

ORDINANCE NO. 17-819

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, DECLARING THE DOCUMENT ENTITLED "AMENDMENTS TO THE UNIFIED DEVELOPMENT ORDINANCE OF THE TOWN OF CHINO VALLEY, ARIZONA RELATED TO SIGNS, DATED MARCH 14, 2017" AS A PUBLIC RECORD; ADOPTING THE "AMENDMENTS TO THE UNIFIED DEVELOPMENT ORDINANCE OF THE TOWN OF CHINO VALLEY, ARIZONA RELATED TO SIGNS, DATED MARCH 14, 2017" BY REFERENCE; AMENDING THE TOWN OF CHINO VALLEY UNIFIED DEVELOPMENT ORDINANCE AS FOLLOWS: (1) BY AMENDING CHAPTER 2 DEFINITIONS, SECTION 2.1 MEANINGS OF WORDS AND TERMS TO ADD NEW DEFINITIONS AND REVISE EXISTING DEFINITIONS RELATED TO SIGNS; AND (2) AMENDING CHAPTER 4 GENERAL REGULATIONS AS FOLLOWS: (A) DELETING SECTION 4.21 SIGN REGULATIONS IN ITS ENTIRETY; (B) ADOPTING NEW SECTION 4.21 SIGN REGULATIONS AND SUBSECTIONS 4.21.1 PURPOSE, 4.21.2 PERMITS REQUIRED, 4.21.3 GENERAL SIGN REGULATIONS, 4.21.4 MEASUREMENT OF SIGNS, 4.21.5 SIGN STANDARDS, 4.21.6 TEMPORARY SIGNS, 4.21.7 PROHIBITED SIGNS, 4.21.8 NON-CONFORMING SIGNS, 4.21.9 VIOLATIONS; ENFORCEMENT, ALL RELATED TO PROVIDING REASONABLE REGULATIONS OF SIGNS WITHIN THE TOWN; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING PENALTIES.

WHEREAS, signs are an important means of communication, providing a means for entities to identify their locations, for businesses to advertise their products, and for individuals to express their opinions on public issues; and

WHEREAS, unregulated, signs may be disorienting to drivers creating serious traffic issue or may proliferate creating clutter, safety issues and long-term negative effects on the visual environment and economic development of the Town; and

WHEREAS, in *Reed v. Town of Gilbert*, the United States Supreme Court found that distinctions between certain types of signs are content-based if a person must read a sign to know whether a sign regulation applies; and

WHEREAS, many of the provisions of the Unified Development Ordinance ("UDO") dealing with signs would be content-based and unconstitutional pursuant to *Reed v. Gilbert*; and

WHEREAS, the Town of Chino Valley Town Council desires to regulate signs for the purposes of encouraging economic development of the Town while protecting the public safety and preventing the potential negative impacts of clutter and unsafe placement and construction of signs;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Common Council of the Town of Chino Valley, Arizona, as follows:

Section 1. In General.

That certain document entitled "Amendments to the Unified Development Ordinance of the Town of Chino Valley, Arizona related to Signs, dated March 14, 2017" is hereby declared to be a public record and three paper copies or one paper copy and one electronic copy maintained in compliance with Arizona Revised Statutes § 44-7041, are filed in the office of the Town Clerk and kept available for public use and inspection.

The Unified Development Ordinance of the Town of Chino Valley, Arizona, is hereby amended by amending Chapter 2 Definitions, Section 2.1 Meanings of Words and Terms; and amending Chapter 4 General Regulations as follows: (a) by deleting Section 4.21 Sign Regulations in its entirety; and (b) by adopting new Section 4.21 Sign Regulations consisting of Subsections 4.21.1 Purpose, 4.21.2 Permits Required, 4.21.3 General Sign Regulations, 4.21.4 Measurement of Signs, 4.21.5 Sign Standards, 4.21.6 Temporary Signs, 4.21.7 Prohibited Signs, 4.21.8 Non-conforming Signs, and 4.21.9 Violations; Enforcement, all as set forth in that document entitled "Amendments to the Unified Development Ordinance of the Town of Chino Valley, Arizona related to Signs, dated March 14, 2017", which document is hereby adopted and incorporated into this ordinance by reference.

Section 2. Providing for Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference, are hereby repealed.

