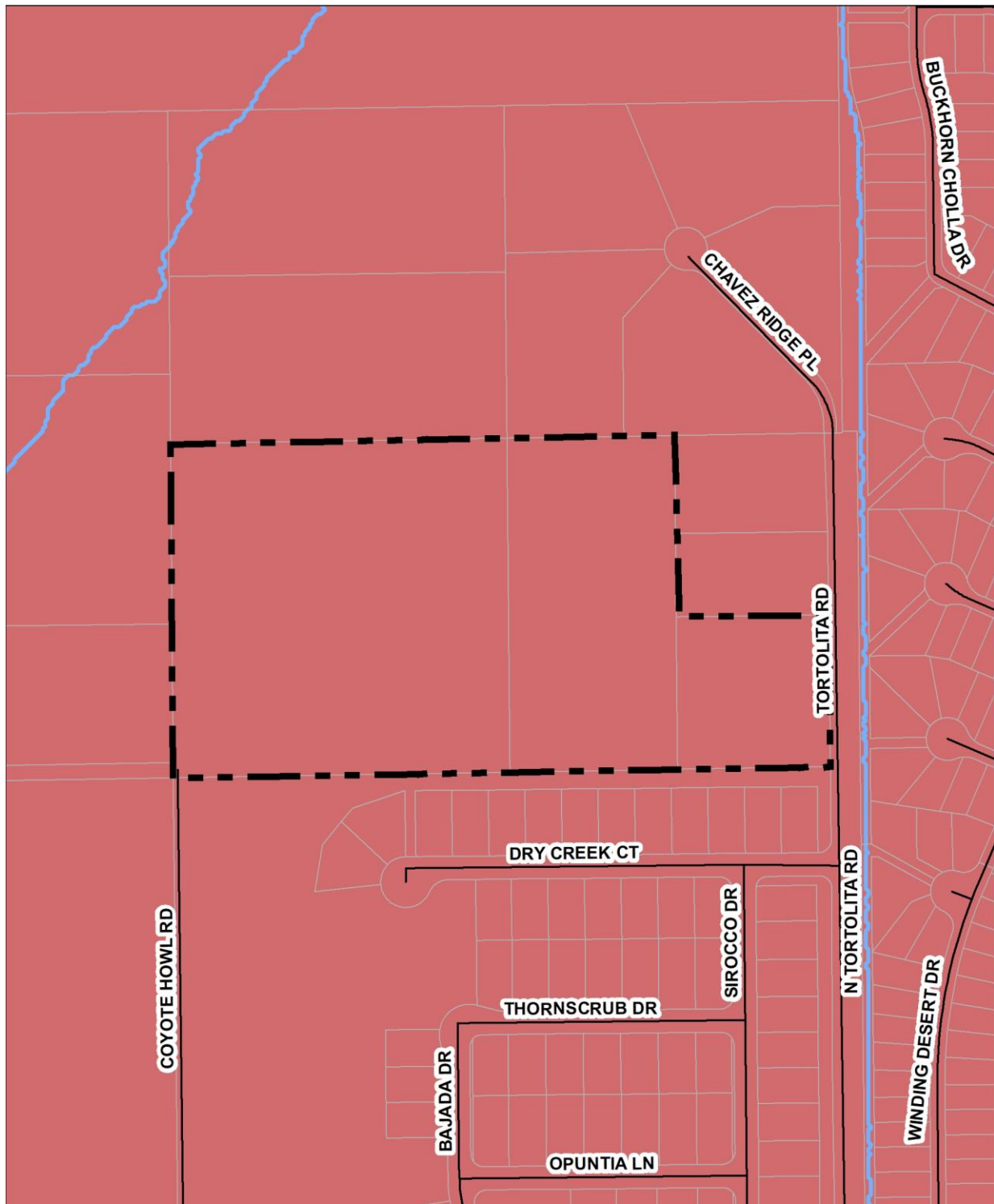


9. Soils and Geology

The Natural Resource Conservation Service (NRCS) classifies the subject property as “Hayhook-Sonoita.” This designation is typical of the Tortolita Fan area and is characterized by soils consisting of very deep, well-drained, and moderately rapidly permeable soils on fan terraces. The soils are formed in alluvium derived dominantly from granite, and consist of course sandy loam (refer to *Exhibit II.B.9: Soils*).



Exhibit II.B.9: Soils



Legend

- Project Boundary
- Parcels
- Washes
- Roads

Soils

- Hayhook-Sonoita



FILE NAME: soils_6x8.mxd
SOURCE: Pima County GIS, 2016



10. Viewsheds

a. Viewshed Description

i. Views from Adjacent Areas

See *Exhibit II.B.10.a.1: Photo Key Map* and *Exhibit II.B.10.a.2: Site Photos*.

ii. Potentially Blocked Views

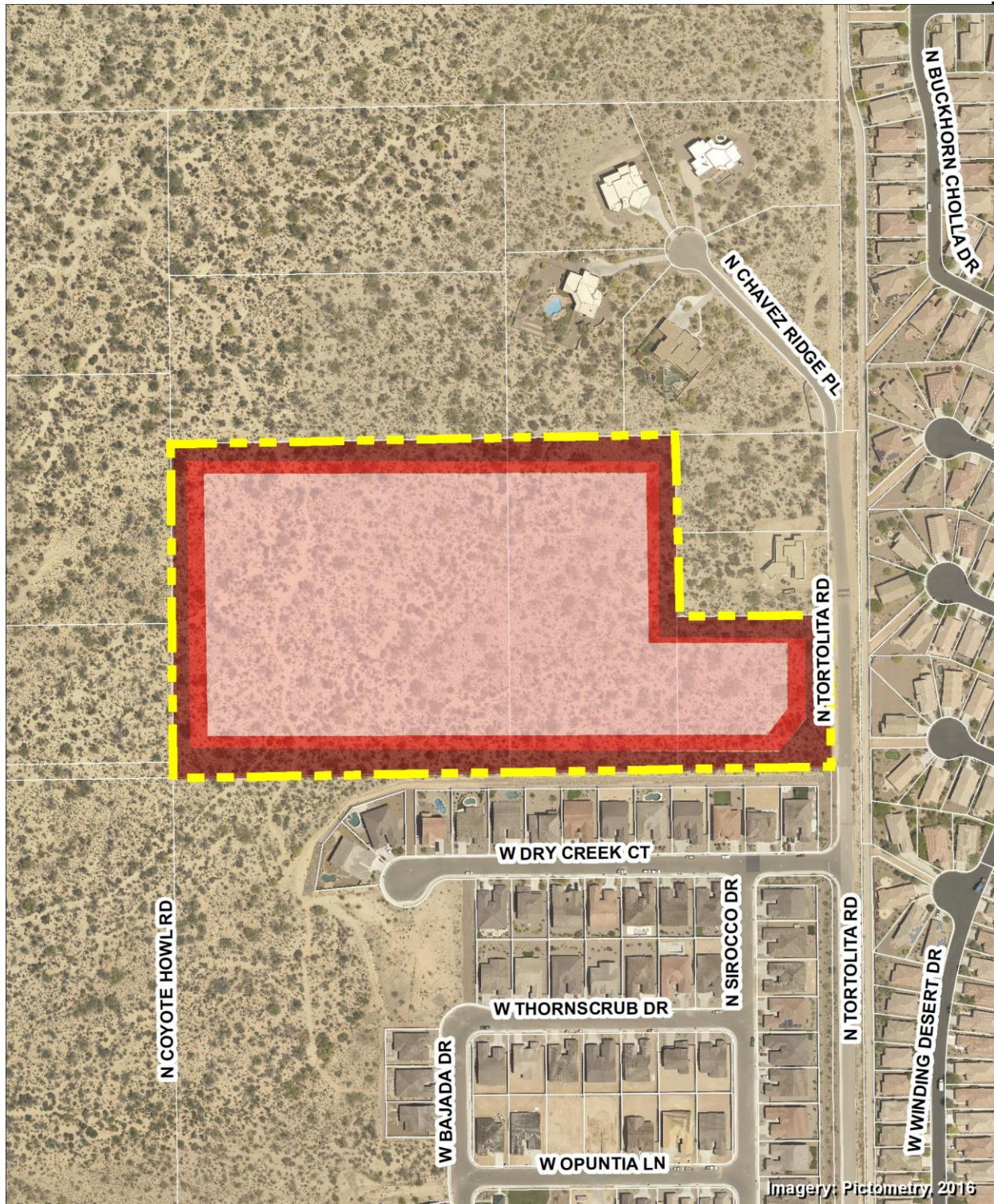
The property is bordered by the Tortolita Reserve subdivision on the south and the Hidden Springs subdivision on a portion of the northern boundary. Large lot single-family residences border the northeastern boundary of the site. By virtue of the existing topography of the site, which slopes from northeast to southwest, the proposed development will minimally impact the viewsheds of the Tortolita Mountains and other visual appealing amenities from the adjacent properties. Similarly, to the Tortolita Reserve subdivision, thoughtful home positioning on each lot may provide for some view corridors from the southern property boundary. The natural fall of the site will also aid in preserving views from the Tortolita Preserve.

iii. Areas of High Visibility

The areas of high, medium, and low visibility can be seen on *Exhibit II.B.2: Visibility*. The visibility of the site was determined during a site visit in June 2017 by viewing the site from a variety of off-site vantage points. Although the site slopes from northeast to southwest, the large lots and setbacks of the custom residential lots do not allow for views deep into the site. These areas and those next to Tortolita Road have been given the highest visibility ratings. Views from the south have been given a medium visibility rating. Views from the adjacent vacant land to the west and northwest have been rated as low visibility.



Exhibit II.B.10: Site Visibility



LEGEND

- PROJECT BOUNDARY
- PARCELS

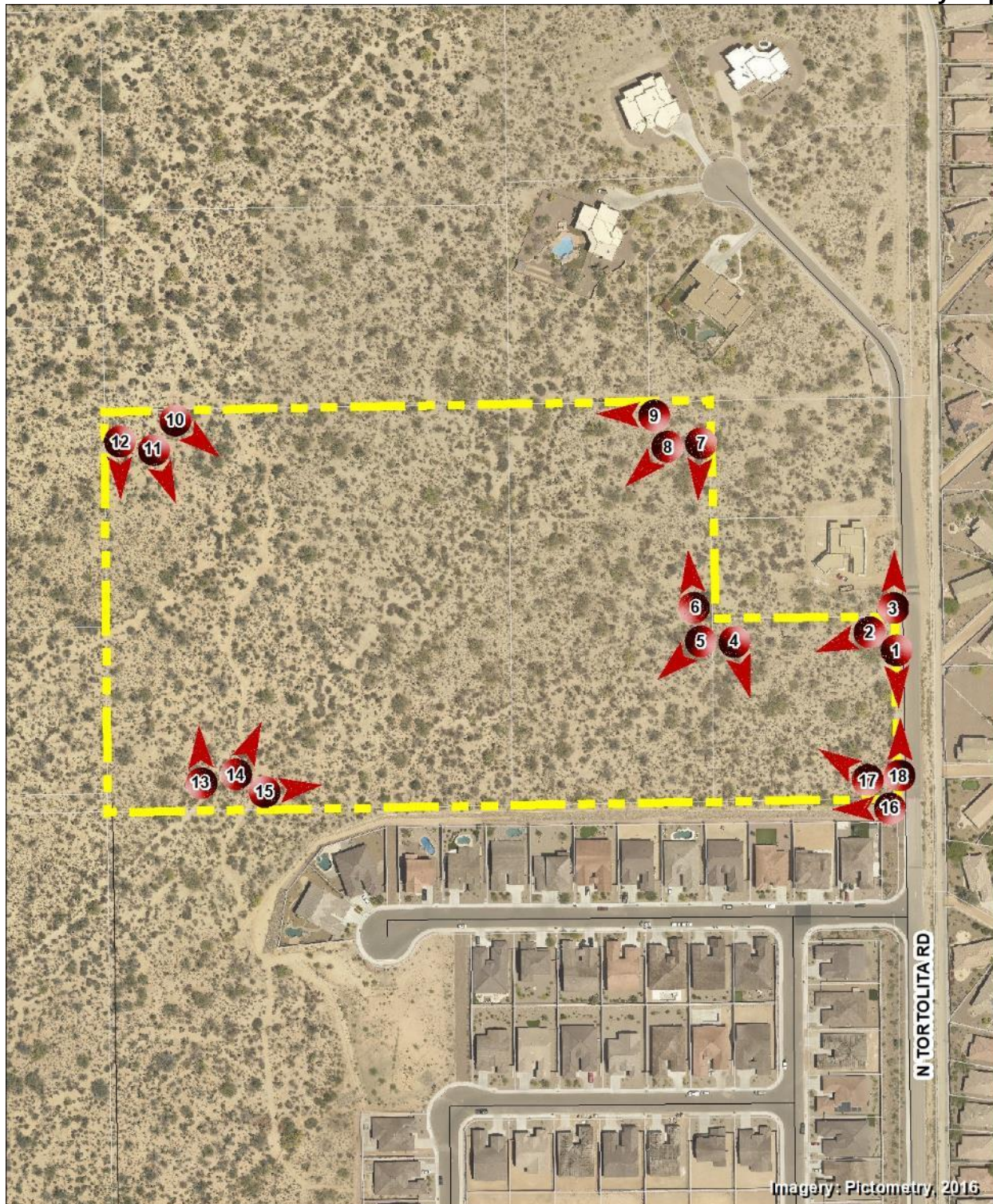
- LOW VISIBILITY
- MEDIUM VISIBILITY
- HIGH VISIBILITY



FILE NAME: site_vis_6x8
SOURCE: Pima County GIS, 2016

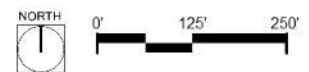


Exhibit II.B.10.a.1: Photo Key Map



LEGEND

-  PROJECT BOUNDARY
-  PARCELS
-  PHOTO POINT LOCATION AND DIRECTION



FILE NAME: Photo_key_6x8
SOURCE: Pima County GIS, 2016



Exhibit II.B.10.a.2: Site Photos



Photo 1: Looking south from the northeast property corner along Tortolita Rd.



Photo 2: Looking southwest from the northeast property corner along Tortolita Rd.



Photo 3: Looking north from the northeast property corner along Tortolita Rd.



Photo 4: Looking southeast from the central property corner 300' west of Tortolita Rd.



Photo 5: Looking southwest from the central property corner (300' west of Tortolita Rd.)



Photo 6: Looking north from the central property corner 300' west of Tortolita Rd.

Exhibit II.B.10.a.2: Site Photos (cont.)



Photo 7: Looking south from the northeast property corner.



Photo 8: Looking southwest from the northeast property corner.



Photo 9: Looking west from the northeast property corner.



Photo 10: Looking southeast from the northwest property corner.



Photo 11: Looking southeast from the northwest property corner.



Photo 12: Looking south from the northwest property corner.

Exhibit II.B.10.a.2: Site Photos (cont.)



Photo 13: Looking northwest from the southern property boundary.



Photo 14: Looking northeast from the southern property boundary.



Photo 15: Looking east from the southern property boundary.



Photo 16: Looking east from the southeast property corner.



Photo 17: Looking northwest from the southeast property corner.



Photos 18: Looking north from the southeast property corner.

11. Traffic and Circulation

a. Description

i. Existing and Proposed Off-Site Streets

The property can be accessed from Tortolita Road. No off-site roads are proposed within the scope of this project. Existing roadways within the project area are shown on *Exhibit II.B.11.a: Traffic and Circulation*.

ii. Arterial Streets within One Mile of the Project Site

According to Pima County MapGuide, Tortolita Road is categorized as a minor local road. It is not categorized on the Pima County Major Streets and Scenic Routes Plan (MSSRP) re-adopted on August 17, 2015. Tortolita Road serves single-family residences within the project vicinity. According to MapGuide, the only major local road within a one-mile radius of the project site is Dove Mountain Boulevard. There are no plans to expand the existing right-of-way of Dove Mountain Boulevard.

According to the Pima County Department of Transportation, there are no current or future projects planned in the vicinity of the project site. Per Pima Association of Governments (PAG) Regional Mobility and Accessibility Plan (RMAP), adopted May 26, 2016, the closest road improvement project is the widening of Tangerine Road. Currently underway, this project will expand the two-lane configuration to a four-lane divided roadway and separated multi-use trail from I-10 to La Canada Drive.

In order to provide on-site circulation, two public streets will be constructed, one of which will have access to Tortolita Road. The internal roadway network will be constructed in accordance with the Town of Marana Subdivision Street Standards.



Table II.B.11.a: Roadway Inventory

Roadway Segment	Road Classification	Existing / Proposed Rights-of-Way*	No. Lanes****	Conforms To Width Standards**	Continuous ROW*	Curb/ Gutter****	Capacity***	Paving****	Posted Speed Limit****
Tortolita Road	Minor Local Road	30 feet	2	Yes	Yes	Partial	N/A	Yes	25
Dove Mountain Blvd	Major Local Road	150 feet	4	Yes	Yes	No	32,900	Yes	40
Tangerine Road	Major Local Road	100-230 feet	2-4	Yes	No	No	15,600	Yes	50
Twin Peaks Road	Major Local Road	150 feet	4	Yes	Yes	No	32,900	Yes	45

Source:* Pima County Mapguide (2015), **Pima County Major Streets and Scenic Routes Plan (2011), ***Florida Department of Transportation (2007), ****Google Earth (2015)



Table II.B.11.b: Average Daily Trips

Dove Mountain Boulevard (Tangerine Road to Moore Road)	9,772 (2012)
Tangerine Road (WB I-10 Frontage Road to Thornydale Road)	6,481 (2016)

Source: Pima Association of Governments Traffic Count Records, 2015.

b. Existing and Proposed Intersections

The development will have a single entry that will be accessed by Tortolita Road. An emergency access will be provided through an existing easement along the northern property boundary. There are no intersections of major local roads within one-mile of the project site. The closest intersection of major roads is Dove Mountain Boulevard and Tangerine Road.

c. Existing Bicycle and Pedestrian Ways Adjacent to the Site and Their Connections with Arterial Streets, Parks and Schools

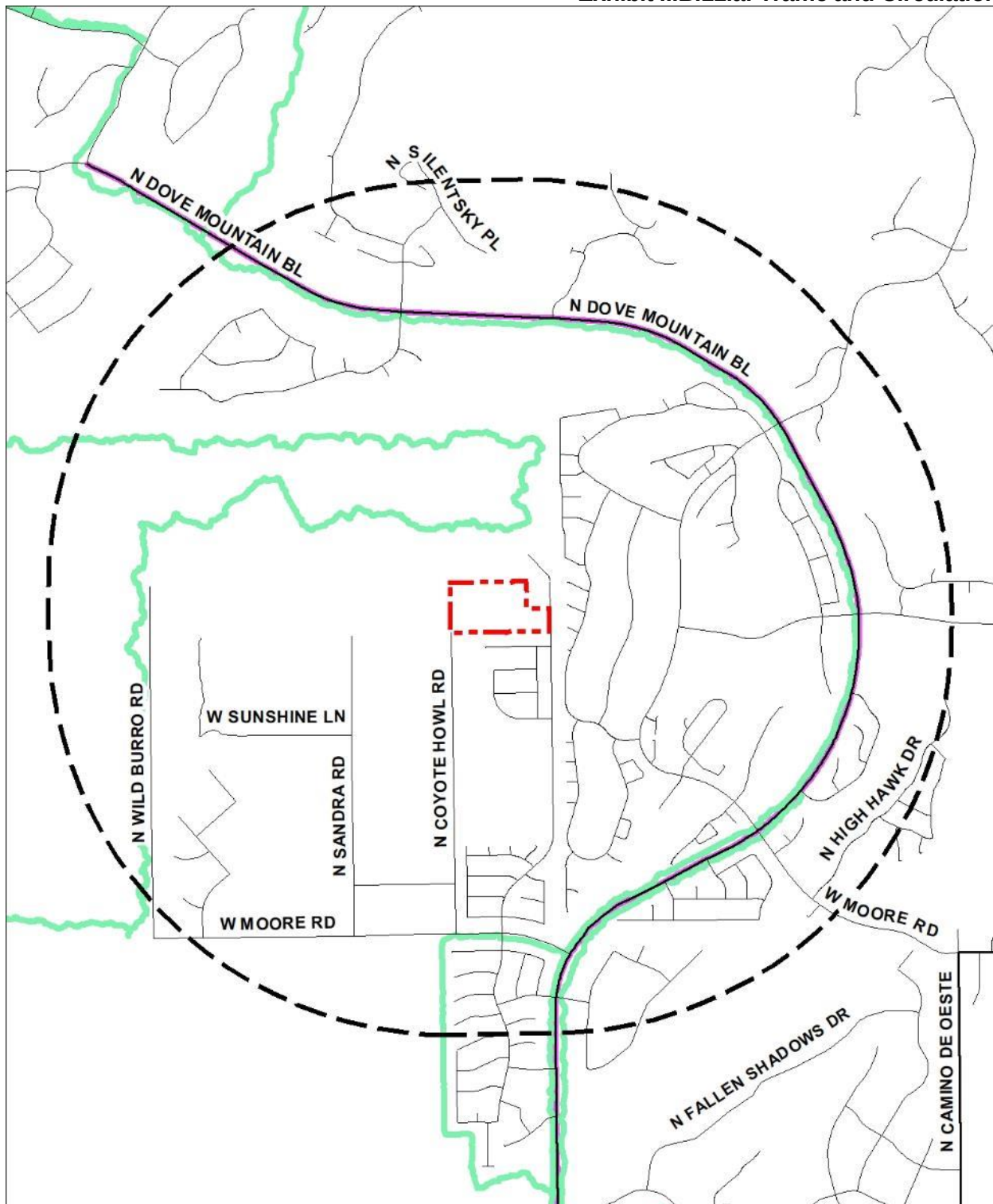
According to Pima County GIS, there are bike routes with striped shoulders along the entire length of Dove Mountain Boulevard. Additionally, there is a dirt path adjacent to Dove Mountain Boulevard that serves as a mountain bike, hiking, equestrian and wildland trail located on the west/south side of Dove Mountain Boulevard and partially along the east/north side of Dove Mountain Boulevard (see *Exhibit II.B.11.a: Traffic and Circulation*).

d. Existing Easements

There is an existing fifteen-foot ingress/egress easement (DKT. 4287 PG. 163) located on the northern property boundary that extends west from Tortolita Road for approximately 630 feet (as measured westerly from the right-of-way). Additionally, there is an existing twenty-foot public sewer easement that has been granted by the Tortolita Reserve plat (Sequence No. 20123140200) located on the southern property boundary.

