



CITY OF SIERRA VISTA
PLANNING AND ZONING COMMISSION
SEPTEMBER 17, 2019
CITY COUNCIL CHAMBERS
1011 N. CORONADO DRIVE
REGULAR MEETING

REGULAR MEETING.....5:00 PM

CALL TO ORDER

ROLL CALL

ACCEPTANCE OF AGENDA

ACCEPTANCE OF MINUTES

1. Minutes of September 3, 2019

CHAIR COMMENTS

CALL TO PUBLIC

OLD BUSINESS

2. Discussion on Accessory Dwelling Units

NEW BUSINESS

3. **PUBLIC HEARING**
Development Code Amendments
Section 151.04.004, Dumping or Disposal of Rubbish
Section 151.06.004, Home Based Business
Article 151.10, Sign Regulations

FUTURE DISCUSSION ITEMS, COMMISSION REQUESTS, AND ANNOUNCEMENTS

INFORMATION

Update on Projects

CITY COUNCIL LIAISON COMMENTS

Update on City Council Items

ADJOURNMENT

SIERRA VISTA PLANNING AND ZONING COMMISSION
SEPTEMBER 3, 2019
CITY COUNCIL CHAMBERS
Meeting Minutes

The regular meeting of the Sierra Vista Planning and Zoning Commission was called to order at 5:00 p.m. in the City Council Chambers.

Members Present: Sharon Lake, Chair
Bradley Snyder, Vice-Chair
Patricia Olson
David Thompson
Robert Karp
Chrysti Lassiter
Steven Miller

Members Absent: None

Staff Present: Matt McLachlan, Director, Department of Community Development
Jeff Pregler, Senior Planner

Council Present: Mayor Pro Tem Rachel Gray

Others Present: None

ACCEPTANCE OF THE AGENDA:

Ms. Lassiter made the motion to accept the agenda. Ms. Olson seconded the motion.

VOTE: Approved by a vote of 7-0

ACCEPTANCE OF THE MINUTES:

1. Mr. Snyder made the motion to accept the minutes of August 13, 2019. The motion was seconded by Mr. Thompson.

VOTE: Unanimously approved- 7-0.

CHAIR COMMENTS

None

CALL TO THE PUBLIC

Ms. Lake opened the meeting to the public. There being no public requesting to speak, Ms. Lake closed the meeting to the public.

OLD BUSINESS:

None

NEW BUSINESS

2. Discussion Item Only-No Action Taken on This Item
2019-2020 Work Program-Proposed Code Amendments
Section 151.04.004, Dumping or Disposal of Rubbish;
Section 151.06.004, Home Based Business
Section 151.06.010 Accessory Dwelling Units
Article 151.10, Sign Regulations

Mr. Pregler provided the staff memo along with a supplemental Power Point presentation. He stated that, the Planning & Zoning Commission, in working with Staff on its Annual Work Program, prioritized the processing of Development Code amendments. Those amendments, he continued, were ranked as the highest priority because many of them are considered minor revisions and as such, do not require lengthy research and discussion.

Mr. Pregler indicated that the four amendments to be discussed are: *Section 151.04.004, Dumping or Disposal of Rubbish, Section 151.06.004, Home Based Business, Section 151.06.010, Accessory Dwelling Units, and Article 151.10, Sign Regulations.*

Mr. Pregler discussed the first proposed amendment, **Article 151.04, Supplementary District Regulations**. Remove Section 151.04.004, *Dumping or Disposal of Rubbish*, which prohibits the dumping and disposal of debris, garbage, and industrial wastes. The language is currently found in the Property Maintenance Codes and can therefore be deleted from the Development Code

COMMISSION COMMENTS: No additional comments.

Mr. Pregler discussed the second proposed amendment, **Article 151.06, Special Regulations for Particular Uses**. One section will be revised and another section will be added to the Article.

Section 151.06.004, Home Based Businesses- The City has received a number of property maintenance complaints regarding the repair of vehicles on residential properties. Specifically, the concerns relate to the number of vehicles under repair and the placement of the vehicles often located within the front yard of the properties. The Home Based Business regulations prohibit automotive service and repair of vehicles not owned or leased by the occupants of the property. However, the regulations do not prohibit an individual from repairing their own vehicles on the property for purposes of selling the vehicle in the future. In some instances, this could be numerous vehicles at one time. As a result, the proposed amendment is to prohibit the sale of more than one vehicle at a time on residential properties. This prohibition would allow for more clear enforcement action on this activity when the City receives complaints.

COMMISSION COMMENTS:

Mr. Miller asked if there were additional complaints or issues associated with home based businesses. Mr. Pregler stated that many of the home based business regulations have their genesis in neighborhood complaints, such as noise, traffic and visual impacts.

Adding Section 151.06.010, Accessory Dwelling Units. The Development Code does not currently incorporate development standards for accessory dwelling units (ADU). Past practice has been to add standards as conditions of a Conditional Use Permit. Staff has determined that creating specific development standards is the most effective way to regulate ADU's. As such, the proposed amendment include specific development criteria for the construction and placement of ADU's. Staff researched a number of codes from other local jurisdictions to help create the proposed standards.

The proposed standards include:

1. Lot Coverage Area. The maximum lot coverage area shall not exceed 65 percent of the total rear and side yards.
2. Location Restrictions. Accessory dwelling units shall not be located in front of any principal structure.
3. Maximum Height. 15 feet.
4. Setback Requirements: Accessory dwelling units shall conform to the following setback requirements:
 - a. The minimum setback to a rear or side property line shall be five (5) feet; provided however the minimum setback may be reduced to one (1) foot if the side or rear property line abuts a platted alleyway or dedicated drainageway.
 - b. The minimum building separation between the accessory dwelling unit and any other building on the property shall be five (5) feet.
5. The principal structure on the lot in which an accessory dwelling unit is constructed shall be occupied by the owner of the property, as reflected in the title records obtained from the Cochise County Recorder's Office.
6. Accessory dwelling units shall not contain more than one bedroom.
7. Number of Occupants. No more than two occupants may reside in an accessory dwelling unit at any one time.
8. A separate address, water meter, utility meter, driveway or parking area shall not be provided;
9. The materials, colors and architectural style of the accessory dwelling unit shall be harmonious to the principal residence.

10. The livable floor area shall not exceed fifty (50) percent of the livable floor area of the principal residence.
11. The orientation of the proposed accessory dwelling unit shall, to the maximum extent practical, maintain the privacy of residents in adjoining dwellings as determined by the physical characteristics surrounding the Accessory Dwelling Unit, including landscape screening, fencing, and window and door placement.
12. Prior to the issuance of a building permit, a plot plan illustrating conformance with these requirements shall be submitted and approved.

COMMISSION COMMENTS: Mr. Snyder had a concern about the proposed standard requiring the property owner to reside on the property. He stated that the proposed language would prohibit a property owner from renting both the principal structure and the accessory dwelling unit to the same family if the owner did not reside on the property. He indicated that this should be an option for the property owner and recommended that this be a possible amendment to the drafted language.

Mr. McLachlan indicated that the property owner has a vested interest in maintaining oversight of the accessory dwelling unit which is the intent of the proposed provision.

Mayor Pro Tem Gray indicated that rental criteria language needs to be clear because there is a large rental market in Sierra Vista due to the presence of Fort Huachuca.

Mr. Karp asked a question about the one bedroom requirement. He specifically asked about the definition of bedroom because in some instances the definition of bedroom requires a closet. Therefore, could the structure be built with two rooms, one with a closet and one without.

Mr. Pregler read the definition of bedroom in the Development Code to mean, "a private room planned and intended for sleeping, separable from other rooms by a door and accessible to a bathroom without crossing another bedroom or living room". Mr. Pregler concluded by saying that the definition does not include a closet requirement.

Mr. Karp asked if the 5-foot setback from property line, found in the building codes, is the standard setback for all residential units. Mr. Pregler stated that this was the standard setback requirement.

Mr. Miller asked, if there was a renter living in the principal structure and they wanted to rent the accessory dwelling unit for a guest, would this be legal under the proposed language. Mr. Pregler stated that the proposed provision would not allow this scenario. He further informed that Commission that the City cannot legally place restrictions on rental compensation due to the requirements in a state law. Therefore, other means of regulating the impacts of the accessory dwelling units are being proposed such as requiring the owner to reside on the property. Mr. Miller indicted that the clarity of some of the standards needs to be addressed.

Mr. McLachlan stated that fundamentally, the standards are trying to avoid a shift in the single-family residential character of the neighborhood and avoid two family rental situations. Mr. Miller stated that isn't this what the Conditional Use Permit process allows? Mr. McLachlan said that the standards ensure that the accessory dwelling unit is subordinate and incidental to the principal structure. Should the principal structure and the accessory dwelling unit both be rented out, it could have impacts on neighboring property owners. Mr. McLachlan explained that there are a number of benefits to accessory dwelling units such as supplemental income for the owner or for affordable housing opportunities. However, the City needs to ensure that accessory dwelling units do not fundamentally alter the essential character of the neighborhood.