Section 3. Providing for Severability.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the Code adopted herein by reference, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

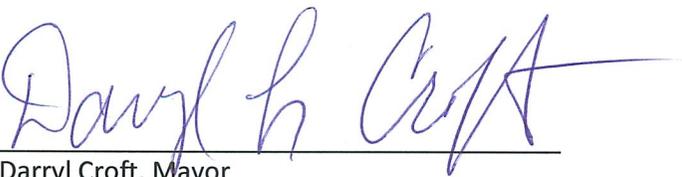
Section 4. Providing for Penalties

Any person found responsible for violating this Ordinance shall be subject to the civil sanctions and habitual offender provisions set forth in Sections 1.10 and 1.11 of the Town of Chino Valley Unified Development Ordinance. Each day a violation continues, or the failure to perform any act or duty required by this zoning ordinance, the Unified Development Ordinance or by the Town of Chino Valley Town Code continues, shall constitute a separate civil offense.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona, this 14th day of March, 2017 by the following vote:

AYES: 7
NAYES: 0 ABSENT: 0
EXCUSED: 0 ABSTAINED: 0

APPROVED this 14th day of March, 2017.


Darryl Croft, Mayor

ATTEST:


Jami Lewis, Town Clerk

APPROVED AS TO FORM:


or Phyllis L.N. Smiley, Town Attorney
Gust Rosenfeld, PLC

I, JAMI LEWIS, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 17-819 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF CHINO VALLEY ON THE 14th DAY OF March, 2017, WAS POSTED IN THREE PLACES ON THE 30th DAY OF MARCH, 2017.


Jami Lewis, Town Clerk

**Amendments to the Unified Development Ordinance
of the Town of Chino Valley, Arizona
Related to Signs, Dated March 14, 2017**

The Unified Development Ordinance of the Town of Chino Valley, Arizona, Chapter 2 Definitions, Section 2.1 Meanings of Words and Terms is hereby amended as follows (additions shown in ALL CAPS; deletions shown in ~~strikethrough~~):

2.1 Meanings of Words and Terms:

* * *

ANIMATION. AS PERTAINS TO SIGNS, THE PRESENTATION OF PICTORIALS AND GRAPHICS ON SIGNS DISPLAYED IN A PROGRESSION OF FRAMES WHICH GIVE THE ILLUSION OF MOVEMENT OF ANY PART OF THE SIGN STRUCTURE, DESIGN OR PICTORIAL SEGMENT, INCLUDING BUT NOT LIMITED TO THE ILLUSION OF MOVING OBJECTS, MOVING PATTERNS OR BANDS OF LIGHT, OR EXPANDING OR CONTRACTING SHAPES. ~~Animated, Sign. Any sign or part of a sign which changes physical position by any movement, rotation or undulation or by the movement of any light used in conjunction with a sign such as blinking, traveling, flashing or changing degree of intensity of any light movement other than burning continuously.~~

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AWNING. A SHEET OF CANVAS OR OTHER MATERIAL STRETCHED ON A FRAME AND USED TO KEEP THE SUN OR RAIN OFF A STOREFRONT, WINDOW, DOORWAY, OR DECK. ~~Awning, Canopy, or Marquee Sign. A sign that is mounted or painted on, or attached to, an awning, canopy, or marquee that is otherwise permitted by this Ordinance. A marquee is defined as a canopy constructed of rigid materials which projects over an entrance to a building.~~

~~Banner, Sign. a temporary sign of fabric, plastic, paper, or other light pliable material not enclosed in a rigid frame.~~

* * *

~~Billboard, Sign. Same as Off-site sign.~~

* * *

~~Business Sign. A sign which directs attention to a business or profession conducted on-site or to a commodity or service sold, offered, or Manufactured on-site, or to an entertainment offered on-site.~~

~~Cabinet Sign. A three-dimensional structure which includes a frame, borders and sign panel face and which may include internal lighting.~~

* * *

~~CANOPY. A STRUCTURAL PROTECTIVE COVER OVER A DOOR, ENTRANCE, WINDOW, OR OUTDOOR SERVICE AREA.~~

* * *

~~Construction or Development Sign. A temporary sign, limited to the period of construction, erected on a premises or an existing construction project, and designating the architect, contractor, designer, engineer, financier, or name and nature of the project.~~

* * *

~~Directional Sign. A sign containing information for the purpose of directing traffic or pedestrian travel and placed on the property to which or on which the public is directed. No more than twenty five percent (25%) of the area of a directional sign may be devoted to the display of a business logo or identification on such signs.~~

~~Directory Sign. A sign listing the names, uses, and/or locations of the various businesses or activities conducted within a building or group of buildings, but not for the purpose of advertising products, goods, or services.~~

* * *

~~Figurative Sign. A sign that advertises the occupant business through the use of graphic, or crafted symbols, such as shoes, keys, glasses, books, etc.. Figurative signs may be incorporated into any of the allowable sign types identified in this Ordinance.~~

* * *

~~Fixed Balloon. One or more balloons used as a permanent or temporary sign or as a means of directing attention to any business or profession, or to a commodity or service sold, offered, or Manufactured, or to any entertainment.~~