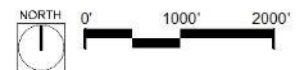


Exhibit II.B.11.a: Traffic and Circulation



LEGEND

- | | | | |
|---|------------------|---|--|
|  | Project Boundary |  | Major Local Roads (Current ROW/Future ROW) |
|  | 1 Mile Radius |  | Bicycle Routes w/Striped Shoulder |
| | |  | Hiking/Mountain Bike/ |
| | |  | Equestrian/Wildland Trail |
| | |  | Key Connecting Streets |
| | |  | Shared-use Path |



FILE NAME: traffic_6x8
SOURCE: Pima County GIS, 2016



12. Recreation and Trails

a. Open Space, Recreation Facilities, Parks and Trails

According to the *Pima Regional Trail System (PRTS) Master Plan* and the Town of Marana's *Comprehensive Parks, Trails, and Open Space Master Plan*, and as indicated on Exhibit II.B.12.a: *Parks and Trails* and Table II.B.12.a: *Parks and Trails Inventory*, there are several open space and recreational amenities within one-mile of the project area.

Table II.B.12.a: Parks and Trails Inventory

Amenity Name	Amenity Type	Distance to Project Site
Wild Burro Trail (#036)	Singletrack Trail	± 1 mile
Tortolita Preserves Trail (#455)	Singletrack Trail	± 1 mile
Unnamed Marana Trail (#401)	Singletrack Trail	± 1 mile
Tortolita Foothills Trail (#167)	Singletrack Trail	± 1 mile
Prospect Trail (#163)	Singletrack Trail	± 1 mile
Dove Mountain Trail (#387)	Singletrack Trail	± 1 mile
Tortolita Preserve	Preserve	± 1 mile
Dove Mountain Neighborhood Park	Neighborhood Park	± 1 mile

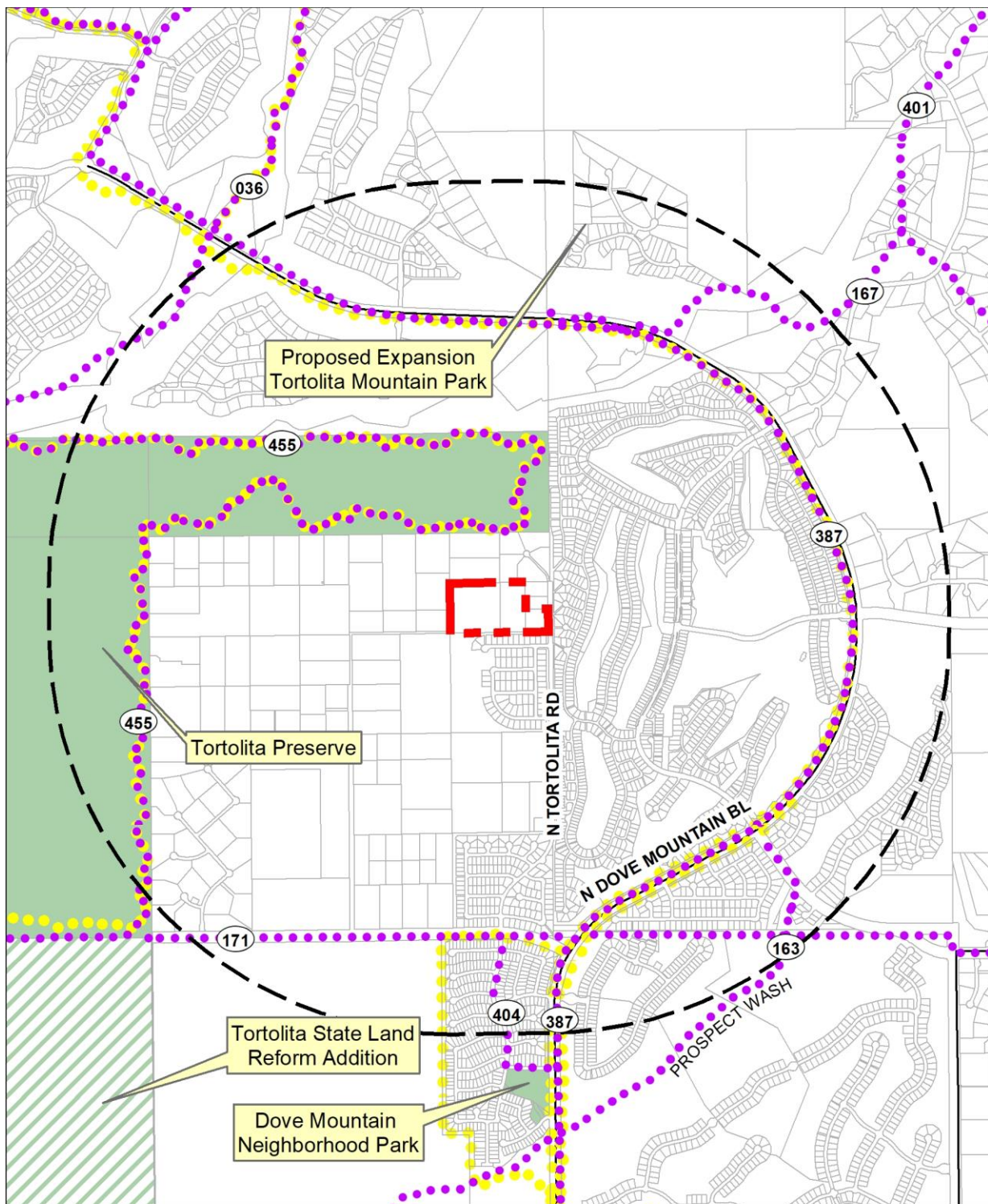
Tortolita Preserve offers hikers and mountain bikers an easy/moderate 10-mile loop trail nearby through moderately flat terrain. This popular scenic trail starts and ends near the corner of Moore Road and Wild Burro Road. The Wild Burro Trail (#036) cuts across the northwest corner of Tortolita Preserve to provide access to the greater area trail network, including several Tortolita Mountain Park trails.

The Tortolita State Land Reform Addition is located approximately one mile southwest of the subject property. The Tortolita State Land Reform Addition is proposed to set aside 12,470 acres of open space and park land between the Tortolita Mountains and the Central Arizona Project. An expansion of Tortolita Mountain Park is also planned approximately one mile to the north and east of the rezoning area.

The Tortolita Ridge rezoning supports the goals of the *Pima Regional Trail System Master Plan* and the Town of Marana *Parks, Recreation, Trails and Open Space Master Plan* by providing nearly half of the site as open space for passive recreation opportunities.



Exhibit II.B.12.a: Parks and Trails

**LEGEND**

- Project Boundary
- One-Mile Radius
- Existing Parks

- Pima County Singletrack Trails
- Marana or Dove Mountain Trails
- Proposed Parks



0' 1000' 2000'

FILE NAME: rec_trails_6x8
SOURCE: Pima County GIS, 2016



13. Cultural Resources

a. General Information

According to a record search performed by the Arizona State Museum (ASM), six (6) survey projects have been conducted within a one-mile radius of the project; each of which were conducted for residential and commercial development, road construction and improvements, archaeological research, and the installation of water, sewer, utility and transmission lines. The entire project area was previously surveyed.

Eleven (11) archaeological sites have been identified within a one-mile radius of the project. However, no sites are crossed by the project area.

b. Letter from Archaeologist

Due to the age of the previous survey, the ASM advises that a qualified archaeological contractor be consulted before any ground disturbance begins (see *Exhibit II.B.13.b: Archaeological Records Search*).



Exhibit II.B.13.b: Archaeological Records Search**ARCHAEOLOGICAL SUMMARY LETTER**

This letter summarizes the results of archaeological records research. It does not constitute a cultural resources clearance.

Date: 8/7/2017 **Requester Name:** Lexy Wellott
Company: The Planning Center **Address:** 2 E. Congress St., #600, Tucson, AZ 85701
Phone: 520-623-6146 **Email:** lwellott@azplanningcenter.com
Legal Description: T11S R12E S26 **Project Area Location:** Parcels 218-44-022C, 218-44-022D, 218-44-022H
Project Name: Tortolita Road Rezoning **Project Description:** Rezoning within the Town of Marana

Search Results:

According to a search of the archaeological records retained at the Arizona State Museum (ASM), six survey projects were conducted within a one-mile radius of the project area between 1981 and 2012. Previous survey work was conducted in support of archaeological research, residential development, road construction, and the installation of cell towers. The entire project area was surveyed during the Northern Tucson Basin archaeological research survey in 1981 (ASM Accession number 1981-174; Fish et al. 1992; Madsen et al. 1993).

Eleven archaeological sites have been identified within a 1-mile radius of the project area. No sites are crossed by the project area.

Sites in Project Area:

None are recorded; but the project area has not been surveyed in over 35 years.

Recommendations:

1. Although the entire project area has been previously surveyed, the work was conducted over 35 years ago. It is standard archaeological practice for a property to be re-surveyed if the previous survey was conducted 10 or more years ago, as there is a possibility for unidentified archaeological properties to have since been exposed. ASM recommends, but it is not required by ASM, that a qualified archaeological contractor be consulted before any ground disturbance begins. A list of archaeological contractors is available on the ASM website at:

<http://www.statemuseum.arizona.edu/crservices/permits/index.shtml>.

2. Pursuant to *Arizona Revised Statutes* §41-865, if any human remains or funerary objects are discovered during project work, all work will stop within the area of the remains and Dr. Todd Pitezel, ASM associate curator of archaeology, will be contacted at (520) 621-4795.

3. City, county, or municipal governments may have requirements, therefore ASM recommends that the relevant jurisdiction(s) be consulted.

If you have any questions about the results of this records search, please contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Shannon D. Twilling".

Shannon D. Twilling, M.A.
Research Specialist
Archaeological Permits Office
Arizona State Museum
(520) 621-2096
twilling@email.arizona.edu



14. Infrastructure and Public Facilities

a. Sewer

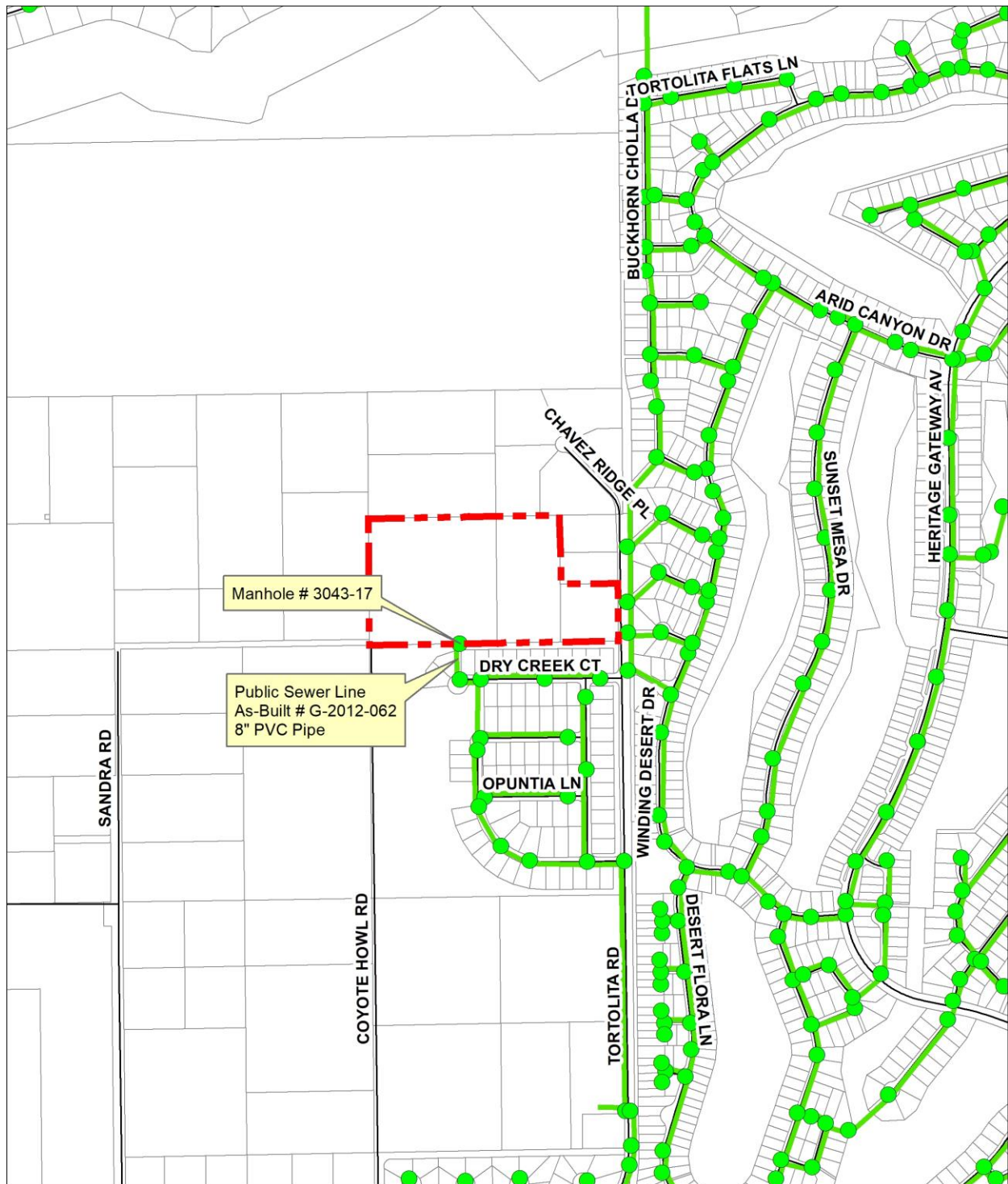
Pima County Regional Wastewater Reclamation Department (RWRD) indicates that this project is tributary to the Tres Rios Water Reclamation Facility via the Canada Del Oro Interceptor. RWRD has indicated that capacity is currently available in the public sewer G-2012-062, downstream from manhole 3043-17 (see *Exhibit II.B.14.a.1: Sewer Map* and *Exhibit II.B.14.a.2: Wastewater Capacity Letter*).

b. Water

Currently, parcel 218-44-022H adjacent to Tortolita Road is within the Obligated Service Area for Tucson Water. In preliminary discussions with Tucson Water, water service will be provided to the site upon a successful lot combination of the three parcels subject to the rezoning request. The lot combination process has been initiated and is underway.



Exhibit II.B.14.a.1: Sewer Map



LEGEND

- Project Boundary
- Existing Sewer Network
- Parcels
- Existing Manholes

NORTH
0' 250' 500'
FILE NAME: sewer_6x8.mxd
SOURCE: Pima County GIS, 2016



Exhibit II.B.14.a.2: Wastewater Capacity Letter

JACKSON JENKINS
DIRECTOR



PH: (520) 724-6500
FAX: (520) 724-9635

November 3, 2017

Lexy Wellott
The Planning Center
2 E Congress, Ste 600
Tucson, AZ 85701

Capacity Response No. 2017-233 Type II

**RE: Tortolita Road Rezoning for DR Horton, Parcel 21844022C, 21844022D, 21844022H
Estimated Flow 7,344 gpd (ADWF).
P17WC00233**

Greetings:

The above referenced project is tributary to the Tres Rios Water Reclamation Facility via the Cañada Del Oro Interceptor.

Capacity is currently available for a project this size in the public sewer G-2012-062, downstream from manhole 3043-17.

This letter is not a reservation or commitment of treatment or conveyance capacity for this project. It is not an approval of point and method of connection. It is an analysis of the system as of this date.

If further information is needed, please feel free to contact us at (520) 724-6642.

Reviewed by: Kurt Stemm, CEA Sr.



c. Fire Service

Northwest Fire District provides service to parcels identified by APNs 218-44-022D, 218-44-022C; however, the parcel identified by APN 218-44-022H is not currently included within the District's boundary. Currently, the closest Northwest Fire District station is located at 13001 Tortolita Road approximately 2 miles north of the project site, west of the Dove Mountain Specific Plan area (See *Exhibit II.14.c: Public Facilities*).

Before a Certificate of Occupancy can be issued for any dwelling unit on the property, the Developer shall have completed or shall provide evidence to the Town's satisfaction that the Developer has made a diligent effort to complete the process of having the remaining parcel annexed into the Northwest Fire District.

d. Police Service

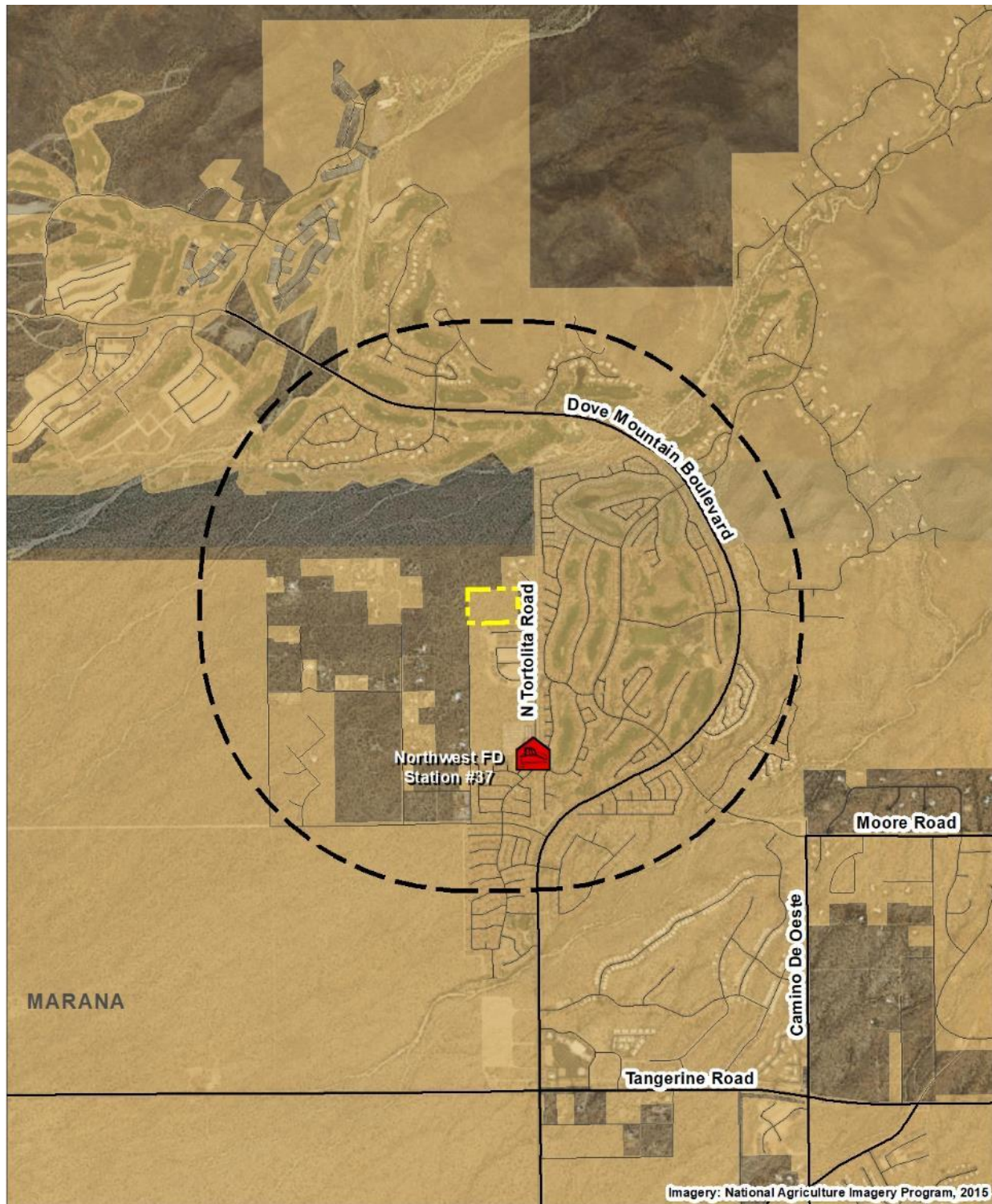
Although the project site is located in the vicinity of the Pima County Sheriff Department's jurisdiction in the Foothills District Beat 1 patrol zone, police protection will be provided by the Marana Police Department at 11555 Civic Center Drive.

e. Schools

The project site is located within the Marana Unified School District (MUSD). No schools are located within a one-mile radius of the proposed rezoning. While there are no schools within one-mile of the project site, there are several schools within MUSD that have sufficient capacity to serve the project.



Exhibit II.14.c: Public Facilities



LEGEND

- Project Boundary
- One-Mile Radius

FIRE DISTRICTS

- Northwest F.D.
- Fire Stations



THE PLANNING CENTER
a division of TPC Group, Inc.

