

**THE PLANNING & ZONING ADVISORY COMMISSION
FOR THE TOWN OF DEWEY-HUMBOLDT
REGULAR MEETING NOTICE
Thursday, October 4, 2012 6:00 P.M.**

**P&Z MEETING
2735 S. HWY 69**

**COUNCIL CHAMBERS, TOWN HALL
DEWEY-HUMBOLDT, ARIZONA**

AGENDA

The issues that come before the Planning & Zoning Advisory Commission are often challenging and potentially divisive. In order to make sure we benefit from the diverse views to be presented, the Commission believes that the meeting be a safe place for people to speak. With this in mind, the Commission asks that everyone refrain from clapping, heckling and any other expressions of approval or disapproval. Agenda items may be taken out of order. Please turn off all cell phones. The Commission meeting may be broadcast via live streaming video on the internet in both audio and visual formats. A quorum of Council may be present. One or more members of the Commission may attend either in person or by telephone, video or internet conferencing. **NOTICE TO PARENTS:** Parents and legal guardians have the right to consent before the Town of Dewey-Humboldt makes a video or voice recording of a minor child. A.R.S. § 1-602.A.9. Dewey-Humboldt Council Meetings are recorded and may be viewed on the Dewey-Humboldt website. If you permit your child to participate in the Council Meeting, a recording will be made. You may exercise your right not to consent by not permitting your child to participate or by submitting your request to the Town Clerk that your child not be recorded.

1. Call To Order.

2. Opening Ceremonies.

2.1. Pledge of Allegiance.

2.2. Oath of Office. Swearing in of new Commissioner. (Dee Parker)

3. Roll Call. Commissioners Chris Berry, Claire Clark, Dee Parker, Vice Chair Arlene Alen and Chair Bob Bowman.

4. Disclosure of Ex Parte Contacts.

5. Announcements Regarding Current Events. Announcements of items brought to the attention of the Chair not requiring legal actions by the Commission.

6. Consent Agenda. All matters listed under the Consent Agenda are considered to be routine by the Commission and will be enacted by one motion. Any item may be removed from the Consent Agenda for separate consideration at a Commissioner's request. If a citizen desires separate consideration of an item, he or she should approach a Commissioner prior to the meeting and ask that the Commissioner request that the item be removed.

Page 3 **6.1. Minutes.** Minutes from the September 6, 2012 Planning & Zoning Commission Regular Meeting and the September 13, 2012 Planning & Zoning Commission Study Session.

7. Discussion Agenda – New Business. Discussion and Possible Action.

Page 9 **7.1. Light Pollution Ordinance.** Discussion and possible action on amending to allow high intensity lighting for special events.

8. Discussion Agenda – Unfinished Business. Discussion and Possible Action on any issue which was not concluded, was postponed, or was tabled during a prior meeting.

Page 25 **8.1. Sign Code Recommendation.** Discussion and possible action on whether to recommend to Council this version of the sign code.

9. **Public Hearing Agenda.** Discussion and Possible Action on matters not previously presented to the Commission.

THIS CONCLUDES THE LEGAL ACTION PORTION OF THE AGENDA.

10. **Commissioners' Forum.** Current Events and Future Agenda Requests. Members of the Commission may discuss **Planning and Zoning related items** in terms of past, present and future.

11. **Comments from the Public.** The Commission wishes to hear from Citizens at each meeting. Those wishing to address the Commission need not request permission or give notice in advance. For the official record, individuals are asked to state their name. Public comments may appear on any video or audio record of this meeting. Please direct your comments to the Commission. Individuals may address the Commission on any issue within its jurisdiction. At the conclusion of Comments from the Public, Commissioners may respond to criticism made by those who have addressed the public body, may ask Town staff to review a matter, or may ask that a matter be put on a future agenda; however, Commissioners are forbidden by law from discussing or taking legal action on matters raised during the Comments from the Public unless the matters are properly noticed for discussion and legal action. The total time for Comments from the Public is **20** minutes. No time limit is imposed on individuals within this total. The audience is asked to please be courteous and silent while others are speaking.

12. **Town Planner's Report.** Update on Current Events.

13. **Adjourn.**

For Your Information:

Next Town Council Work Session: Tuesday, October 9, 2012 at 2:00 p.m.

Next Town Council Meeting: Tuesday, October 16, 2012 at 6:30 p.m.

Next Planning & Zoning Commission Meeting: Thursday, November 8, 2012 at 6:00 p.m.

If you would like to receive Town Council agendas via email, please sign up at AgendaList@dhaz.gov and type Subscribe in the subject line, or call 928-632-7362 and speak with Judy Morgan, Town Clerk.

Certification of Posting

The undersigned hereby certifies that a copy of the attached notice was duly posted at the following locations: Dewey-Humboldt Town Hall, 2735 South Highway 69, Humboldt, Arizona, Chevron Station, 2735 South Highway 69, Humboldt, Arizona, Blue Ridge Market, Highway 69 and Kachina Drive, Dewey, Arizona, on the ____ day of _____, 2012, at ____ p.m. in accordance with the statement filed by the Town of Dewey-Humboldt with the Town Clerk, Town of Dewey-Humboldt.

By: _____, Town Clerk's Office.

Persons with a disability may request reasonable accommodations by contacting the Town Hall at 632-7362 at least 24 hours in advance of the meeting.

**TOWN OF DEWEY-HUMBOLDT
PLANNING & ZONING ADVISORY COMMISSION
REGULAR MEETING MINUTES
SEPTEMBER 6, 2012, 6:00PM**

A REGULAR MEETING OF THE DEWEY-HUMBOLDT PLANNING AND ZONING COMMISSION WAS HELD ON THURSDAY, SEPTEMBER 6, 2012, AT TOWN HALL AT 2735 S. HIGHWAY 69, DEWEY-HUMBOLDT, ARIZONA. CHAIR BOB BOWMAN PRESIDED.

1. **Call To Order.** The meeting was called to order at 6:02PM.
2. **Opening Ceremonies.**
 - 2.1. **Pledge of Allegiance.** Made.
3. **Roll Call.** Commissioners Chris Berry, Claire Clark, Mel Scarbrough, Vice Chair Arlene Alen and Chair Bob Bowman were present.
4. **Disclosure of Ex Parte Contacts.** None.
5. **Announcements Regarding Current Events.** Announcements of items brought to the attention of the Chair not requiring legal actions by the Commission.
 - 5.1. **Notification of Resignation of Commissioner Andy Peters.** Chair Bob Bowman announced the resignation of Commissioner Andy Peters, citing personal commitments.
6. **Consent Agenda.** All matters listed under the Consent Agenda are considered to be routine by the Commission and will be enacted by one motion. Any item may be removed from the Consent Agenda for separate consideration at a Commissioner's request. If a citizen desires separate consideration of an item, he or she should approach a Commissioner prior to the meeting and ask that the Commissioner request that the item be removed.
 - 6.1. **Minutes.** Minutes from the August 9, 2012 Planning & Zoning Commission Meeting.

Commissioner Scarbrough made a motion to approve the minutes of the August 9, 2012 Planning & Zoning Commission as presented, seconded by Commissioner Berry. The motion passed unanimously.
7. **Discussion Agenda – New Business.** Discussion and Possible Action.
 - 7.1. **Presentation by Steve Mauk, Yavapai County Development Services Director and Richard Parker, Prescott Valley Community Development Director.** A presentation on what is Planning and Zoning Commission's role as related to Zoning Codes.

Steve Mauk, Yavapai County Development Services Director, and Richard Parker, Prescott Valley Community Development Director gave a joint presentation on the role of each of their respective Commissions. Mr. Parker stressed the importance of communication between the Commission and Staff, reading the material in the packet ahead of the meeting, holding bi-annual joint sessions with Council, Commission working together as a team, meet with new Commissioners to welcome them and go over rules, etc. and making timely and informed decisions. He gave Mr. Colvin a list of materials to distribute to Planning & Zoning. Mr. Mauk mentioned the Commission acts in an advisory capacity, staff's role, meeting bi-annually with Council, setting expectations, reviewing bylaws with Commissioners on an annual basis. He recommended a book titled The Riggins Rules by Fred Riggins, former Chairman of the Phoenix Planning & Zoning Commission.

The Commissioners thanked Mr. Parker and Mr. Mauk for their presentation.