* * *

~~Freestanding Monument Sign. An identification sign on its own self-supporting permanent structure, detached from supportive elements of a building, on a base that has an aggregate width of at least fifty percent (50%) of the width of the sign and with supports that complement the materials and colors used in the architecture on-site.~~

~~Street address numerals shall be provided on any freestanding monument sign located along the street to which the address numbering applies, in a contrasting color and/or material from the color and material used for the background for the numerals on the sign.~~

* * *

~~Illuminated Sign. A sign with the surface AAS TO SIGNS, artificially lighted BY AN ELECTRICAL SOURCE, internally or externally, EXCEPT WHERE THE LIGHT SOURCE IS SPECIFICALLY AND CLEARLY OPERATED FOR THE PURPOSE OF LIGHTING THE GENERAL OREA IN WHICH THE SIGN IS LOCATED RATHER THAN THE SIGN ITSELF.~~

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~~MARQUEE. A CANOPY CONSTRUCTED OF RIGID MATERIALS WHICH PROJECTS OVER A WINDOW OR ENTRANCE TO A BUILDING.~~

* * *

~~Menu Board Sign. A sign displaying the bill of fare of a drive-in or drive thru restaurant.~~

* * *

~~Non-Conforming Sign. A sign THAT WAS lawfully erectedESTABLISHED and maintained prior to the adoptionEFFECTIVE DATE of this OrdinanceCHAPTER OR AMENDMENTS THERETO; OR WAS LAWFULLY ESTABLISHED IN ANOTHER POLITICAL JURISDICTION PRIOR TO ANNEXATION TO THE TOWN; AND that does not conform with the requirements of this OrdinanceTO THE REGULATIONS FOR SIGNS FOR THE DISTRICT IN WHICH IT IS LOCATED.~~

* * *

~~Off Site Sign. A sign that directs attention to a business, commodity, service, entertainment, product or attraction sold, offered, or existing elsewhere than upon the property where the sign is located.~~

* * *

~~Parapet Sign. A sign attached to that portion of a building's exterior wall that projects above the plate line of the building.~~

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~~Political Sign. A temporary sign that supports any candidate for public office or urges action for or against any other matter of a political nature.~~

~~Portable Sign. A temporary sign not affixed to a structure or ground-mounted on a site.~~

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~~Projecting Sign. A sign attached to a building or other structure and extending in whole or in part not more than twelve inches (12") beyond the building or other structure.~~

* * *

~~Reader Panel Sign. A sign which identifies a noncommercial institution or organization, on-site, which contains the name of the institution or organization and associated individuals, and general announcements of events or activities at the institution, or similar messages of general public interest and is designed to permit immediate change of copy.~~

~~Real Estate Sign. A sign advertising the sale, lease or rent of the property or building upon which it is located.~~

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~~Residential Kiosk Sign. A Town-provided, informational sign indicating direction to multiple residential developments and community facilities.~~

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~~Roof Sign. A sign erected on, above, or over the roof so that it projects above the highest point of the roofline, parapet, or fascia.~~

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~~Shingle Sign. A sign suspended from, and located entirely under a covered porch, covered walkway, or an awning and is anchored or rigidly hung to prevent the sign from swinging due to wind movement.~~

* * *

Sign. Any NAME, identification, description, illustration, DISPLAY, symbol or device which is affixed TO, PAINTED, OR REPRESENTED directly or indirectly upon THE EXTERIOR OF a building, vehicle, structure, or land OR OTHER OUTDOOR SURFACE and which identifies or 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. SIGNS DO NOT INCLUDE SUCH ITEMS WHEN LOCATED WITHIN AN ENCLOSED STRUCTURE OR AN ENCLOSED PATIO.

SIGN, AWNING. A SIGN PAINTED, INSTALLED, MOUNTED, ATTACHED OR OTHERWISE APPLIED TO OR LOCATED DIRECTLY ON AN AWNING, CANOPY, MARQUEE, OR OTHER COVERING STRUCTURE ATTACHED TO A BUILDING STOREFRONT, WINDOW, DOORWAY, OR DECK.

SIGN, BANNER. A TEMPORARY SIGN OF FABRIC, PLASTIC, PAPER, OR OTHER LIGHT PLIABLE MATERIAL NOT ENCLOSED IN A RIGID FRAME.

SIGN, BILLBOARD. SAME AS SIGN, OFF-SITE OR OFF-PREMISE.

SIGN COPY. ANY WORDS, LETTERS, NUMBERS, FIGURES, DESIGNS, OR OTHER SYMBOLIC REPRESENTATIONS INCORPORATED ONTO THE FACE OF A SIGN.

SIGN, ELECTRONIC. A SIGN THAT IS STATIC AND CHANGES MESSAGES BY ANY ELECTRONIC PROCESS OR REMOTE CONTROL.

SIGN FACE. THE AREA OR DISPLAY SURFACE USED FOR THE MESSAGE.