FILE NAME: public_facilities.mxd
SOURCE: Pima County GIS, 2016



f. Utilities

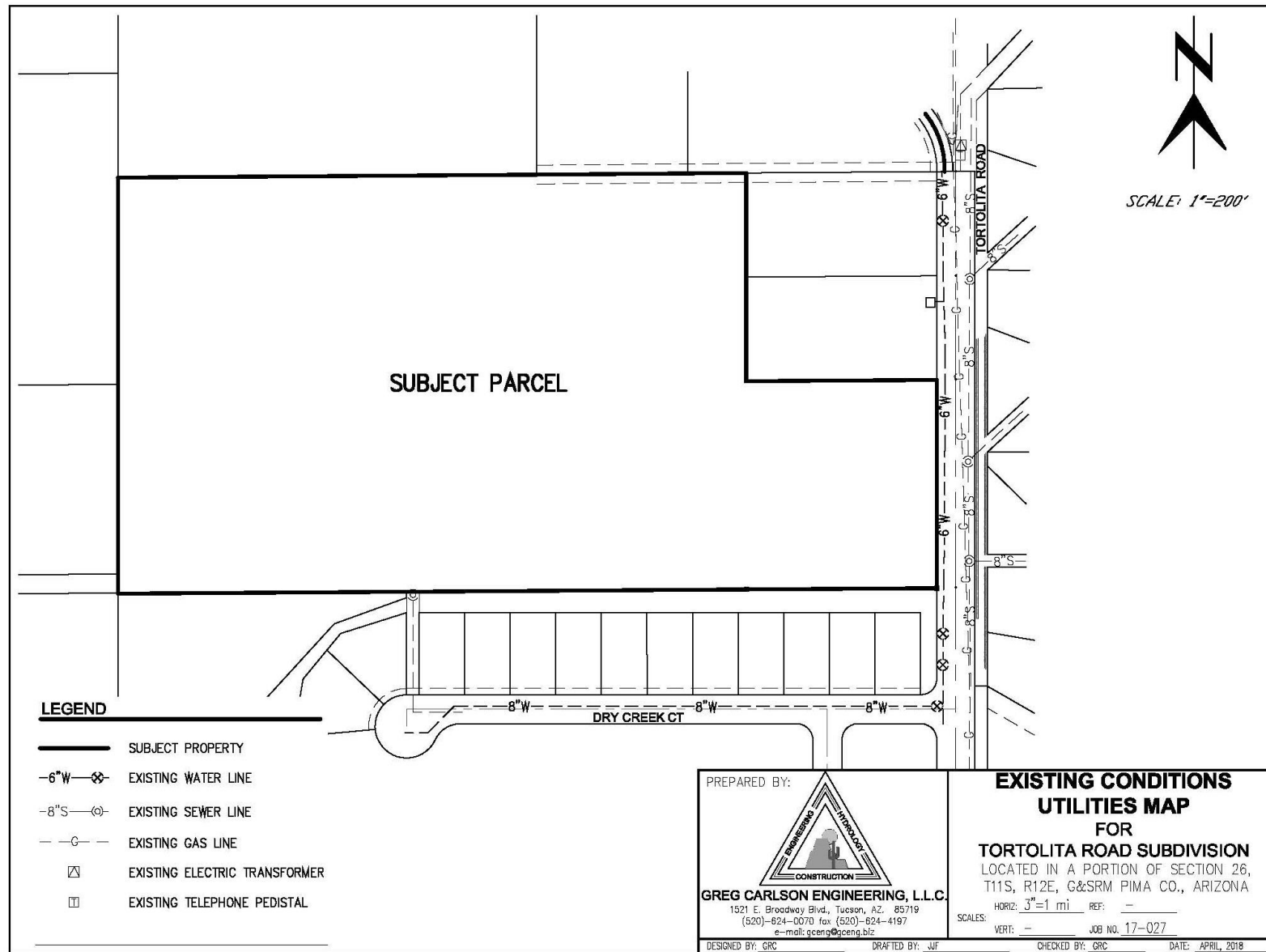
There are existing gas, sewer and water lines in the Tortolita Road right-of way. Sewer will be provided to the site via an existing sewer easement in the Tortolita Reserve subdivision (refer to *Exhibit II.14.f: Existing Utilities*).

Electricity, natural gas, telecommunications and cable services will be extended to the project site at the time of development through agreements with individual utility companies. The following utility companies serve this area:

- Electricity: Trico Electric Company
- Natural Gas: Southwest Gas Corporation
- Telephone/Cable: CenturyLink



Exhibit II.14.f: Existing Utilities



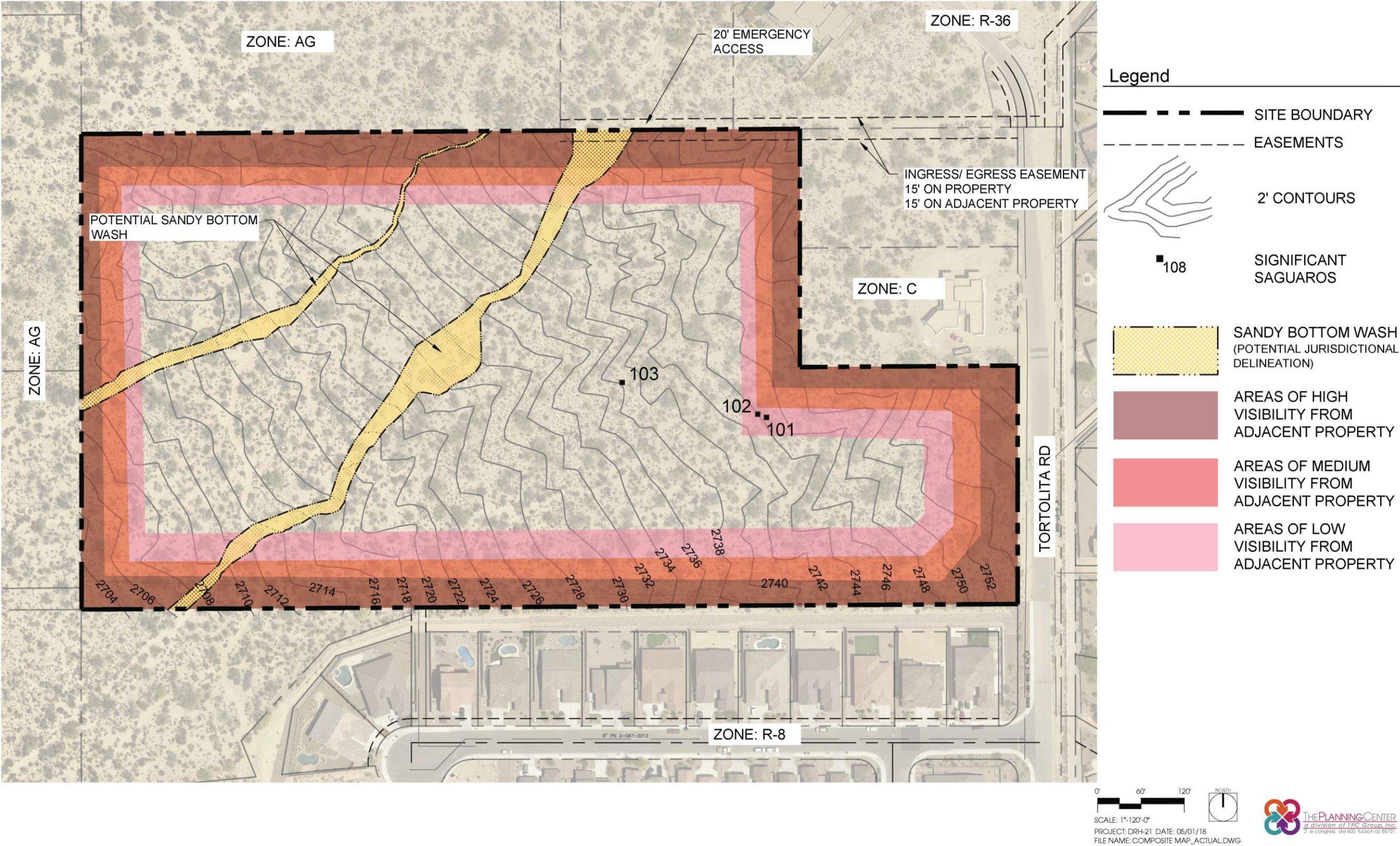
G:\Carlson Engineering\2017\17-027\Drainage\Exhibits\Utilities-Exist Conditions.dwg, 4/24/2018 5:12:53 PM, 1200

15. McHarg Composite Map

Information regarding topography, hydrology, vegetation, wildlife and views has been combined to form the McHarg Composite Map, displayed as *Exhibit II.B.15*. The purpose of the McHarg Composite Map is to highlight areas that are available for development. Refer to Section III: Land Use Plan for more information on how the site plan responds to the site's physical constraints.

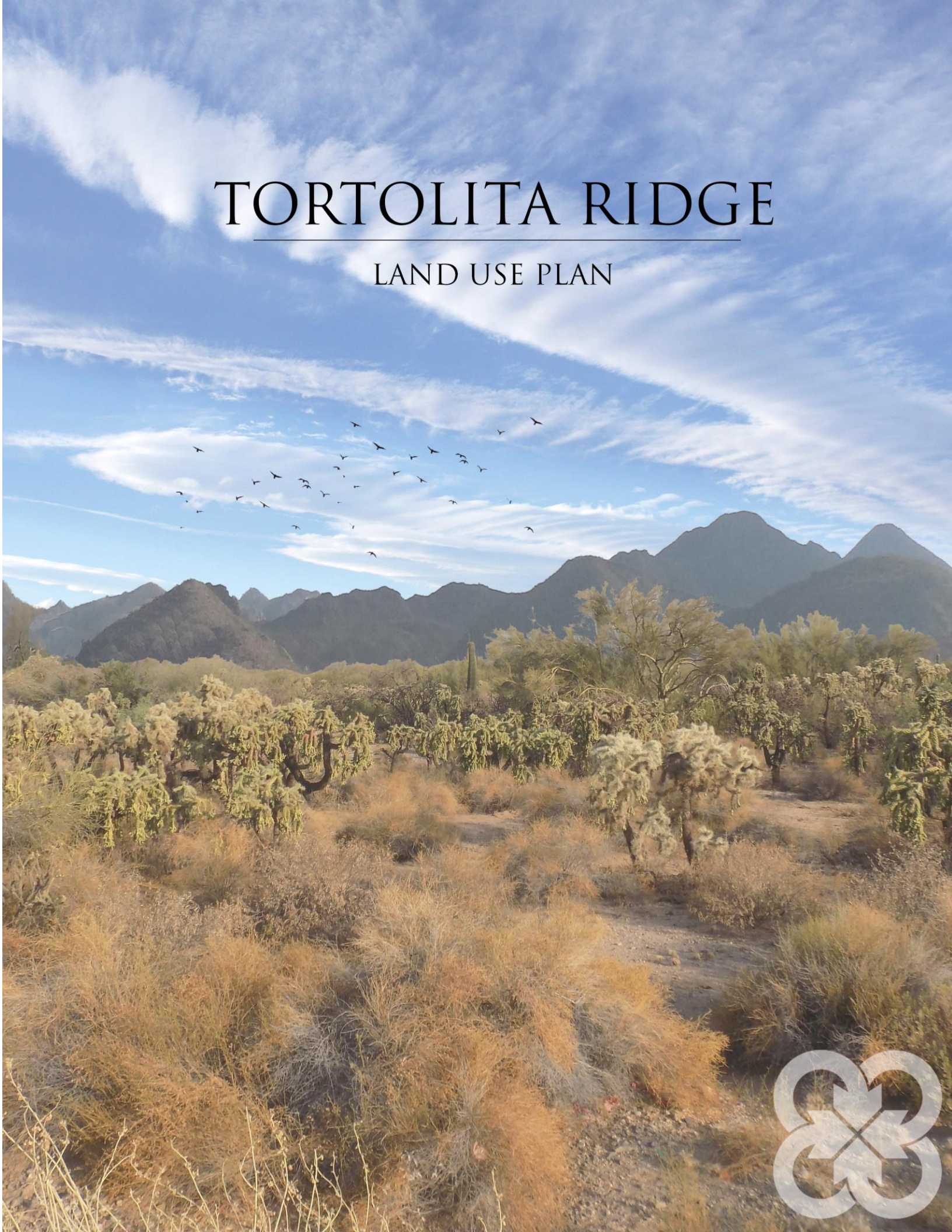


Exhibit II.B.15: McHarg Composite Map



TORTOLITA RIDGE

LAND USE PLAN



C. Land Use Plan

1. Purpose and Intent

The Tortolita Ridge rezoning document establishes the framework for the development of a ± 17.3 -acre residential community within the Town of Marana, Pima County, Arizona in Township 12S, Range 12E, and Section 26. The Tortolita Ridge rezoning is an assemblage of three parcels (refer to *Table III.C.1 and Exhibit III.C.1: Parcels to be Rezoned*) located along Tortolita Road approximately one-mile north of the intersection of Moore Road and Dove Mountain Boulevard. Furthermore, nearly 50% of the rezoning area will be set aside as a combination of revegetated open space and natural undisturbed open space to provide both the new residents and others in the surrounding community recreational opportunities and scenic desert views.

Table III.C.1: Parcels to be Rezoned

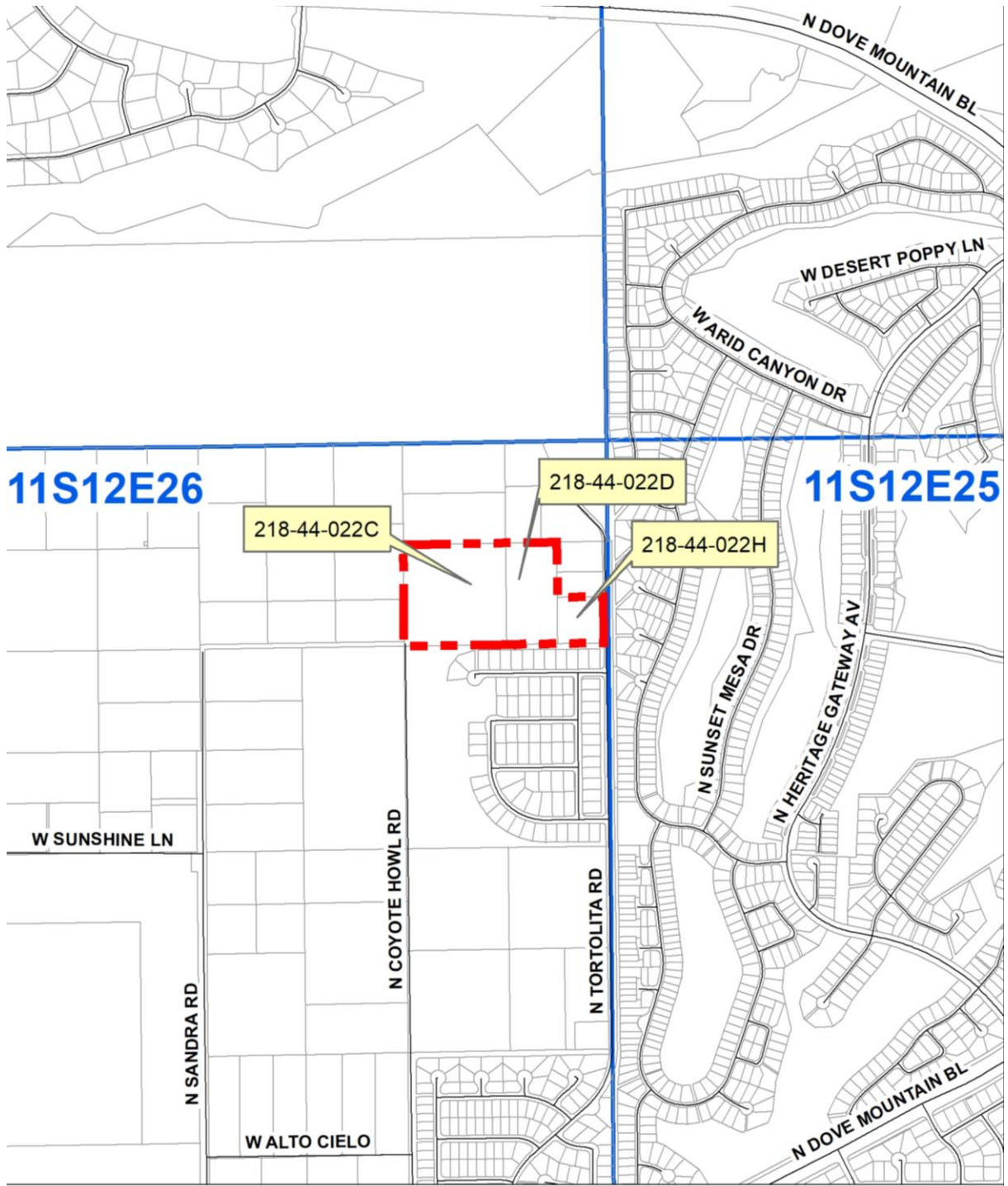
Tax Assessor Parcel	Acreage
218-44-022C	10
218-44-022D	5
218-44-022H	2.3
Total Acreage	17.3

This land use plan responds to the site analysis, technical research, and community values through the use of regulations and controls to resolve any potential development-related issues. Once approved, the land use plan describes the planning considerations for the above-mentioned parcels, imposes controls on the development of those parcels and is detailed accordingly in the final plat. The boundaries of this rezoning request are shown on *Exhibit II.C.1: Parcels to be Rezoned*. Tortolita Ridge is focused on achieving the following goals:

- Preserve and feature the natural beauty of the site, including the washes and riparian areas.
- Maximize the spectacular views of the Tortolita Mountains and surrounding peaks and ridges in all directions, affording off-site views from all lots throughout the proposed community.
- Provide meaningful open space that allows for wildlife movement across the site while preserving a significant portion of the of the remaining native vegetation.



Exhibit III.C.1: Parcels to be Rezoned

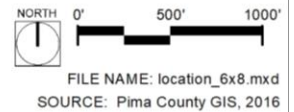


LEGEND

- Project Boundary
- Township, Range & Section

Notes:

Project Site is located at:
 Township 11S, Range 12E, and Section 26
 Acreage: 17.3 AC
 Parcel APNs: 218-44-022C, 218-44-022D, & 218-44-022H



2. Relationship to Adopted Plans

The vision of this rezoning application was developed in conformance with the Town of Marana's General Plan, the Marana Strategic Plan, and the Town of Marana Draft Habitat Conservation Plan. The following sections further describe how the Tortolita Ridge rezoning conforms with each of these critical guiding documents.

a. Marana General Plan

According to the Town of Marana General Plan Future Land Use Map, the subject property is designated as Rural Density Residential (RDR). An amendment to the Future Land Use Map will be processed concurrently with this rezoning application to reassign the subject property as Low Density Residential (LDR): 0.5-2.0 homes per acre. Tortolita Ridge proposes a density of 1.96 homes per acre. Designed to help meet current and future housing needs of the Town, this rezoning will adhere to goals and policies that are in line with the Town's General Plan.

Tortolita Ridge is consistent with the overall General Plan, including the following highlighted goals, policies and actions:

- **General Plan Goal, Land Use and Growth Element: Adopt sustainable development as a unifying goal to secure Marana's future**

Marana's quality of life must be sustained for many generations to come. Conserving open space and protecting undisturbed land promotes an increase in the general welfare and wellbeing of local residents by providing the means for recreation, leisure and scenic views. Open space, including natural vegetation, provides ecosystem services that reduce negative stormwater runoff effects like erosion, protect wildlife habitat, and improve water quality.

- General Plan Policy: Preserve and protect our natural resources in order to promote a sustainable community.
- General Plan Action: Preserve the Sonoran Desert character by evaluating appropriate site disturbance standards and preserving native plants.
- **Rezoning Conformance**: Tortolita Ridge leaves a considerable amount of the site undisturbed or revegetated, preserving 40% of the native vegetation on-site and minimizing the impact on the minor sandy-bottom wash areas. Similar to the Tortolita Reserve subdivision to the south, the proposed rezoning will utilize cluster development to avoid environmentally sensitive areas and provide a passive open space amenity to residents.



○ **General Plan Goal, Land Use and Growth Element: Provide opportunities for diverse developments that maximize the benefits to the community**

The provision of a range of housing types and affordability is necessary to create a thriving community that can accommodate residents of all income levels. Diversifying housing options attracts new residents to the Town, which in turn supports additional commercial build-out/investment. Additionally, an influx of new residents in an area served by an adequate mix of commercial land uses helps stimulate the local economy through basic consumer spending.

- General Plan Policy: Promote new development that is compatible with existing land uses.
- General Plan Action: Establish appropriate land development designations with densities and intensities that complement existing natural conditions and residential areas.
- General Plan Action: Develop guidelines for enhancing new development and mitigating potential impacts on existing neighborhoods.
- General Plan Policy: Provide opportunities for a variety of housing types and economic levels.
- General Plan Action: Designate various range of residential development densities.
- **Rezoning Conformance**: Tortolita Ridge is located within the Northeast Growth Area of the General Plan. Upon approval of the requested minor amendment to the General Plan, the property will be designated as Low-Density Residential, 0.5-2.0 residences per acre (RAC). The proposed residential density is approximately 1.96 residences per acre. The proposed rezoning will feature high-quality design and development that is compatible with what exists in the area. According to the 2010 General Plan Land Use Designation Map, the vast majority of land surrounding the site is either Master Plan Area or Rural / Low Density Residential with the exception of the State Trust Land that lies north of the subject property.

○ **General Plan Goal, Open Space and Trails Element: Protect and preserve natural open space.**

The vast array of wildlife species that persist along the Tortolita Mountains and other surrounding mountain ranges help to create the unique desert landscape so beloved by those in the Town of Marana. Supporting critical wildlife habitat and linkages for species movement is an important part of their persistence in the future, especially considering that each species has its own unique habitat requirements, migration patterns and range.

- General Plan Policy: Develop a connected system of natural open space preserves that protect wildlife habitat, wildlife linkages, and cultural resources.



- General Plan Action: Preserve, protect, or conserve areas of high-value habitat and wildlife movement linkages as identified in the Marana Draft Habitat Conservation Plan (HCP) and the Marana Parks, Recreation, Trails, and Open Space Master Plan.
- General Plan Action: Preserve Natural Undisturbed Open Space (NUOS) to maintain wildlife access and movement within and through development sites that are subject to discretionary land use actions, as described in the Draft HCP.
- General Plan Action: Preserve and protect existing natural drainage systems as identified in the Marana Draft HCP riparian map.
- General Plan Action: Protect the viability of wildlife corridors mapped in the Draft HCP, using innovative site planning and design.
- **Rezoning Conformance:** Tortolita Ridge is designed to concentrate grading activities on the eastern portion of the site adjacent to Tortolita Road and existing residential development, and away from sensitive areas of the site. By focusing development efforts away from sensitive areas, such as the dry washes that traverse the property, potential wildlife corridors and native vegetation, as well as existing drainage patterns, will be preserved. Tortolita Ridge proposes to provide ±8.59 acres of open space: 7 acres of NUOS and 1.59 acres of revegetated open space.

b. Marana Strategic Plan

The Tortolita Ridge rezoning supports the following areas of the Marana Strategic Plan:

Commerce – Construction of the proposed community will provide jobs and revenue to the Town through construction sales tax, user fees and development services fees.