Mr. Pregler asked the Commission if their recommendation was to remove the development standard requiring the property owner to reside on the property. The Commission indicated that the standard should be removed. Mr. Pregler stated that staff would remove the development standard from the proposed language.

Mr. Pregler next asked the Commission if the requirement of a Conditional Use Permit, which is currently required to allow accessory dwelling units in residential zoning districts, was necessary given the proposed development standards.

Mr. Snyder stated that his preference was to eliminate the Conditional Use Permit process since the proposed development standards provided the necessary regulation.

Mr. Karp indicated his preference to keep the Conditional Use Permit process because it allowed for a public input process, which he stated was important, because accessory dwelling units potentially change the character of a neighborhood.

Mr. McLachlan stated that many of the proposed development standards are conditions that would typically be attached to a Conditional Use Permit.

After additional discussion with the Commission, it was decided that a condensed public process would be integrated into the accessory dwelling unit permitting review process.

Mr. Pregler then discussed the final amendment which is to **Article 151.10, Sign Regulations**. Current language in this Article requires that the sign panels inserted within a multi-tenant or shopping center free-standing sign be a minimum of nine square feet. The original intent of this requirement was to make the panels and lettering large enough to be easily seen by drivers, thus decreasing the amount of time that the driver is not focused on the roadway.

The maximum sign face of a multi-tenant or shopping center sign is 75 square feet. The concern is that the minimum panel size requirement potentially limits the number of panels that can be inserted into the sign, ultimately prohibiting some businesses in the building or shopping center from advertising on the sign. The proposed amendment would eliminate the minimum panel size requirement, thus allowing additional sign panel flexibility.

COMMISSION COMMENTS: No additional comments.

FUTURE DISCUSSION ITEMS, COMMISSION REQUESTS, AND ANOUNCEMENTS

None

INFORMATION

Mr. Pregler had no additional updates.

CITY COUNCIL LIAISON COMMENTS:

Mayor Pro Tem Gray had no additional comments.

ADJOURNMENT

The meeting adjourned at approximately 5:55 p.m.

SHARON LAKE
Chair
Planning & Zoning Commission

MATT MCLACHLAN, AICP
Executive Secretary
Planning & Zoning Commission

JEFF PREGLER, AICP
Recording Secretary

STAFF MEMORANDUM

TO:	Planning and Zoning Commission
FROM:	Jeff Pregler AICP, Senior Planner
MEETING DATE:	September 17, 2019
SUBJECT:	PUBLIC HEARING Development Code Amendments Section 151.04.004, Dumping or Disposal of Rubbish; Section 151.06.004, Home Based Business Article 151.10, Sign Regulations
REQUESTED ACTION:	I move that Resolution 1161 , providing for text amendments to Development Code Section 151.04.004, Dumping or Disposal of Rubbish; Section 151.06.004, Home Based Business, and Article 151.10, Sign Regulations, as shown in Exhibit A, be recommended for approval to the Mayor and City Council.

BACKGROUND:

The Planning & Zoning Commission, in working with Staff on its Annual Work Program prioritized the processing of Development Code amendments. The three amendments discussed in this memo were ranked as the highest priority because many of them are considered minor revisions and as such does not require lengthy research and discussion.

The three Development Code amendments relate to the following Sections and Articles:

- 1) Section 151.04.004, Dumping or Disposal of Rubbish
- 2) Section 151.06.004, Home Based Business
- 3) Article 151.10, Sign Regulations

ANALYSIS

Article 151.04, Supplementary District Regulations. Removal of obsolete and duplicative language. Specifically, *Section 151.04.004, Dumping or Disposal of Rubbish*, which prohibits the dumping and disposal of debris, garbage, industrial wastes, etc., is already addressed in the Building and Property Maintenance Codes. Therefore, the amendment is to remove this entire Section.

Article 151.06, Special Regulations for Particular Uses-Revising one Section within this Article.

Section 151.06.004, Home Based Businesses-The City has received a number of property maintenance complaints regarding the repair of vehicles on residential properties. Specifically, the concerns relate to the number of vehicles under repair and the placement of the vehicles often located within the front yard of the properties. The Home Based Business regulations prohibit automotive service and repair of vehicles not owned or leased by the occupants of the property. However, the regulations do not prohibit an individual from repairing their own vehicles on the property for purposes of selling the vehicle in the future. In some instances, this could be numerous vehicles at one time. As a result, the proposed amendment is to prohibit the sale of more than one vehicle at a time on residential properties. This prohibition would allow for more clear enforcement action on this activity when the City receives complaints.

Article 151.10, Sign Regulations-Current language in this Article requires that the sign panels inserted within a multi-tenant or shopping center free-standing sign be a minimum of nine square feet. The original intent of this requirement was to make the panels and lettering large enough to be easily seen by drivers, thus decreasing the amount of time that the driver is not focused on the roadway.

The maximum sign face of a multi-tenant or shopping center sign is 75 square feet. The concern is that the minimum panel size requirement potentially limits the number of panels that can be inserted into the sign, ultimately prohibiting some businesses in the building or shopping center from advertising on the sign. The proposed amendment would eliminate the minimum panel size requirement, thus allowing additional sign panel flexibility.

RESOLUTION 1161

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; BY RECOMMENDING APPROVAL OF AMENDMENTS TO CHAPTER 151 OF THE CITY CODE OF ORDINANCES, THE DEVELOPMENT CODE, AS SHOWN ON EXHIBIT A; AND DIRECTING THE EXECUTIVE SECRETARY TO TRANSMIT THE PLANNING AND ZONING COMMISSION'S RECOMMENDATION AND COMMENTS TO THE CITY COUNCIL.

WHEREAS, the provisions of A.R.S. 9-462.04 and Chapter 151, Development Code, of the City Code of Ordinances, allow text amendments to be granted by the City; and

WHEREAS, in accordance with the provisions of Article 151.31 of the Development Code and established policy, the City of Sierra Vista, has proposed amendments to the following: Section 151.04.004, Dumping or Disposal of Rubbish; Section 151.06.004, Home Based Business, and Article 151.10, Sign Regulations ; and

WHEREAS, Article 151.31 of the Development Code requires that the Planning and Zoning Commission review all applications for text amendments, and to forward recommendation on the application to the City Council; and

WHEREAS, as required by Article 151.31 of the Development Code, the Planning & Zoning Commission held a public hearing on the application, after proper notice had been given; and

WHEREAS, the Planning and Zoning Commission considered all of the facts of the application and the comments of the citizens at the public hearing.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA, AS FOLLOWS:

SECTION 1

The Planning and Zoning Commission reaffirms settled policy for recommending Development Code text amendments to City Council.

SECTION 2

That text amendments to Chapter 151 of the City Code of Ordinances, the Development Code, as shown on Exhibit "A" are hereby recommended to the Mayor and City Council.

SECTION 3

That the Executive Secretary be, and hereby is, directed to transmit the Planning and Zoning Commission's recommendation and comments to the City Council.

RECOMMENDED FOR APPROVAL BY THE CHAIRPERSON AND MEMBERS OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF SIERRA VISTA, ARIZONA THIS 17TH DAY OF SEPTEMBER, 2019.

SHARON LAKE
Chairperson

APPROVED AS TO FORM:

ATTEST:

NATHAN WILLIAMS
City Attorney

JILL ADAMS
City Clerk

PREPARED BY:

Jeff Pregler, AICP,

ARTICLE 151.04 SUPPLEMENTARY DISTRICT REGULATIONS

Sections:

- 151.04.001 Purpose
- 151.04.002 Buildings Under Construction
- 151.04.003 Moving of Buildings
- ~~151.04.004 Dumping or Disposal of Rubbish~~
- 151.04.0045 Exceptions to Height Limitations
- 151.04.0056 Administrative Modification of Dimensional Standards
- 151.04.0067 Projections Into Required Yards in Residential Districts
- 151.04.0078 Yards and Setbacks, General Usage
- 151.04.0089 Clear-Vision Area
- 151.04.00910 Fences and Walls
- 151.04.01011 Swimming Pools
- 151.04.0112 Unsuitable Land
- 151.04.0123 Grading Requirements
- 151.04.0134 Required Drainage Facilities
- 151.04.0145 Parking of Miscellaneous Vehicles and Trailers in Residential Districts

Section 151.04.001 Purpose

The provisions of this Article establish standards and regulations for on-site development of all lots within the City.