SIGN, FIGURATIVE. A SIGN USING GRAPHICS, CRAFTED SYMBOLS, OR SCULPTED MATERIALS TO PRESENT THE MESSAGE OF THE SIGN. FIGURATIVE SIGNS MAY BE INCORPORATED INTO ANY OF THE ALLOWABLE SIGN TYPES IDENTIFIED IN THIS ORDINANCE.

SIGN, FREESTANDING. A SIGN ERECTED AND MAINTAINED ON A FRAME, MAST, POLE, OR OTHER STRUCTURE WHICH IS NOT ATTACHED TO ANY BUILDING.

SIGN, MONUMENT. A FREESTANDING GROUND-MOUNTED SIGN WITH AN AGGREGATE WIDTH OF AT LEAST FIFTY PERCENT (50%) OF THE WIDTH OF THE SIGN AND WITH SUPPORTS THAT COMPLEMENT THE MATERIALS AND COLORS USED IN THE ARCHITECTURE ON-SITE.

SIGN, OFF-SITE OR OFF-PREMISE. A sign that directs attention to a business, commodity, service, entertainment, product or attraction sold, offered, or existing elsewhere than upon the property where the sign is located.

SIGN, PARAPET. A SIGN ATTACHED TO THAT PORTION OF A BUILDING'S EXTERIOR WALL THAT PROJECTS ABOVE THE PLANE LINE OF THE BUILDING.

SIGN, PORTABLE. A TEMPORARY SIGN NOT AFFIXED TO A STRUCTURE OR GROUND-MOUNTED ON A SITE.

SIGN, PROJECTING. A SIGN ATTACHED TO A BUILDING OR OTHER STRUCTURE AND EXTENDING IN WHOLE OR IN PART NOT MORE THAN TWELVE INCHES (12") BEYOND THE BUILDING OR OTHER STRUCTURE TO WHICH IT IS ATTACHED.

SIGN, READER PANEL. A SIGN WHICH IS DESIGNED TO PERMIT IMMEDIATE CHANGE OF COPY.

SIGN, ROOF. A SIGN ERECTED ON, ABOVE, OR OVER THE ROOF SO THAT IT PROJECTS ABOVE THE HIGHEST POINT OF THE ROOFLINE, PARAPET, OR FASCIA.

SIGN, SHINGLE. A SIGN SUSPENDED FROM, AND LOCATED ENTIRELY UNDER A COVERED PORCH, COVERED WALKWAY, OR AN AWNING AND IS ANCHORED OR RIGIDLY HUNG TO PREVENT THE SIGN FROM SWINGING DUE TO WIND MOVEMENT.

SIGN, VEHICLE. A SIGN MOUNTED, PAINTED OR OTHERWISE PLACED ON A TRUCK, BUS, CAR, BOAT, TRAILER OR OTHER VEHICLE OR EQUIPMENT AND USED IN SUCH A MANNER THAT THE SIGN IS VISIBLE FROM A PUBLIC STREET OR RIGHT-OF-WAY WHERE THE PRIMARY PURPOSE OF THE VEHICLE OR EQUIPMENT IS TO DISPLAY THE SIGNAGE. THE PRIMARY PURPOSE OF THE VEHICLE OR EQUIPMENT SHALL BE PRESUMED TO BE TO DISPLAY SUCH SIGNAGE IF (A) THE VEHICLE OR EQUIPMENT IS NOT IN OPERATING CONDITION, CURRENTLY REGISTERED OR LICENSED TO OPERATE ON PUBLIC STREETS OR ACTIVELY USED IN THE DAILY FUNCTION OF THE BUSINESS TO WHICH THE SIGNS RELATE; OR (B) IS USED PRIMARILY AS A STATIC DISPLAY FOR THE DISPLAY OF THE SIGNAGE. VEHICLES AND EQUIPMENT ENGAGED IN ACTIVE CONSTRUCTION PROJECTS AND ON-PREMISE STORAGE OF EQUIPMENT AND VEHICLES OFFERED TO THE GENERAL PUBLIC FOR RENT OR LEASE SHALL NOT BE CONSIDERED TO BE VEHICLE SIGNS.

SIGN, WALL. A SIGN FASTENED TO OR PAINTED ON THE EXTERIOR WALL OF A BUILDING OR STRUCTURE IN SUCH A MANNER THAT THE WALL BECOMES THE SUPPORTING STRUCTURE FOR, OR FORMS THE BACKGROUND SURFACE OF THE SIGN.