7.2. Open Meeting Law and Emailing – Review of Attorney General Opinion I05-004. For discussion and possible direction whether to submit a short list of questions to Ombudsman for clarification on Open Meeting Laws.

There was discussion about Open Meeting Law. Mr. Colvin stated the Ombudsman's office could provide training onsite sometime in February and if there were any immediate questions Mr. Colvin could present them to the Ombudsman's office for answers. Commissioners would review the written Open Meeting Law materials or video as necessary.

Commissioner Berry asked if there was a form for requesting agenda items. Mr. Colvin stated he would locate one.

8. Discussion Agenda – Unfinished Business. Discussion and Possible Action on any issue which was not concluded, was postponed, or was tabled during a prior meeting.

8.1. Review and compare Commissioner Clark's revised Sign Code versus the last version of the Sign Code.

Commissioner Clark clarified that the sign code document she produced was intended as a draft for review, not a finished document.

Commissioner Berry spoke on everyone coming to the meetings prepared to do their job. There was discussion on scheduling another meeting to discuss the sign code and the need to have the applicable sign code versions in front of them when reviewing.

The Commission agreed to schedule a P&Z Work Session on Thursday, September 13, 2012 at 6PM to discuss the sign code. Chair Bowman asked Mr. Colvin to provide 1) the original sign code, 2) the sign code that P&Z revised and sent to Council and 3) Commissioner Clark's draft version.

9. Public Hearing Agenda. Discussion and Possible Action on matters not previously presented to the Commission.

None.

10. Commissioners' Forum. Commissioner Berry proposed for a future agenda item: discussion of historic overlay or declaring upper Main Street as Historical District and the rules, regulations and criteria necessary. Chair Bowman asked Staff to provide some information about the requirements. Commissioner Alen asked Staff to research the rules and regulations of other similar towns. Commissioner Berry announced that Lani Lott of LL Consulting would be making a presentation to the Historical Society on September 12th at 9AM at the Museum site.

11. Comments from the Public.

Jerry Brady spoke on Open Meeting Law in regards to the presentation given this evening; no presumption of privacy on email and internet.

Kevin Leonard spoke on the Historical Society meeting on Wednesday that Ms. Lott will be at; she will share good information on historic preservation.

Terry Nolan commended the Commission for their perseverance in dealing with the sign code and thanked them for their commitment.

12. Town Planner's Report. Mr. Colvin informed the Commission that at the last Council meeting they voted to not have the Joint session with P&Z at the September 11th Council Study Session.

13. **Adjourn.** The meeting was adjourned at 7:13PM.

Robert Bowman, Chairman

ATTEST:

Mandi Garfield, Administrative Assistant

**TOWN OF DEWEY-HUMBOLDT
PLANNING & ZONING ADVISORY COMMISSION
REGULAR MEETING MINUTES
SEPTEMBER 13, 2012, 6:00PM**

A REGULAR MEETING OF THE DEWEY-HUMBLDT PLANNING AND ZONING COMMISSION WAS HELD ON THURSDAY, SEPTEMBER 13, 2012, AT TOWN HALL AT 2735 S. HIGHWAY 69, DEWEY-HUMBOLDT, ARIZONA. CHAIR BOB BOWMAN PRESIDED.

1. **Call To Order.** The meeting was called to order at 6:06PM.
2. **Roll Call.** Commissioners Chris Berry, Claire Clark, Mel Scarbrough, Vice Chair Arlene Alen and Chair Bob Bowman were present.

3. Discussion Agenda

3.1. Review and Compare Draft Sign Code Rewrite vs. Existing Versions of Sign Code.

Review and discuss any additions or deletions to draft Sign Code proposed by Commissioner Clark.

Mr. Colvin stated PAD and PUD are defined in section 153.048 of the Town Code, the actual definition is planned area development (PAD) or planned unit development (PUD). Commissioner Berry suggested in section 153.127 (A) removing “and/or suspended by balloons”.

There was discussion on section 153.127 (B) lighted beacons, searchlights, etc.

Sharla Mortimer spoke on lighted beacons being allowed for special events; signage draws the public; incorporating it into the special event permit;

There was discussion about the Dark Sky Ordinance and possibly changing that to allow for special events. Commissioner Alen spoke in favor of maintaining and protecting dark skies and instead of changing the sign code it is handled by special permit. Add “except as permitted in approved special event permit”. Mr. Colvin will review the Dark Sky Ordinance to make sure the sign code does not violate it, perhaps amending to allow for special event permits; he will add it to the next Planning & Zoning agenda.

There was discussion on section 153.127 (C). Mr. Colvin suggested keeping in mind the Town’s General Plan and the mission statement of “Arizona’s Country Town”.

Sharla Mortimer spoke on banners hanging over Gurley in Prescott to let the public know what is going on downtown and the Town may be interested in doing that someday for special events.

There was further discussion on section 153.127 (C) no sign may encroach or overhang a property. The Commissioners agreed to remove, “no sign shall be attached to a utility pole, light standard, bridge or other fixture in the public right of way” and add “unless permitted by Right-of-Way Encroachment permit”.

There was discussion on section 153.127 (D); a nameplate is allowed for in the code; no changes to this item.

There was discussion on section 153.127 (E) no sign shall exceed 30 feet in height; current non-conforming signs would need to come into compliance with the sign code once they change their sign. No changes to this item.

There was discussion on section 153.127 (J) new signs exceeding 6 square feet or 8 feet in height shall follow permitting requirements, etc. Mr. Colvin stated a sign that has

movement is a banner; a sign that is hard-mounted and does not move it is not a banner. Commissioner Alen suggested handling banners separately. The Commissioners agreed to change the exceeding square footage to 8 square feet and insert language to prevent contiguous signage to get around the 8 square feet limit. The Commissioners agreed to add “no more than 2 exempt signs per individual business”.

Sharla Mortimer spoke in favor of 2 exempt permanent signs per business; clarified if someone picks up a sign and moves it, it has to be permitted.

There was discussion on section 153.127 (L) all freestanding signs will comply with 153.076. Mr. Colvin spoke in favor of including the corner detail for enforcement purposes. Commissioners Alen and Berry spoke in favor of including the corner detail.

There was discussion on section 153.127 (M), the square footage of a sign made up of letters, words, or symbols within a frame or border shall be determined from the outside edge of the frame or border itself. Mr. Colvin clarified that if a backdrop of a sign matches the building finishes/surfaces then it would comply; if the sign is a different color and is in contrast to the building the whole surface is considered the sign. No changes to this item.

There was discussion on section 153.127 (N), signs deemed dangerous, abandoned or in substantial violation of this sign code by the Zoning Administrator shall require correction within 30 days of official notification, etc. The Commissioners agreed to change “Zoning Administrator” to “Community Development Coordinator”.

There was discussion on 153.127 (M2), an informational sign shall not be included in the permitted sum of the sign area of identification wall signs, etc. No changes to this item.

There was discussion on 153.127 (N2), any sign type that is not included in this sign code shall be brought before the Dewey-Humboldt Planning and Zoning Commission. The Commission agreed to remove 153.127 (N2).

Sharla Mortimer recommended working on the banner and flag portion of the sign code. Commissioner Alen noted that item would be addressed separately at another meeting.

There was discussion on 153.127 (O), the Dewey-Humboldt Planning and Zoning Commission reserves the right to bring before it the owner of any sign that proves to be a cause for concern for the Town or any member of the Planning and Zoning Commission. The Commission agreed to remove 153.127 (O).

Sharla Mortimer spoke in favor of removing (O); such decisions should occur in the planning stages, not after the sign is installed.

There was discussion on 153.128 Exempt Signs table. Commemorative Markers - The Commission agreed to add no limit to number permitted and 8 square feet. Sharla Mortimer spoke on the size of the centennial monument. Flags, Emblems and Posters – The Commission agreed to remove flags from the title; add no limit to number permitted and 8 square feet. Religious Symbols – The Commission agreed to no limit to number permitted and no limit to area and height. Signs Located within Structures – The Commission agreed to no limit to number permitted and no limit to area and height. The Commission agreed to add a category for Sandwich Boards; 2 sandwich boards per frontage for number permitted and 10 square feet. The Commission defined sandwich boards as temporary signs restricted to business hours and must be brought indoors at close of business.

Sharla Mortimer spoke in favor of flexibility in the use of sandwich boards.

