



## Town of Chino Valley

### MEETING NOTICE PLANNING AND ZONING COMMISSION

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**REGULAR MEETING  
TUESDAY, JULY 7, 2020  
6:00 P.M.**

**Council Chambers  
202 N. State Route 89  
Chino Valley, Arizona**

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### AGENDA

#### **ADDENDUM #1**

*Adds Exhibit to Item 7a - 4.21 Off-Site Signage Amendment*

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **MINUTES**
  - a. Consideration and possible action to approve the June 2, 2020, regular meeting minutes.
5. **STAFF REPORTS**
6. **PUBLIC HEARING**
  - a. Request to approve the rezoning of approximately 10.54 acres of real property from the AR-5 (agricultural-residential 5-acre minimum) zoning district to SR-0.16 PAD (single-family residential 7,000 square foot minimum lot area) zoning district with a Planned Area Development Overlay zoning district.
  - b. Request for approval of Wesdamar Farms Preliminary Plat to subdivide approximately 10.54 acres into fifteen (15) lots developed over one (1) phase.
7. **NON-PUBLIC HEARING ACTION ITEMS**
  - a. Text amendment to section 4.21 Sign Regulations to amend off-site commercial signage.

**8. DISCUSSION ITEMS**

**9. PUBLIC COMMENTS**

*Call to the Public is an opportunity for the public to address the Commission on any issue within the jurisdiction of the Commission that is not on the agenda. Public comment is encouraged. Individuals are limited to speak for three (3) minutes. The total time for Call to the Public may be up to 30 minutes per meeting. Commission action taken as a result of public comment will be limited to directing staff to study the matter, scheduling the matter for further consideration and decision at a later date, or responding to criticism.*

**10. ADJOURN**

Dated this 2nd day of July, 2020.

*By: Will Dingee, Assistant Planner*

A copy of the agenda and background material provided to the Commissioners is available for public inspection at the Marion Lassa/Chino Valley Library, 1020 W. Palomino Road, Chino Valley, Arizona. Further details may be obtained by contacting Development Services Department at 1982 Voss, Chino Valley, Arizona (928) 636-4427.

The Town endeavors to make all public meetings accessible to persons with disabilities. With 72 hours advance notice, special assistance can also be provided for sight and/or hearing impaired persons at public meetings. Please call 636-2646 (voice) or use 711 (Telecommunications Arizona Relay Service ) to request an accommodation to participate in this meeting.

**Planning and Zoning Commission Regular**

**7. a.**

**Meeting Date:** 07/07/2020

Offsite Signage Text Amendment

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**CASE DESCRIPTION:**

Text amendment to section 4.21 Sign Regulations to amend off-site commercial signage.

**FACTS:**

1. Applicant:..... Town of Chino Valley
2. Owner:.....N/A
3. Parcel Number.....N/A
4. Site Area.....N/A
5. Existing zoning:.....N/A
6. Intended Use.....N/A

**ANALYSIS:**

See attached staff report. Actual text ammendment language will be provided once legal has signed off on it.

**TECHNICAL REVIEW:**

See attached staff report. Actual text ammendment language will be provided once legal has signed off on it.

**SITE PLAN**

N/A

**RECOMMENDATION**

Consideration and possible action to amend the Town of Chino Valley Unified Development Ordinance, Chapter 154, by amending Section 4.21 Sign Regulations, by amending off-site commercial signage.

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**Attachments**

Off-Site Signage Staff Report

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## 4.21 SIGN REGULATIONS

### 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.** Temporary **Signs** 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. The temporary sign shall be removed as soon as the business' permanent sign is installed or six months, whichever occurs first.

2. The temporary sign permit shall not be renewable.

3. Temporary **signs** shall conform to all other requirements of this Code.

4. Special event (promotional) signs and auxiliary signs do not require temporary sign permits.

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:

<i>Description</i>	<i>Type</i>	<i>Number Permitted</i>	<i>Maximum Area and Height</i>
Official notices authorized by a court, <b>public</b> body or <b>public</b> safety official			No limit
Government <b>Signs</b>	Wall or ground-mounted standard	No limit	No limit
Posters			No limit
<b>TEMPORARY NON-COMMERCIAL DIRECTIONAL SIGNAGE</b>	<b>A-FRAME</b>	<b>THREE (3)</b>	<b>12 SQUARE FEET TOTAL</b>
<b>Temporary Use Permit Signage (see Section 3.15(D)(2)(f))</b>	<b>Banner, Pennant, Flags</b>	Ten (10)	200 square feet Maximum
<b>Sign for temporary event held by non-profit charitable organization (as designated under section 501(c)(3) of the Internal Revenue Code) with a</b>	<b>Banner, Pennant, Flags</b>	Two (2)	48 square feet Maximum

<b>permanent location inside Town's incorporated limits</b>			
<b>Signs</b> located within <b>structures</b> in <b>Commercial</b> zoning districts	<b>Window Signs</b>		No limit
<b>Signs</b> on residentially zoned property	Wall, window, or ground-mounted		
<b>Signs</b> required to be relocated by the <b>Town</b> 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 Section [4.24](#) Outdoor Lighting including, but not limited to, Subsection 4.24.4 General Requirements, 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.
- H. Special event (promotional) signs and auxiliary signs shall be subject to the following:
1. No special event (promotional) or auxiliary signage shall be allowed for any business until such time as the business obtains and installs, at a minimum, a wall-mounted permanent sign.
  2. An aggregate of up to two (2) special event (promotional) signs or auxiliary signs are permitted in addition to the permanent signs allowed for a business. The number and size of the special event (promotional) signs or auxiliary signs are determined by the zoning of the property as shown in the table in Section 4.21.6, Temporary Signs and Auxiliary Signs. If the business wants to display a new special event (promotional) sign or auxiliary sign, then one or more of the existing signs on display must be taken down to ensure the total square footage requirements are maintained.