(Ord. 743, passed 4-10-86)

Section 151.04.002 Buildings Under Construction

Nothing in this Code shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of this Code and upon which actual building construction has been diligently carried forth. Actual construction is defined to include the placing of construction materials in the permanent location and fastened in permanent manner; except that where demolition or removal of an existing building has been substantially begun to prepare for rebuilding, such demolition or removal shall be deemed to be actual construction.

('76 Code, Art. 12-1) (Ord. 743, passed 4-10-86)

Section 151.04.003 Moving of Buildings

No building or structure, which has been wholly or partially erected on any premises, shall be moved to or be placed upon any other premises until a permit for the removal and relocation has been issued by the Director of Community Development. Any such building or structure shall conform to all provisions of this Code in the same manner as a new building or structure.

No such building or structure shall be used or occupied until a Certificate of Occupancy has been issued, as provided in Section 151.03.005 of this Code.

('76 Code, Art. 12-1) (Ord. 743, passed 4-10-86)

~~Section 151.04.004 Dumping or Disposal of Rubbish~~

~~The use of land for the dumping or disposal of scrap iron, junk, garbage, rubbish or other refuse, or industrial wastes or by-products, shall be prohibited in every district except as provided herein.~~

~~('76 Code, Art. 12-1) (Ord. 743, passed 4-10-86)~~

Section 151.04.004⁵ Exceptions to Height Limitations

Height regulations established elsewhere in this Code shall not apply to the following:

- A. In any zoning district - church spires, belfries, cupolas, and domes that are not built for human occupancy; monuments; water towers; flagpoles; non-commercial radio or television antennas; and star watch equipment;
- B. In commercial or industrial zoning districts - parapet walls extending not more than 4 feet above the height of the building and any elevator housings;
- C. In industrial districts - chimneys, smokestacks, derricks, and conveyors; to grain elevators or similar structures used in the industrial processes.

('76 Code, Art. 12-1) (Ord. 743, passed 4-10-86; Am. Ord. 2010-017, passed 9-23-10)

Section 151.04.004⁵6 Administrative Modification of Dimensional Standards

A. Applicability

1. In accordance with the provisions of this Section, staff may modify a required building setback in cases where the following conditions apply:

a. For properties located outside the Infill Incentive District Area:

(1) The subject property contains an existing single-family dwelling unit; and

(2) The modified setback results in a building setback of no less than five feet from a rear or side property line unless the subject property abuts a platted alleyway or dedicated drainageway in which case a modified setback shall provide no less than one-foot of building setback from a rear or side property line that abuts a platted alleyway or dedicated drainageway.

b. For properties located inside of an Infill Incentive District Area:

(1) The subject property is used or proposed to be used for residential purposes; and

(2) The modified setback results in a building setback of no less than five feet from a rear or side property line unless the subject property abuts a platted alleyway or dedicated drainageway in which case a modified setback shall provide no less than one-foot of building setback from a rear or side property line that abuts a platted alleyway or dedicated drainageway.

(3) The modified setback results in a building setback of no less than fifteen feet from a front lot line adjoining the primary frontage or no less than ten feet from a front lot line adjoining the secondary frontage (on corner lots); provided, however, no setback modification shall be granted for that portion of a front facade containing an enclosed garage or carport.

2. In accordance with the provisions of this Section, staff may modify the maximum fence or wall height on properties used for residential purposes, provided however, any existing wall proposed to be elevated shall be certified by a professional engineer or architect registered in the State of Arizona as being able to support the modification in accordance with local building codes.

B. Application. Requests shall be made on application forms provided by the Department of Community Development.

C. The City shall notify, by mail, the property owner(s) most affected by the proposed request. The notice shall include a sketch plan of the site.

D. Standards. The City shall grant a modification of the setback after these following standards have been met:

1. The request shall not substantially reduce the amount of privacy that would otherwise be enjoyed by nearby residents. This is determined by the responses from adjacent property owners and staff observations.

2. Significant views of prominent land forms or parks from nearby properties will not be obstructed any more than would occur if the request was granted.

3. Traffic visibility on adjoining streets will not be adversely affected;

4. Drainage from proposed buildings and structures will not adversely affect adjoining properties and public rights-of-way;

5. The location of proposed buildings and structures, and the activities to be conducted therein, will not impose objectionable noise levels or odors on adjoining properties.

6. The proposal will not interfere with the daily living activities or injure the rights of adjacent property owners. This is determined by the responses from the adjacent property owners and staff observations.

E. Determination by the City

1. The City shall review all the submitted information and provide a written response to the petitioner of the action.

2. The City shall approve the application if all the standards as stated in 151.04.006.D are met. Once granted, the building permit may be issued. The permit must be issued within 120 days of the granting of the request. Approval of the request does not set precedent; each request is reviewed on an individual basis.

3. The request shall be denied if the standards as stated in 151.04.006.D are not met. The decision shall indicate the reasons why the request was denied.

F. Fees. Fees for administrative modifications shall be determined according to a schedule established by the Council.

G. Appeals to the Hearing Officer. Any aggrieved person may appeal the decision of the City to the Hearing Officer, which will be heard in accordance with Section 151.30.008. Upon filing an appeal, the applicant shall pay a filing fee established by the Council.

(Ord. 2004-013, passed 11-9-04; Am. Ord. 2010-017, passed 9-23-10; Am. Ord. 2018-002, passed 2-8-18)

Section 151.04.006~~7~~ Projections into Required Yards in Residential Districts

A. Ground-mounted, suspended- or window-type air conditioning units, evaporative coolers, or forced-air furnaces and swimming pools, spa or hot tub equipment, or other

similar equipment may project over or onto any required side or required rear yard provided that they are not closer than 2 feet to any lot line when installed.

B. Awnings, open fire balconies, and fire escape stairs may project not more than 5 feet over any required yard provided that they are not closer than 2 feet to any lot line when installed.

C. Cornices and eaves may project not more than 3 feet over any required yard provided that they are no closer than 2 feet to any lot line.

D. Sills, leaders, belt courses, and similar ornamental features may not project more than 6 inches over or into any required yard. A chimney or pilaster may project not more than 18 inches into any required yard provided that it is not more than 8 feet in width.

E. Bay or greenhouse windows, whether supported on their own foundations or not, may project not more than 2 feet over or into any required yard provided that they are not more than 8 feet in width on the outside plane of the bay.

F. Unroofed terraces, patios, steps, or similar features may not extend over 3 feet above grade when projecting into any required yard.

('76 Code, Art. 12-1) (Ord. 743, passed 4-10-86; Am. Ord. 896, passed 1-23-92)

Section 151.04.0078 Yards and Setbacks, General Usage

A. Except as provided elsewhere in this Code, no compressor unit, condensing unit, cooling tower, evaporative condenser, or similar device located on the ground shall be located closer to any interior lot line than the minimum setback required for the main building. All such devices shall discharge air in a direction other than toward any lot line within 25 feet of such device.

B. Where future street lines have been officially established by the Council, all required setbacks shall be measured from future property lines.

C. Satellite antennas shall not be erected in the required front or side yards.

('76 Code, Art. 12-1) (Ord. 743, passed 4-10-86)

Section 151.04.0089 Clear-Vision Area

A. Clear-Vision Areas at Street Intersections. Development shall be setback or restricted near certain street intersections in order to provide a minimum clear-vision area. Clear-vision areas shall be determined for each controlled street intersecting a

thru or uncontrolled street. The determination of the clear-vision area for each controlled street shall be made according to Diagram 1 using the minimum corner sight distance listed in Table A.

TABLE A
MINIMUM CORNER SIGHT DISTANCE

BY TYPE OF STREET OR DESIGN SPEED

<i>Type of Through Street</i>	<i>Design Speed</i>	<i>A-B, A-C Distance in Feet</i>
Principal Arterial	55 mph	550
Major Arterial	45 mph	450
Minor Arterial	40 mph	400
Collector	30 mph	300
Local	25 mph	250
Note: To determine corner sight distance for speeds not included in this table, multiply the speed by 10 to calculate the distance.		

B. Clear-Vision Areas at Driveways. Clear-vision areas at driveways, including private driveways to public streets in residential, commercial, or industrial districts shall have a minimum clear-vision area as determined by Diagram 1 and Table A. For driveways, point A shall be no closer than 10 feet behind the curb of the public street being accessed.

The clear-vision area for each driveway shall be illustrated on every site plan submitted to the City for approval.

C. Obstructions in the Clear-Vision Area. There shall be no fence, structure, wall, or sign, higher than 3 feet and no landscaping between a height of 3 feet and 8 feet within the Clear Vision Area for driveways, alleys, and street intersections. Obstructions in the Clear Vision Area for residential driveways shall not be regulated. The height shall be measured from the top of the curb, or where no curb exists, from the established street centerline grade.