There was further discussion on 153.128 Exempt Signs table. Political Signs – No changes, it is in conformance with other communities and state law.

There was discussion on 153.129 Special Purpose Signs, Construction Signs – No changes.

There was discussion on 153.130 Off-Premise Signs – The Commission agreed to address this area when they talked about banners.

There was discussion on 153.131 Sign Regulations for Use Districts, Residential – The Commission agreed to change the maximum area to 15 square feet and the maximum 16 foot clear height. The Commission agreed to add to the name plate definition to include historical informational signs. Shopping Center Signs was added to the draft sign code; there was discussion about this item. The Commissioners agreed to change the maximum height to 30 feet. PUD & PAD – The Commission agreed to add a requirement for a comprehensive sign package to be included in a PAD submittal.

There was discussion on Applicable Foot Notes (d) Menu Boards for Drive-Thru Restaurants. The Commission agreed to change (d) 1. One pre-order board and one order board per drive-thru lane.

There was discussion on 153.138 Sign Permits (A) Permit Required, in particular including painting directly onto the building. The Commission agreed that is considered a sign and a permit is required. There was discussion on (B) Fees and Commissioner Berry suggested the Town provide a packet to people to include the appropriate permits, sign code, a helpful packet of basic information and clearly indicate fees double if work done without permits. Mr. Colvin stated the Town recently revised and simplified forms; there is a complete sign packet outlining what needs to be done. There was discussion about off-premise directional or informational signs, businesses could mount individual signs beneath, should not be considered part of the allowable signage. Mr. Colvin stated 153.130 Off-Premise Signs has similar verbiage that may apply in this situation; he will verify.

There was discussion on whether or not someone would be able to use a right-of-way for signs, displays, etc. This item will be discussed at the next Planning & Zoning meeting.

The Commission asked Mr. Colvin to incorporate the changes for the October 4, 2012 Planning & Zoning meeting. Staff will address the banner portion of the sign code.

4. **Comments from the Public.** Sharla Mortimer spoke on addressing the banner portion of the sign code and expressed interest in being part of that discussion.
5. **Town Planner's Report.** None.
6. **Adjourn.** The meeting was adjourned at 8:32PM.

Robert Bowman, Chairman

ATTEST:

Mandi Garfield, Administrative Assistant



TOWN OF DEWEY-HUMBOLDT
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MEETING OF THE TOWN PLANNING & ZONING ADVISORY COMMISSION

October 4, 2012 6:00 p.m. Town Council Meeting Chambers

Agenda Item: #7.1 Light Pollution Ordinance

To: Planning & Zoning Advisory Commission
From: Warren Colvin

Date Submitted: September 25, 2012

Agenda Item: Light Pollution Ordinance

Summary:

Planning and Zoning Commission has requested staff to review the Light Pollution Ordinance for possible amending to allow spot lights, searchlights, laser source lights or similar high intensity lighting for special events.

Recommendation:

After reviewing Town Code Sections 153.150-153.153 Light Pollution, staff finds that current Town Code has adequately addressed the temporary use of searchlights, strobes, laser source or other similar high intensity lighting through Sections 153.151, 153.152 and 153.153.

Staff also finds that the current Light Pollution Ordinance is compatible with Dewey-Humboldt's motto "Arizona's Country Town".

Therefore staff's position is that the process for this type of lighting is already in place and that Planning & Zoning Commission should take no action on this matter at the time.

Relevant Town Code Sections:

Section 153.151 Definitions.

TEMPORARY LIGHTING. Lighting which does not conform to the provisions of this chapter and which will not be used for more than one 30-day period within a calendar year. **TEMPORARY LIGHTING** is intended for uses which by their nature are of limited duration, e.g., business grand openings or special civic event. Road and construction projects are excluded.

Section 153.152(B)(5) General.

Search lights, laser source lights, strobe or flashing lights, or any similar high intensity portable and or temporary light shall not be permitted, except for those utilized by law enforcement, emergency services personnel, public utilities and road construction/ maintenance crews or at their direction.

Section 153.153(C)(1)(2) Temporary permits.

(1) The Zoning Administrator may grant a permit for temporary lighting if he or she finds all of the following:

- (a) The purpose for which the lighting is proposed is not intended to extend beyond 30 days;
- (b) The proposed lighting is designed in such a manner as to minimize light pollution as much as is feasible;
- (c) The proposed lighting will comply with the general intent of this chapter; and
- (d) The permit will be in the public interest.

(2) The Zoning Administrator shall rule on the application within five business days from the date of submission of the request and notify the applicant in writing of his or her decision. The Zoning Administrator may grant one renewal of the permit for an additional 30 days if he or she finds that, because of an unanticipated change in circumstances, a renewal would be in the public interest. The Zoning Administrator is not authorized to grant more than one temporary permit and one renewal for the same property within one calendar year.

Section 153.153(D) Variances.

Any person desiring to install an outdoor lighting fixture in violation of this chapter may apply to the Board of Adjustment for a variance from the regulation in question. Such variances shall be allowed only as provided by § [153.021](#). Commercial light installations that are removed or relocated during a building remodel will be required to meet the then current ordinance requirements.

LIGHT POLLUTION CONTROL

§ 153.150 INTRODUCTION.

(A) *Incorporation by reference.* A.R.S. Title 49, Chapter 7, Light Pollution, §§ 49-1101 *et seq.*, is hereby incorporated by reference.

(B) *Mission statement.* To afford every citizen of the town the flexibility to engage in the pursuit of safe, effective lighting practices for the purpose of commerce and private use without being impeded upon or impeding upon other citizens desiring a more pristine nighttime environment free from light pollution, waste, trespass or clutter while providing nighttime safety, security and productivity.

(C) *Purpose and intent.*

(1) The use of outdoor lighting is often necessary for adequate nighttime safety and utility, but common lighting practices can also interfere with other legitimate public concerns.

(a) Principal among these concerns are:

1. The degradation of the nighttime visual environment by production of unsightly and dangerous glare;
2. Unnecessary waste of energy and resources in the production of too much light or wasted light;
3. Interference in the use or enjoyment of property which is not intended to be illuminated at night;
4. The loss of the often-neglected scenic view of the heavens due to increased urban skyglow; and
5. Lighting practices that interfere with the health and safety of the town citizens and visitors.

(b) It is hereby recognized that these different interests of safety, utility and those of aesthetic appearance need not compete. Good modern lighting practices can provide adequate light for safety and utility without excessive glare or light pollution. Careful attention to questions of when and where and how much nighttime lighting is needed will lead to better lighting practice from all viewpoints.

(2) It is also recognized that the topography and atmospheric conditions in northern Arizona are uniquely suited for government, military, commercial, and private astronomical observation and that unnecessary or excessive uses of outdoor nighttime lighting have an adverse impact on astronomical research and observation, even at relatively distant observatories.

(3) Accordingly, it is the intent of this subchapter of the Planning and Zoning Ordinance to encourage lighting practices and systems which will minimize light pollution, glare, light trespass, and conserve energy while maintaining nighttime safety, utility, security and productivity.

(D) *Conflicting regulations.* In the event of conflict between the regulations set forth in this section of this chapter and any other regulations applicable to the same area, the more stringent limitation or requirement shall govern.

(Ord. § 603(A), passed 9-4-2008)

§ 153.151 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CLASS 1 LIGHTING. All outdoor lighting used for but not limited to outdoor sales or eating areas, assembly or repair areas, advertising and other signs, recreational facilities and other similar applications where color rendition is important to preserve the effectiveness of the activity.

CLASS 2 LIGHTING. All outdoor lighting used for but not limited to illumination for walkways, roadways, equipment yards, parking lots and outdoor security where general illumination of the grounds is the primary concern.

CLASS 3 LIGHTING. Any outdoor lighting used for decorative effects, including but not limited to architectural illumination, flag monument lighting, and illumination of trees, bushes and the like.

DEVELOPMENT PROJECT. Any residential, commercial, industrial or mixed use subdivision plan or individual building development or remodeling plan, which is submitted to the town for approval.

DIRECT ILLUMINATION. Illumination resulting from light emitted directly from a lamp, luminaire or reflector, not light diffused through translucent signs or reflected from other surfaces such as the ground or building faces.

FOOT-CANDLE (FC). A unit of measure used to specify illuminate; how much light is falling per square foot onto a surface. One ***FOOT-CANDLE*** of illumination arises when one lumen is spread onto one square foot of surface. It is the luminous flux per unit area in the Imperial system. One ***FOOT-CANDLE*** equals approximately ten lux.