SIGN, WINDOW. ANY POSTER, CUT-OUT LETTERS, PAINTED TEXT OR GRAPHIC, OR OTHER TEXT OR VISUAL PRESENTATION AFFIXED TO THE INTERIOR OR EXTERIOR OF A WINDOW, OR PLACED WITHIN SIX (6) FEET BEHIND A WINDOW PANE THAT IS PLACED TO BE READ FROM THE EXTERIOR OF A BUILDING. THIS DOES NOT INCLUDE ANY ITEM OF MERCHANDISE NORMALLY DISPLAYED WITHIN A STORE WINDOW OF A MERCHANT.

* * *

~~Vehicle Sign. A sign mounted, painted or otherwise placed on a truck, bus, car, boat, trailer or other vehicle or equipment and used in such a manner that the sign is visible from a public street or right-of-way and the primary purpose of such vehicle or equipment is for the display of such signage. The primary purpose of such vehicle or equipment shall be presumed to be for the display of such signage if the vehicle/equipment is not in operating condition, currently registered or licensed to~~

~~operate on public streets and actively used in the daily function of the business to which the signs relate, or is used primarily as a static display for the display of such signage. Vehicles and equipment engaged in active construction projects and the on-premise storage of equipment and vehicles offered to the general public for rent or lease shall not be considered to be vehicle signs.~~

~~Wall Sign. A sign fastened to or painted on the exterior wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign.~~

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~~Window Sign. Any poster, cut-out letters, painted text or graphic, or other text or visual presentation affixed to the interior or exterior of a window, or placed within six (6) feet behind a window pane, and is placed to be read from the exterior of a building. This does not include any item of merchandise normally displayed within a store window of a merchant.~~

* * *

The Unified Development Ordinance of the Town of Chino Valley, Arizona, Chapter 4 General Regulations is hereby amended by deleting Section 4.21 Sign Regulations in its entirety and replacing it with the following:

4.21 Sign Regulations

4.21.1 Purpose: The purposes of this Sign Code are to establish reasonable regulations that:

- A. promote the public welfare and safety through the safe placement and installation of signs; and
- B. promote economic vitality for local businesses and services; and
- C. protect and enhance the Town's aesthetic interests by preventing over-proliferation of signs and maintaining a high quality of signs throughout the Town.

4.21.2 Permits Required.

- A. *Permit Required.* Except as provided herein, it shall be unlawful for any person to construct, install, attach, place, paint, alter, relocate, or otherwise maintain any non-exempt sign in the Town without first obtaining a sign permit in conformance with this Sign Code.
- B. *Conflicts with other requirements.* If provisions of this Sign Code are conflict with any other Town Code or ordinance, the more restrictive requirement(s) shall apply. Signs

maintained contrary to the provisions of this Sign Code are declared to be nuisances and may be abated as provided by law.

C. *Fees.* Sign permit fees shall be as adopted by the Council by resolution.

D. *Sign Permit Application.* No sign permit application shall be accepted if not submitted with full payment of all fees required. Application for a sign permit shall be made to the Development Services Department on forms provided by the Town and shall include at a minimum the following information:

1. Yavapai County Assessor's parcel number identifying the property where the sign will be located;
2. Street address, if any, legal description of the property, and dimensions thereof. If the parcel is not within a recorded subdivision, a metes and bounds legal description shall be submitted with the application;
3. Name, address and telephone number of the property owner and agent, if any;
4. Signature of applicant or agent;
5. Inventory of all existing signs on the property showing the type, dimensions, and location of each sign;
6. Fully dimensioned plans and elevations showing the dimensions, placement of copy, and location of each proposed sign in relation to the property line(s) and public right(s)-of-way;
7. Plans indicating the scope and structural detail of the work to be done, including all connections, supports, footings, and materials to be used;
8. Type, placement, and strength of illumination, if any and required information for an electrical permit for signage illumination;
9. Such other information as the zoning administrator may require for the purpose of determining whether the application complies with the Sign Code requirements;

E. *Sign Permit Review; Timeframes*

1. Within ten business days of submission of an application for a sign permit, staff shall review the application for completeness. If the

application is not complete, the applicant will be notified of the deficiency via email, telephone, or first class mail.

2. Within thirty business days of receipt of a complete application, Town staff shall review the application for compliance with the regulations set forth in this Code and in the Town Code, as applicable, and shall issue the permit or notify the applicant of deficiencies and the need for corrections.

F. *Temporary Sign Permits.* Signs with a limited duration of use, such as those provided in §4.21.6 shall obtain a temporary sign permit. The requirements and criteria for such signs are as follows:

1. Temporary sign permits shall be issued for no more than six months.
2. Temporary signs shall conform to all other requirements of this Code.