D. The preceding provisions shall not apply to the following:

1. A public utility structure;
2. A supporting member or appurtenance to a permanent building lawfully existing on the date this standard becomes effective and permitted as a non-conforming structure as provided by Section 151.24.002.G;
3. An official warning sign or signal;

4. A place where the natural contour of the ground is such that there can be no cross-visibility at the intersection.

('76 Code, Art. 12-1) (Ord. 743, passed 4-10-86; Am. Ord. 764, passed 1-8-87; Am. Ord. 854, passed 1-25-90; Am. Ord. 2010-017, passed 9-23-10)

Section 151.04.009~~10~~ Fences and Walls

A. A fence or wall may be erected in any residential zoning district if it meets the following requirements:

1. Maximum height and setback requirements: (measured from highest grade on either side of the fence):

a. In a side and rear yard setback, the maximum height of a fence or wall shall not exceed 6 feet except for the following:

(1) A fence or wall can be constructed 8 feet above grade within the buildable area of the principal structure as long as all requirements of the International Building Code are met.

(2) Medical Marijuana Cultivation Facility walls shall be constructed 10 feet above grade within the buildable area of the principal structure as long as all appropriate requirements of the International Building Code and the Arizona Department of Health Services are met.

b. Additional height can be requested by applying for the Administrative Modification process as described in Section 151.04.006, Administrative Modification;

c. In a front yard setback, the maximum height of an opaque fence or wall shall not exceed 4 feet on properties less than 10,000 square feet or shall not exceed 5 feet on properties larger than 10,000 square feet;

d. No opaque fence or wall exceeding 3 feet high shall be erected in the clear-vision area of a driveway, alley, or intersection;

e. All fences and walls are to be constructed on private property and out of any public right-of-way, public drainageways, and publically dedicated easements.

B. No fence on the exterior of the property shall contain barbed wire, razor ribbon, electrical current or charge of electricity, broken glass, or similar hazardous materials or devices. However, fences in commercial or industrial districts which enclose storage areas, transformers, antennae, or other high value or dangerous installation areas may

have barbed wire or razor ribbon connected so long as they are located more than 6 feet above grade. Where the keeping of livestock is permitted, barbed wire is allowed.

C. Every fence shall be maintained in a condition of reasonable repair and shall not be allowed to become and remain in a condition of disrepair. Any fence that is or has become dangerous to public safety, health, or welfare shall be considered a violation of this Code.

('76 Code, Art. 12-1) (Ord. 743, passed 4-10-86; Am. Ord. 764, passed 1-8-87; Am. Ord. 934, passed 10-28-93; Am. Ord. 2003-014, passed 8-14-03; Am. Ord. 2010-017, passed 9-23-10; Am. Ord. 2011-004, passed 5-12-11)

Section 151.04.010~~4~~ Swimming Pools

A. No swimming pool or other body of water intended for bathing 2 feet or greater in depth and longer than 4 feet in the largest linear dimension shall be located in any required front or side yard nor shall any such pool or body of water intended for bathing be closer than 4 feet to any lot line.

B. Whether it is accessory to a residential or a business use, every swimming pool or body of water intended for bathing 2 feet or greater in depth and longer than 4 feet in the largest linear dimension shall be enclosed by a fence, wall, or other structure in conformance with the provisions of the International Building Code.

C. Under no circumstances shall a pool intended for bathing be drained into an alley or other public right-of-way except that draining to a street or alley capable of carrying the run-off may be authorized by permit from the City. The Director of Community Development may permit the use of an on-site dry well for pool drainage. Any such dry well shall be subject to the requirements of A.R.S. §§ 49-331 through 336, which requires a permit from the ADHS (Arizona Department of Health Services) and any provisions contained in Section 151.22.029, Flood Hazard.

D. Any structure built over a swimming pool or body of water intended for bathing, whether rigid, semi-rigid or inflatable is considered to be an accessory structure as defined in Section 151.02.004 and must meet the requirements of the adopted International Building Codes. Plans must be submitted to the Department of Community Development for approval prior to commencement of initial construction.

E. New swimming pools, spas, and hot tubs shall be required to have a cover. The permit application shall note the type of cover proposed. Covers shall be of a solid (not mesh) design.

('76 Code, Art. 12-1) (Ord. 743, passed 4-10-86; Am. Ord. 764, passed 1-8-87; Am. Ord. 874, passed 1-10-91; Am. Ord. 896, passed 1-23-92; Am. Ord. 2003-005, passed 2-13-03; Am. Ord. 2005-010, passed 6-9-05)

Section 151.04.01~~1~~² Unsuitable Land

Property may not be developed if, in the opinion of the City, based on the written recommendation of the Director of Community Development, the land is unsuitable for the proposed use by reason of adverse topography, adverse soils, earth surface subsidence, high water table, periodic flooding, lack of water, or other natural or man-made hazards to life. However, the City may approve development of such land upon receipt of evidence from the developer's professional engineer's justification acceptable to the Director of Public Works that the construction of specific improvements can be expected to render the land usable, in which case, construction upon such land shall be prohibited until the specified public improvements have been designed by the developer's professional engineer, approved by the City Engineer, and construction has been guaranteed.

(Ord. 743, passed 4-10-86; Am. Ord. 875, passed 1-10-91; Am. Ord. 1043, passed 9-11-97)

Section 151.04.01~~2~~³ Grading Requirements

A. Cuts. Cut slopes shall not exceed in steepness a 3:1 (horizontal to vertical) ratio unless recommended by a certified soils engineer and approved by the City Engineer. Slopes between 3:1 and 4:1 ratio shall receive an approved slope treatment such as dumped rip rap, grouted rip rap, or concrete. Slopes flatter than 4:1 may require a slope treatment such as hydroseeding, decomposed granite, or as determined by the City Engineer. Slopes flatter than 4:1 and located in the public right-of-way shall require a slope treatment such as hydroseeding, decomposed granite, or as determined by the City Engineer.

B. Fill. Fill slopes shall not exceed in steepness a 4:1 (horizontal to vertical) ratio. All fills shall receive an approved slope treatment such as hydroseeding, decomposed granite, or as determined by the City Engineer.

1. Ground Preparations. The ground surface shall be prepared to receive fill by removing vegetation, noncomplying fill, top soil and other unsuitable materials; scarify to provide a bond with new fill and where slopes are steeper than 15 percent and the height is greater than 5 feet, by benching into a competent material as determined by a certified soils engineering report and approved by the City Engineer.

2. Structural Fill Material. Detrimental amounts of organic material shall not be permitted in structural fills. Burial of tree stumps will not be allowed on any site other than an approved solid waste disposal site. No rock or similar material greater than 6 inches in diameter shall be placed in a structural fill. The City Engineer may permit placement of larger rock if the soils engineering report devises a method to continuously inspect placement and certify stability of rock disposal areas having no overlapping with physical improvements, and is a minimum of 5 feet below grade measured vertically.

3. Structural Fill Compaction. Structural fill will be compacted to a minimum of 95 percent of maximum density. The soils engineer shall certify all structural fills as meeting minimum bearing capacity for the intended use and meeting minimum compacted density of 95 percent.

4. Non-Structural Fills. Fill materials and landscape berms will be compacted to at least 90 percent maximum density by reasonable mechanical means.

(Ord. 743, passed 4-10-86; Am. Ord. 875, passed 1-10-91; Am. Ord. 1043, passed 9-11-97; Am. Ord. 2008-010, passed 5-8-08; Am. Ord. 2010-017, passed 9-23-10)

Section 151.04.0134 Required Drainage Facilities

A. All roof and foundation drains may be discharged either to:

1. a street or an alley, or
2. a public or approved private storm drain, or
3. a natural drainageway, if adjacent to the lot, or
4. to an on-site storage facility.(i.e. rain storage tank)
5. to depressed landscaped areas with a sufficient buffer from building foundation.
6. other as approved by the City Engineer.

B. The design of drainage facilities that involve discharges to a public works improvement or public property shall be reviewed and approved by the Director of Public Works prior to issuance of a building permit by the Director of Community Development. The Director of Community Development may permit the use of an on-site detention, retention, or dry well located in the rear yard for such drainage, provided the design is reviewed and approved by the Director of Public Works. Any such dry well shall be subject to the requirements of A.R.S. §§ 49-331 through 336 which requires a permit from the ADEQ. See Section 151.22.029, Flood Hazard, for applicable provisions when location of dry wells falls within the flood prone area.

C. Subsurface drainage facilities may be required in areas of fill if it is determined by a geologist or certified soils engineer that there will exist a groundwater situation that could cause stabilization problems. Any subsurface natural spring or field tile shall be piped to an approved drainage facility.