3. Special event signs, auxiliary signs, and A-Frames may be displayed year-round, so long as the signs remain in good repair.

- I. Off-Site Signage ~~may~~is prohibited, except as specifically set forth in this Section. In order to be permitted ~~with~~to have off-site signage, the following ~~provisions~~conditions must be met:
- ~~Businesses, or the closest~~The property ~~boundary~~on which they are~~the business requesting the off-site signage is~~ located, shall be no further than ¼ mile from SR 89. ~~Public or Institutional uses may request additional distance to the above stated ¼ mile through a conditional use permit.~~
  - The business owner shall obtain permission pursuant to a non-revocable license, in a form provided by the Town, from an owner of commercial property fronting on SR 89 ~~and a lease of land for a newly constructed sign, or signed statement allowing, granting the off-site~~ business ~~located off-site~~the right to construct a new freestanding sign on the commercial property or to add ~~the~~the off-site business nameplate to an existing freestanding or monument sign. If no existing freestanding or monument sign exists, a new sign may be constructed to provide signage for the onsite businesses with additional nameplates for off-site signage opportunities; provided, that any signage on such new freestanding or monument sign shall be calculated as part of the total allowable signage for each business.
  - ~~Permission~~The non-revocable license granted by the ~~off-site~~owner of the commercial property ~~owner~~fronting SR 89 shall include a specific depiction of the location of the sign and a specific time limit or expiration date for the ~~lease that would provide off-site signage. After such time the permission shall either be renewed or~~license. If the license has not been extended at the conclusion of the time period, the sign must be removed. The ~~lease~~license shall ~~continue to be in effect~~valid for the time period stated and shall not be terminated if the underlying property or the related business is sold ~~until the expiration of the lease~~during that time period.
  - Off-site signage shall require a sign permit. ~~Owner's~~The signature of the owner of the commercial property fronting on SR 89 on which the sign is proposed shall be required on the application. A copy of the signed ~~lease~~license shall be ~~required~~submitted as part of the application.
  - Off-Site signage shall conform to all other aspects of permanent signage as defined in Section 4.21 of ~~the~~this Unified Development Ordinance (i.e. freestanding, monument, etc.).
  - Off-site signage shall not be allowed on vacant property.
  - The business requesting off-site signage shall be required to have a permanent sign on-site prior to approval of any off-site signage. The square footage of the off-site signage shall be deducted from the total allowable signage of that type on the site the business is located.
  - No temporary or auxiliary off-site signage shall be permitted; such signage shall only be allowed on the property on which the business is located.

9. All off-site signage shall comply with the Outdoor Lighting ordinance found in ~~UDO~~ Section 4.24 of this Unified Development Ordinance.
10. Signage, ~~when constructed,~~ shall meet minimum required setbacks, ~~and,~~ Signage is prohibited from being located in the public rights-of-way.
11. The Town shall not provide ~~legal advice, or~~ direction, ~~or act as a negotiator between property owners to either party in discussions or negotiations regarding the license, other than to provide the form.~~

#### 4.21.5 SIGN STANDARDS

##### 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.
6. A-Frame signs shall be placed a minimum of five (5) feet out of the right-of-way on the property where the business operates provided such signs shall not obstruct pedestrian traffic. A-Frame Signage size allowance is calculated as part of the total allowable aggregate Auxiliary signage square footage.
7. All temporary signs, special event (promotional) signs and auxiliary signs shall be placed (a) at a minimum five (5) feet from the property line on which the business is located and (b) outside the public rights-of-way.

#### 4.21.6 TEMPORARY SIGNS, SPECIAL EVENT SIGNS AND AUXILIARY SIGNS

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



Banner, Pennant, Streamer, Feather	MR-1, MHP-4	24 sq. ft.		Shall not be located above the roof of any <b>building</b> . Shall be maintained in good repair.
A-Frame	CL, CH, I, Public or Institutional Facility	Sizes limited to: 24" x 36" or 6 sq. ft. maximum.		May be made of wood, vinyl, metal, or other similar non-pliable material. Shall be on-site only. <del>Up to two per frontage,</del> One (1) not to exceed 6 sq. ft. total per parcel. Shall be maintained in good repair. Anything attached to the A-Frame Sign shall count against the total square footage allowed.

#### 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.

(Ord. 17-819, passed 3-14-2017)

#### 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 the provision of this Sign Code that first caused the sign to become non-conforming.

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 such change 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.

#### 4.21.10 SUNSET PROVISION

The provisions of this Sign Code relating to (A) auxiliary signs being permitted by right in certain zoning categories and (B) auxiliary signs and special event (promotional) signs being allowed without the need for a temporary sign permit shall automatically terminate and shall be of no force and effect after July 1, 2022, unless, after meeting all of the public notice and hearing requirements set forth in State Law, the Town Council determines these provisions should remain in effect, as currently written or as may be modified.