FULLY SHIELDED FIXTURE. Fixtures are shielded in such a manner that light rays emitted by the fixture, either directly from the lamp or indirectly from the fixture, are projected below the horizontal from the lowest point of the bulb within the fixture.

(1) A practical working way to determine if a fixture or tube is fully shielded: if the lamp or tube, any reflective surface, or lens cover (clear or prismatic) is visible when viewed from above or directly from the side, from any angle around the fixture or tube, the fixture or tube is not fully shielded.

(2) Examples of fixtures that are fully shielded (to be fully shielded these fixtures must be closed on top and mounted such that the bottom opening is horizontal):

(3) Examples of fixtures that are not fully shielded:

(a) *Note: even though the lamp in these fixtures is shielded from direct view when viewed from the side or above, reflective surfaces within the fixture and or lens covers are directly visible from the side.

(b) Note for luminous (neon) tubes: when such lighting is installed under or behind a roof overhang, if the roof line or eave is not horizontal, the tubing may be visible from above when viewed from the side and therefore be unshielded.

GLARE. The sensation produced by a bright source within the visual field that is sufficiently brighter than the level to which the eyes are adapted to cause annoyance, discomfort or loss of

visual performance and visibility; blinding light; **GLARE** and blinding light may be dangerous to the public health and safety, as they may contribute to vehicular or other accidents. The magnitude of **GLARE** depends on such factors as the size, position, brightness of the source, and the brightness level to which the eye is adapted.

INSTALLED. Attached, or fixed in place, whether or not connected to a power source.

LIGHT POLLUTION. Any adverse effect of man-made light.

LIGHT TRESPASS. Spill light falling over property lines that illuminates adjacent grounds or buildings. Direct illumination shall be confined to the property boundaries of the source.

LUMEN. The unit used to measure the actual amount of visible light, which is produced by a lamp as defined by the manufacturer. For purposes of determining compliance with this subchapter, initial (not "maintained" or "mean") **LUMEN** outputs of lamps (not fixtures) are the values to be considered. Examples of **LUMEN** output of typical generic incandescent bulbs (W= Watt and L= Lumen): 60 W = 840 L, 75 W = 1,125 L, 100 W = 1,600 L, 150 W = 2,780 L, 300 W = 4,620 L.

LUMINAIRE. The complete lighting assembly, less the support assembly; a light fixture.

MULTI-CLASS LIGHTING. Any outdoor lighting used for more than one purpose, such as security and decoration, when those purposes fall under the definitions for two or more lighting classes as defined for Class 1, 2 and 3 Lighting above.

MOTION SENSING SECURITY LIGHTING. A fixture designed, and properly adjusted, to illuminate an area around a residence or other building by means of the automatic switching on a lamp when motion is detected inside the area or perimeter, and automatic switching of the lamp off when the detected motion ceases.

NEON LIGHTING. Lighting using luminous gas-filled tubes often formed into text, symbols or decorative elements. **NEON LIGHTING** includes tubes with typical diameters of 10 to 20 millimeters filled with neon, argon, xenon or other gasses and producing various colors of light. Not included are replaceable fluorescent tubes.

NET ACREAGE. The remaining ground area of a parcel after deleting all portions for proposed and existing public rights-of-way and undeveloped area.

OUTDOOR LIGHT FIXTURES. All outdoor illuminating devices, reflective surfaces, lamps and other devices, either permanently installed or portable, which are used for illumination or advertisement. Such devices shall include but are not limited to search, spot and floodlights for:

- (1) Buildings and structures;
- (2) Recreational areas;

- (3) Parking lot lighting;
- (4) Landscape and architectural lighting;
- (5) Billboards and other signs (advertising or other);
- (6) Street lighting;
- (7) Product display area lighting;
- (8) Building overhangs and open canopies;
- (9) Security lighting; and
- (10) Pedestrian areas or walkways.

OUTDOOR RECREATION FACILITY. An area designed for active recreation, whether publicly or privately owned, including but not limited to parks, baseball and softball diamonds, soccer and football fields, golf courses, tennis courts, roping/equestrian activities and swimming pools.

PERSON. Includes a corporation, company, partnership, firm, association or society, as well as a natural person.

SECURITY LIGHTING. Lighting designed to illuminate a property or grounds for the purpose of visual security. This includes fully shielded lighting designed to remain on during nighttime hours in the absence of business activity as well as motion sensing lighting fixtures.

STREET LIGHTING. Lighting installed by or at the direction of the town or other governmental agency to illuminate public roadways.

TEMPORARY LIGHTING. Lighting which does not conform to the provisions of this chapter and which will not be used for more than one 30-day period within a calendar year. ***TEMPORARY LIGHTING*** is intended for uses which by their nature are of limited duration, e.g., business grand openings or special civic event. Road and construction projects are excluded.

TOTAL OUTDOOR LIGHT OUTPUT. The maximum total amount of light, measured in lumens, from all lamps used in outdoor light fixtures on a property. For lamp types that vary in their output as they age (such as high pressure sodium and metal halide), the initial output, as defined by the manufacturer, is the value to be considered. Includes lighting from all area lighting fixtures, external sign illumination and decorative (non-sign) neon tubes, but does not include lighting used for permitted internally illuminated signs. Also does not include interior lighting; provided, however, the lighting is directed and or shielded in such a manner that it will not project primarily outside the building or create glare or light trespass. Lighting used under

service station canopies is included toward the total output at 25% of the rated output of the lamps (see § [153.152\(D\)\(4\)\(d\)](#)). Street lighting is exempt from total lumen count.

UNSHIELDED FIXTURE. An outdoor light fixture that allows light to be emitted above the horizontal direction from the lowest point of the bulb within the fixture.

WATT. The unit used to measure the electrical power consumption (not the light output) of a lamp.

(Ord. § 603(B), passed 9-4-2008)

§ 153.152 LIGHTING REQUIREMENTS.

(A) *Preferred source.* Due to their high energy efficiency, long life and spectral characteristics, low-pressure sodium (LPS) lamps are currently the preferred illumination source throughout the town. Their use is encouraged for outdoor illumination whenever its use would not be detrimental to the use of the property.

(1) *Class 1 Lighting.* Businesses who choose to use at least 80% LPS for their Class 1 application are eligible to apply for an additional 10% increase in the lumens per acre allowed for their site.

(2) *Class 2 Lighting.* LPS lamps are required though up to 10% of the total lumens used for Class 2 lighting may be non-LPS light. Ten percent white light added to the LPS light permits nearly normal color perception.

(B) *General.*

(1) Outdoor floodlighting by flood light or spot light projection above the horizontal is prohibited except for unshielded fixtures specifically permitted under divisions (D)(5) and (D)(7) of this section and properly adjusted motion sensing security lighting fixtures as defined in § [153.151](#).

(2) All commercial light fixtures are required to be shielded and shall be installed in such a manner that the shielding complies with the definition of fully shielded fixtures. Residential requirements and exceptions are provided in division (C) below. Building lighting that incorporates the colors of a company logo, trademark or sign shall be considered as signage.

(3) All light fixtures, including security lighting, except street lamps, shall be aimed or shielded so that the direct illumination shall be confined to the property boundaries of the source. Particular care is to be taken to assure that the direct illumination does not fall onto or across any public or private street or road. Motion sensing lighting fixtures shall be properly adjusted, according to the manufacturer's instructions, to turn off when detected motion ceases.

(4) Installation of new mercury vapor light fixtures has been prohibited since May 22, 1985 in Yavapai County. Only mercury vapor replacement bulbs shall be sold or installed for use as outdoor lighting within the town, and the use of mercury vapor light fixtures for outdoor lighting is prohibited after July 1, 2005.

(5) Search lights, laser source lights, strobe or flashing lights, or any similar high-intensity portable and or temporary light shall not be permitted, except for those utilized by law enforcement, emergency services personnel, public utilities and road construction/maintenance crews or at their direction.

(6) Class 1 Lighting, including but not limited to sales, service, commercial, assembly, repair, maintenance and industrial areas, may only continue in operation until 10:00 p.m., or for as long as the area is in active use but once off remain off during non-business hours.

(7) Class 2 Lighting shall have no time restrictions unless stipulated as a condition of approval for new projects.