(Ord. 743, passed 4-10-86; Am. Ord. 764, passed 1-8-87; Am. Ord. 875, passed 1-10-91; Am. Ord. 1043, passed 9-11-97)

Section 151.04.01~~4~~5 Parking of Miscellaneous Vehicles and Trailers in Residential Zoning Districts

A. In residential zoning districts, no recreational vehicles, boat trailers, horse trailers, and similar trailers shall be parked or stored so as to interfere with the clear vision area as described by Section 151.04.009 or project into any right-of-way. No such vehicle so parked or stored shall be used for living purposes for more than 14 consecutive days.

B. No commercial or industrial type equipment to include: tractors, backhoes, bulldozers, trenchers, cranes, or other similar equipment, may be parked in an area visible to the public for more than 48 hours in any residential zoning district except when the equipment is being used for construction purposes on the site.

(Ord. 743, passed 4-10-86; Am. Ord. 982, passed 5-25-95)

Editor's notes:

Am. Ord. 2016-002, passed 2-25-16, renamed Article from General Regulations to Supplementary District Regulations.

Am. Ord. 2016-002, passed 2-25-16, removed Section 151.04.017 and relocated text to Section 151.06.003.

Am. Ord. 1086, passed 2-11-99. Amended Section 151.04.018. Language subsequently removed and relocated to Section 151.06.008 per Am. Ord. 2016-002, passed 2-25-16.

Section 151.06.004 Home Based Businesses

This Section establishes rules and regulations for home-based businesses operating within the City limits. These rules and regulations ensure that the general character of the residential neighborhood is maintained.

A. General Provisions

1. A home-based business permit shall be obtained by the home-based business owner. If the home-based business owner does not own the property, the property owner must give written permission to operate the business on the property. A copy of the owner's letter must be attached to the home-based business application.

2. A day care home is not regulated as a home-based business for zoning purposes.

3. Automotive [sales, automotive](#) service and repair of vehicles not owned or leased by the occupants of the property, nail salons, animal kennels, and medical services are not allowed in residential neighborhoods and are, therefore, not permitted to operate under a home-based business permit. [For the purposes of this Section, automotive sales shall mean the sale of two or more vehicles on the property at any given time.](#)

B. Review Standards. The City shall review the home-based business application and issue a permit provided the proposed use does not violate the standards of this Article.

1. The residential character of the property shall be maintained and show no indications that a home-based business is being conducted on the premises (other than signage as allowed in Article 151.10, Sign Regulations).

2. Customers may patronize a home-based business between the hours of 6:00 a.m. to 8:00 p.m.

3. The home-based business must be occupy no more than 25 percent of the gross floor area of the principal building or take place within an accessory structure approved by the City.

4. Remodeling the home or installing mechanical and/or electrical equipment not customarily found in a residential dwelling, when specifically needed to accommodate the home-based business, is not allowed.

5. Parts or materials related to the home-based business shall be screened from public view by either an opaque structure or vegetation and will be limited to the interior of the structure or the side and rear yards of the property.

6. A home-based business is limited to one full-time employee or equivalent in addition to those employees residing at the residence.

7. Increases in traffic and parking generated by the home-based business should not be noticeable to the neighborhood. The Institute of Transportation Engineers (ITE) Trip Generation Handbook will be used to determine traffic standards.

8. Employees not working at the residence may not congregate at the home to perform daily operational activities.

9. The signage for a home-based business shall be in accordance with Article 151.10.

10. Noise, vibrations, odors, heat, or glare in a home-based business shall not be detectable beyond the property line or as stated in Chapters 93 and 150 of the City Code.

11. The storage of hazardous materials in a home-based business must comply with the International Building Code and International Fire Code.

12. A home-based business may not have a semi-tractor/trailer deliver goods to the residence nor use one in the daily operations of the business.

13. A home-based business that uses heavy equipment, such as construction equipment, must store the equipment at a commercial location.

C. Permit Revocation. The City may revoke a home-based business permit if the business violates any of the provisions of this Article, violates any terms or conditions of the permit, or fails to pay the City Business License fee.

D. Short-Term Sales Exempt. A home-based business permit is not required when conducting short-term sales from a residence. Time frames for short-term sales shall not exceed three days for any single event and a total of ten days per year.

E. Validity of Permits. The provisions of this Article shall apply to all home-based businesses in the City.

(Ord. 2016-002, passed 2-25-16)

ARTICLE 151.10 SIGN REGULATIONS

Sections:

- 151.10.001 Purpose
- 151.10.002 Measurement of Signs
- 151.10.003 Applicability
- 151.10.004 Portable Signs
- 151.10.005 Prohibited Signs
- 151.10.006 Electronic Message Centers
- 151.10.007 Residential Zoning Districts SFR, MFR, MHR, or RV
- 151.10.008 Commercial and Industrial Zoning Districts NC, LC, OP, GC, LI, HI, IP
- 151.10.009 Height Reduction of Legal Nonconforming Freestanding Signs
- 151.10.010 Non-Legal Nonconforming Freestanding Signs
- 151.10.011 Special Use Permits
- 151.10.012 Street Address in Signs
- 151.10.013 Removal of Certain Signs

Section 151.10.001 Purpose

It is the purpose of this article to regulate signs. Regulations put forth in this Article promote traffic safety, safeguard public health and comfort, facilitate police and fire protection, enhance community appearance, and protect the character of the City. The sign regulations are designed for maximum sign legibility and effectiveness and to prevent the over concentration, improper placement, and excessive height, bulk, and area of the signs. Residential, commercial, and industrial signs are generally intended to be located in those zoning districts where the activities are allowed and where signs directly relate to the activities on the premises.

('76 Code, Art. 12-1) (Ord. 743, passed 4-10-86; Am. Ord. 834, passed 3-9-89; Am. Ord. 2005-021, passed 11-22-05)

Section 151.10.002 Measurement of Signs

A. When signs are made of individual, fabricated, or painted letters mounted directly on an opaque building facade or building projections of permanent construction the area shall be computed by measuring the sum of the squared-off area of individual letters.

B. For all other types of signs, the area shall include the entire area within a single contiguous perimeter enclosing the extreme limits of the sign. However, the perimeter measurements shall not include any structural elements located outside the limits of the

sign and not forming an integral part of the display.

C. The total square footage of all face surfaces of a spherical or multi-faced sign shall not exceed twice the allowable square footage of a single-faced sign.

('76 Code, Art. 12-1) (Ord. 743, passed 4-10-86; Am. Ord. 2005-021, passed 11-22-05)

Section 151.10.003 Applicability

This Article regulates all signs within the City. The City must approve a sign permit before any sign is constructed, re-constructed, altered, repaired, used, or changed with the exception of the signs listed under Section 151.10.004, Portable Signs.

A. A newly constructed sign that may consist of new footings, pole, frame, electric, and sign face.

B. Signs changing a business name or wording over a sign face. If the sign face change is located on a currently legal nonconforming sign, the face change shall not expand the nonconformity (Article 151.24, Nonconforming Uses).

C. Any repairs or renovations to a sign that changes the height, area, location, or original sign face.

(Ord. 2005-021, passed 11-22-05; Am. Ord. 2018-004, passed 3-22-18)

Section 151.10.004 Portable Signs

Portable signs are any signs not permanently affixed to a building, structure, or the ground.

Portable signs are allowed only in compliance with the provisions of Table A and require a portable sign permit prior to the display of the sign except where noted. Political signs shall be in conformance with A.R.S. § 16-1019.

TABLE A PORTABLE SIGNS	
APPLICABLE REQUIREMENTS TO ALL ZONING DISTRICTS	
Placement	Shall not be allowed in the City public right-of-way, unless otherwise specified, and be located in a location that is not hazardous to public safety, does not obstruct the clear vision area, or interfere with ADA requirements. Signs cannot be located on City owned structures or buildings. Placement requirements applicable to non-commercial portable signage.