G. *Exempt Signs.* The following types of signs are exempt from the permitting requirements but shall comply with all other requirements and standards set forth in this Sign Code. No business shall have more than two (2) exempt signs and no more than two (2) exempt signs may be located on any residential lot, except as provided in the following table:

Description	Type	Number Permitted	Maximum Area and Height
Official notices authorized by a court, public body or public safety official			No limit
Government Signs	Wall or ground-mounted standard	No limit	No limit
Posters			No limit
A-Frame Signs		2 per frontage	12 Square feet total: See Table 4.21.6 for regulations
Signs located within structures in Commercial zoning districts	Window Signs		No limit
Signs on residentially zoned property	Wall, window, or ground-mounted		
Signs required to be relocated by the Town or other governmental agency			

4.21.3 General Sign Regulations

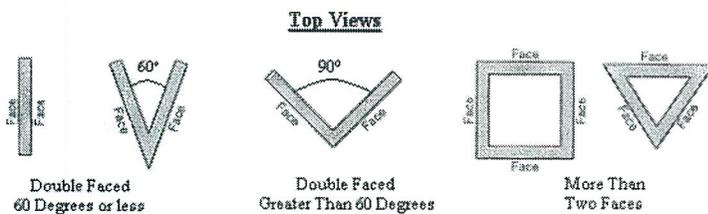
- A. The regulations, requirements, and provisions set forth in this Chapter shall apply to all signs erected, placed, or constructed within the Town.
- B. All signs shall be structurally designed, constructed, erected, and maintained in conformance with all applicable Technical Codes and regulations.
- C. Signs shall not be constructed or located in a manner that interferes with pedestrian or vehicular travel, obstructs free and clear vision of traffic, poses a hazard to either pedestrians or vehicles, or in such a manner to confuse, distract, or interfere with traffic and/or pedestrians.
- D. Signs shall be located a minimum of six feet (6') from property lines.
- E. All signs and sign structures, conforming and non-conforming, shall be maintained in good order, repair, and appearance at all times so as not to constitute a danger or hazard to the public safety or create visual blight as determined by the Zoning Administrator or his/her designee.
- F. All illuminated signs shall comply with §4.24 Outdoor Lighting including, but not limited to, Subsection 4.24.4 General Requirements, Sub-subsection (P).
- G. A non-commercial sign may be located in any location that a commercial sign is permitted and shall comply with the regulations set forth in this Chapter for that location.

4.21.4 Measurement of Signs

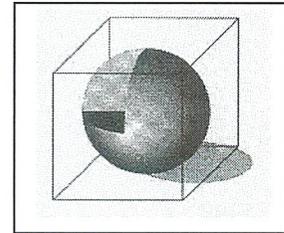
- A. Sign Area shall be measured as follows:
 - 1. Sign copy mounted or painted on a background panel or area distinctively painted, textured or constructed as a background for the sign copy shall be measured as that area within the outside dimensions of the background panel or surface.
 - 2. Sign copy mounted as individual letters and/or graphics against a wall 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 rectangles that will enclose each word and each graphic in the total sign copy.
 - 3. Multi-face signs shall be measured as follows:

- a. A two (2) faced sign shall be considered as one sign when determining the sign area, provided both faces are parallel or the interior angle between the two (2) sign faces is sixty degrees (60°) or less. If the interior angle is greater than sixty degrees (60°), the sign area shall be the sum of the area of the two (2) faces.
- b. Where a sign has three (3) or more faces: the area of the sign shall be calculated as fifty percent (50%) of the sum of the area of all faces.

Multi-Face Signs



Non-Planar Signs



- c. Where a sign is a spherical, free form, sculptural, figurative or other non-planar sign, the sign area shall be fifty (50%) percent of the sum of the area of the sides of the smallest polyhedron that will encompass the sign structure.

B. Sign Height

1. Sign height shall be measured as follows.
 - a. Freestanding sign height shall be the vertical distance from the top of the highest element of the sign or sign structure to ground level. The monument base or other structure erected to support or ornament the sign shall be included as part of the sign height.
 - b. When a freestanding sign is located below the average grade of an adjacent roadway "ground level" shall be measured from the average grade of the adjacent roadway.
 - c. Wall or parapet-mounted sign height shall be the vertical distance to the top of the sign or sign structure from the base of the wall on which the sign is located.

4.21.5 Sign Standards

A. *Wall Signs*

Zoning District	Maximum Area	Maximum Height	Standards
SR-.16, SR-1, SR-1.6, SR-2.5	4 sq. feet		No back light illumination
AR-36, AR-5, AR-4*	8 sq. feet		No back light illumination
MR-1, MHP-4 Uses by Right*	3 sq. feet	6 feet above story floor level	May be illuminated.
MR-1, MHP-4 Conditional Uses*	As approved in Use Permit	As approved in Use Permit	As permitted in Use Permit
SR-.16, SR-1, SR-1.6, SR-2, SR-2.5, AR-4, AR-5, AR-36, MR-1, MHP-4	16 sq. feet		Institutional facility uses allowed by right within residential zoning districts.
CL, CH, I, PL and OS	See Speed Limit Table 4.21.5.A-1 Aggregate sq. footage = 200 sq. feet		Horizontal distance no greater than 80% of the width of the building Wall signs pertaining to any one (1) business within a complex, on a separate parcel or lot, or on a freestanding PAD shall be permitted on the exterior walls of the space occupied by the business. Where a building is situated on a corner of two roadways, the signage shall be calculated where the wall fronts each roadway. Where a wall does not face an adjacent roadway, 1 sq. ft. per linear foot of shall be permitted.