Community – This new residential development will provide additional housing choices in the scenic foothills of the Tortolita Mountains, attracting new residents to the Town. Offering a range of home sizes and types to accommodate homebuyers at varying income levels will create a diverse community, satisfying goals outlined in the Town of Marana General Plan as well.

Progress/Innovation – Dedication to a conscientious approach to responsible development, high-performing homes and cost saving for potential future homebuyers reflects the intent of this rezoning. The community will strive to incorporate sustainable building practices such as the use of energy efficient construction materials and appliances as well as innovative and compact site design to decrease energy usage, minimize impact to the environment, conserve water and promote healthy lifestyles.



Recreation – Approximately $\pm$ 8.59 acres of open space will be provided throughout the site for passive recreational activities.

c. Town of Marana Draft Habitat Conservation Plan

The Town's Draft Habitat Conservation Plan (HCP) maps endangered species and outlines conservation and mitigation strategies to prevent further endangerment. The draft HCP has been available for public review since 2009 and was taken into consideration during the design process of the Tortolita Ridge rezoning. According to the HCP mapping, the subject property is designated within Zone 2 of the HCP which suggests that 20% of the total site is developable. Nearly 50% of the proposed development has been set aside as open space to preserve the integrity of the environmentally sensitive areas on the site. While the HCP suggests an 80% set aside, the proposed open space is generally consistent with that provided in the Tortolita Reserve subdivision to the south (30.8% of the total site area being open space) as well as open space provided in other recently entitled subdivisions in Zone 2.

3. Adjoining Development Compatibility

Development within the vicinity of the proposed site is predominately a mix of vacant land and single-family residential. Located immediately east of the subject property is the Heritage Highlands at Dove Mountain, which includes one-story and two-story residential subdivisions with a density ranging from 2 to 5 residences per acre. South of the subject property is the Tortolita Reserve subdivision, which is approximately 39 acres in size. Tortolita Reserves consists of 79 lots that are an average size of 70' x 130'. The gross density of Tortolita Reserve is approximately 2.02 residences per acre. North of the subject project is the Hidden Springs subdivision which features 5 large lots with an overall density of 0.5 residences per acre. The remaining land surrounding the subject property remains vacant or unsubdivided large lots.

The proposed rezoning is compatible with the adjacent Heritage Highlands and Tortolita Reserve, as it provides similar density and lot sizes as those found in both subdivisions. Additionally, the proposed project provides a comparable amount of open space to that provided in the neighboring subdivisions. As depicted on *Exhibit III.C.1: Conceptual Land Use Plan*, adequate landscape buffers and screen walls have been included to provide an appropriate transition to this development and to preserve the privacy of the existing residences immediately adjacent to the site.

4. Conceptual Land Use Plan

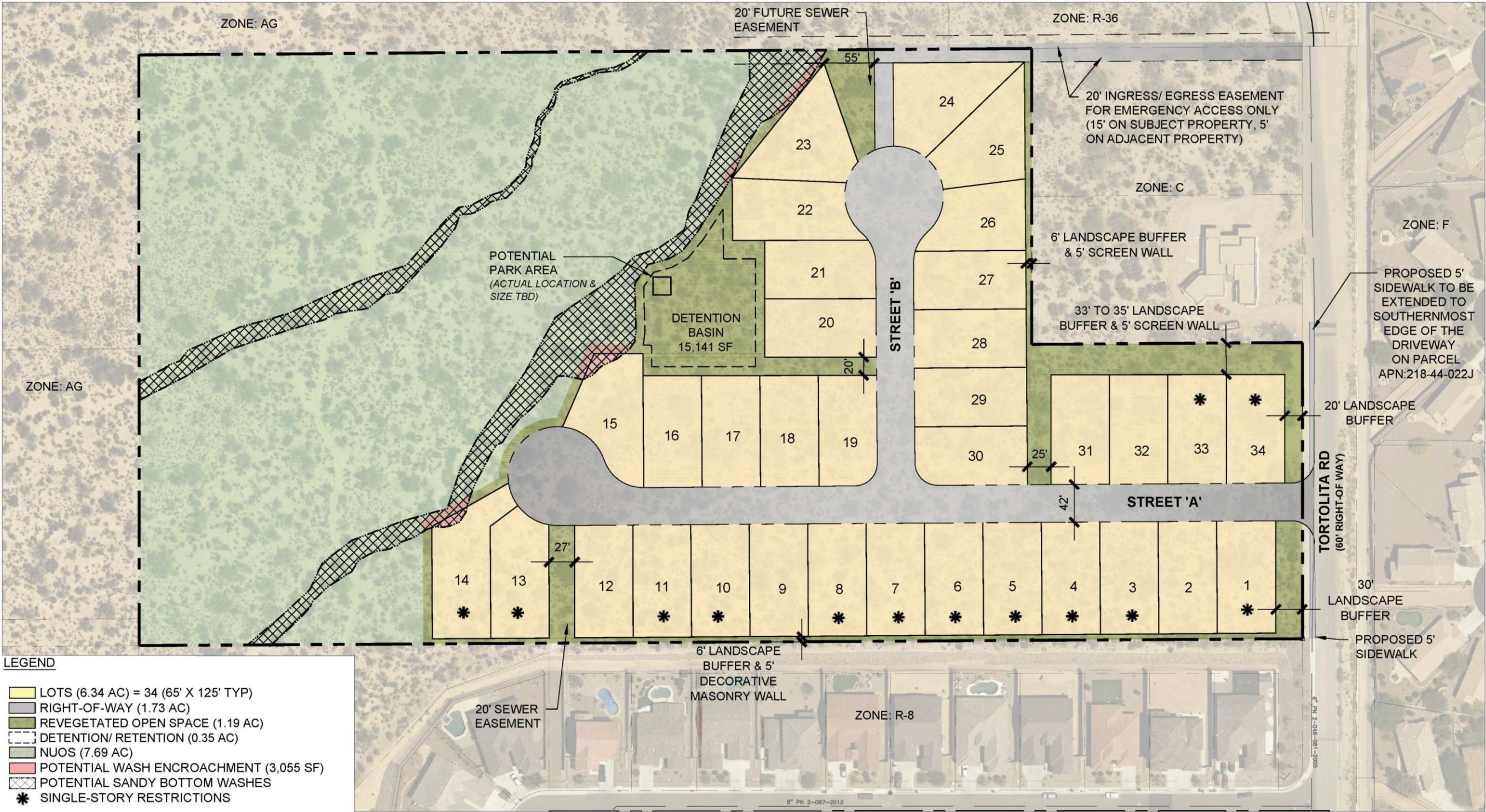
The Tortolita Ridge rezoning conceptual land use plan responds to site-specific conditions and environmental constraints as identified in the development capability inventory analysis. The plan consists of 34 single-family residences at a density less than two homes per acre (refer to *Exhibit III.C.4: Conceptual Land Use Plan*). Lots will



vary slightly, but the typical lot size will be 65' x 125' with an 8,000-square-foot minimum. Lots will accommodate both one- and two-story homes. The proposed community will be accessed from Tortolita Road, a two-lane minor local road that borders the easternmost property boundary. As demonstrated on the Conceptual Land Use Plan, lots 1, 3-8, 10-11, 13-14, 33 and 34 are limited to a single-story height restriction. A 20-foot landscape buffer will be provided between Tortolita Road and lots on the north side of the subdivision's ingress/egress, with a 30-foot buffer between Tortolita Road and the lots along the south boundary. The existing 5-foot sidewalk located on Tortolita Road at the southernmost property line will be extended north to the southernmost edge of the driveway located on parcel 218-44-022J. A 6-foot landscape buffer will be provided along the southern property, northern and eastern property eastern boundaries adjacent to the existing large lot parcels. At the request of the neighbors in Tortolita Reserve, a minimum 5-foot decorative masonry wall will be provided and wrought iron view fencing shall be prohibited on lots 1-14. A 5-foot screen wall will be provided at the back of the lots along the eastern and northern property lines. A 33- to 35-foot landscape buffer will be provided north of lots 31-34 to adequately transition the proposed subdivision from the existing custom home north of parcel 218-44-022H. The entire west boundary and most of the north boundary are not impacted by any proposed homes. All walls and screening will be provided in accordance with the Town of Marana Land Development Code.

Two sandy-bottom washes traverse the western half of the subject property. The proposed conceptual land use plan minorly encroaches into the sandy-bottom washes delineated by Greg Carlson Engineering. Adequate mitigation measure will be implemented and determined by the Drainage Reports during the platting process. The proposed development includes setting aside a large portion of land, at least 7.69 acres or nearly 45% of the site will be preserved as natural undisturbed open space (NUOS). The total open space in Tortolita Ridge will be over 50% including revegetated open space areas. The Tortolita Ridge rezoning has been designed such that the washes running through the site will be minimally disturbed, preserving the site's native vegetation and facilitating wildlife connectivity across the site. The conceptual land use plan also features a 15,141 SF detention basin located near the end of Street 'A' to mitigate any additional flows generated from impervious surface runoff. While the size and location are largely undeterminable at this time due to the preliminary nature of the hydrology and drainage studies, a park area consisting on a ramada, grassy area, barbeque pit and picnic benches will be provided. The actual size and location of the park area will be determined during the subdivision platting process.

Exhibit III.C.4: Conceptual Land Use Plan



- LEGEND**
- LOTS (6.34 AC) = 34 (65' X 125' TYP)
 - RIGHT-OF-WAY (1.73 AC)
 - REVEGETATED OPEN SPACE (1.19 AC)
 - DETENTION/ RETENTION (0.35 AC)
 - NUOS (7.69 AC)
 - POTENTIAL WASH ENCROACHMENT (3,055 SF)
 - POTENTIAL SANDY BOTTOM WASHES
 - * SINGLE-STORY RESTRICTIONS

NOTES:
SITE ACREAGE = 17.3
APNs: 218-44-022C, 218-44-022D & 218-44-022H

THIS CONCEPT WAS CREATED USING BOUNDARY, TOPOGRAPHY, AND HYDROLOGY DATA PROVIDED BY PUBLIC DATA AND IS FOR PLANNING PURPOSES ONLY. FINAL LOTTING TOTALS BASED ON ENGINEERED DATA MAY VARY FROM THOSE SHOWN ON THIS PRELIMINARY CONCEPT.

0' 50' 100'
SCALE: 1"=100'-0"
PROJECT: DRH-21 DATE: 11.01.18
FILE NAME: DRH-21_CONCEPTUAL LAND USE PLAN_110118.DWG



5. Topography

The residential pads will be set at a minimum of one foot above the flood water surface, requiring embankments of at least 2 feet from existing ground. To minimize encroachment on the floodplains and open spaces, grouted riprap or retaining walls will be used, which will also protect certain pads from erosion.

A Type 2 grading permit will be applied for because the development exceeds the threshold limits.

The project average cross slope is less than 15%. Therefore, no additional allowances are requested to reduce the slopes under Title 19 of the Land Development Code.

6. Post Development Hydrology

This portion of the rezoning document includes the post-development hydrologic characteristics of the project site.

On-Site Watersheds

Under developed conditions, a significant portion of the site is to be left undisturbed. The undisturbed portion of the site includes Watersheds A & B as shown on *Exhibit III.C.6: Developed Conditions On-Site Watersheds Map*. Watersheds C-E are re-configured under developed conditions to direct flow into the streets, dedicated drainage ways, landscape areas, the proposed detention basin, or historic concentration points.

Watershed C discharges to the historic concentration point onto the Tortolita Reserve subdivision. Watershed C is comprised of the portion of the existing condition watershed and a portion of the developed condition watershed which contains the detention basin (sub-basin C-1). Watersheds D & E are significantly reduced in area and discharge into the Tortolita Reserve subdivision in either the collector channel or the pre-development concentration point.

Site Detention

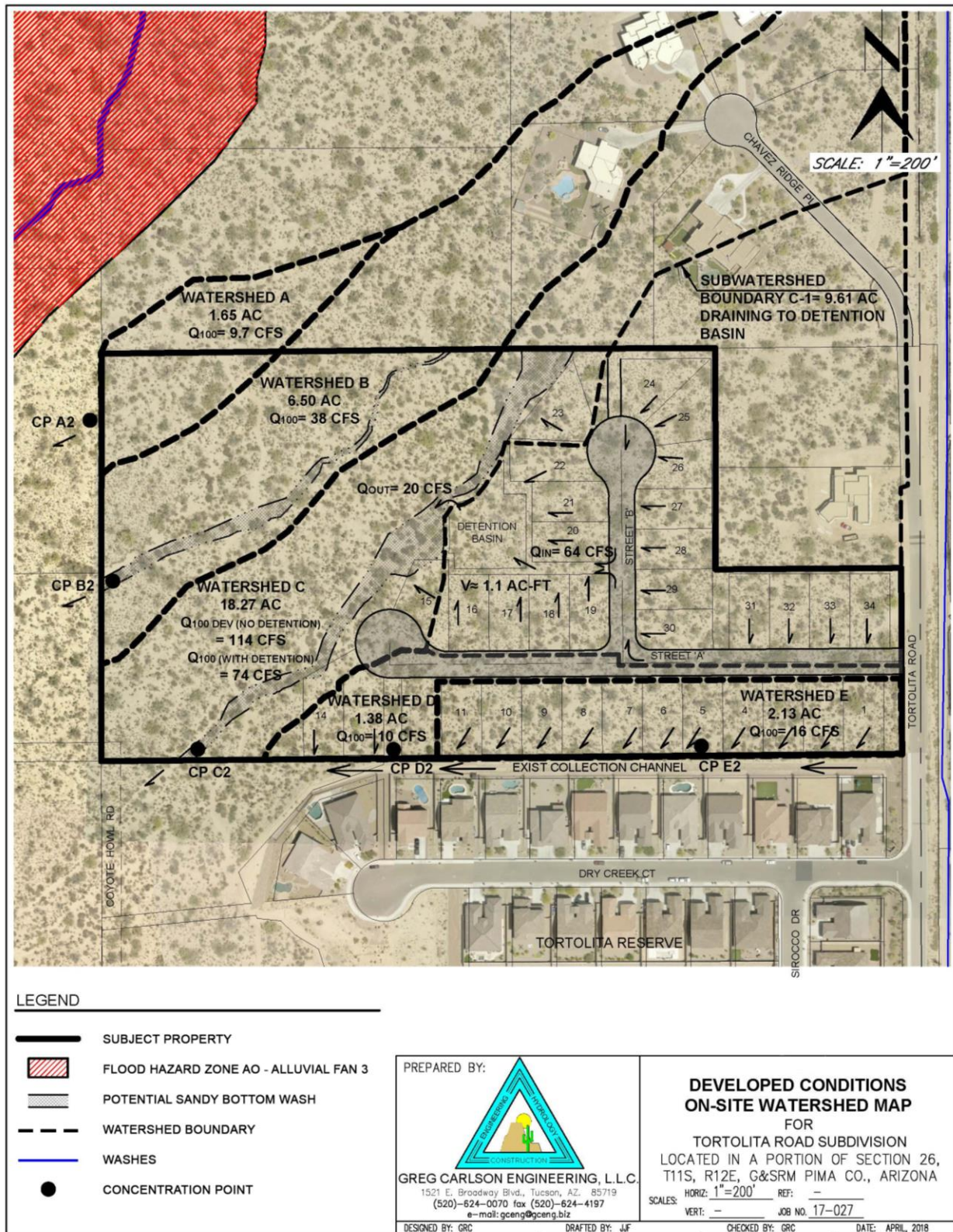
One detention basin is proposed for the project. The detention basin is located within Watershed C. The detention basin should be designed to reduce the discharge from Watershed C-1 to an amount, that when combined with the un-detained flow from the remainder of Watershed C, the cumulative flow does not exceed the pre-development flow for Watershed C.

Preliminary estimates of the proposed detention basin indicate that a detention volume of approximately 1.1 ac-ft will be required to provide the desired flow attenuation.

Watersheds D & E should be reduced in surface area so that the developed conditions flow does not exceed the pre-development conditions flow.



Exhibit III.C.6: Post Development Hydrology



7. Vegetation

a. **Conceptual Land Use Plan Response to Vegetation**

The conceptual land use plan is designed to minimize disturbance of the natural vegetation by focusing residential development away from wash areas. These wash areas contain the areas of highest vegetation density on the site. Open space accounts for nearly 50% of the total project area. Significant vegetation located in the area to be disturbed for future development will be mitigated in accordance with the Town of Marana *Land Development Code*.

b. **Title 17.02 Marana Land Development Code**

The conceptual land use plan will comply with the Native Plant Protection requirements of Title 17.02 of the Land Development Code. Since nearly 50% of the total site area is preserved as open space, it is likely that this project will utilize the Set Aside Methodology to comply with the required Native Plant Program. The Native Plant Preservation Plan (NPPP) shall be prepared in accordance with the provisions set forth in the Town of Marana *Land Development Code*.

c. **Landscape and Buffering**

The overall landscape theme will reflect the natural attributes of the Sonoran Desert and the site's surrounding environment. Native and desert-adapted plant material as well as regionally appropriate hardscape materials will be used within the landscape buffers and common areas. The total open space proposed in this rezoning is nearly 50%. Buffers and common areas will reflect the plant palette and appearance of the native desert that dominates the site. A 20 to 30-foot landscape buffer will be provided along the easternmost boundary adjacent to Tortolita Road. A 6-foot landscape buffer will be provided along the remaining property boundaries. Screening will be provided in accordance with Title 17 of the *Land Development Code*.