(8) Class 3 Lighting shall be extinguished after 10:00 p.m. or when the business closes, whichever is later and remain off during non-business hours, low-wattage decorations for recognized holidays shall be counted towards the business properties' total lumen count. Flagpole lighting is exempt.

(a) Up-lighting or ground-mounted lighting may be allowed to accent unique features of a building (such as outstanding architectural features but not an entire building) and/or surrounding landscaping (specimen trees with dense year round foliage or large native shrub masses) subject to approval by the Development Services Director or Zoning Administrator or his/her designee. Up-lighting or ground-mounted lighting shall be designed and installed in such a manner as to minimize glare with special consideration in areas where there is vehicle and pedestrian traffic, or where such lighting will not unduly interfere with use and enjoyment of adjacent or nearby properties.

(b) All feature lighting which is directed upwards shall be placed in such a manner that the angle of the lamp shall not be greater than 45 degrees measured from a horizontal plane to a line projected through the center of the lamp, and fixtures shall be shielded to contain and direct the light onto the feature to be lighted.

(9) Multi-class lighting, except for security lights, must conform to the time limitations of the most strict class.

(10) Except as permitted in divisions (D)(2), (D)(4) and (D)(6) below, total outdoor light output as defined in § [153.151](#), excluding streetlights used for illumination of public rights-of-way, of any development project other than single family residential (see division (C) of this section) shall not exceed 100,000 lumens per net acre, averaged over the entire property. Of this total no more than 5,500 lumens per net acre may be used in unshielded fixtures.

(C) *Residential.*

(1) *Class lighting.* Residential lighting, as it may contain certain aspects of any of the lighting classes as may be found in Class 1, 2 or 3 as defined in § [153.151](#) shall be considered allowed so long as the intended use is allowed within the particular zoning district.

(2) *Shielding.* Fully shielded fixtures are required for all lamps.

(3) *Lighting amount.* Residential parcels containing more than one acre are allowed 20,000 lumens of lighting. Residential parcels containing one-half acre to one net acre are allowed 10,000 lumens of lighting. Residential parcels containing less than one-half acre are allowed 7,500 lumens of lighting. Motion sensing lights, as defined in § [153.151](#), shall not be subject to the noted lumen cap. Motion sensing lights can be turned to "constant on" for the purposes of illuminating yard areas for private recreational activities such as barbeques, parties, working with livestock or other similar gatherings without need for a temporary permit so long as they are returned to their automatic settings at the conclusion of the activity.

(4) *Certification.* Applicant to provide manufacturer's cut-sheet/catalog information detailing fixture shielding and lumen output of bulbs to be installed, and where required by the Development Services Director or Zoning Administrator or his/her designee, a drawing/illustration of the proposed shielded fixture.

(5) *Curfew.* Outside, unshielded lighting shall be extinguished after 10:00 p.m and remain off until daylight. Motion sensing security lighting is exempted. No dusk to dawn controls are permitted for unshielded lighting.

(6) *Exemptions.* Low lumen decorative lighting for recognized holidays, permanent low lumen landscape lighting (180 lumens or less per bulb) and flag lighting are exempt from the total lumen count for a given property.

(D) *Commercial/nonresidential.*

(1) *Airport.* Airport lighting which is required for the safe and efficient movement of aircraft during flight, take-off, landing and taxiing is exempt from the provisions of this chapter. Lighting used for illumination of aircraft loading, unloading, and servicing areas is exempt from the lumens per net acre limits of division (B)(10) above, although it must conform to all other requirements of this chapter. All other outdoor lighting at airport facilities shall comply with the provisions of this chapter.

(2) *Outdoor display lots.*

(a) *Class.* Lighting for outdoor display lots shall be considered Class 1 (Color Rendition).

(b) *Shielding.* All such lighting shall utilize fully shielded luminaries that are installed in a fashion that maintains the fully-shielded characteristics.

(c) *Lighting amount.* Lighting amounts may exceed the limit listed in division (B)(10) for the area of the display only. However, when the proposed lumens per acre exceed the limits of division (B)(10), the installation shall be designed to achieve no greater than the minimum luminance levels for the activity as recommended by the Illuminating Engineering Society of North America (IESNA). If IESNA has more than one applicable recommended practice, then the lowest figure shall apply. Street lighting is exempt from the total lumen count for a given property.

(d) *Off-site spill.* The installation shall limit off-site spill (off the parcel containing the display lot) to a maximum of 0.5 fc at any location on any nonresidential property, and 0.05 fc at any location on any residential property, as measurable from any orientation of the measuring device.

(e) *Curfew.* Outdoor display lot lighting exceeding the lumens per acre cap of division (B)(11) shall be turned off at 10:00 p.m. or within 30 minutes after closing of the business or activity, whichever is later, and once off remain off during non-business hours. Lighting in the outdoor display lot after this time shall be limited to Class 2 lighting, and shall conform to all restrictions of this subchapter applicable for this class, including the lumens per acre caps in division (B)(10) and lamp type standards of division (A) of this section.

(f) *Certification.* Every such lighting system shall be certified by an Arizona registered engineer, other certified lighting specialist or equivalent manufacturer documentation as conforming to all applicable restrictions of this subchapter as installed.

(3) *Parking lot.* Lighting standards (poles) shall be sized in such a manner that the top of any luminaire does not exceed 18 feet above adjacent grade, unless otherwise stipulated as a condition of approval for new projects.

(4) *Service station.*

(a) *Class.* Lighting for service station or similar canopies shall be considered Class 1 lighting.

(b) *Shielding.* All luminaries shall be flush with the lower surface of canopies and utilize flat glass or plastic covers.

(c) *Canopy lighting amount.* The total light output used for illuminating service station canopies, defined as the sum of under-canopy initial bare-lamp outputs in lumens, shall not exceed 60 lumens per square foot of canopy. All lighting mounted under the canopy, except internally illuminated signs, shall be included in the total.

(d) *Inclusion toward total outdoor light output.* Twenty-five percent of the lumen output of all lamps mounted within or under a canopy, except internally illuminated signs, is included in the lumen caps in division (B)(10). Street lighting is exempt from the total lumen count for a given property.

(5) *Signs.*

(a) *Externally illuminated signs.* Lighting used for all externally illuminated signs shall conform to all restrictions of this chapter, shall be fully shielded, and shall be turned off at 10:00 p.m. or when the business closes, whichever is later. Such lighting is included in the total outdoor output (see division (B)(10)).

(b) *Internally illuminated signs.* Outdoor internally illuminated advertising signs shall either be constructed with an opaque background and translucent letters and symbols or with a colored (not white, cream, off-white, yellow or other light color) translucent background, with either translucent or opaque letters and symbols. Opaque means only that the material must not transmit light from the internal illumination source; the color of opaque backgrounds is not restricted by this section. Lamps used for internal illumination of such signs shall not be included in the lumens per net acre limit set in division (B)(10).

(c) All illuminated signs shall be turned off at 10:00 p.m. or when the business closes, whichever is later, and once off remain off during non-business hours. Signs subject to this curfew must have functioning and properly adjusted automatic timers.

1. All neon lighting (indoor or outdoor), except for that used in permitted signage, shall be fully shielded and shall be turned off at 10:00 p.m. or when the business closes, whichever is later.

2. The requirements for shielding of light emissions for outdoor light fixtures are as follows. The following table uses the following Shielding/Use Code: A = allowed, unshielded, F = allowed, fully shielded.

Lamp Type	Shielding
Class 1, 2 and 3 Lighting:	
All lamp types above 2,050 lumens	F (see Note 1)
All types below 2,050 lumens	A (see Note 2)
All neon tube lighting	F
Lamps in Motion Sensing Security Lights (See B)	A (see division (B)(3) of this section)
Note 1. Examples of lamp types of 2,050 lumens and below (the acceptability of a particular light is decided by its initial lumen output, not wattage. Values listed here are approximate. Check manufacturer's specifications):	
a. 100 watt standard incandescent and less	
b. 100 watt midbreak tungsten-halogen (quartz) and less	
c. 25 watt T-12 cool white fluorescent and less	
d. 18 watt low pressure sodium and less	

Note 2. Lights shall be shielded or directed to minimize light spilled into the night sky or adjacent properties.