Height and Width	Refer to Table A for height and width standards for individual temporary sign types. All sign height is measured from the highest adjacent street grade.
Prohibited Elements	Moving, flashing, or intermittent electrical pulsation signs including any signs that are Moved by either human or mechanical means. Animation Reflective materials
Design and Construction	Of sufficient weight and durability or anchored appropriately to withstand wind gusts, storms, etc.
Exemptions	Government Signs Sign Walkers Signs that cannot be viewed from a public street Residential Yard Signs Post and Panel Signs A-Frame Feather Banners

TABLE A PORTABLE SIGNS

COMMERCIAL, INDUSTRIAL, AND OTHER NON-RESIDENTIAL ZONES

Duration	Size	Height	Placement	Number
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Attached Banner Sign

90 days maximum per year. Additional display time granted between Thanksgiving and New Year's Day.	1.5 square feet for every linear foot of building frontage or 1.5 per every 5 feet of linear lot frontage.	Cannot extend above the roofline of the building.	Wall or building on property requesting the sign.	Per building/lot frontage measurement.
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Detached Banner Sign/H-Frame Signs/Ground Supported Signs

90 days maximum per year. Additional display time granted between Thanksgiving and New Year's Day.	32 square feet maximum.	6-foot maximum.	On property requesting the sign, and located outside the Clear Vision Triangle as defined in Section 151.04.009.	One per street frontage.
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Post and Panel Signs

Duration of the activity. Removed 7 days after conclusion of activity.	32 square feet maximum.	10-foot maximum.	On property requesting the sign, and located outside the Clear Vision Triangle as defined in Section 151.04.010.	One per street frontage.
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<i>Air Puppets</i>				
Weekends and holidays.	No specific size requirement.	Cannot exceed zoning district height.	On property requesting the sign. Setback a distance of 1:1 from a public pedestrian way.	One per business name and one per shopping center, industrial park, or commercial or industrial subdivision.
<i>Inflatable or Windblown Signs</i>				
90 days maximum per year. Additional display time granted between Thanksgiving and New Year's Day.	32 square feet maximum.	Cannot exceed zoning district height.	On property requesting the sign.	No minimum number.
<i>A-Frame</i>				
No maximum.	12 square feet maximum per sign face.	4 foot maximum.	On property requesting the sign.	One per street frontage.
<i>Special Event Directional Sign</i>				
A maximum of 7 days prior to the event. Removed within three days following the event.	32 square feet maximum.	6 feet maximum.	On property requesting sign, off-site with property owner permission, public right-of-way.	No minimum number.
<i>Sign Walkers</i>				
No maximum.	N/A	N/A	On property requesting the sign, and public sidewalks, but not within roadway medians.	No minimum number.
RESIDENTIAL ZONING DISTRICTS				
Duration	Size	Height	Placement	Number
<i>Yard Sign</i>				
A maximum of 30 days.	4 square feet maximum.	3 feet maximum.	Located on property requesting sign or off-site with permission of property owner.	A maximum of one per location.
<i>Post and Panel Signs</i>				
Duration of activity and removed seven days upon completion of activity.	32 square feet maximum.	10 feet maximum.	Located on the property requesting the sign.	One per street frontage.

(Ord. 743, passed 4-10-86; Am. Ord. 764, passed 1-8-87; Am. Ord. 857, passed 4-26-90; Am. Ord. 988, passed 9-28-95; Am. Ord. 1012, passed 7-25-96; Am. Ord.

1148, passed 9-26-02; Am. Ord. 2005-021, passed 11-22-05; Am. Ord. 2007-016, passed 9-27-07; Am. Ord. 2011-005, passed 5-12-11; Am. Ord. 2018-004, passed 3-22-18)

Section 151.10.005 Prohibited Signs

It shall be unlawful for any person to erect, display, or maintain a sign or advertising structure as described below.

A. Moving or flashing signs or advertising structures, including any signs that are moved by either human or mechanical means. The prohibited flashing signs include any signs with intermittent electrical pulsations. Exceptions shall include time and temperature signs and sign walkers.

B. Signs that are hazardous to traffic, imitate official government signs (i.e., Stop, Danger, Caution, etc.), or obstruct visibility creating a hazard.

C. Windblown signs, such as posters, pennants, streamers, balloons, air puppets propelled by forced air, or other inflated objects except as provided for in Section 151.10.004, Portable Signs. Excluded from this definition is a flag of any government or governmental agency.

D. Portable signs except as permitted in Section 151.10.004, Portable Signs.

E. All signs with more than 25-watt lamps or bulbs exposed to direct view, any reflective or power spot bulbs, strings of light bulbs, or spotlights with the following exceptions.

1. Time-and-temperature signs can use 33-watt bulbs.
2. Holiday decorations are excluded.

F. Electronic Message Centers, unless they meet the criteria in Section 151.10.006:

G. Reader Boards.

H. Off-premise signs, including billboards, except as provided in Section 151.10.004, Portable Signs.

I. Signs or portion thereof which:

1. Obstruct a fire exit, stairway, or standpipe;
2. Interfere with an exit to any window or any room located above the first floor of any building;

3. Obstruct any door or required exit from any building;

4. Obstruct or redirect any required light or ventilation.

J. Signs erected in a residential zoning district with information other than allowed under Section 151.10.004, Portable Signs.

K. Sandwich board signs or A-frame signs, except as permitted in Section 151.10.004, Portable Signs.

L. Roof signs as defined in Section 151.02.004, Definitions.

M. Signs less than 6 feet horizontally or 12 feet vertically away from overhead electrical conductors energized with 440 volts or more. (Overhead electrical conductors, either bare or insulated, installed above the ground, except those enclosed in rigid iron conduit or other material of equal strength.)

N. Signs on Parked Vehicles. Signs or advertising on parked vehicles or trailers are prohibited unless the vehicles or trailers are primarily used in conducting business and the signs advertise or identify the business and the products or services offered on the premises. This paragraph shall not apply to signs affixed to vehicles or trailers used as public carriers, businesses, taxis, or vehicles when operating during the normal course of business.

O. Obscene signs.

(Ord. 743, passed 4-10-86; Am. Ord. 828, passed 12-13-88; Am. Ord. 834, passed 3-9-88; Am. Ord. 861, passed 6-28-90; Am. Ord. 982, passed 5-25-95; Am. Ord. 988, passed 9-28-95; Am. Ord. 1148, passed 9-26-02; Am. Ord. 2005-021, passed 11-22-05; Am. Ord. 2007-019, passed 12-13-07; Am. Ord. 2008-020, passed 12-11-08; Am. Ord. 2018-004, passed 3-22-18)

Section 151.10.006 Electronic Message Centers

A. Number of Signs

1. Single Business

One 2-sided free-standing sign per business. Should there be more than one existing sign on the property that conforms with the current sign height, area, and separation requirements, the electronic message centers can replace each of these signs.

2. Multi-Tenant Building

One 2-sided free-standing sign per lot. Should there be more than one existing sign on the property that conforms with the current sign height, area, and separation requirements, the electronic message centers can replace each of these signs.

3. Shopping Center/Commercial Subdivision

One 2-sided free-standing sign per access. Should there be more than one existing sign on the property that conforms with the current sign height, area, and separation requirements, the electronic message centers can replace each of these signs.

B. Height of Signs

1. The maximum height shall not exceed 15 feet on properties fronting State Route 90, State Route 92, and Fry Boulevard east of Coronado Drive.

2. The maximum height shall not exceed 10 feet when located in all other locations not described in subsection 1 above.

C. Area of Signs

1. Single Business

The total sign area for a free-standing sign shall not exceed 32 square feet per sign face.

2. Multi-Tenant Building

The sign face area for the electronic display portion of the sign shall not exceed 32 square feet. For additional size and height standards related to free-standing signs for multi-tenant buildings, refer to Section 151.10.008.C.

3. Shopping Center/Commercial Subdivision

The sign face area for the electronic display shall not exceed 32 square feet. For additional size and height standards related to free-standing signs for shopping centers/commercial subdivisions, refer to Section 151.10.008.E.

D. Animation of Signs. The animation of signs which includes the blinking, scrolling, moving, and changing of brightness intensity, of either text or images is prohibited.

E. Message Transition. The transition between messages shall be instantaneous.

F. Length of Message Display. The minimum length to display a message shall be 15 seconds.

G. Message Display. The EMC shall not display advertising for any off-site

business. However, promotion of community and charity events can be displayed provided the requirements for animation, message transition, and length of message display are met.

H. Sign Brightness

1. For signs located in commercial and industrial areas the maximum lumination level from sunset to sunrise shall not exceed 100 nits. For signs located in or signs adjacent to residential zoning districts that shine directly onto residences, the maximum lumination level shall not exceed 100 nits.

2. Signs shall be required to be equipped with photo cell sensors that are factory locked to dim the sign to an appropriate light level during daylight hours. The photo cell sensors shall also dim the sign at night to the required nit level as stated in this section. An affidavit from the manufacturer attesting to the brightness level shall be submitted with the sign permit application.

3. The electronic message center portion of the sign shall be turned off when the business activities cease. Signs shall include timers that will automatically turn off the digital display.

4. Electronic message centers shall not have a white background.

5. Signs located within or signs adjacent to residential zoning districts that directly shine onto residences, shall be turned off between the hours of 10:00 pm and sunrise.

I. Location. Signs shall be placed a minimum of 5 feet from any property line, be located on private property, not project over any portion of a street, sidewalk, or other public right-of-way, and cannot conflict with any clear vision area.