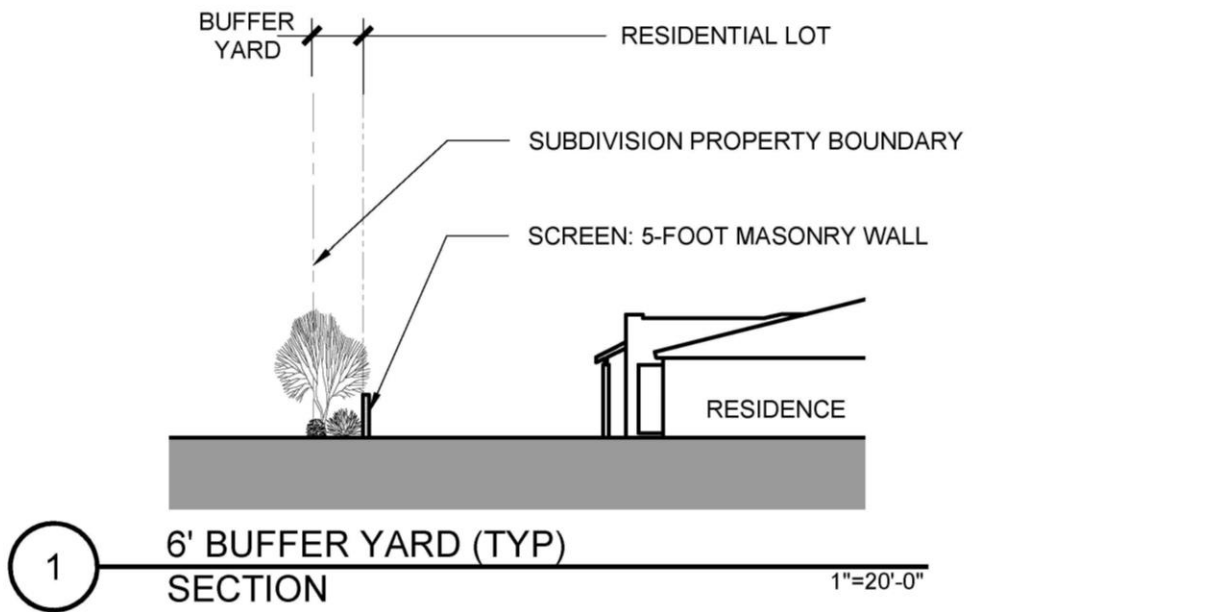
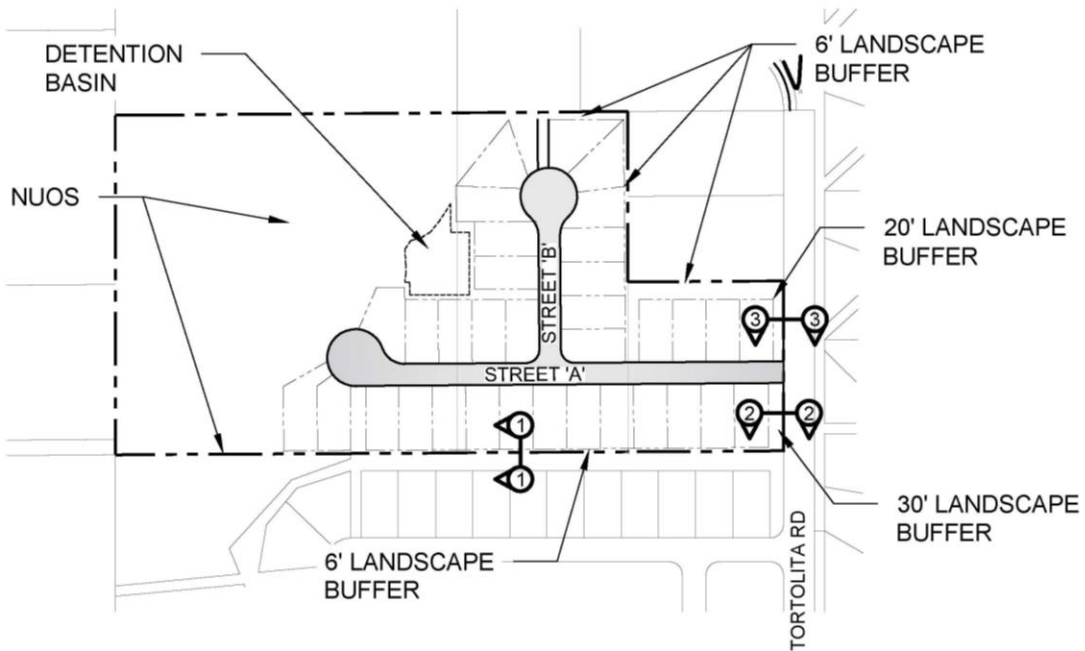
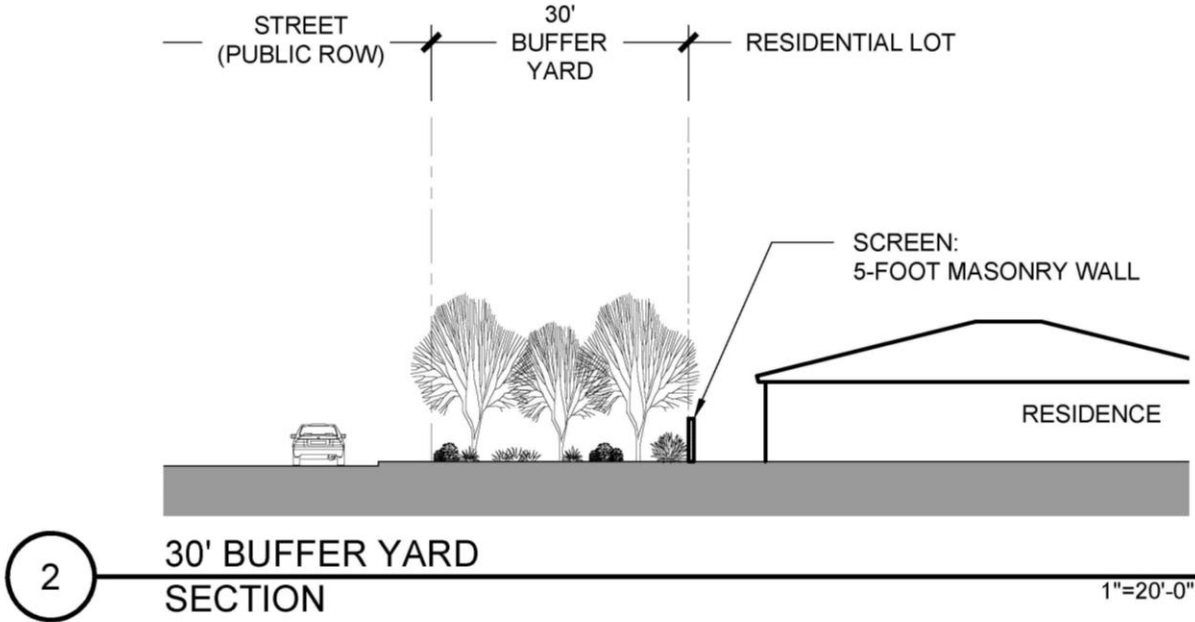
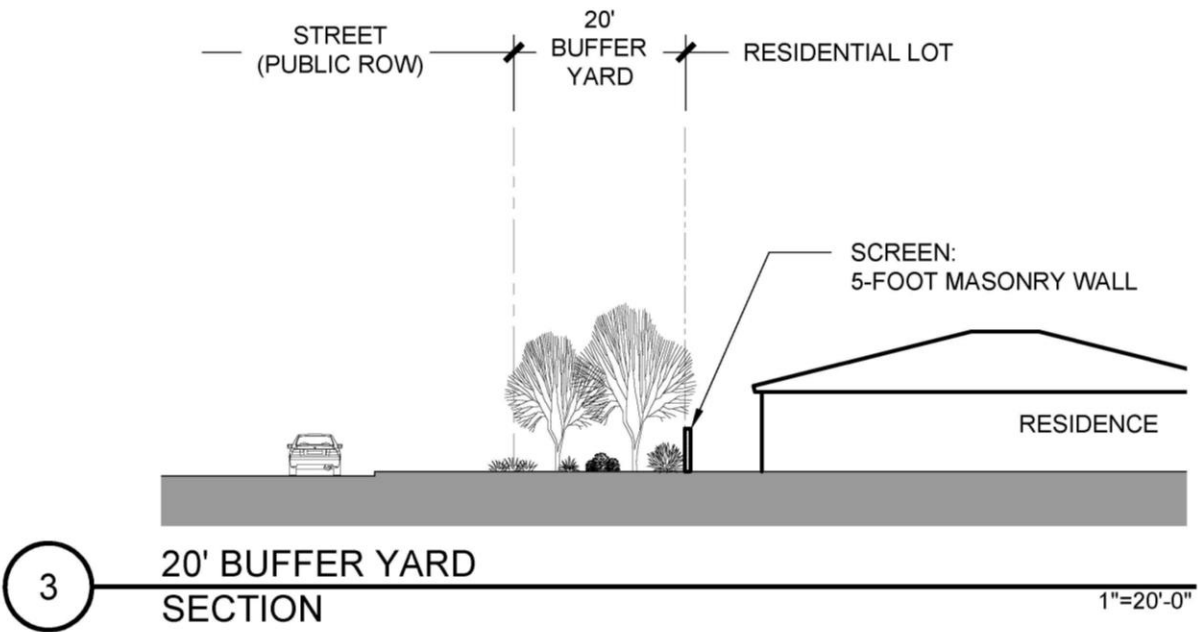
Most significant vegetation found on-site is found along the sandy-bottom wash areas on-site, both of which are preserved as open space except for the minor encroachments depicted on *Exhibit III.C.4: Conceptual Land Use Plan*. The development will also feature drought-tolerant landscaping, which further increases how well the project fits within the context of the lower density surrounding development.

d. **Cross Sections**

Exhibit III.C.7.d: Landscape Buffer Cross Sections illustrates the proposed landscape buffers along the perimeter of the property.



Exhibit III.C.7.d: Landscape Buffer Cross Sections



8. Wildlife

a. Conceptual Land Use Plan Response to Wildlife

By preserving the sandy-bottom wash areas on-site, wildlife habitat and corridors that facilitate movement are protected. The proposed open space on-site provides ample visual and acoustical buffering for wildlife traversing the site. At least 30 days before grading, a 100% area survey must be completed by a qualified wildlife biologist, for the Sonoran Desert Tortoise, with a copy of the survey form sent to the Town prior to issuance of a grading permit.

9. Viewsheds

Extraordinary views are not available from or across the property due to existing, relatively flat topography coupled with the distance to the surrounding mountain ranges. However, the wide, open space corridors and perimeter areas mitigate the project's minimal impacts to surrounding viewsheds. Adequate landscape buffers and screening will be provided to the extent feasible where necessary to soften the impact of views from adjacent properties.

10. Traffic and Circulation

Ingress/egress will be provided at one location along Tortolita Road. The access point is located in an area that minimizes the impacts to the available right-of-way frontage and road geometry as well as minimizes traffic impacts on the neighboring property owners. The internal streets are considered public and will be maintained by the Town of Marana. In the instance that the development becomes gated, the roadways shall be private and maintained by the established homeowners' association. The proposed roadways will be designed and built to comply with the requirements of a 'local street' section per the Town of Marana Subdivision Street Standards Manual. The proposed right-of-way width is 42 feet and will contain two vehicular travel lanes as well as parking and sidewalks on both sides of the road. A sidewalk will be provided along the eastern property boundary in the Tortolita Road right-of-way as a continuation of the sidewalk provided adjacent to the Tortolita Reserve subdivision to the south.

Interstate 10 is approximately five miles (as the crow flies) west of the site and can be accessed by traveling south on Tortolita Road to Dove Mountain Boulevard via Moore Road and then west on Tangerine Road which is located approximately 1.75 miles from the subject property. Tangerine Road is currently undergoing an improvement project in which the corridor will be widened to four vehicular travel lanes to accommodate future traffic demands.

Kimley-Horn and Associates, Inc. was consulted to determine the traffic impacts of the proposed rezoning. For purposes of estimating vehicle trips that are anticipated to be



generated by the proposed single-family housing development, the Institute of Transportation Engineers' (ITE) Trip Generation Manual, 10th Edition was used. Single-family detached housing (Land Use Code 210) was used in this calculation. The existing development is expected to generate 25 AM peak hour trips and 34 PM peak hour trips. The anticipated total daily trips will be on the order of 322 vehicles per day (refer to Table III.C.10: ITE Trip Generation Estimate (Single-Family Detached Housing)).

Table III.C.10: ITE Trip Generation Estimate (Single-Family Detached Housing)

Land Use	Units	AM Peak Hour Trips	PM Peak Hour Trips	Daily Trips
Single-Family Detached Housing	34	25	34	322

It is not anticipated that the project will generate any passer-by traffic or have any internal capture. The entire traffic statement provided by Kimley-Horn can be found in the appendices of this rezoning document.

11. Public Utilities

As shown on *Exhibit II.B.3.c: Existing Land Uses*, there are no wells found on-site or within 100 feet of the subject property.

The water supply for the proposed development will be provided by Tucson Water, which has been designated by the ADWR as having an assured water supply; therefore, water supply is assured. As mentioned in the Development Capability Inventory Analysis, a lot combination will be needed in order to add the western two parcels in the rezoning area to the Obligated Service Area for Tucson Water. In preliminary discussions with Tucson Water, water service will be made available to the site contingent upon a successful lot combination. Off-site improvements to connect to the existing system will need to be considered along with the infrastructure to serve the proposed development.

The Pima County Regional Wastewater Reclamation District has indicated that there is capacity available in the existing 8-inch sewer main located in the Tortolita Reserve subdivision south of the project (See *Exhibit II.B.14.a.1: Sewer Map*). A 20-foot wide public sewer easement shall be provided between lots 12 and 13 to connect to the south boundary and extend public sewer service through Tortolita Reserve (see *Exhibit III.C.11: Developed Conditions Utilities Map*). Additionally, a public sewer easement has been provided between lots 23 and 24 to allow the properties located north of the subject property future access to the sewer.

Trico Electric Cooperative provides electricity to this area of Pima County according to the Trico Service Area Map. It is anticipated that Trico will provide power to the site.



According to the company website, the proposed site currently is in the CenturyLink telephone service area. Alternatively, individuals may use wireless communications that can be provided by any number of service providers.

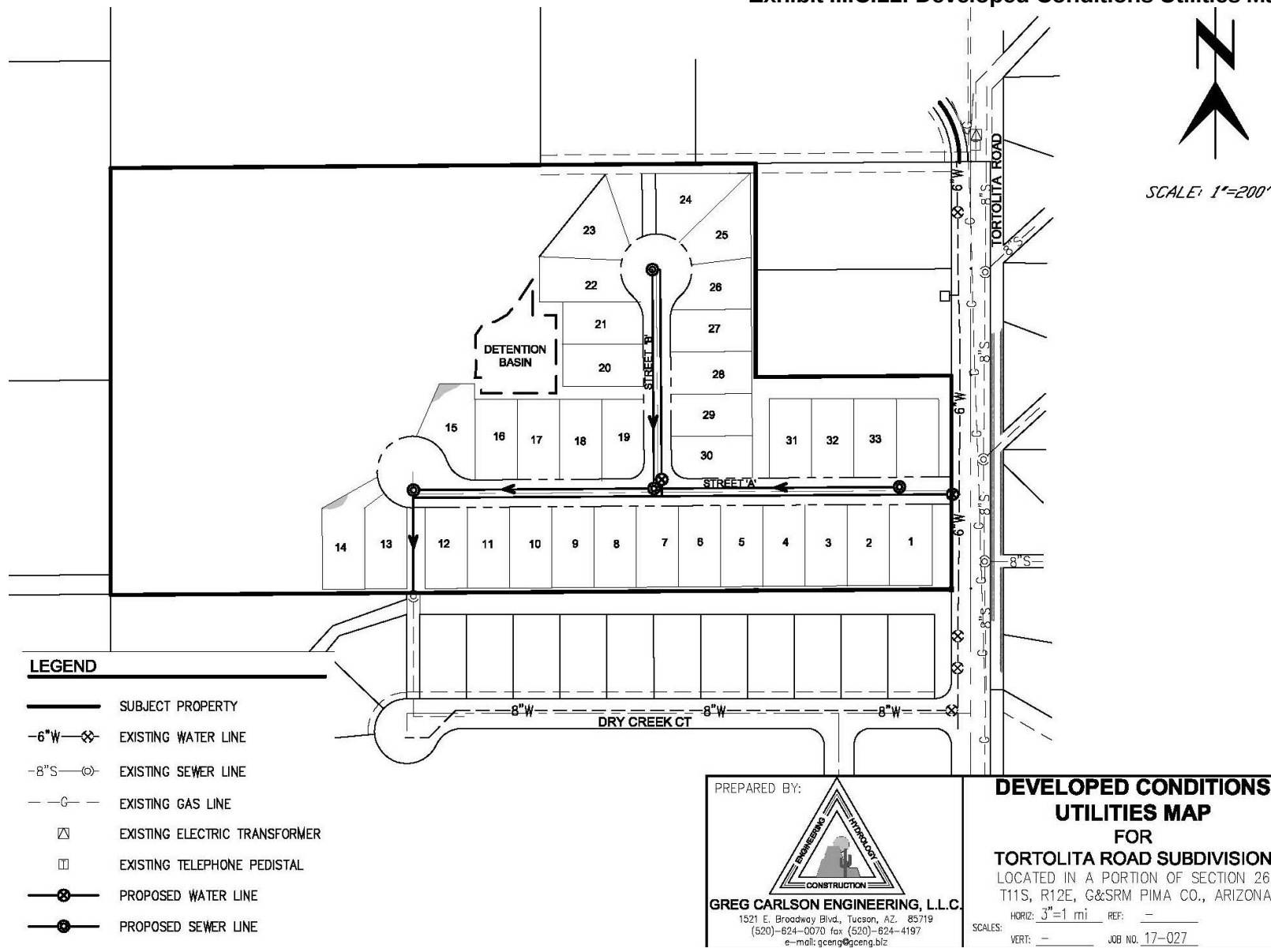
According to the distribution service area map, Southwest Gas Corporation will provide service to the subject property.

Electricity, natural gas, telecommunications and cable services will be extended to the project site at the time of development through agreements with individual utility companies.

A number of private sanitation service providers may be contracted to serve the site with comprehensive trash and waste removal, recycling and environmentally safe waste management services.



Exhibit III.C.11: Developed Conditions Utilities Map



12. Public Service Impacts

a. Police Service

The project site will utilize the Town of Marana's police service. The nearest Town of Marana police station is the Town of Marana Police Headquarters located approximately 9 miles west of the project site at 11555 West Civic Center Drive. As a relatively low density residential project, impacts to Marana's police services are expected to be minimal.

b. Fire Service

Currently, the two westernmost rezoning parcels are within the Northwest Fire District and parcel 218-44-022H will be annexed into the Northwest Fire District prior to development. Before a Certificate of Occupancy can be issued for any dwelling unit on the property, the Developer shall have completed or shall provide evidence to the Town's satisfaction that the Developer has made a diligent effort to complete the process of having the remaining parcel annexed into the Northwest Fire District.

As depicted in Exhibit II.14.c: Public Facilities, the nearest fire station (Northwest Fire District Station #337) is located at 13001 N. Tortolita Road, approximately 0.5 miles south of the project site.



c. Schools

It is anticipated that this project will generate 34 single family homes if fully developed at the target density of 2 residences per acre. The proposed rezoning is located within the Marana Unified School District (MUSD).

MUSD provided the following multipliers to use for student enrollment projections:

Elementary: 0.25 students per home (0.25×34) = 9 students

Junior High & High School: 0.10 students per home (0.10×34) = 4 students

MUSD does not distinguish between different housing community types.

There are no schools located within one-mile of the project site. Ironwood Elementary School is located approximately 7.5 miles southeast at 3300 West Freer Drive and serves grades K-6. Tortolita Middle School is located approximately 8 miles southeast of the subject property and serves grades 7-8. Mountain View High School is located southeast approximately 6.5 miles from the site and serves grades 9-12.

See *Exhibit II.14.c: Public Facilities*.

13. Recreation and Trails

The proposed project provides over 9 acres of open space, including revegetated areas (1.9 acres) and natural undisturbed open space (7.69 acres). These open space areas will provide residents of the proposed subdivision with passive recreational opportunities. Per the Town of Marana Land Development Code 17.5.3.9.a, on-site recreation areas are not required for subdivision with less than 50 lots. Although not required and largely undeterminable until further drainage and hydrology studies have been performed, a park consisting of a ramada, grassy area, barbeque pit and picnic benches will be provided onsite. The final size and location of the park will be determined during the subdivision platting process.

14. Cultural, Archaeological and Historic Resources

The Arizona State Museum archaeological site database was consulted, which includes records for previously conducted surveys and previously recorded sites in the project area. The records search showed that six previous survey projects were conducted within a one-mile radius of the project area between 1981 and 2012. According to ASM, eleven archaeological sites have been identified within a one-mile radius of the project area, none of which fall within the boundaries of the project. Due to the age of the previous survey, the ASM recommends that a qualified archaeologist resurvey the subject property prior to any ground disturbance (see *Exhibit II.B.13.b: Archaeological Records Search*).

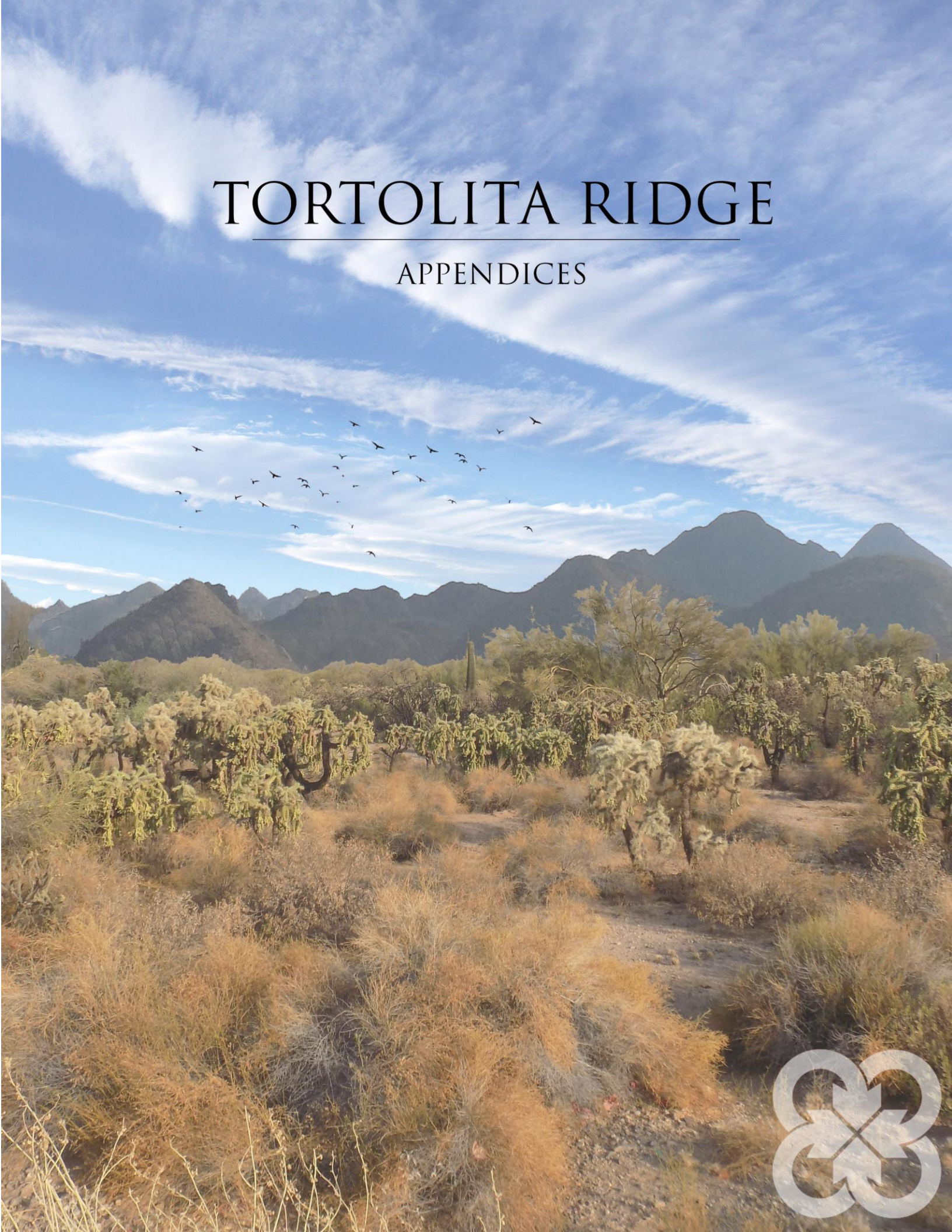


The presence of cultural resources within the project boundaries requires a 404 Nationwide Permit (NWP) and notification to the Army Corps of Engineers. Cultural reports for projects with a federal nexus are reviewed by the State Historic Preservation Office (SHPO) and the Town shall be copied on all reports and other information. Approval from the SHPO is required before issuance of a grading permit.



TORTOLITA RIDGE

APPENDICES



A. Bibliography

Aerial Photographs, National Agriculture Imagery Program, 2016.

Town of Marana Land Development Code, Title 8 - General Development Regulations, revised May 2011.

Town of Marana Land Development Code, Title 6 - Subdivision Requirements, revised March 2011.

Town of Marana Land Development Code, Title 5 - Zoning, revised May 2011.

Town of Marana General Plan, 2010.

Town of Marana Strategic Plan II, March 2012.

Town of Marana Parks, Recreation, Trails, and Open Space Master Plan, 2010.

FEMA Flood Insurance Rate Map, Pima County, Arizona.

Institute of Transportation Engineers, Trip Generation Manuals, 7th Edition, Volumes 1 & 3, 2003.

MapGuide, Pima County Geographic Information Systems, 2016 and 2017.

Pima Regional Trail System Master Plan, revised May 2012.



B. Heritage Data Management On-line Environmental Review Summary

Arizona Environmental Online Review Tool Report



Arizona Game and Fish Department Mission

To conserve Arizona's diverse wildlife resources and manage for safe, compatible outdoor recreation opportunities for current and future generations.