*Not applicable to institutional facility uses allowed by right within residential zoning districts.

<i>Speed Limit Table A-1</i>		
Speed Limit of Adjacent Roadway		
< 35 MPH	35 MPH	> 35 MPH
1.25 sq. ft. per linear foot	1.5 sq. ft. per linear foot	2 sq. ft. per linear foot

B. *Freestanding Signs*

Use	Zoning District	Maximum Area	Maximum Height	Standards
Allowed by Right	OS, MR-1, MHP-4	32 sq. feet	6 feet	Maximum of 2 freestanding monument signs may be permitted. May be illuminated.
Subject to Conditional Use Permit	OS, MR-1, MHP-4	Per Use Permit	Per Use Permit	Per Use Permit
Institutional facility uses allowed by right in:	SR-.16, SR-1, SR-1.6, SR-2, SR-2.5, AR-4, AR-5, AR-36, MR-1, MHP-4	32 sq. feet	6 feet	May be illuminated.
Single Tenant Building	CL, CH, I, PL and OS	See Speed Limit Table 4.21.5.B-1		May be illuminated.
Multiple Tenant Building	CL, CH, I, PL and OS	See Speed Limit Table 4.21.5.B-2		May be illuminated.
Shopping Centers or Commercial Centers	CL, CH, I, PL and OS	See Speed Limit Table 4.21.5.B-2		One sign may be permitted for every 500 ft. of street frontage; Maximum of 2 signs per street frontage. Individual buildings within the development and/or the PAD sites within the commercial center shall not be considered as separate developments for signage purposes. May be illuminated.
Drive Through Services	CL, CH, I, PL, and OS	96 sq. feet	8 feet	Sign area to be distributed between up to 3 signs, the faces of which shall not be visible from the public right-of-way.

Speed Limit Table 4.21.5.B-1			
Speed Limit of Adjacent Roadway			
	< 35 MPH	35 MPH	> 35 MPH
Maximum Area	.5 sq. ft. per linear ft. of lot frontage; not to exceed 32 sq. ft.	.5 sq. ft. per linear ft. of lot frontage; not to exceed 48 sq. ft.	.5 sq. ft. per linear ft. of lot frontage; not to exceed 48 sq. ft.
Maximum Height	8 ft.	12 ft.	12 ft.

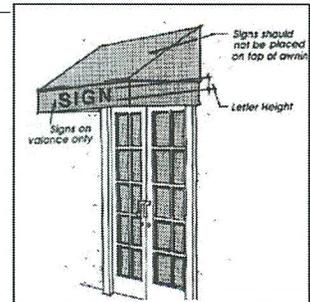
Speed Limit Table 4.21.5.B-2			
Speed Limit of Adjacent Roadway			
	< 35 MPH	35 MPH	> 35 MPH
Maximum Area	64 sq. ft.	72 sq. ft.	96 sq. ft.
Maximum Height	8 ft.	12 ft.	12 ft.

C. *Electronic Signs*

Uses	Zoning District	Maximum Area	Maximum Height	Standards
Institutional facility uses allowed by right	SR-.16, SR-1, SR-1.6, SR-2, SR-2.5, AR-4, AR-5, AR-36, OS, MR-1, MHP-4	32 sq. ft.	14 feet	8 foot minimum height to bottom of sign panel. No flashing messages permitted. Minimum message display time: 6 seconds
	CL, CH, I, PL, and OS	Electronic Signs: Per Use Permit	Electronic Signs: Per Use Permit	Electronic Signs: As conditioned in Use Permit.
	CL, CH, I, PL, and OS	Reader Panel Signs: 32 sq. ft.	Reader Panel Signs: 14 feet	8 foot minimum height to bottom of sign panel.

D. *Awning Signs*

Zoning District	Maximum Area	Standards
CL, CH, I, PL and OS	1 sq. ft. per lineal foot of building frontage	Copy shall be placed on the valance of the awning.



E. *Shingle Signs and Projecting Signs*

Sign Type	Zoning District	Maximum Area	Maximum Height	Standards
Shingle Sign	CL, CH, I, PL, and OS	6 sq. ft.		8 ft. minimum clearance between bottom of sign and sidewalk. One sign permitted per business. Sign shall not encroach into public right-of-way, including sidewalk.
Projecting Sign	CL, CH, I, PL, and OS	9 sq. ft.		8 ft minimum clearance between bottom of sign and sidewalk.