J. Non-Conforming Signs. Non-conforming signs can be converted to EMC's provided the following criteria are met:

1. The sign brightness does not exceed the sign lumination level for EMC's as described in this Section.

2. The electronic or digital display portion of the sign cannot exceed 32 square feet.

3. The sign height and face area are reduced to the following ratios:

Existing Height (ft.)	Proposed Height	Proposed Face Area (sf.)
+50-30	Reduced by 50%	64
29-21	Reduced by 25%	56
20-16	Reduced by 10%	48
15-0	Reduced by 0%	32

(Ord. 2015-003, passed 5-28-15; Am. Ord. 2018-004, passed 3-22-18)

Section 151.10.007 Residential Zoning Districts SFR, MFR, MHR, or RV

A. Freestanding Entryway Signs in Single-Family Residential Zoning Districts

1. Area. The total sign area of the sign shall not exceed 32 square feet.
2. Height and Clearance. The maximum height shall not exceed 4 feet.
3. Location. Signs shall be placed a minimum of 5 feet from any property line, be located on private property and not project over any portion of a street, sidewalk, or other public right-of-way and cannot conflict with any clear vision area.
4. Number. Limited to two freestanding or two wall signs per main entrance.
5. The City shall have a copy of an acceptable agreement describing who is responsible for sign maintenance prior to issuing a sign permit.

B. Wall Signs in Single-Family Residential Zoning Districts

1. Area. The total sign area shall not exceed 4 square feet.
2. Location. Located on the structure in which the business is conducted. (principal or accessory structure)
3. Number. Limited to one non-illuminated sign.

C. Signs For Multi-Dwelling Uses in Residential Zoning Districts

1. Freestanding Sign for Multi Dwelling Uses in Residential Zoning Districts
 - a. Area. The total sign area of a freestanding sign shall not exceed 32 square feet.
 - b. Height and Clearance. The maximum height shall not exceed 6 feet.
 - c. Location. Signs shall be placed a minimum of 5 feet from any property line, be located on private property and not project over any portion of a street, sidewalk, or other public right-of-way and cannot conflict with any clear vision area.
 - d. Number. Freestanding signs shall be limited to one sign for each access into the site. There shall be at least 100 linear feet separating each sign.

e. Sign Illumination

(1) Internally illuminated signs shall not have white backgrounds. This requirement shall apply to any sign required to obtain a sign permit.

(2) Signs may have external illumination provided the lights are fully shielded and the fixtures are aimed directly at the sign.

2. Wall Signs for Multi-Dwelling Uses in Residential Zoning Districts

a. Area. The total sign area of wall signs shall be 32 square feet per building frontage.

b. Height and Clearance. Wall signs shall not extend above the roofline or the top of a parapet wall.

3. The City shall have a copy of an acceptable agreement describing who is responsible for sign maintenance prior to issuing a sign permit.

D. Permitted Conditional Uses. Free-standing signs for approved conditional uses in residential zoning districts shall have a total sign area of 32 square feet and a maximum height of 6 feet.

('76 Code, Art. 12-1) (Ord. 743, passed 4-10-86; Am. Ord. 877, passed 2-28-91; Am. Ord. 2005-021, passed 11-22-05; Am. Ord. 2015-003, passed 5-28-15; Am. Ord. 2018-004, passed 3-22-18)

Section 151.10.008 Commercial and Industrial Zoning Districts NC, LC, OP, GC, LI, HI, IP

A. Freestanding Sign for a Single Business in Commercial or Industrial Zoning Districts

1. Area. The total sign area of a freestanding sign for a single business in commercial or industrial zoning districts shall be 32 square feet for each side of the sign.

2. Height and Clearance

a. The maximum height shall not exceed 15 feet on properties fronting State Route 90, State Route 92, and Fry Boulevard east of Coronado Drive.

b. The maximum height shall not exceed 10 feet when located in all other locations not described in subsection a above.

c. The height of a sign may increase with the decrease in the number of signs as calculated in subsection 4.

3. Location. Signs shall be placed a minimum of 5 feet from any property line, be located on private property, not project over any portion of a street, sidewalk, or other public right-of-way, and cannot conflict with any clear vision area.

4. Number

a. Freestanding signs for a single business in commercial or industrial zoning districts shall be limited to one multi-faced freestanding sign identifying the business, designating the principal goods or products, and facilities or services available on the premises. One additional freestanding sign may be erected on a single street frontage of 450-599 linear feet, two additional signs for 600-749 linear feet, or three additional signs for 750 linear feet or greater. For a lot sharing more than one street frontage, each street frontage will be calculated separately.

b. There shall be at least 100 linear feet separating each sign.

c. The property owner can choose to construct fewer signs than allowed in order to increase sign height. Each allowed sign omitted may add 2 feet in height to another sign.

5. Sign Illumination

a. Internally illuminated signs shall not have white backgrounds. This requirement shall apply to any sign required to obtain a sign permit.

b. Signs may have external illumination provided the lights are fully shielded and the fixtures are aimed directly at the sign.

c. Vacant sign faces shall have a completely dark or opaque background.

6. Pole Cover. For all new pole sign structures, the sign structure must be equipped with pole covers or architectural embellishments that hide or conceal all structural components or braces (such as pipes, angles, irons, cables, internal back framing, bracing, etc.). Exceptions can be made if the uncovered poles are part of the overall site architecture.

7. Landscaping. All new sign structures associated with a site plan shall be constructed within a landscaped area or island.

B. Wall Signs for a Single Business in Commercial or Industrial Zoning Districts

1. Area. The total area for wall signs for a single business in commercial or

industrial zoning districts shall be 2 square feet per linear foot of building frontage or 2 square feet per each 5 linear feet of lot frontage. Bulletin board signs are limited to 15 square feet and do not count toward the overall allowed wall signage.

2. Height and Clearance. Signs shall not extend above the roofline or the top of a parapet wall.

3. Maximum Square Footage for Multiple Frontages. On buildings that have more than one building frontage, each frontage can be used to calculate the overall signage square footage.

4. Transferability of Wall Signage. Wall signs for a single business in commercial or industrial zoning districts can be transferred, in whole or in part, to any building wall provided the aggregate area does not exceed the total allowed signage area.

5. Awning or Canopy Signs. The gross surface area of an awning or canopy sign shall not exceed 50 percent of the gross surface area of the largest face of the awning or canopy to which the sign is affixed. The total area of an awning or canopy sign shall be included as part of the total wall signage.

C. Freestanding Signs for a Multi-Tenant Building in Commercial or Industrial Zoning Districts

1. Area. The total sign area of a freestanding sign for a multi-tenant building in commercial or industrial zoning districts shall be 75 square feet of which at least 15 percent shall be dedicated to the building identification. ~~Changeable directory panels identifying the tenants in the building can be used provided each panel is a minimum of 9 square feet.~~ The sign shall use materials that blend architecturally with the building.

2. Height and Clearance

a. The maximum height shall not exceed 15 feet on properties fronting State Route 90, State Route 92, and Fry Boulevard east of Coronado Drive.

b. The maximum height shall not exceed 10 feet when located in all other locations not described in subsection a above.

c. The height of a sign may increase with the decrease in the number of signs as calculated in subsection 4.

3. Location. Signs shall be placed a minimum of 5 feet from any property line, be located on private property, not project over any portion of a street, sidewalk, or other public right-of-way; and cannot conflict with any clear vision area.

4. Number

a. Freestanding signs for a multi-tenant building in commercial or industrial zoning districts shall be limited to one multi-faced free-standing sign identifying the businesses, designating the principal goods or products, and facilities or services available on the premises. One additional freestanding sign may be erected on a single street frontage of 450-599 linear feet, two additional signs for 600-749 linear feet, or three additional signs for 750 linear feet or greater. For a lot sharing more than one street frontage, each street frontage will be calculated separately.

b. There shall be at least 100 linear feet separating each sign.

c. The property owner can choose to construct fewer signs than allowed in order to increase sign height. Each allowed sign omitted may add 2 feet in height to another sign.

5. Sign Illumination

a. Internally illuminated signs shall not have white backgrounds. This requirement shall apply to any sign required to obtain a sign permit.

b. Signs may have external illumination provided the lights are fully shielded and the fixtures are aimed directly at the sign.

c. Vacant tenant identification panels shall have a completely dark or opaque background.

6. Pole Cover. For all new pole sign structures, the sign structure must be equipped with pole covers or architectural embellishments that hide or conceal all structural components or braces (such as pipes, angles, irons, cables, internal back framing, bracing, etc.). Exceptions can be made if the uncovered poles are part of the overall site architecture.

7. Landscaping. All new sign structures associated with a site plan shall be constructed within a landscaped area or island.

D. Wall Signs for a Multi-Tenant Building in Commercial or Industrial Zoning Districts

1. Area. The total sign area of wall signs for a multi-tenant building in commercial or industrial zoning districts shall be 2 square feet per linear foot of building frontage or 2 square feet per each 5 linear feet of lot frontage. Bulletin board signs are limited to 15 square feet and do not count toward the overall allowed wall signage.

2. Height and Clearance. Signs shall not extend above the roofline or the top of a parapet wall.

3. Maximum Square Footage for Multiple Frontages. On buildings that have more

than one building frontage, each frontage can be used to calculate overall signage square footage.