Project Name:

DRH-21 Tortolita rd Rezoning

Project Description:

single family residential subdivision

Project Type:

Development Within Municipalities (Urban Growth), Residential subdivision and associated infrastructure,
New construction

Contact Person:

Chris Laria

Organization:

The Planning Center

On Behalf Of:

CONSULTING

Project ID:

HGIS-05735

Please review the entire report for project type and/or species recommendations for the location information entered. Please retain a copy for future reference.



Disclaimer:

1. This Environmental Review is based on the project study area that was entered. The report must be updated if the project study area, location, or the type of project changes.
2. This is a preliminary environmental screening tool. It is not a substitute for the potential knowledge gained by having a biologist conduct a field survey of the project area. This review is also not intended to replace environmental consultation (including federal consultation under the Endangered Species Act), land use permitting, or the Department's review of site-specific projects.
3. The Department's Heritage Data Management System (HDMS) data is not intended to include potential distribution of special status species. Arizona is large and diverse with plants, animals, and environmental conditions that are ever changing. Consequently, many areas may contain species that biologists do not know about or species previously noted in a particular area may no longer occur there. HDMS data contains information about species occurrences that have actually been reported to the Department. Not all of Arizona has been surveyed for special status species, and surveys that have been conducted have varied greatly in scope and intensity. Such surveys may reveal previously undocumented population of species of special concern.
4. HabiMap Arizona data, specifically Species of Greatest Conservation Need (SGCN) under our State Wildlife Action Plan (SWAP) and Species of Economic and Recreational Importance (SERI), represent potential species distribution models for the State of Arizona which are subject to ongoing change, modification and refinement. The status of a wildlife resource can change quickly, and the availability of new data will necessitate a refined assessment.

Locations Accuracy Disclaimer:

Project locations are assumed to be both precise and accurate for the purposes of environmental review. The creator/owner of the Project Review Report is solely responsible for the project location and thus the correctness of the Project Review Report content.

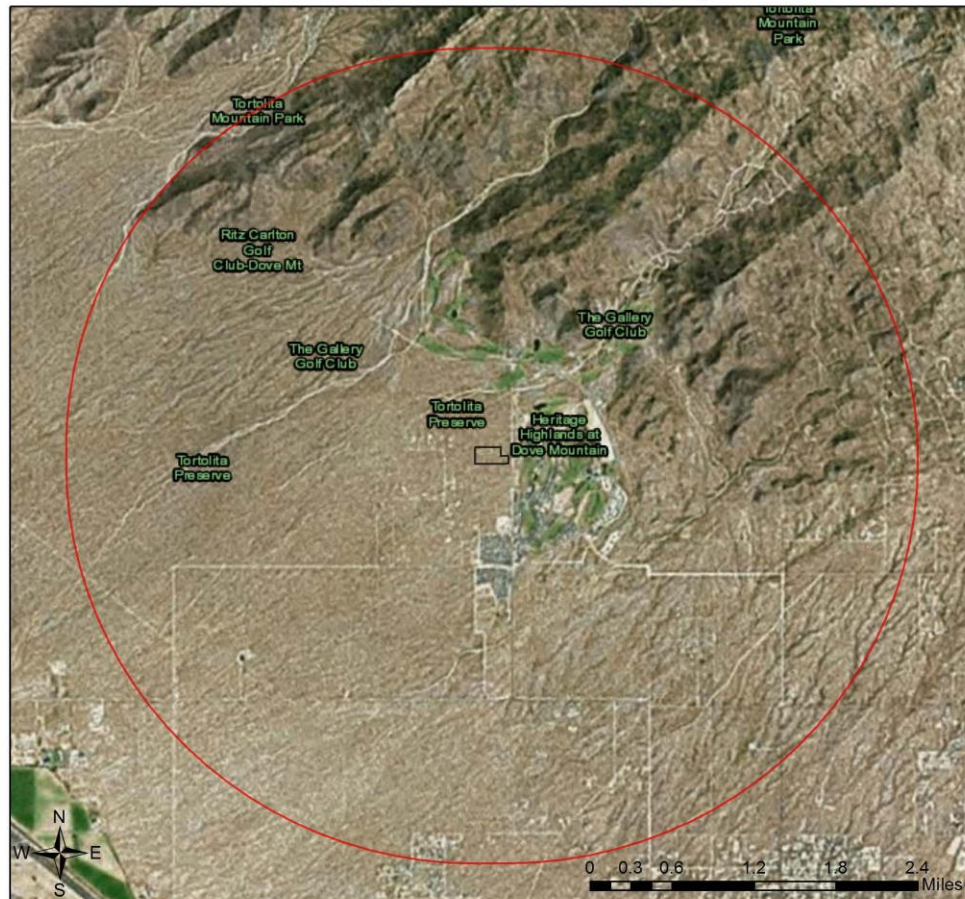


Recommendations Disclaimer:

1. The Department is interested in the conservation of all fish and wildlife resources, including those species listed in this report and those that may have not been documented within the project vicinity as well as other game and nongame wildlife.
2. Recommendations have been made by the Department, under authority of Arizona Revised Statutes Title 5 (Amusements and Sports), 17 (Game and Fish), and 28 (Transportation).
3. Potential impacts to fish and wildlife resources may be minimized or avoided by the recommendations generated from information submitted for your proposed project. These recommendations are preliminary in scope, designed to provide early considerations on all species of wildlife.
4. Making this information directly available does not substitute for the Department's review of project proposals, and should not decrease our opportunity to review and evaluate additional project information and/or new project proposals.
5. Further coordination with the Department requires the submittal of this Environmental Review Report with a cover letter and project plans or documentation that includes project narrative, acreage to be impacted, how construction or project activity(s) are to be accomplished, and project locality information (including site map). Once AGFD had received the information, please allow 30 days for completion of project reviews. Send requests to:
Project Evaluation Program, Habitat Branch
Arizona Game and Fish Department
5000 West Carefree Highway
Phoenix, Arizona 85086-5000
Phone Number: (623) 236-7600
Fax Number: (623) 236-7366
Or
PEP@azgfd.gov
6. Coordination may also be necessary under the National Environmental Policy Act (NEPA) and/or Endangered Species Act (ESA). Site specific recommendations may be proposed during further NEPA/ESA analysis or through coordination with affected agencies.



DRH-21 Tortolita rd Rezoning Aerial Image Basemap With Locator Map



- Project Boundary
- Buffered Project Boundary

Project Size (acres): 17.09

Lat/Long (DD): 32.4508 / -111.0829

County(s): Pima

AGFD Region(s): Tucson

Township/Range(s): T11S, R12E

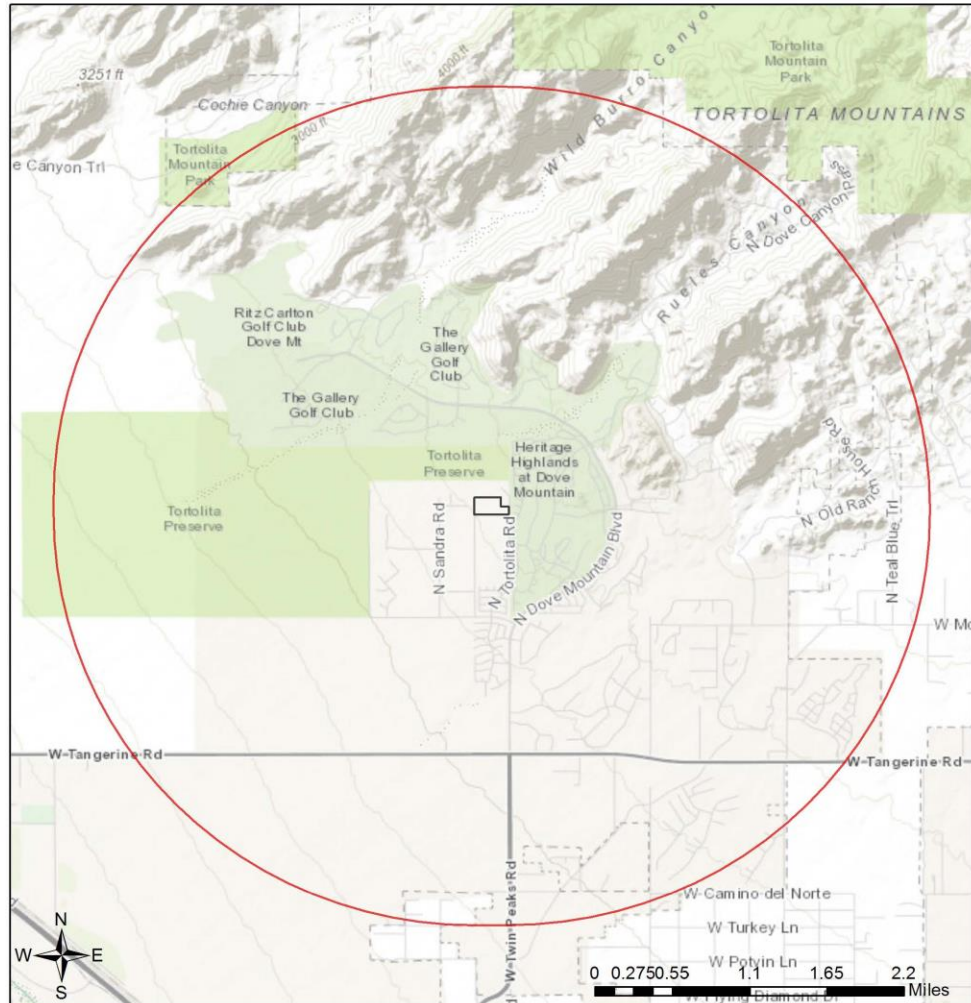
USGS Quad(s): RUELAS CANYON

Service Layer Credits: Sources: Esri, HERE, DeLorme, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong),



DRH-21 Tortolita rd Rezoning

Web Map As Submitted By User



- ☐ Project Boundary
☐ Buffered Project Boundary

Project Size (acres): 17.09

Lat/Long (DD): 32.4508 / -111.0829

County(s): Pima

AGFD Region(s): Tucson

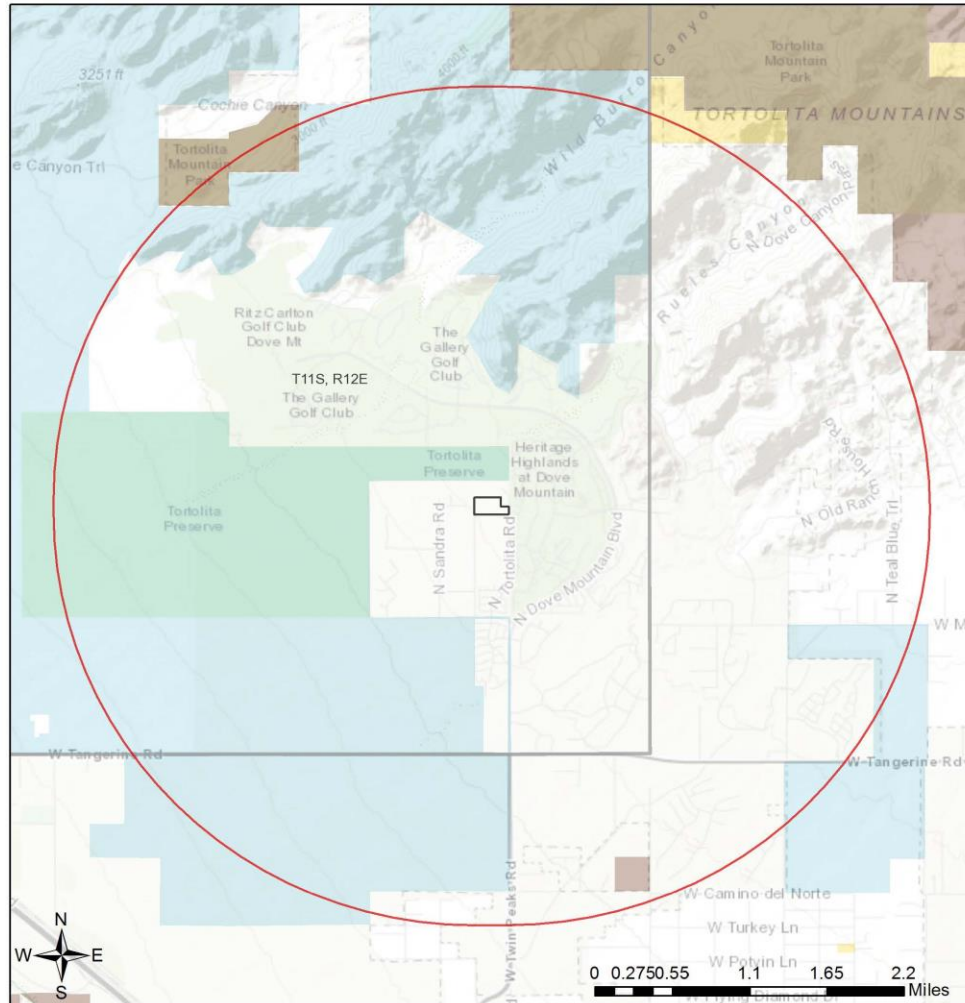
Township/Range(s): T11S, R12E

USGS Quad(s): RUELAS CANYON

Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community



DRH-21 Tortolita rd Rezoning
Topo Basemap With Township/Ranges and Land Ownership



- | | |
|---------------------------|--------------------------|
| Project Boundary | Mixed/Other |
| Buffered Project Boundary | National Park/Mon. |
| Township/Ranges | Private |
| AZ Game and Fish Dept. | State and Regional Parks |
| BLM | State Trust |
| BOR | US Forest Service |
| Indian Res. | Wildlife Area/Refuge |
| Military | |

Project Size (acres): 17.09

Lat/Long (DD): 32.4508 / -111.0829

County(s): Pima

AGFD Region(s): Tucson

Township/Range(s): T11S, R12E

USGS Quad(s): RUELAS CANYON

Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community



Special Status Species and Special Areas Documented within 3 Miles of Project Vicinity

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
<i>Aquila chrysaetos</i>	Golden Eagle	BGA		S		1B
<i>Glaucidium brasilianum cactorum</i>	Cactus Ferruginous Pygmy-owl	SC	S	S		1B
<i>Gopherus morafkai</i>	Sonoran Desert Tortoise	CCA	S	S		1A
<i>Heloderma suspectum</i>	Gila Monster					1A
Tucson - Tortolita - Santa Catalina Mountains Linkage Design	Wildlife Corridor					

Note: Status code definitions can be found at <https://www.azgfd.com/wildlife/planning/wildlife-guidelines/status-definitions/>

Species of Greatest Conservation Need
Predicted within Project Vicinity based on Predicted Range Models

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
<i>Aix sponsa</i>	Wood Duck					1B
<i>Ammodramus savannarum perpallidus</i>	Western Grasshopper Sparrow					1B
<i>Ammospermophilus harrisi</i>	Harris' Antelope Squirrel					1B
<i>Anaxyrus retiformis</i>	Sonoran Green Toad			S		1B
<i>Anthus spragueii</i>	Sprague's Pipit	SC				1A
<i>Antrostomus ridgwayi</i>	Buff-collared Nighthawk		S			1B
<i>Aquila chrysaetos</i>	Golden Eagle			S		1B
<i>Aspidoscelis flagellicauda</i>	Gila Spotted Whiptail					1B
<i>Aspidoscelis stictogramma</i>	Giant Spotted Whiptail	SC	S			1B
<i>Athene cucularia hypugaea</i>	Western Burrowing Owl	SC	S	S		1B
<i>Botaurus lentiginosus</i>	American Bittern					1B
<i>Buteo regalis</i>	Ferruginous Hawk	SC		S		1B
<i>Chilomeniscus stramineus</i>	Variable Sandsnake					1B
<i>Chionactis occipitalis klauberi</i>	Tucson Shovel-nosed Snake	SC				1A
<i>Colaptes chrysoides</i>	Gilded Flicker			S		1B
<i>Coluber bilineatus</i>	Sonoran Whipsnake					1B
<i>Corynorhinus townsendii pallescens</i>	Pale Townsend's Big-eared Bat	SC	S	S		1B
<i>Crotalus cerberus</i>	Arizona Black Rattlesnake					1B
<i>Crotalus tigris</i>	Tiger Rattlesnake					1B
<i>Cynanthus latirostris</i>	Broad-billed Hummingbird		S			1B
<i>Cyprinodon macularius</i>	Desert Pupfish	LE				1A
<i>Dipodomys spectabilis</i>	Banner-tailed Kangaroo Rat			S		1B
<i>Euderma maculatum</i>	Spotted Bat	SC	S	S		1B
<i>Eumops perotis californicus</i>	Greater Western Bonneted Bat	SC		S		1B
<i>Falco peregrinus anatum</i>	American Peregrine Falcon	SC	S	S		1A
<i>Glaucidium brasilianum cactorum</i>	Cactus Ferruginous Pygmy-owl	SC	S	S		1B
<i>Glaucidium gnoma gnoma</i>	Mountain Pygmy-owl					1B



Species of Greatest Conservation Need
Predicted within Project Vicinity based on Predicted Range Models

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
<i>Gopherus morafkai</i>	Sonoran Desert Tortoise	CCA	S	S		1A
<i>Haliaeetus leucocephalus</i>	Bald Eagle	SC	S	S		1A
<i>Heloderma suspectum</i>	Gila Monster					1A
<i>Hypsiglena sp. nov.</i>	Hooded Nightsnake					1B
<i>Incilius alvarius</i>	Sonoran Desert Toad					1B
<i>Kinosternon sonoriense sonoriense</i>	Desert Mud Turtle			S		1B
<i>Lasiurus blossevillii</i>	Western Red Bat		S			1B
<i>Lasiurus xanthinus</i>	Western Yellow Bat		S			1B
<i>Leopardus pardalis</i>	Ocelot	LE				1A
<i>Leptonycteris curasoae yerbabuenae</i>	Lesser Long-nosed Bat	LE				1A
<i>Lepus alleni</i>	Antelope Jackrabbit					1B
<i>Macrotus californicus</i>	California Leaf-nosed Bat	SC		S		1B
<i>Melanerpes uropygialis</i>	Gila Woodpecker					1B
<i>Meleagris gallopavo mexicana</i>	Gould's Turkey		S			1B
<i>Melospiza lincolni</i>	Lincoln's Sparrow					1B
<i>Melospiza aberti</i>	Abert's Towhee		S			1B
<i>Micruroides euryxanthus</i>	Sonoran Coralsnake					1B
<i>Myotis occultus</i>	Arizona Myotis	SC		S		1B
<i>Myotis velifer</i>	Cave Myotis	SC		S		1B
<i>Myotis yumanensis</i>	Yuma Myotis	SC				1B
<i>Nyctinomops femorosaccus</i>	Pocketed Free-tailed Bat					1B
<i>Panthera onca</i>	Jaguar	LE				1A
<i>Passerculus sandwichensis</i>	Savannah Sparrow					1B
<i>Perognathus amplus</i>	Arizona Pocket Mouse					1B
<i>Perognathus longimembris</i>	Little Pocket Mouse	No Status				1B
<i>Peucaea carpalis</i>	Rufous-winged Sparrow					1B
<i>Phrynosoma solare</i>	Regal Horned Lizard					1B
<i>Phyllorhynchus browni</i>	Saddled Leaf-nosed Snake					1B
<i>Poeciliopsis occidentalis occidentalis</i>	Gila Topminnow	LE				1A
<i>Progne subis hesperia</i>	Desert Purple Martin			S		1B
<i>Setophaga petechia</i>	Yellow Warbler					1B
<i>Sonorella eremita</i>	San Xavier Talussnail	CCA				1A
<i>Sonorella papagorum</i>	Black Mountain Talussnail					1B
<i>Tadarida brasiliensis</i>	Brazilian Free-tailed Bat					1B
<i>Thomomys umbrinus intermedius</i>	Southern Pocket Gopher					1B
<i>Troglodytes pacificus</i>	Pacific Wren					1B



Species of Greatest Conservation Need
Predicted within Project Vicinity based on Predicted Range Models

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
<i>Vireo bellii arizonae</i>	Arizona Bell's Vireo					1B
<i>Vulpes macrotis</i>	Kit Fox	No Status				1B

Species of Economic and Recreation Importance Predicted within Project Vicinity

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
<i>Callipepla gambelii</i>	Gambel's Quail					
<i>Odocoileus hemionus</i>	Mule Deer					
<i>Odocoileus virginianus</i>	White-tailed Deer					1B
<i>Pecari tajacu</i>	Javelina					
<i>Puma concolor</i>	Mountain Lion					
<i>Zenaidura macroura</i>	White-winged Dove					
<i>Zenaidura macroura</i>	Mourning Dove					

Project Type: Development Within Municipalities (Urban Growth), Residential subdivision and associated infrastructure, New construction

Project Type Recommendations:

Fence recommendations will be dependant upon the goals of the fence project and the wildlife species expected to be impacted by the project. General guidelines for ensuring wildlife-friendly fences include: barbless wire on the top and bottom with the maximum fence height 42", minimum height for bottom 16". Modifications to this design may be considered for fencing anticipated to be routinely encountered by elk, bighorn sheep or pronghorn (e.g., Pronghorn fencing would require 18" minimum height on the bottom). Please refer to the Department's Fencing Guidelines located on Wildlife Friendly Guidelines page, which is part of the Wildlife Planning button at <https://www.azgfd.com/wildlife/planning/wildlifeguidelines/>.

During the planning stages of your project, please consider the local or regional needs of wildlife in regards to movement, connectivity, and access to habitat needs. Loss of this permeability prevents wildlife from accessing resources, finding mates, reduces gene flow, prevents wildlife from re-colonizing areas where local extirpations may have occurred, and ultimately prevents wildlife from contributing to ecosystem functions, such as pollination, seed dispersal, control of prey numbers, and resistance to invasive species. In many cases, streams and washes provide natural movement corridors for wildlife and should be maintained in their natural state. Uplands also support a large diversity of species, and should be contained within important wildlife movement corridors. In addition, maintaining biodiversity and ecosystem functions can be facilitated through improving designs of structures, fences, roadways, and culverts to promote passage for a variety of wildlife. Guidelines for many of these can be found at: <https://www.azgfd.com/wildlife/planning/wildlifeguidelines/>.