(6) *Sports field.*

(a) *Class.* Lighting, in all cases, for all outdoor athletic fields, courts, pools, tracks or ranges shall be considered Class 1 (Color Rendition). Sports field lighting at schools is exempt from this chapter as provided for in § [153.015](#) regarding publicly owned and operated facilities used for essential government purposes.

(b) *Shielding.* Fully shielded lighting shall be required for fields designed for amateur, recreational or non-professional sports activity. For professional level sports facilities where fully shielded fixtures are not utilized, acceptable luminaries shall include those which:

1. Are provided with internal or external glare control louvers, or both, and installed so as to minimize up-light and off-site light trespass as defined in § [153.151](#); and
2. Are installed and maintained with aiming angles that permit no greater than 2% of the light emitted by each fixture to project above the horizontal.

(c) *Lighting amount.* When the proposed lumens per acre exceeds the limits of division (B)(10), the installation shall be designed to achieve no greater than the minimum illuminance levels for the activity as recommended by the Illuminating Engineering Society of North America (IESNA). If IESNA has more than one applicable recommended practice, then the lowest figure shall apply. Street lighting is exempt from the total lumen count for a given property.

(d) *Off-site spill.* The installation shall also limit off-site spill (off the parcel containing the sports facility) to a maximum of 0.5 fc at any location on any nonresidential property, and 0.05 fc at any location on any residential property, as measurable from any orientation of the measuring device. If lighting products are not available to meet these standards, then the product providing the lowest off-site spill levels shall be required.

(e) *Curfew.* All events shall be scheduled so as to complete all activity by 10:00 p.m. Illumination of the playing field, court, track or range shall be permitted after 10:00 p.m. only to conclude a scheduled event that was unable to conclude before 10:00 p.m. due to unusual circumstances, and once off remain off during non-business hours.

(f) *Certification.* Every such lighting system shall be certified by an Arizona registered engineer, other certified lighting specialist or equivalent manufacturer documentation as conforming to all applicable restrictions of this chapter as installed.

(g) *Non-field lighting.* All site lighting not directly illuminating the field, court, track or range shall conform to all applicable standards of this subchapter.

(7) *Nonconforming uses.*

(a) Mercury vapor lamps are prohibited to be used for outdoor lighting.

(b) No new bottom or side-mounted outdoor advertising sign lighting shall be issued permits after July 1, 2005.

(c) No other outdoor lighting fixture or use which was lawfully installed or implemented prior to the enactment of this subchapter shall be required to be removed or modified except as expressly provided herein; however, no modification or replacement shall be made to a nonconforming fixture unless the fixture thereafter conforms to the provisions of this chapter, except that identical lamp replacement is allowed. Time restrictions described in divisions (B)(6), (B)(7), (B)(8), (B)(9), (D)(2)(e), (D)(5)(c), and (D)(6)(e) of this section shall, however, be applied to such existing lighting.

(d) In the event that the use of an outdoor lighting fixture is discontinued for six months or is damaged to the point of requiring repairs for safe operation, the repaired or replacement fixture shall comply with the provisions of this chapter.

(Ord. 08-40, passed 6-3-2008)

§ 153.153 PERMITS.

(A) *Approved materials and methods of construction or installation/operation.*

(1) The provisions of this section of this subchapter are not intended to prevent the use of any design, material or method of installation or operation not commercially available or specifically prescribed by this chapter, provided any such alternate has been approved.

(2) The Zoning Administrator or his or her designate may approve any such proposed alternate, provided that the alternate:

(a) Provides at least equivalence to the applicable specific requirements of this chapter; and

(b) Is otherwise satisfactory and complies with the intent of this chapter.

(B) *Permits and development plan reviews.*

(1) Whenever a person is required to obtain a building or electrical permit for outdoor lighting or signage (residential or commercial), a use permit, subdivision approval or any development plan approval by the town, including all town projects, or whenever a person requests a rezoning, the applicant shall, as a part of the lighting permit application, submit sufficient information to enable the Zoning Administrator to determine whether the proposed lighting will comply with this chapter.

(2) All applications shall include the following:

- (a) A site plan indicating the proposed location of all outdoor lighting fixtures;
- (b) A description of each illuminating device, fixture, lamp, support and shield. This description may include but is not limited to manufacturer's catalog cuts and drawings (including sections where required), lamp types and lumen outputs; and
- (c) Such other information as the Zoning Administrator may determine is necessary to ensure compliance with this chapter.

(3) If the Zoning Administrator determines that the proposed lighting does not comply with this chapter, the permit shall not be issued or the plan approved.

(C) *Temporary permits.*

(1) The Zoning Administrator may grant a permit for temporary lighting if he or she finds all of the following:

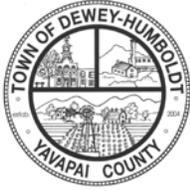
- (a) The purpose for which the lighting is proposed is not intended to extend beyond 30 days;
- (b) The proposed lighting is designed in such a manner as to minimize light pollution as much as is feasible;
- (c) The proposed lighting will comply with the general intent of this chapter; and
- (d) The permit will be in the public interest.

(2) The Zoning Administrator shall rule on the application within five business days from the date of submission of the request and notify the applicant in writing of his or her decision. The Zoning Administrator may grant one renewal of the permit for an additional 30 days if he or she finds that, because of an unanticipated change in circumstances, a renewal would be in the public interest. The Zoning Administrator is not authorized to grant more than one temporary permit and one renewal for the same property within one calendar year.

(D) *Variances.* Any person desiring to install an outdoor lighting fixture in violation of this chapter may apply to the Board of Adjustment for a variance from the regulation in question. Such variances shall be allowed only as provided by § [153.021](#). Commercial light installations that are removed or relocated during a building remodel will be required to meet the then current ordinance requirements.

(Ord. § 603(D), passed 9-4-2008)

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MEETING OF THE TOWN PLANNING & ZONING ADVISORY COMMISSION

October 4, 2012 6:00 p.m. Town Council Meeting Chambers

Agenda Item: #8.1 Sign Code Recommendation

To: Planning & Zoning Advisory Commission
From: Warren Colvin

Date Submitted: September 25, 2012

Recommendation: Discussion and Possible Action to approve this current version of the Sign Code as amended from the 9/13/12 P&Z study session.

Summary: Discussion and possible action on whether to recommend to Council this version of the sign code.

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DEWEY-HUMBOLDT SIGN CODE (Revised after P&Z Workshop 9/13/12)
§153.125 PURPOSE.

- (A) The purpose of the Dewey-Humboldt Sign Code is to provide freedom and flexibility for the design, construction and maintenance of signs that are in harmony with the values, and character of this country community, which are to preserve aesthetics, maintain property values protect the general public from damage or injury caused by distractions/hazards/obstructions which result from improperly designed or located signs and insuring that the Constitutionally guaranteed right of free speech is protected. -
- (B) The following subchapter shall be known and cited as the Town of Dewey-Humboldt Sign Code.

§153.126 DEFINITIONS.

AWNING: A shelter or cover projecting from and supported by an exterior wall of a building.

BANNER: A temporary sign composed of lightweight material, enclosed or not enclosed in a rigid frame, secured or mounted so as to allow movement of the sign. Any banner not meeting these requirements must be considered a permanent sign and shall comply with appropriate signage total in that Use District.

CANOPY: Same as awning.

CHANGEABLE COPY: A sign on which copy is changed electronically or manually.

COMPREHENSIVE SIGN PLAN: A coordinated program of all signs, including exempt and temporary signs for a business, or businesses if applicable, located on a development site, The sign program shall include, but not be limited to indications of the locations, dimensions, and sign types of all signs to be located on a site.

ERECT: To build, construct, alter, repair, display, relocate, attach, hand, place, suspend, affix, or maintain any sign including the painting of exterior wall signs.

FLAG: Any fabric or banner containing distinctive colors, patterns, or symbols used as a symbol of a government, whether state, federal or local.

EMBLEM: A symbol representing any government, whether state, federal or local.

POSTER: A temporary bill or placard for advertising community events.

FRONTAGE: The length of the property line of a premise along a public right-of-way.

GROUND LEVEL: The average ground elevation within 10 feet measured horizontally of the sign base.

LOGO: A symbol, graphic, trademark or emblem associated with or representing a specific entity, product or concept.

PAD: Planned Area Development as defined in section 153.048.