4. Transferability of Wall Signage. Wall signs for a multi-tenant building in commercial or industrial zoning districts can be transferred, in whole or in part, to any building wall provided the aggregate area does not exceed the total allowed signage area.

5. Awning or Canopy Signs. The gross surface area of an awning or canopy sign shall not exceed 50 percent of the gross surface area of the largest face of the awning or canopy to which the sign is affixed. The total area of an awning or canopy sign shall be included as part of the total wall signage.

E. Freestanding Signs for a Shopping Center, Industrial Park, or Commercial or Industrial Subdivision

1. Area. The total sign area of a freestanding sign for a center, park, or commercial or industrial subdivision shall be 75 square feet of which at least 15 percent shall be dedicated to the identification of the center or subdivision. ~~Changeable directory panels identifying the tenants in the center or subdivision can be used provided each panel is a minimum of 9 square feet.~~ The sign shall use materials that blend architecturally with the center, park, or subdivision.

2. Height and Clearance

a. The maximum height shall not exceed 15 feet on properties fronting State Route 90, State Route 92, and Fry Boulevard east of Coronado Drive.

b. The maximum height shall not exceed 10 feet when located in all other locations not described in subsection a above.

3. Location. Signs shall be placed a minimum of 5 feet from any property line, be located on private property, not project over any portion of a street, sidewalk, or other public right-of-way, and cannot conflict with any clear vision area.

4. Number

a. Freestanding signs for a center, park, or commercial or industrial subdivision shall be limited to one freestanding sign for each access into the site.

b. There shall be at least 100 linear feet separating each sign.

5. Freestanding signs for a center, park, or commercial or industrial subdivision shall be prohibited on a single lot or parcel of property.

6. Sign Illumination

a. Internally illuminated signs shall not have white backgrounds. This requirement shall apply to any sign required to obtain a sign permit.

b. Signs may have external illumination provided the lights are fully shielded and the fixtures are aimed directly at the sign.

c. Vacant tenant identification panels shall have a completely dark or opaque background.

7. Pole Cover. For all new pole sign structures, the sign structure must be equipped with pole covers or architectural embellishments that hide or conceal all structural components or braces (such as pipes, angles, irons, cables, internal back framing, bracing, etc.). Exceptions can be made if the uncovered poles are part of the overall site architecture.

8. Landscaping. All new sign structures associated with a site plan shall be constructed within a landscaped area or island.

F. Wall Signs for a Shopping Center, Industrial Park, or Commercial or Industrial Subdivision

1. Area. The total sign area of wall signs for tenants in a multi-tenant building in a center, park, or commercial or industrial subdivision shall be as follows:

a. Each tenant shall be allowed at least 24 square feet of total sign area.

b. Each tenant shall have a total sign area of 2 square feet per linear foot of building frontage or 2 square feet per each 5 linear feet of lot frontage.

2. Height and Clearance. Signs shall not extend above the roofline or the top of a parapet wall.

3. Transferability of Wall Signage. All signs for tenants in multi-tenant buildings within a center, park, or commercial or industrial subdivision may not be transferred. Signs must be placed on the building in which the business or use is located.

4. Awning or Canopy Signs. The gross surface area of an awning or canopy sign shall not exceed 50 percent of the gross surface area of the largest face of the awning or canopy to which the sign is affixed. The total area of an awning or canopy sign shall be included as part of the total wall signage.

G. Directional Signs

1. Area. The total sign area shall not exceed 3 square feet.

2. Height. The maximum height shall not exceed a maximum of 3 feet.

3. Location. The signs shall be located on private property not project over any portion of a street, sidewalk, or other public right-of-way, and cannot conflict with any clear vision area.

(’76 Code, Art. 12-1) (Ord. 743, passed 4-10-86; Am. Ord. 857, passed 4-26-90; Am. Ord. 982, passed 5-25-95; Am. Ord. 2005-021, passed 11-22-05; Am. Ord. 2015-003, passed 5-28-15; Am. Ord. 2018-004, passed 3-22-18)

Section 151.10.009 Height Reduction of Legal Nonconforming Freestanding Signs

The following process is provided as an incentive to reduce the height of (currently classified) legal nonconforming freestanding signs.

(For a definition of legal nonconforming signs and non-legal nonconforming signs, please see Section 151.24.002.E of the Development Code.)

A. Incentives to Reduce the Height of Legal Nonconforming Freestanding Signs

1. The incentive to reduce the height of currently classified legal nonconforming freestanding signs is to allow wall signage to be 2 square feet per linear foot of building frontage or 2 square feet per each 5 linear feet of lot frontage. Other than the allowances for total sign area, all other wall signage requirements are applicable. In order to receive this increase in total sign area, the following changes must be made:

a. All legal nonconforming freestanding signs on a site must be reduced to a maximum of 10 feet high.

b. Freestanding signs must have pole covers attached to the bottom of the sign unless the uncovered poles are part of the overall site architecture.

2. The total sign area of a legal nonconforming freestanding sign can remain at current size.

(Ord. 2005-021, passed 11-22-0; Am. Ord. 2018-004, passed 3-22-18)

Section 151.10.010 Non-Legal Nonconforming Freestanding Signs

Current signs that are classified as non-legal nonconforming freestanding signs, as defined in Section 151.24.002.E, must be brought into conformance or removed from

the premises. However as an alternative to removing the sign, the total sign area can remain at its current size provided the height of the sign is reduced to a maximum of 10 feet high when measured from the adjoining street pavement. Other sign regulations (other than size and height) apply.

(Ord. 743, passed 4-10-86; Am. Ord. 2005-021, passed 11-22-05; Am. Ord. 2018-004, passed 3-22-18)

Section 151.10.011 Special Use Permits

A Special Use Permit is used to request variations to this Article so that there can be increases in and a cohesive theme between all signage that are placed at a center, park, or associated subdivision. To obtain a Special Use Permit, the applicant must demonstrate the need for the additional signage and identify the architectural elements. Since the City will be making an exception to its code, it will be looking to the applicant to make the sign and building architectural elements as aesthetically pleasing as possible.

A Special Use Permit can be obtained for (1) new and existing residential or commercial subdivisions or (2) new and existing shopping centers or industrial parks. Special Use Permits cannot be used for a single business on a single lot. The Special Use Permit process cannot be used to exceed the standards for the electronic or digital display portion of signs.

The process for a Special Use Permit requires the Permit to be recommended by the Commission and approved by the Council. The meeting notifications are given to the community through a published notice and posting on the property 15 days before the hearing. Any appeals of the Commission or Council decision will go to the Hearing Officer under the provisions of Article

151.30, Appeals and Variances.

A. Comprehensive Sign Plan. To receive a comprehensive sign plan special use permit, the applicant must address (1) the need for additional signage and (2) how the signs will architecturally blend with the buildings. Additional information to be included in the application will be the size, location, height, lighting, construction materials, and orientation of all proposed signs in addition to any other information deemed necessary by the City. The sign areas and densities requested must conform to the intent of this Article.

B. Special Sign District. As an exception to the subdivision, center, or park special use permit limitations, the owners of 60 percent or more of the street frontage, in linear feet, on both sides of the street in any defined area, may petition the City for the formation of a special sign district for the purpose of creating an integrated special sign theme in the area.

('76 Code, Art. 12-1) (Ord. 743, passed 4-10-86; Am. Ord. 804, passed 3-24-88; Am. Ord. 857, passed 4-26-90; Am. Ord. 982, passed 5-25-95; Am. Ord. 988, passed 9-28-95; Am. Ord. 1012, passed 7-25-96; Am. Ord. 2005-021, passed 11-22-05; Am. Ord. 2015-003, passed 5-28-15; Am. Ord. 2018-004, passed 3-22-18)

Section 151.10.012 Street Address in Signs

When street addresses are placed on any freestanding signs in commercial or industrial zoning districts, the numbers shall be at least 6 inches high and clearly legible from the street. Street numbers do not count towards the measurement of the sign face area. (Ord. 743, passed 4-10-86; Am. Ord. 982, passed 5-25-95; Am. Ord. 2005-021, passed 11-22-05; Am. Ord. 2018-004, passed 3-22-18)

Section 151.10.013 Removal of Certain Signs

On or after the effective date of this code, any signs that no longer advertise a legitimate business or product sold at the location, shall be removed by the owner, agent, or person having the beneficial use of the building or property on which the signs are located. The signs shall be removed within ten days after receiving written notification from the City. If the signs are not removed within the time specified in the letter, the Director of Community Development is authorized to remove the signs at the expense of the owner of the building or property on which the signs are located.

(Ord. 743, passed 4-10-86; Am. Ord. 834, passed 3-9-89; Am. Ord. 2005-021, passed 11-22-05; Am. Ord. 2018-004, passed 3-22-18)