Consider impacts of outdoor lighting on wildlife and develop measures or alternatives that can be taken to increase human safety while minimizing potential impacts to wildlife. Conduct wildlife surveys to determine species within project area, and evaluate proposed activities based on species biology and natural history to determine if artificial lighting may disrupt behavior patterns or habitat use. Use only the minimum amount of light needed for safety. Narrow spectrum bulbs should be used as often as possible to lower the range of species affected by lighting. All lighting should be shielded, canted, or cut to ensure that light reaches only areas needing illumination.



Minimize potential introduction or spread of exotic invasive species. Invasive species can be plants, animals (exotic snails), and other organisms (e.g., microbes), which may cause alteration to ecological functions or compete with or prey upon native species and can cause social impacts (e.g., livestock forage reduction, increase wildfire risk). The terms noxious weed or invasive plants are often used interchangeably. Precautions should be taken to wash all equipment utilized in the project activities before leaving the site. Arizona has noxious weed regulations (Arizona Revised Statutes, Rules R3-4-244 and R3-4-245). See Arizona Department of Agriculture website for restricted plants, <https://agriculture.az.gov/>. Additionally, the U.S. Department of Agriculture has information regarding pest and invasive plant control methods including: pesticide, herbicide, biological control agents, and mechanical control, <http://www.usda.gov/wps/portal/usdahome>. The Department regulates the importation, purchasing, and transportation of wildlife and fish (Restricted Live Wildlife), please refer to the hunting regulations for further information <https://www.azgfd.com/hunting/regulations>.

The construction or maintenance of water developments should include: incorporation of aspects of the natural environment and the visual resources, maintaining the water for a variety of species, water surface area (e.g., bats require a greater area due to in-flight drinking), accessibility, year-round availability, minimizing potential for water quality problems, frequency of flushing, shading of natural features, regular clean-up of debris, escape ramps, minimizing obstacles, and minimizing accumulation of silt and mud.

Minimization and mitigation of impacts to wildlife and fish species due to changes in water quality, quantity, chemistry, temperature, and alteration to flow regimes (timing, magnitude, duration, and frequency of floods) should be evaluated. Minimize impacts to springs, in-stream flow, and consider irrigation improvements to decrease water use. If dredging is a project component, consider timing of the project in order to minimize impacts to spawning fish and other aquatic species (include spawning seasons), and to reduce spread of exotic invasive species. We recommend early direct coordination with Project Evaluation Program for projects that could impact water resources, wetlands, streams, springs, and/or riparian habitats.

The Department recommends that wildlife surveys are conducted to determine if noise-sensitive species occur within the project area. Avoidance or minimization measures could include conducting project activities outside of breeding seasons.

Based on the project type entered, coordination with State Historic Preservation Office may be required (<http://azstateparks.com/SHPQ/index.html>).

Trenches should be covered or back-filled as soon as possible. Incorporate escape ramps in ditches or fencing along the perimeter to deter small mammals and herpetofauna (snakes, lizards, tortoise) from entering ditches.

Communities can actively support the sustainability and mobility of wildlife by incorporating wildlife planning into their regional/comprehensive plans, their regional transportation plans, and their open space/conservation land system programs. An effective approach to wildlife planning begins with the identification of the wildlife resources in need of protection, an assessment of important habitat blocks and connective corridors, and the incorporation of these critical wildlife components into the community plans and programs. Community planners should identify open spaces and habitat blocks that can be maintained in their area, and the necessary connections between those blocks to be preserved or protected. Community planners should also work with State and local transportation planning entities, and planners from other communities, to foster coordination and cooperation in developing compatible development plans to ensure wildlife habitat connectivity. The Department's guidelines for incorporating wildlife considerations into community planning and developments can be found on the Wildlife Friendly Guidelines portion of the Wildlife Planning page at <https://www.azgfd.com/wildlife/planning/wildlifeguidelines/>.



Arizona Game and Fish Department
Project ID: HGIS-05735

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Design culverts to minimize impacts to channel geometry, or design channel geometry (low flow, overbank, floodplains) and substrates to carry expected discharge using local drainages of appropriate size as templates. Reduce/minimize barriers to allow movement of amphibians or fish (e.g., eliminate falls). Also for terrestrial wildlife, washes and stream corridors often provide important corridors for movement. Overall culvert width, height, and length should be optimized for movement of the greatest number and diversity of species expected to utilize the passage. Culvert designs should consider moisture, light, and noise, while providing clear views at both ends to maximize utilization. For many species, fencing is an important design feature that can be utilized with culverts to funnel wildlife into these areas and minimize the potential for roadway collisions. Guidelines for culvert designs to facilitate wildlife passage can be found on the home page of this application at <https://www.azgfd.com/wildlife/planning/wildlifeguidelines/>.

Based on the project type entered, coordination with Arizona Department of Environmental Quality may be required (<http://www.azdeq.gov/>).

Based on the project type entered, coordination with Arizona Department of Water Resources may be required (<http://www.azwater.gov/azdwr/default.aspx>).

Based on the project type entered, coordination with U.S. Army Corps of Engineers may be required (<http://www.usace.army.mil/>).

Based on the project type entered, coordination with County Flood Control district(s) may be required.

Development plans should provide for open natural space for wildlife movement, while also minimizing the potential for wildlife-human interactions through design features. Please contact Project Evaluation Program for more information on living with urban wildlife at PEP@azgfd.gov or at <https://www.azgfd.com/wildlife/planning/wildlifeguidelines/> and <https://www.azgfd.com/wildlife/LivingWith/>.

Vegetation restoration projects (including treatments of invasive or exotic species) should have a completed site-evaluation plan (identifying environmental conditions necessary to re-establish native vegetation), a revegetation plan (species, density, method of establishment), a short and long-term monitoring plan, including adaptive management guidelines to address needs for replacement vegetation.

The Department requests further coordination to provide project/species specific recommendations, please contact Project Evaluation Program directly, PEP@azgfd.gov

Project Location and/or Species Recommendations:

HDMS records indicate that one or more listed, proposed, or candidate species or Critical Habitat (Designated or Proposed) have been documented in the vicinity of your project. The Endangered Species Act (ESA) gives the US Fish and Wildlife Service (USFWS) regulatory authority over all federally listed species. Please contact USFWS Ecological Services Offices at <http://www.fws.gov/southwest/es/arizona/> or:

Phoenix Main Office
2321 W. Royal Palm Rd, Suite 103
Phoenix, AZ 85021
Phone: 602-242-0210
Fax: 602-242-2513

Tucson Sub-Office
201 N. Bonita Suite 141
Tucson, AZ 85745
Phone: 520-670-6144
Fax: 520-670-6155

Flagstaff Sub-Office
SW Forest Science Complex
2500 S. Pine Knoll Dr.
Flagstaff, AZ 86001
Phone: 928-556-2157
Fax: 928-556-2121

HDMS records indicate that Sonoran Desert Tortoise have been documented within the vicinity of your project area. Please review the Tortoise Handling Guidelines found at: <https://www.azgfd.com/wildlife/nongamemanagement/tortoise/>



Arizona Game and Fish Department
Project ID: HGIS-05735

project_report_drh_21_tortolita_rd_rezonin_23657_24280.pdf
Review Date: 7/10/2017 02:07:30 PM

Analysis indicates that your project is located in the vicinity of an identified wildlife habitat linkage corridor. Project planning and implementation efforts should focus on maintaining adequate opportunities for wildlife permeability. For information pertaining to the linkage assessment and wildlife species that may be affected, please refer to: <http://www.corridordesign.org/arizona>. Please contact your local Arizona Game and Fish Department Regional Office for specific project recommendations: <https://www.azgfd.com/Agency/Offices>.



C. Traffic Impact Statement for DR Horton Rezone, Tortolita Road



October 5, 2018

Linda Morales
The Planning Center
2 E. Congress, Suite 600
Tucson, AZ 85701



RE: Traffic Impact Statement for DR Horton Rezone, Tortolita Road, Marana, AZ for a 34-unit single family detached housing

This letter has been prepared to provide trip generation calculations for the proposed 17.6-acre single-family housing development located 1.75 miles north of the intersection of Tangerine Road and Dove Mountain Boulevard within the Town of Marana, Arizona. The site is proposed to be accessed by a full-access driveway on Tortolita Road. The site is currently undeveloped.

The site is currently zoned as Large Lot Zone (C) and Single-Family Residential Zone (R-80). The proposed zone for the development is Single-Family Residential Zone (R-8). The proposed development will consist of 34 units. The project area consists of three parcels: APN 218-44-022H, 218-44-022D, and 218-44-022C and has an anticipated buildout year of 2020.

TRIP GENERATION

For purposes of estimating vehicle trips that are anticipated to be generated by the proposed single-family housing development, the Institute of Transportation Engineers' (ITE) Trip Generation Manual, 10th Edition was used. Single-Family Detached Housing (Land Use Code 210) was used in this calculation. The existing development is expected to generate 25 AM peak hour trips and 34 PM peak hour trips. The anticipated total daily trips will be on the order of 322 vehicles per day.

The calculations are attached and the resulting trip generation is summarized in **Table 1** for the proposed single-family housing development.

It is not anticipated that the project will generate any passer-by traffic or have any internal capture.

Table 1 – ITE Trip Generation Estimate (Single-Family Detached Housing)

Land Use	Units	AM Peak Hour Trips	PM Peak Hour Trips	Daily Trips
Single-Family Detached Housing	34	25	34	322

Source: ITE Trip Generation Manual, 10th Edition

SITE ACCESS

It is anticipated that the trips generated by the proposed development will access the site via Tortolita Road.

Site distance in both directions (north and south) on Tortolita Road is sufficient. Site distance to the north on Tortolita Road exceeds 300 feet, and to the south more than 1,000 feet.

kimley-horn.com

333 East Wetmore Road, Suite 280, Tucson, AZ 85705

520-615-9191



MULTIMODAL CONSIDERATIONS

It is anticipated that the proposed development will generate a nominal amount of bicycle and/or pedestrian traffic. Existing sidewalks located adjacent to the Tortolita Reserve subdivision will be extended north adjacent to the proposed DR Horton subdivision.

TIS CHECKLIST CONFERENCE

A teleconference call was held on April 11, 2018 with Fausto Burruel to discuss the Town of Marana TIS Checklist. Notes from the conversation are:

- There is a new STEM School that will be constructed west of Tortolita Road. Upon buildout of the school, a traffic signal may be constructed at the intersection of Moore Road and Dove Mountain Boulevard. This will be constructed by others and is provided for awareness purposes.
- The speed limit adjacent to the DR Horton site is 35 mph. The speed limit reduces to 25 mph south of the site in the vicinity of the curve as Tortolita Road approaches Moore Road. Tortolita Road adjacent to the DR Horton site functions as a collector street.
- The sidewalk at the existing Tortolita Reserve subdivision should be extended north adjacent to the DR Horton site.

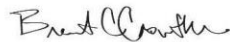
SUMMARY

The proposed 34-home DR Horton subdivision is not anticipated to have a negative impact on the adjacent roadway network. Trip generation from the site is modest as depicted in the Table 1 trip generation summary. The existing street network will be able to accommodate the trips generated from the site.

Please contact me at 520-352-8632 or brent.crowther@kimley-horn.com should you have any questions regarding this analysis.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.



Brent Crowther, P.E., PTOE
Vice-President

Attachments:

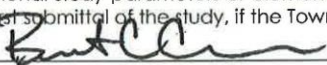
1. TIS Checklist
2. Trip Generation Worksheet



Development Services / permits@maranaaz.gov

11555 West Civic Center Drive / Marana, AZ 85653

Ph (520) 382-2600 / Fax (520) 382-2641 / maranaaz.gov

TRANSPORTATION STUDY PARAMETERS	
Trip Generation (Land Use Categories and Rates): 210, Single-Family Detached Housing	
Traffic Impact Analysis Category: ☒ I ☐ II ☐ III ☐ IV ☐ V	
Horizon Year(s): 2020	
Trip Distribution To/From - North: 0% South: 100% East: 0% West: 0% Other:	
Passer-by Traffic and Internal Capture (Rates): Not applicable	
Alternate Mode Considerations Bike: Pedestrian: Continue sidewalk on Tortolita Road from Tortolita Reserve Transit:	
Traffic Data and Preliminary Trip Generation: No traffic counts collected for this Category I analysis. Trip generation for 34 units shows 25 AM trips, 34 PM trips, and 322 daily trips	
ANALYSIS ELEMENTS AND METHODS	
Roadways: Tortolita Road is a 2-lane roadway, which functions as a collector street adjacent to the proposed development.	
Intersections: Not analyzed for this Category I analysis. A signal may be constructed (by others - STEM School) at intersection of Moore Road/Dove Mountain.	
Traffic Safety and other special considerations: Speed limit is 35 mph adjacent to the proposed subdivision. Speed limit reduces to 25 mph near the curve at the Self Storage facility.	
I, the undersigned, certify that all of the facts set forth in this form are true and correct to the best of my knowledge and that the study will include the parameters and elements described above. I understand that additional study parameters or elements (other than those discussed in this form) may be required following the final submittal of the study, if the Town deems that they are critical to the study findings.	
	April 11, 2018
Consultant Signature	Date
Brent C. Crowther, PE, PTOE	Vice-President
Consultant Name (PRINT)	Title
FOR OFFICIAL USE ONLY	
Project No. <u>N/A</u>	Date Received <u>4/11/2018</u>
☒ Form Accepted	Accepted Date <u>4/11/2018</u>
Town Authorized Signature <u>Fausto Burrel</u>	Accepted By <u>Fausto Burrel</u>
Revision Date 11/1/2017	Title <u>Traffic Division Manager</u>



Project <u>Tortolita Road</u>		Kimley»Horn	
Trip generation for <u>Single-Family Detached Housing</u>			
Designed by <u>DJG</u>	Date <u>April 06, 2018</u>	Job No. <u>Pending</u>	
Checked by <u>DVM</u>	Date <u>April 06, 2018</u>	Sheet No. <u>1</u> of <u>1</u>	

TRIP GENERATION MANUAL TECHNIQUES

ITE Trip Generation 10th Edition , Average Rate Equations

Land Use Code - 210 Single-Family Detached Housing

Independent Variable - Dwelling Unit(s)

Number of Units (X) - 34

T = Trip Ends

Peak Hour Adjacent Street Traffic One Hour Between 7 and 9 AM

AM Peak		Directional Distribution:	
T = (X) * 0.74	Trip Ends Per Dwelling Unit(s)	25% Entering	75% Exiting
T = 25	Trip Ends	6 Entering	19 Exiting

Peak Hour Adjacent Street Traffic One Hour Between 4 and 6 PM

PM Peak		Directional Distribution:	
T = (X) * 0.99	Trip Ends Per Dwelling Unit(s)	63% Entering	37% Exiting
T = 34	Trip Ends	21 Entering	13 Exiting

Weekday

Daily Weekday		Directional Distribution:	
T = (X) * 9.44	Trip Ends Per Dwelling Unit(s)	50% Entering	50% Exiting
T = 322	Trip Ends	161 Entering	161 Exiting

<u>Non-Pass-By Trip Percentage</u>	<u>Non-Pass-By Trip Volumes</u>
AM 100%	AM Peak 6 Entering 19 Exiting
PM 100%	PM Peak 21 Entering 13 Exiting

Note: Rounding may occur in calculations





M E M O R A N D U M

Date: November 1, 2018 **Job No:** DRH-21

To: Cynthia Ross

From: Lexy Wellott

Project: Tortolita Ridge - Neighborhood Meeting Summaries

The following provides brief summaries for the three neighborhood meetings that were held with the surrounding residents for the Tortolita Ridge rezoning. All property owners within 300-feet of the rezoning boundary were invited to attend each of the meetings as well as all residents of Tortolita Reserve via the HOA manager. Each meeting was held at The Highlands at Dove Mountain Club House.

August 1, 2018 – Initial Neighborhood Meeting

There were approximately 27 attendees at this meeting. A presentation was provided describing the rezoning request, proposed site plan and the Town of Marana's rezoning process. After the presentation was completed, many attendees expressed concerns largely associated with the proposed density, quality and size of the housing product to be built onsite, anticipated selling prices, obstruction of mountain views by two-story homes, screening used along the southern boundary (i.e. decorative masonry wall vs. wrought iron view fencing) and traffic safety on Tortolita Road. To alleviate concerns associated with the type screening used along the southern boundary and the potential for back-to-back view fences, the type screening to be used along the southern boundary was limited to a decorative masonry wall. Due to a last-minute scheduling conflict, a representative from D.R. Horton was unfortunately unable to attend this meeting. Because several questions from those in attendance were specific to the proposed homes (such as price points, home sizes and comparable communities), it was agreed that another neighborhood meeting would be held in which D.R. Horton representative would be present and prepared to answer these questions. The materials that were presented during this neighborhood meeting were disseminated to all attendees that signed-in and to all residents of Tortolita Reserve via the HOA manager.

September 13, 2018 – Meeting with Tortolita Reserve HOA Board Members

This meeting was held at the request of the Tortolita Reserve HOA board members to discuss with D.R. Horton the proposed rezoning and the concerns expressed by the residents of Tortolita Reserve prior to holding the second neighborhood meeting. Three board members were in attendance. A list of questions was provided to The Planning Center and D.R Horton prior to the meeting. The submitted questions reflected similar concerns (density, selling price point, two-

story homes, traffic safety, etc.) that were brought-forth at the neighborhood meeting held on August 1, 2018. The HOA board stated that many of their residents were concerned about future residents of Tortolita Ridge utilizing the park amenities in Tortolita Reserve. D.R. Horton was amenable to providing a park amenity within the drainage basin if engineering permitted. At this time, no further commitments were made.

September 17, 2018 – Second Neighborhood Meeting

This meeting was the follow-up meeting to the August 2018 neighborhood meeting. There were approximately 33 attendees at this meeting. Since there were attendees present at this meeting that were not in attendance at the initial neighborhood meeting, a brief presentation was given to describe the rezoning request, conceptual land use plan and the Town of Marana's rezoning process. After a brief presentation was given, Brent Davis with D.R. Horton began working through the list of questions that were provided from the Board. Many of the attendees continued to express concerns similar to those discussed in the previous meeting summaries. At this meeting, D.R. Horton committed to providing a park amenity similar in size to that provided in Tortolita Reserve and extending the proposed sidewalk along Tortolita Road north to the southern portion of the Cook's driveway (large lot north of lots 31-34). Additionally, it was reiterated that the wall along the southern boundary would be limited to a decorative masonry wall and view fencing is prohibited. It was also stated that further consideration would be given to providing some single-story limitations and a larger buffer along the northern property boundary adjacent to the Cook's residence. It was agreed upon that the final conceptual land use plan and a list memorializing our commitments would be sent out to everyone in attendance at this meeting.

October 4, 2018 – Email to Neighbors with Final Conceptual Land Use Plan

This email was sent to approximately 29 people who provided email addresses at each meeting, the Tortolita Reserve HOA manager to disseminate to all residences and the Town of Marana Planning Department staff. Several responses to the email were provided by neighbors, all of which echoed that same concerns heard at the previous neighborhood meetings. The email that was sent to the above-mentioned is as follows:

"I wanted to send you all a brief update as to what has transpired since our last neighborhood meeting and give you all the opportunity to see the plan we intend on submitting within the next week to the Town of Marana. See attached.

Recognizing that the potential for two-story homes adjacent to single-story homes is a major concern for many of you and after meeting with the Town of Marana and D.R. Horton, we agree to limit homes to one-story when they are immediately adjacent to an existing single-story home. In addition to lots 1 and 34, this would prohibit two-story homes on lots 3-8, 10-11, 13-14 and 33.

We would also like to memorialize the following items:

- *We agree to providing a 5-foot decorative masonry wall at the back of the lots along the southern boundary removing the potential for wrought iron view fencing along this boundary.*
- *While the exact size and location cannot be determined until more detailed drainage studies have been performed, we agree to providing a park area containing a ramada, BBQ pit, grassy area and picnic benches, similar to that provided in Tortolita Reserve.*
- *We agree to providing a 33-35 foot landscape buffer north of lots 31-34.*
- *We agree to extending the proposed 5-foot sidewalk along Tortolita Road to the southernmost edge of the Cook's driveway. “*

October 22, 2018

Jason Angell
Development Services Director
Town of Marana Planning Department
11555 W Civic Center Dr
Marana, AZ 85653

RE: Rezoning Application Submitted by D.R. Horton

Dear Mr. Angell:

This letter serves as our formal protest to the proposed rezoning requested by D.R. Horton of the following tracts of land as listed below:

- Parcel # 21844022C (currently zoned as R-80);
- Parcel # 21844022D (currently zoned as R-80); and
- Parcel # 21844022H (currently zoned as C).

The developer D.R. Horton seeks to have these 3 plots rezoned as R-8, so that they may build 34 homes on approximately half of the 17.3 acres available. The 17.3 acres were originally intended to accommodate 8 large, custom homes (1 home per 2 acres). If the application is approved, the Town of Marana will be allowing 34 small and generic homes to be built on less than 10 acres of land.

First and foremost, I should make it clear that we are not opposed to development. However, the proposed rezoning is unacceptable for several reasons as follows:

1. It negatively impacts the value of the existing homes in the immediate vicinity of the building site.

A quick survey of home prices immediately to the south and north reveals that the majority of homes are priced in the \$400,000 to \$800,000 range. The three most recent home sales in our neighborhood were all above \$400,000. D.R. Horton has advised that they anticipate that the homes they will offer will be priced in the \$250,000 to \$300,000 range. Clearly, this is not appropriate for the neighborhood and would negatively impact the value of existing homes in the neighborhood. When advised of the same, the D.R. Horton representative stated that the market would only bear that price range. This is clearly a *false statement* given our recent sales in the past year. In addition, it ought to be noted that A.F. Sterling is building homes (The Estates at Tortolita Preserve) in the \$500,000 to \$1,000,000+ range just up the road on Moore and they are completely sold out. Clearly, the market will bear higher priced homes, especially in the Dove Mountain area. The Town of Marana would be remiss if they allowed our home values to be negatively impacted solely because D.R. Horton either does not have a suitable product to offer or is not willing to offer a higher end product in keeping with the neighborhood.