RELIGIOUS SYMBOLS: Works of art as signs which convey compelling ideas or ideals such as, but not limited to, a Christian cross, Star of David, Crescent and Star, fish (ICITHUS), or statuary depicting (for example) a nativity scene.

SANDWICH BOARD: A sign which is of the A-frame type that sits on the ground and is removed daily at closing time of business.

SIGN, ABANDONED: A permanent sign which is no longer safe or no longer serves its intended purpose.

SIGN, COMMEMORATIVE: A symbol or plaque commemorating a person or event.

SIGN, CONSTRUCTION: A temporary sign identifying the persons, firms or businesses directly connected with a construction project

SIGN, DIRECTIONAL: A sign commonly associated with and limited to information and directions necessary and convenient for persons coming on the property, including sign marking entrances, parking areas, one-way drives, restrooms, pick-up and delivery areas and the like.

SIGN, DIRECTORY: Any sign listing the names, use or location of the businesses or activities conducted within a building or group of buildings.

SIGN FREESTANDING: A sign which is erected on its own self-supporting permanent structure, not attached to a building.

SIGN, GOVERNMENTAL: A sign erected and maintained pursuant to and in discharge of any governmental function or required by a law or ordinance or governmental regulations.

SIGN, IDENTIFICATION: A sign identifying by name, message or symbol a business, residence, occupant activity, institution, establishment, operation, merchandise, product or service available at the property at which the sign is displayed.

SIGN, ILLUMINATED: A sign with an artificial light source incorporated internally or externally.

SIGN, INFORMATIONAL: A sign clearly intended for informational (instructional or warning) purposes, other than an identification-sign.

SIGN, NONCONFORMING: Any sign which is not allowed under this Code but when first constructed was lawful and currently does not jeopardize public safety.

SIGN, NUMBER OF FACES ON:

- (1) **Single-faced:** If a sign has copy on one side-only
- (2) **Double-face:**
 - (a) If the angle between the two sign faces is less than 45 degrees, the sign shall be considered double-faced; the sign area will be the area of one face only.

SIGN, OFF-PREMISES: A sign advertising a business, place, activity, goods, services or products on a different property from where the sign is located.

SIGN, ON PREMISES: A sign advertising a business, place, activity, goods, services or products on the same property on which the sign is located.

SIGN, PERMANENT: A sign with an expected useful life of more than 6 months.

SIGN, POLITICAL: A temporary sign announcing or supporting political candidates or issues connected with any national, state or local election.

SIGN, PORTABLE: A sign designed or constructed in such a manner that it can be moved or relocated without involving any structural or support changes.

SIGN, PROJECTING: Any sign attached to a building or other structure and extending in whole or in part more than 12 inches beyond the building, shall be considered “freestanding” signs with reference to square footage allowances.

SIGN, PROPERTY: A sign pertaining to the sale or lease of the premises, or a portion of the premises on which the sign is located or for open houses for premises for sale or lease.

SIGN, SUBDIVISION: A sign advertising lots or units for sale or lease in a subdivision, apartment or condominium project.

SIGN, TEMPORARY: A sign intended to remain in use for a period of time which is 6 months or less.

SIGN, WALL: A sign fastened to or painted on the wall of a building in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign and which does not project more than 12 inches from the building.

STANDARD: A post embedded in the ground on which a sign is mounted.

§153.127 GENERAL PROVISIONS

Except as may be further restricted in specific zones, all signs shall be subject to the following:

- (A) No sign shall be audible.
- (B) Lighted beacons, searchlights or similar lights, are prohibited (see *Night Sky*, Town Code Sections §150.150 – 150.153).
- (C) No sign may encroach on or overhang an adjacent property, public right-of-way, including any utility right-of-way or easements. No sign shall be attached to a utility pole, light standard, bridge or other fixture in the public right-of-way. Unless by a Right-of-Way Encroachment Permit approved by Public Works.
- (D) No sign shall be painted directly on or affixed to any natural object in its natural location.
- (E) No sign shall exceed 30 feet in height.
- (F) No sign shall be located as to obstruct or interfere with any official traffic signs and/or devices or in such a manner as to obstruct a driver's view of any oncoming, merging or intersecting traffic.
- (G) No sign shall display any statement, symbol or picture of an obscene nature.
- (H) Signs may be painted directly onto vertical structural surfaces.
- (I) Signs that are not permitted in a residential zone shall not be placed closer than 20 feet of any residentially zoned lot.
- (J) New signs exceeding 8 sq. ft. in area or exceeding eight feet in height shall follow the permitting requirements specified under sign permits, in §153.138. Relocation or substantial reconstruction, i.e., costing more than 50% of the present value of a sign, shall be considered a new sign for building permit purposes. No more than two exempt signs shall be allowed per business.
- (k) All freestanding signs will comply with § 153.076 (i.e., one foot setback for each foot in height shall be required).
- (L) The square footage of a sign made up of letters, words, or symbols within a frame or border shall be determined from the outside edge of the frame or border itself. The square footage of a sign composed only of letters, words or symbols shall be determined from imaginary straight lines drawn around the entire copy or grouping of such letters words or symbols. Only those portions of the construction elements that are an integral part of the sign itself shall be considered in the allocation of square footage allowed.

(M) Signs deemed dangerous, abandoned or in substantial violation of this Sign Code by the [Community Development Coordinator](#), shall require correction within 30 days of official notification, or the Town may remove the sign in accordance with State Law ARS §9-462.02(C).

(N) An informational sign *shall not be included in the permitted sum of the sign area of identification wall signs, provided such sign is not larger than necessary to serve the intended instructional purpose, and such sign is not in a location, nor includes design characteristics, that constitute or serve the purposes of an identification sign.*

§153.128 EXEMPT SIGNS

Descriptions & Districts	Type	Number Permitted	Area & Height	Permit Required?
Official Notices Authorized by a court, public body or public safety official		No Limit	No Limit	N
Directory or Informational Signs Authorized by federal, state, county or municipal government	Wall or ground-mounted standard	No Limit	No Limit	N
Commemorative Signs	Wall or Monument	No Limit	Sec. 153.127(J)	N
Emblems and Posters		No Limit	Sec. 153.127(J)	N
Religious Symbols		No Limit	No Limit	N
Flags		No Limit	No Limit	N
Sandwich Boards		2 Per Frontage	10 SQ.FT	N
Signs Located within Structures	Window Signs (i)	No Limit	No Limit	N
All Political Signs shall comply with State of Arizona House Bill 2500				
Political Signs, Residential (not in right-of-way)	Wall, window or ground-mounted standard	No Limit. Remove within 15 days of last day of vote casting	16 Sq. Ft. Max.	N
Political Signs, Residential (in right-of-way)	Wall or ground-mounted standard	No Limit. Install 60 days prior to election. Remove within 15 days of last day of vote	16 Sq. Ft. Max.	N

Descriptions & Districts	Type	Number Permitted	Area & Height	Permit Required?
		casting		
Political Signs, Commercial / Industrial (not in right-of-way)	Wall or ground-mounted standard	No Limit. Install 60 days prior to election- Remove w/in 15 days of last day of vote casting	32 Sq. Ft. Max.	N
Political Signs, Commercial / Industrial (not in right-of-way)	Wall or ground-mounted standard	No Limit. Install 60 days prior to election- Remove w/in 15 days of last day of vote casting	32 Sq. Ft. Max.	

§153.129 SPECIAL PURPOSE SIGNS

Descriptions & Districts	Type	Number Permitted	Area & Height	Lighting Allowed?	Permit Required?
Directory or Informational Signs Permitted in all zoning districts.	Wall or Ground-mounted standard which can be double sided.	1 per sign for each building entrance and exit from a parking area.	Max. 32 sq. ft. Max. 20 ft. high	Yes – Refer to Dewey-Humboldt Night Sky Code for restrictions	Y

§153.129 SPECIAL PURPOSE SIGNS (CONT'D)

Descriptions & Districts	Type	Number Permitted	Area & Height	Lighting Allowed?	Permit Required?
Property signs for all properties except those abutting highways Permitted in all zoning districts	Wall or Freestanding	1 each – on each street frontage.	Max. 18 sq. ft. Max. 8 ft. high	No	N To be removed w/in 30 days of sale or rental.

Unlighted Shall not impede traffic and shall not be located in any public ROW					
Property Signs for Properties abutting Highways Only permitted adjacent to ROW at least 150 feet wide. Permitted in all zoning districts Unlighted	Wall or Freestanding	1 sign per ROW frontage	32 sq. ft. and 8 ft. in height Property to be at least 2 acres.	No	Y To be removed w/in 30 days of sale.

