

RESOLUTION NO. 2025-1294

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, APPROVING CONDITIONAL USE PERMIT 2025-03 FOR AN ELECTRONIC MESSAGE CENTER AT 718 S STATE ROUTE 89, CHINO VALLEY, ARIZONA.

WHEREAS, the Mayor and Common Council of the Town of Chino Valley (the “Town Council”) is responsible for reviewing and approving conditional use permits for land use and development within the Town; and

WHEREAS, the applicant, Christy Signs, on behalf of Birdy J Investments LLC, applied for a conditional use permit to allow for the installation and operation of an electronic message center (EMC) at 718 S State Route 89, Chino Valley, Arizona (Yavapai County Assessor Parcel No. 306-29-035B); and

WHEREAS, the proposed EMC sign is subject to the conditional use permitting process per Sections 1.9.3 and 4.21.5(C) of the Unified Development Ordinance of the Town of Chino Valley (the “UDO”); and

WHEREAS, the Chino Valley Planning and Zoning Commission (the “Commission”) has conducted a public hearing to consider the applicant’s request, including reviewing the site plan, proposed operational procedures, and findings of fact, and has recommended approval of the conditional use permit subject to certain conditions; and

WHEREAS, the Town Council has reviewed the Commission’s recommendation.

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

SECTION 1. The recitals above are hereby incorporated as if fully set forth herein.

SECTION 2. The conditional use permit to allow for the installation and operation of an EMC at 718 S State Route 89, Chino Valley, Arizona (“CUP-2025-03”), as described in the application submitted, is hereby approved, subject to the requirements of Ariz. Rev. Stat. §§ 28-7201 *et seq.* and the conditions set forth in Section 3 of this resolution.

SECTION 3. The following conditions apply to CUP-2025-03:

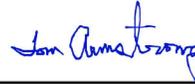
1. The applicant shall comply with all the following conditions and with the codes, rules, fees, and regulations applicable to this action.
2. The applicant shall sign a Waiver of Claims form, which the Town will provide and record with the Yavapai County Recorder’s Office, prior to the public hearing and final decision of this item by the Town Council.
3. The applicant shall complete all necessary site improvements and, if applicable, submit an outdoor lighting plan for review and approval by the Development Services Department.

4. The applicant shall remove any non-conforming signage and eliminate references to non-existent tenant spaces to improve the overall appearance of the site.
5. If the Town receives complaints regarding excessive brightness or glare during nighttime hours, the applicant shall submit a revised lighting plan to the Development Services Department for review and approval to ensure compliance with dark-sky standards and community expectations.
6. Any deviation from the approved sign plan or failure to comply with the conditions set forth herein shall render the CUP null and void.
7. The applicant shall submit for building permit review and commence construction of the EMC sign within one year from the date of Town Council approval. Failure to do so may result in expiration of the CUP.
8. The sign shall be Dark-Sky compliant with dimming schedules and automatic ambient light sensors (as confirmed by the manufacturer's certification) and the applicant shall maintain the sign in compliance with Dark Sky provisions.
9. The EMC shall display content exclusively related to activities and events occurring on the subject property. Off-site commercial advertising is prohibited in accordance with A.R.S. §§ 28-2901 through 28-2915, A.A.C. §§ R17-3-701 and R17-3-701.01, and the Town's sign regulations.

SECTION 4. If any section, subsection, sentence, clause, phrase, or portion of this resolution 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.

(SIGNATURES FOLLOW)

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona, this 28th day of October 2025.



Tom Armstrong, Mayor

ATTEST:



Erin N. Deskins

Erin N. Deskins, Town Clerk

APPROVED AS TO FORM:



Andrew J. McGuire, Town Attorney
Gust Rosenfeld PLC

I hereby certify that the above foregoing Resolution No. 2025-1294 was duly passed by the Council of the Town of Chino Valley, Arizona, at a meeting held on October 28, 2025, and that quorum was present thereat and that the vote thereon was 7 ayes, 0 nays, and 0 abstentions. 0 Council members were absent or excused.

Erin N. Deskins

Erin N. Deskins, Town Clerk