2. It punishes existing homeowners.

When we purchased our home we based our decision on an understanding that we were buying in the prestigious Dove Mountain neighborhood where home values could reasonably be expected to remain constant, or better yet, increase. We selected our neighborhood based on the fact that the land to the north of us had been zoned for larger custom homes. In fact, at the time we made our purchase, there were already 4 custom homes in a gated community and one additional one being built immediately adjacent to our community. To allow the rezoning would mean that the Town of Marana values development over its existing residents' concerns.

3. It creates traffic and safety issues.

D.R. Horton proposes to build a community of 34 homes with only one point of ingress and egress. Their proposal indicates that the entry and exit into their community will be through Tortolita Road. Based on their calculations, we can expect Tortolita Road to service a minimum of an additional 68 vehicles on a daily basis (2 cars per home). It should be noted that that is a significant increase of traffic for a narrow thoroughfare with only one lane on each side. The added traffic will also undoubtedly create significant wear and tear on our only means of access to our existing community, once again causing negative consequences for existing residents.

Furthermore, the traffic and safety issues will be exacerbated once the new K-8 STEM school on Moore opens. It is reasonable to expect that traffic will increase at the intersection of Moore and Tortolita as school districts are reassigned. This will severely and negatively impact accessibility to our community.

As previously stated, we are not against development per se, but **the development should be appropriate for the neighborhood.** While D.R. Horton has made some minor adjustments to their plans, none of the "concessions" substantively address our main concerns of diminished home values, traffic and safety. It is our understanding that D.R. Horton offers an Emerald line of homes in other jurisdictions which might be more in keeping with the Dove Mountain standards and home prices. We have requested **fewer, larger and higher quality homes in a price range commensurate with the existing neighborhood.**

In speaking with a Town of Marana Planning Development representative, it was noted that the requested rezoning must simply meet the requirements of the Land Development Code (Title 5) and that little consideration would be given to impact on neighboring residents' property values. Clearly the Town of Marana is keen to encourage development. While we understand that more development equates more tax revenues, we would propose that **there is more than one way to generate the same revenue.** For example, 8 custom homes priced at approximately \$1,000,000 each versus 34 homes priced at \$250,000 each. The first option maintains the quality of life in the Dove Mountain area and protects home values for current residents while the second option has a significant negative impact.

I respectfully submit that if the proposed rezoning is approved to allow D.R. Horton to build 34 sub-par homes in the afore-mentioned area, **the Town of Marana planners, City Council and Mayor will be remiss in their duty of care towards their existing residents and homeowners.** The land use change that is being proposed is a significant change which will undoubtedly harm the current residents of Dove Mountain, and especially the neighborhoods immediately to the north and south of the area which D.R. Horton seeks to rezone.

Accordingly, **please find enclosed a list of signatures** provided by homeowners in our community (Signatures at Tortolita Reserve) who seek to oppose the proposed rezoning. We are hopeful that our town leaders will not abandon our interests and well being. Thank you in advance for your kind consideration and time.

Sincerely,



Natasha Jabbar

Cc: Steve Cheslak, Principal Planner
Cynthia Ross, Senior Town Planner
Ed Honea, Mayor
John Post, Vice Mayor
Dave Bowen, Councilmember
Patti Comerford, Councilmember
Herb Kai, Councilmember
Roxanne Ziegler, Councilmember
John Officer, Councilmember

Enclosure: List of Homeowner Signatures

Signatures of Tortolita Reserve Homeowners Protesting Proposed Rezoning

Natasha Jabbar & Sunny Ali	<i>Natasha Jabbar</i>	5455 W Thornscrub Dr, Marana, AZ 85658	
Michael Neu	<i>Michael Neu</i>	5475 W Dry Creek Ct, Marana, AZ 85658	85658
Teresa + Armando Urias	<i>Teresa Urias</i>	5430 W Dry Creek Ct. Marana, AZ 85658	AZ 85658
Steven + Amy FREIMAN	<i>Amy Freiman</i>	5445 W. BAJADA DR. Marana, AZ 85658	AZ 85658
Joanne Hudson	<i>Joanne Hudson</i>	5465 W Opuntia Ln. Marana 85658	85658
TERRY JENKINS	<i>Terry Jenkins</i>	5500 W OPUNTIA LN MARANA. 85658	85658
Lewis Harris	<i>Lewis Harris</i>	5490 W Opuntia Ln	
Kathleen Monts	<i>Kathleen Monts</i>	5480 W. OPUNTIA LN.	
Juliet Gourdie	<i>Juliet Gourdie</i>	5470 W opuntia Ln.	
Brenda J Ferran	<i>Brenda J Ferran</i>	OPUNTIA LN.	
Janette Rhein	<i>Janette Rhein</i>	13280 N SIRESCO DR Marana AZ 85658	AZ 85658
MARAYL SCOUTEN	<i>Marayl Scouten</i>	5445 Thornscrub Dr	
JEFFREY ALBARO	<i>Jeffrey Albaro</i>	5465 W. THORNSCRUB DR. MARANA AZ 85658	AZ 85658
EDWARD FASCHAN	<i>Edward Faschan</i>	5510 W. DRY CREEK CT. MARANA AZ 85658	AZ 85658
RUSSELL NIXON	<i>Russell Nixon</i>	5505 W. Thornscrub Dr; Marana 85658	85658
Jeff + Sonya Taylor	<i>Jeff Taylor</i>	5475 W. THORNSCRUB DR. Marana AZ 85658	Marana AZ 85658
Judith Thiersen	<i>Judith Thiersen</i>	5455 N. Dry Creek Ct	85658
Kenneth A. Turkey	<i>Kenneth A. Turkey</i>	5480 West Dry Creek Ct. Marana AZ 85658	AZ 85658
Fernando Estrella	<i>Fernando Estrella</i>	5495 W. Dry Creek Ct. Marana AZ 85658	AZ 85658
Gregory Elmer	<i>Gregory Elmer</i>	5520 W Dry Creek Ct Marana 85658	85658
Charles Heland	<i>Charles Heland</i>	5500 W Dry Creek Ct. 85658	85658
Rachel H Garza	<i>Rachel H Garza</i>	5450 W Dry Creek Ct 85658	85658
Ethel Keschvger	<i>Ethel Keschvger</i>	5420 W Dry Creek Ct 85658	85658
JOHN OWERS	<i>John Owers</i>	5415 W. BAJADA Dr 85658	85658
Vatti Calbi	<i>Vatti Calbi</i>	5425 W Bajada Dr 85658	85658
Mary Hoppe	<i>Mary Hoppe</i>	5455 W Bajada Dr 85658	85658
JAMES KYLE	<i>James Kyle</i>	5460 W BAJADA 85658	85658
JOHN MCCAY	<i>John McCay</i>	5485 W BAJADA 85658	85658
CAROL LEDBETTER	<i>Carol Ledbetter</i>	5501 W. Bajada Dr 85658	85658
Dawn Engstrom	<i>Dawn Engstrom</i>	5513 W Bajada Dr 85658	85658
Melissa Peim	<i>Melissa Peim</i>	5509 W Bajada Dr	
Peter Panell	<i>Peter Panell</i>	5525 W BAJADA	
Robin Majalea	<i>Robin Majalea</i>	5521 W Bajada	
VANCE SANDRETTO	<i>Vance Sandretto</i>	5504 W BAJADA	
Ellen KIER	<i>Ellen Kier</i>	5445 W. Dry Creek Ct	
DAVE SWANSON	<i>Dave Swanson</i>	5460 W. DRY CREEK CT. 85658	85658

Received 9/27/18

Dennis Miller and Lore Miller
5480 W Thornscrub Dr.
Marana, Arizona 85658

September 21, 2018

Mr. Jason Angell
Marana Development Services Director
11555 W. Civic Center Dr.
Marana, AZ 85653

Dear Mr. Angell

We wish to protest the proposed rezoning of 17 acres located on Tortolita Road for the following reasons:

- Residents on the north side of Dry Creek Road paid a substantial lot premium for the view of the Tortolita Mountains. The current zoning is one home per acre but the request for rezoning is for four houses per acre and to allow for two story construction. This will certainly impact if not totally destroy the view.
- The proposed subdivision is adjacent to some very expensive homes. The development of low-end, high density homes will certainly impact the value of nearby property.
- The only way to enter or leave this and the properties to the south is via Tortolita Road; there is no other way out of the area in case of any emergency. The intersection of Tortolita Road and Moore Road will become very congested when the new school on Moore Road is completed. It should be noted that there are other unimproved lands to the south of this property which will probably be developed at some point and make the congestion even worse.

The developer's representatives have conducted several meetings with the nearby residents. Many people attended these meetings and no one was in favor of the rezoning. The proposed buyer/developer refused any type of compromise on these issues. This request should not be approved as it

benefits only the property owner and proposed developer at the expense of nearby residents.

Sincerely,

Dennis Miller

Lore Miller

From: Rachel Garza [<mailto:rhgarza78@gmail.com>]

Sent: Friday, October 05, 2018 9:42 AM

To: Jason Angell; Steven Cheslak; Cynthia Ross

Subject: Tortolita Reserve Re-Zoning Concerns

Good Morning,

I'm sure you have been inundated with our neighborhood's and custom home neighbor's concerns regarding the proposed re-zoning of Tortolita Rd. to build 34 homes on a 7.3 acre parcel behind us. We knew when we bought these homes that there would be homes built behind us, but those were to be custom homes on 2-3 acre lots and we knew potential builders would not want to build their custom home looking into our backyards. I'm sure you have heard from the retired couple who purchased one of those lots for custom use, to now have their surrounding property rezoned into track homes. The amount of small desert that is going to be destroyed behind us is very saddening. To have our crisp views shadowed by new homes is also saddening. Just last night I had a huge owl sitting on a tree behind my house and these owls are frequent visitors, to include the coyotes and javelina that travel through and the occasional bobcat. I'm attaching pictures for reference of our views to include the rezoning plot map. Imagine if this is your home and you get up every morning to drink your coffee or watch the sunsets in the evening. Then the next year all you see is what is left of the desert, a 5ft wall and the backs of people's houses. Marana is growing at a rapid pace with homes being developed on any land that is vacant. We need to take into consideration preserving what small patches of acres we have left in the Dove Mtn. area or any other small acreage in Marana and not cramming more track homes into them. There used to be quite a few deer in this area and those are diminishing as well.

Thank you for your time and please consider our concerns when DR Horton submits their plans to you. I'm the 4th house down on the plot.

Rachel H Garza
5450 W Dry Creek Ct
Marana, AZ 85658

October 24, 2018

Tortolita Ridge Rezoning Proposal - Objection

To:

- Jason Angell, Developmental Services Director jangell@MARANAAZ.GOV
- Steven Cheslak, Principal Planner scheslak@MARANAAZ.GOV
- Cynthia Ross, Senior Town Planner cross@MARANAAZ.GOV
- Linda Morales, The Planning Center lmorales@azplanningcenter.com

From:

- Sue Montanez, Homeowner, sue.montanez@comcast.net

Dear Mr. Angell, Mr. Cheslak, Ms. Ross, and Ms. Morales,

I'm writing today to express my extreme displeasure and concern over the Tortolita Ridge Rezoning proposal from The Planning Center (TPC) and DR Horton. I own a home at Tortolita Reserve, namely Lot #18 on Dry Creek Court. Based on the current plan, directly behind my property will be not just one, but two distinct homes, very close to each other and close to my view-fenced property. Needless to say, I find that very intrusive, and contrary to the original intention for the land behind my home and the homes of my neighbors.

I am aware that TPC and DR Horton have agreed to what I consider somewhat minor concessions based on neighborhood/other meetings, and I appreciate their approach to trying to listen and address my neighborhood's concerns. However, I'm not satisfied, nor are my neighbors within the Tortolita Reserve community (all of it, not just those on my street), and nor are my neighbors further up Tortolita Road.

While it may not be TPC's nor DR Horton's concern to more fully address our issues, I would think it would be at least of concern to the town of Marana. The development proposed, while remaining residential, breaches the trust we placed in the town to honor the original R-80 zoning in place when we purchased our homes. Our understanding of the development "plan" was that as you progress up Tortolita Road, lots and homes increased in size and value. Based on the current development, that seems to hold true with larger, custom lots/homes at the top of the road. Placing crowded lots and homes in at Tortolita Ridge makes no sense to us in terms of progressive zoning, increased people and traffic, and in terms of negatively impacting current property values.

I very strongly object to this rezoning proposal overall, but also to the intended development plan given the rezoning may go through. In our neighborhood meetings it has been proposed to:

- Reduce the number of lots/homes, by increasing lot/home sizes - providing significantly more margin at the southern and eastern parts of the proposed development, to give more natural desert buffer between homes.
- Prevent any two-story homes to preserve views to the extent possible.

- Develop land to the northwest area of the parcel instead of all at the southeastern area, acknowledging the expense to the builder to traverse the wash, but also acknowledging current property owners' significant concerns about their property values.

I realize this is all about profits to some. But to those of us who purchased and/or built recently here, this is about trust. It's about having invested into a future we thought we could trust regarding our properties. It's about having chosen to live in Marana, in this particular place, believing it to be a good place to live, where our investments wouldn't be deteriorated. It's about trusting in the leaders of our town to have our best interests in mind as fellow residents and neighbors.

I hope you will prevent this rezoning from happening. At a bare minimum, I hope you will hear and act upon the objections from me and from my neighbors. We are devastated at how the development plan intrudes on our lives and finances.

Thank you for listening.

Respectfully,

A handwritten signature in dark ink, reading "Susan Montanez". The signature is fluid and cursive, with the first name "Susan" and last name "Montanez" clearly legible.

Susan Montanez
5540 W Dry Creek Court
Marana, AZ 85658
480-369-6494
sue.montanez@comcast.net

From: paul.wolf@wolfmetrology.com <paul.wolf@wolfmetrology.com>

Sent: Friday, October 12, 2018 12:07 PM

To: David Bowen <dbowen@MARANAAZ.GOV>; Patti Comerford <pcomerford@MARANAAZ.GOV>; Herb Kai <hkai@MARANAAZ.GOV>; Roxanne Ziegler <rzeigler@MARANAAZ.GOV>; John Officer <jofficer@MARANAAZ.GOV>; maranaplanning <maranaplanning@MARANAAZ.GOV>; Ed Honea <ehonea@MARANAAZ.GOV>; Jamsheed Mehta <jmehta@MARANAAZ.GOV>; Jon Post <jpost@MARANAAZ.GOV>; TownManager <TownManager@MARANAAZ.GOV>; Jason Angell <jangell@MARANAAZ.GOV>; Steven Cheslak <scheslak@MARANAAZ.GOV>

Cc: bwolf148@gmail.com

Subject: [SPAM] Tortolita Ridge Rezoning

To whom it may concern:

We are writing to protest the re-zoning of a 17-acre plat located on Tortolita Road between Tortolita Reserve and Chavez Ridge subdivisions. We live at 5490 West Dry Creek Court, in the Tortolita Reserve subdivision and the re-zoning will greatly affect our property value and everyday way of life.

The current zoning is for large lots with a total of 8 homes that can be built. The proposed plan is for 34 homes shoved into a 7.3-acre space, as the remaining acreage cannot/will not be built on. The current plan gives only a 6-foot landscape buffer from the property line with a small wash in between. The land in question has a higher elevation than our property therefore severely if not completely diminishing our view of the desert and the Tortolita mountains as well as Picacho Peak. Even a one-story home will have this effect and tower over our home.

The lot sizes of the proposed homes are smaller therefore the homes will be smaller with a lower selling price as well. The last several homes sold in our subdivision for over \$400,000 and the representative for DR Horton informed us that the starting prices of the proposed homes would be in the high \$200,000's with a hopeful closing price of around \$330,000. That is a big difference in home prices and will drive down the value of our homes not only in our subdivision but for the custom homes that surround the property to the east and north. There is a progression of the price of homes the further up Tortolita Road you go. At the bottom of the road are homes that run in the \$200,000's and increase in price to our homes which start in the high \$300,000's and go into the \$400,000's, to the custom large lots in Chavez Ridge that run north of \$500,000. It does not make sense to squeeze a lower priced subdivision on this small piece of land. The town of Marana should be concerned with preserving home values and focus on quality instead of quantity.

When we purchased our home in 2014, we were told by Lennar and our real estate agent that nothing would be built behind us which is why we paid a lot premium. We were also attracted to Dove Mountain because of the advertised focus on low density. Shoving many homes on a small tract of land between established subdivisions does not fit into the Dove Mountain design. On a side note, our real estate agent advised us (when we looked at a home in Saguaro Bloom) to avoid DR Horton as the quality was below par.

We have young children who almost exclusively play in our backyard and I do not want 1-2 homes backed up to our property. Our backyard has a view fence which allows us to enjoy the beautiful desert view but inadvertently would then also allow strangers to look down into our property (with our kids and dogs) and even possibly into our home. This would shatter our sense of peace and security and we would be forced to always have our blinds closed or always be mindful that whenever we are outside or in the kitchen we could be being watched. Having privacy and that peace is the exact reason for why we moved to and paid extra for a property that had no homes behind us.

We have concerns about the increased traffic on Tortolita and Moore Roads as well. The roads are already busy and increased traffic would add more danger to the neighbors who walk (with or without dogs and children) or ride their bikes down Tortolita Road. This will also be exacerbated by the new K-8 school being built on Moore Road. There are established wildlife trails that are behind our home and we frequently see coyote, javelina, lots of quail as well as an occasional bobcat and Gila Monster. At a recent meeting, a neighbor to the north reported frequently seeing Pygmy Owls as well. These are issues that must be considered.

When Tortolita Reserve was built, it was not built next to established homes. Ideally, we would like to have the land stay natural desert like we were told it would be, but we understand that a private owner has the right to sell their property. We are not necessarily anti-growth but believe that the building and planning needs to be done responsibly. Eight higher end custom homes would still bring in a decent amount of property taxes for the town (while also maintaining the higher property taxes of the existing homes) and be more appropriate for the area then to force 34 homes in a poorly thought out subdivision with no concern for the adjoining property owners.

We would like to implore you to keep the land zoned for large lots with custom homes that would keep in line with the surrounding property, preserve home values and somewhat maintain the ambience of peace and privacy that we moved here for. Please respect and listen to the established residents and do not re-zone this tract of land to keep Dove Mountain and our neighborhood the special place it is meant to be.

Paul and Brandy Wolf

November 2, 2018

Jason Angell
Development Services Director
Town of Marana Planning Department
11555 W Civic Center Drive
Marana, AZ 85653

RE: Rezoning Application Submitted by D.R. Horton

This letter serves as our formal protest to the proposed rezoning requested by D.R. Horton of the following tracts of land as listed below:

- Parcel # 21844022C (currently zoned as R-80)
- Parcel # 21844022D (currently zoned as R-80)
- Parcel # 21844022H (currently zoned as C)

The developer D.R. Horton seeks to have these 3 plots rezoned as R-8, so that they may build 34 home on approximately half of the 17.3 acres available. The 17.3 acres were originally intended to accommodate 8 large, custom homes (1 home per 2 acres). If the application is approved, the Town of Marana will be allowing 34 small and generic home to be built on less than 10 acres of land.

First, we are not opposed to development, but we are concerned about how it will impact the existing homes in the immediate vicinity of the building site. We are military and recently relocated to Arizona this summer. We purchased our home after careful consideration. A quick survey of home prices immediately to the south and north reveals that the majority of homes are priced in the \$400,000 to \$800,000 range. The three most recent home sales, ours included, were all above \$400,000. D.R. Horton has advised that they anticipate the new development will range in price from \$250,000 to \$300,000. This would negatively impact the value of existing homes in the neighborhood. When advised of the same, the D.R. Horton representative stated that the market would only bear that price range. That is clearly a false statement given our recent sales in the past year. In addition, it out to be noted that A.F. Sterling is building homes (The Estates at Tortolita Preserve) in the \$500,000 to \$1,000,000+ range just up the road on Moore and they are completely sold out. Clearly, the market will bear higher priced homes, especially in the Dove Mountain area. The Town of Marana would be remiss if they allowed our home values to be negatively impacted solely because D.R. Horton either does not have a suitable product to offer or is not willing to offer a higher end product in keeping with the neighborhood.

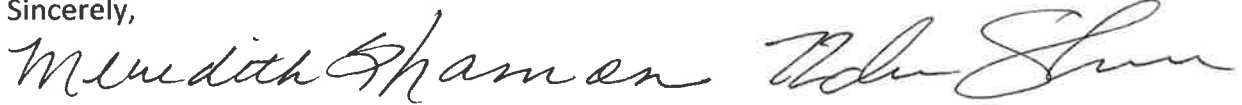
As a new home owner in the area, we purchased our house with the understanding that we were buying in the prestigious Dove Mountain neighborhood where home values could reasonably be expected to stay the same or better yet increase. We selected our neighborhood

knowing that a new STEM school was being built down the road, the neighborhood was well cared for, friendly, and safe, AND the land to the north of us had been zoned for larger custom homes. In fact, at the time we made our purchase, there were already 4 custom homes in a gated community and one additional one being built immediately adjacent to our community. To allow the rezoning of that land would mean that the Town of Marana values development over its existing residents' concerns.

It is my hope that the Town of Marana planners will ask D.R. Horton to build fewer, larger, and higher quality homes in a price range more appropriate for the existing neighborhood.

I truly appreciate your time and consideration.

Sincerely,

Handwritten signatures of Meredith and Brendan Shannon in cursive script.

Meredith and Brendan Shannon
Homeowner

Cc: Steve Cheslak, Principal Planner
Cynthia Ross, Senior Town Planner
Ed Honea, Mayor
John Post, Vice Mayor
Dave Bowen, Councilmember
Patti Comerford, Councilmember
Herb Kai, Councilmember
Roxanne Ziegler, Councilmember
John Officer, Councilmember