				<p>One sign permitted per business.</p> <p>Sign shall not encroach into public right-of-way, including sidewalk.</p>
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F. *Parapet or Mansard Signs*

Sign Type	Zoning District	Maximum Area	Maximum Height	Standards
Parapet or Mansard	CL, CH, I	50% of the front face area of the parapet or mansard		Shall not project above the top of the parapet or mansard.

G. *Aggregate Signage Limits*

1. The total maximum aggregate signage shall not exceed two-hundred ninety-six square feet (296 sq. feet) for a single-tenant development.
2. The total maximum aggregate signage shall not exceed three-hundred sixty square feet (360 sq. feet) for a multi-tenant development.
3. Comprehensive Sign Packages may be approved by Planning and Zoning Commission and Town Council for multi-tenant developments with up to a 50% increase in total aggregate area.
4. The provisions above shall apply unless such guidelines are addressed in an approved comprehensive sign package.
5. Signage whose manner and placement has not been listed herein may be approved at the discretion of the Zoning Administrator or his/her designee.

4.21.6 Temporary Signs

Sign Type	Zoning District	Maximum Area	Maximum Height	Standards
Banner, Pennant	CL, CH, I, Public, Institutional Facility	48 sq. ft. aggregate		<p>On-site only.</p> <p>Shall not be located above the roof of any building.</p> <p>Shall be maintained in good repair.</p>
Banner, Pennant	MR-1, MHP-4	24 sq. ft.		On-site only.

			<p>Shall not be located above the roof of any building.</p> <p>Shall be maintained in good repair.</p>
A-Frame	CL, CH, I, Public or Institutional Facility	<p>Sizes limited to: 24" x 36" or 6 sq. ft. maximum.</p>	<p>May be made of wood, vinyl, metal, or other similar non-pliable material.</p> <p>Shall be on-site only.</p> <p>Up to two per frontage, not to exceed 12 sq. ft. total per parcel.</p> <p>Shall be maintained in good repair.</p>



4.21.7 Prohibited Signs

A. Any sign not specifically listed as permitted by this Chapter is prohibited, including, but not limited to the following:

1. Off-site commercial signs.
2. Vehicle signs or signs mounted, attached, or painted on trailers, boats, or motor vehicles primarily or consistently parked, stored, or displayed in a manner intended to attract the attention of the public.
3. Signs attached to any utility pole, or structure, streetlight, traffic signal, tree, fire hydrant, bridge, park bench or other location on public property.
4. Signs that are animated, inflatable, or audible, or rotate or have intermittent or flashing illumination or emit audible sound or visible matter; except time and/or temperature units.

5. Signs displayed in a manner or location that prevents free ingress and egress from a door, window or other exit.

4.21.8 Non-conforming Signs

A. A non-conforming sign may continue to be utilized in perpetuity only in the manner and to the extent that it existed prior to the effective date of this Chapter or any amendments thereto.

B. A non-conforming sign may not be altered in any manner not in conformance with the sign regulations in the zoning district in which it is located that are in effect at the time of the alteration, except for reasonable repair and maintenance of the sign or to change the copy provided that does not require structural alterations.

4.21.9 Violations; Removal

A. *Notice of Violation:* Notice of violation of this Chapter shall be provided by a Code Compliance Officer to the property owner, person in control, or authorized agent of the property. The time periods provided for correction of the violation shall be:

1. Permanent Signs. A ten calendar day written notice shall be provided.
2. Temporary Signs. A two calendar day written notice shall be provided.
3. Portable Signs.
 - a. A two calendar day written notice shall be provided for Portable Signs other than those placed within the right-of-way.
 - b. A written notice is not required for Portable Signs placed within the right- of-way.

B. *Authority to Remove*

1. The Code Compliance Officer is authorized to require removal of any sign installed in violation of this Chapter. The Code Compliance Officer may remove or cause to be removed any Temporary Sign which is not removed by the owner.

2. The Building Official is authorized to remove or require the immediate removal or repair without written notice of any unsafe sign that creates an immediate hazard to persons or property.

C. *Removal by Town.* In the case of a sign code violation where the offending sign has been removed by the Code Compliance Officer, the notice provided pursuant to Section 4.21.9(A) shall state the reason for its removal.

D. *Recovery of Costs.* The costs of removal or repair of a sign by the Town shall be borne by the person who installed the sign, and, if unknown, the owner or lessee of the sign and of the property on which the sign is located. If the Town incurs costs in the removal or repair of a sign, the Town may bring an action in Municipal Court or Superior Court to recover its costs.