§153.129 SPECIAL PURPOSE SIGNS (CONT'D)

Descriptions & Districts	Type	Number Permitted	Area & Height	Lighting Allowed?	Permit Required?
Construction Signs Permitted in all zoning districts. Unlighted	Unspecified	1 each for each construction site.	Max. 24 sq. ft. Max. 8 ft. high	No	Y
Subdivision Signs	Freestanding	Up to 5 signs	100 sq. ft. aggregate total. 12 ft. in height maximum	Yes – Refer to Dewey-Humboldt Night Sky Code for restrictions	Y 2-year duration. Requires a Use Permit thereafter.

§153.130 OFF-PREMISE SIGNS

Descriptions & Districts	Type	Number Permitted	Area & Height	Lighting Allowed?	Permit Required?
Off-Premise Signs	Ground-mounted, not to be	Must be min. of 200 ft. of a residential	Max. 160 sq. ft. Max. 20 ft. in height	Yes, lighting shall be	Y

	constructed on more than three supports.	zoning district.		either internal or by indirect source per Dewey Night Sky Code	
Temporary Off-Premise Signs for Community Events, Festivals & Similar Public	Banners or other temporary means of advertising.	Signs may be placed within or across a public ROW with the Town's authorization	Max. 48 sq. ft. Max. 8 ft. high	No	Y

§153.131 SIGN REGULATIONS FOR USE DISTRICTS

Descriptions & Districts	Type	Number Permitted	Area & Height	Lighting Allowed?	Permit Required?
Residential	Name Plate (a) <u>Historical Marker</u>	1	<u>Max. 15 sq. ft.</u> <u>Max. 16 ft. in clear height</u>	Yes - Refer to Dewey-Humboldt Night Sky Code for restrictions	N
Multi-family (for more than four units - for less than four units see residential above)	Wall or Freestanding	1 per street frontage	Max. 16 sq. ft. Max. 10 ft. in height	Yes - Refer to Dewey-Humboldt Night Sky Code for restrictions	Y
Subdivision	Monument	2	Max. 120 sq. ft. each, Max. 6 ft. in height	Yes - Refer to	Y

				Dewey-Humboldt Night Sky Code for restrictions	
Commercial, Education, Religious, Industrial	Wall or Freestanding which can be dbl. sided	2 total - 1 wall & 1 freestanding- 3 total allowed if more than 5 acres of frontage on two roads then 2 freestanding signs will be allowed	Wall signs: Max. 100 sq. ft. No height restriction Freestanding signs: Max. 80 sq. ft. Max. 10 ft. high	Yes - Refer to Dewey-Humboldt Night Sky Code for restrictions	Y
	<u>Temporary Banners</u>	<u>1 each road frontage</u>	<u>Max. 48 Sq. ft.</u> <u>Max. 8 ft. high</u>	<u>Y</u>	<u>Y</u>
Shopping Center Signs (for more than 3 stores joined together)	<u>Wall or Freestanding</u>	1 on each road frontage	Max. 150 Sq. ft. Max. <u>30 ft.</u> high	Yes - Refer to Dewey-Humboldt Night Sky Code for restrictions	Y
	<u>Temporary Banners</u>	<u>1 each road frontage</u>	<u>Max 48 Sq. ft.</u> <u>Max. 8 ft. high</u>		<u>Y</u>

§153.135 SIGN REGULATIONS FOR USE DISTRICTS

Descriptions & Districts	Type	Number Permitted	Area & Height	Permit Required?
PAD			<u>Must submit a comprehensive sign package.</u>	Y

Applicable Foot Notes:

- (a) A name plate sign identifying the occupant, occupant’s profession or title and the address of the dwelling.
- (b) Attached signs shall be on the occupants building only.
- (c) Awning signs shall only be allowed on the ground floor of a building.
- (d) Menu Boards for Drive-Thru Restaurants:
 1. One pre-order and one order board is allowed per business. Such signs may be free-standing or wall-mounted.
 2. The maximum aggregate area for a menu board shall not exceed 45 square feet.
 3. The maximum sign height shall not exceed six feet for free-standing signs.
 4. The sign should be located so as to not be readable from the public right-of-way.

§ 153.136 SIGN REGULATIONS, MOBILE HOME, TRAVEL TRAILER AND RECREATIONAL VEHICLE PARKS.

(A) Signs placed or maintained within any mobile home park are subject to all the regulations set forth under § 153.131(A)(1).

(1) Permanent mobile home park entrance signs shall comply with the regulations set forth under § 153.131(A)(3) (subdivision signs).

(2) Signs identifying travel trailer parks and recreational vehicle parks are subject to all the regulations set forth under § 153.132 for light commercial districts (RS, C1) or under § 153.133 for medium commercial districts (C2), depending on the zone in which the park is placed.

(Ord. § 601(J), passed 9-4-2008)

§153.138 SIGN PERMITS

(A) *Permit required.* A sign permit shall be secured from the Town Development Services Department prior to the erection, relocation, construction, installation or substantial reconstruction (including painting or enlarging a painted sign on the surface of a permitted structure) or any non-exempt sign exceeding eight (8) square feet in area, or higher than eight feet above grade at the sign, regardless of value.

(B) *Fees.*

(1) Per Appendix A, Fees, Town Code Chapter 153 Zoning Regulations.

(2) The sign permit fees established in division (B)(1) above shall be double in the event that the erection, relocation, construction, installation or substantial reconstruction of any sign is begun prior to the issuance of a sign permit.

(C) *Sign permit application.* Each application for a sign permit shall be made at the Town Hall on the appropriate form(s) and shall contain at a minimum the following information:

(1) Assessor's parcel number identifying the property;

(2) Street address, if any, legal description of the property, and dimensions thereof. In the case of a metes and bounds parcel (a parcel that is not part of a recorded subdivision), a copy of the recorded legal description must be submitted with the application;

(3) Nature of the proposed use of the sign and premises;

(4) Type of sign and materials used, methods of support, freestanding or other;

(5) Estimated true value of sign and associated structural supports;

(6) Dimensions of sign panel as well as bottom and top heights above grade;

(7) Type, placement and strength of illumination, if any;

(8) Number and orientations of faces of sign (aerial-view sketch, if necessary, to depict faces and orientation);

(9) A (signed) plot plan showing the following:

(a) Shape and dimensions of lot boundaries, adjacent street right-of-way, driveway, buildings (existing and proposed);

(b) North designation; and

- (c) Location of sign (s) on property (indicate type).
- (10) A (signed) elevation view, with dimensions and approximate copy ad design, of the sign(s) faces;
- (11) Such other information as the Zoning Administrator may require for the purpose of determining whether the application complies with the subchapter requirements;
- (12) Name, address and phone number of property owner and agent, if any; and
- (13) Signature of applicant or agent.

(D) *Non-Conforming.* Legal nonconforming signs existing prior to the effective date of this subchapter, shall be permitted to continue subject to general provisions regarding the removal of dangerous or abandoned signs and off-premises signs of this code, regarding obsolescence and abandonment. Continuation shall include the right to repaint or change the message or copy on the sign, provided the size and height is not increased and provided the sign is not converted from on-premises to off-premises use. Changes of ownership and/or business name shall not in and of itself alter the right of continued use of a sign. {see § 153.127 (L)}

(E) *Signs not requiring permits.* Signs not requiring permits by virtue of their height and size must nevertheless comply with all other requirements and restrictions of this code.

(F) *Temporary sign permits.* Signs with a limited duration of use, such as those provided in §§ 153.129, 153.130, and 153.133 shall obtain a temporary sign permit. The requirements and criteria for such signs are as follows:

- (1) A temporary sign permit is specifically required for community special event banners and signs, signs advertising the forthcoming construction of a building, exceptions granted administratively for grand openings, and one-time events.
- (2) Temporary sign permits shall be issued for no more than **six months**. An extension of a temporary sign permit shall be made the subject of an application for a use permit.
- (3) Temporary signs shall conform to all other requirements of this code.
- (4) The fee for a temporary sign permit shall be the same as a permanent sign permit, except as otherwise noted.

FOR REFERENCE SEE DEWEY-HUMBOLDT NIGHT SKY CODE FOLLOWING: