

# EXHIBIT A

## ORDINANCE NO. 667-18

**AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AMENDING THE TOWN OF FLORENCE CODE OF ORDINANCES TITLE XV "LAND USAGE" CHAPTER 150: DEVELOPMENT CODE, SECTION 150.031 "DEFINITIONS" AND REPEALLING AND REPLACING "PART 3 SIGN REGULATIONS," SECTIONS 150.092 TO 150.130 (CASE PZ 18-33 ORD.)**

**WHEREAS**, in accordance with A.R.S. 9-462, the legislative body may adopt by ordinance, any change or amendment to the regulations and provisions as set forth in the Development Code of the Town of Florence; and,

**WHEREAS**, notification of this amendment has been published in a local newspaper with general circulation in the Town of Florence, giving fifteen (15) day notice of time, date, and place of public hearing; and,

**WHEREAS**, a public hearing was held by the Planning and Zoning Commission on December 20, 2018; and

**WHEREAS**, the Planning and Zoning Commission, after having held a public hearing on the case, has forwarded the Mayor and Town Council a unanimous favorable recommendation for the text amendment ordinance; and

**WHEREAS**, the Town Council has determined that it is in the best interest of the residents of Florence to amend the Town of Florence Development Code Sections 150.031, and 150.092 to 150.130, such that it is advisable to repeal and replace the aforementioned sections, as further set forth in Exhibit "A", which is attached hereto and incorporated herein by reference; and

**WHEREAS**, the Town Council has determined that, for the reasons set forth above and for the purpose of protecting the public health, safety and welfare of the residents and visitors of Florence, it is in the best interests of the Town to amend the Code of Ordinances as provided herein;

**NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF FLORENCE, ARIZONA, AS FOLLOWS:**

Section 1. Any proposal for the construction, installation, or replacement of signs within the Town shall be subject to the following: Town of Florence Code of Ordinances Title XV Land Usage, Chapter 150 of the Florence Development Code Part 3 Sign Regulations, Sections 150.092 to 150.130; the Town's licensing and permit requirements; the Town's reasonable design review and development standards; the Town's

## EXHIBIT A

reasonable rates and fees as adopted by the Town; and all other applicable regulatory processes.

Section 2. Existing Title XV of the Town of Florence Code of Ordinances is hereby amended by the revisions, additions, deletions, and replacement of the Development Code text as set forth in Exhibit "A."

Section 3. Exhibit "A" is hereby approved, adopted and incorporated into the Town of Florence Code of Ordinances Title XV Land Usage, Chapter 150 Development Code by reference, as fully as if set forth in this Ordinance in its entirety.

Section 4. If any section, subsection, clause, phrase or portion of this Ordinance or any part of the amended and restated Town of Florence Code of Ordinances Title XV is for any reason held invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section 5. One (1) paper copy and one (1) electronic copy of this ordinance are ordered to remain on file with the Town Clerk.

**PASSED AND ADOPTED** by the Mayor and Council of the Town of Florence this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Tara Walter, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Lisa Garcia, Town Clerk

\_\_\_\_\_  
Clifford Mattice, Town Attorney

# EXHIBIT A

## SIGN CODE UPDATE

(The following text in red is a proposed addition to the Development Code “Definitions” section and text with a strikethrough are proposed for deletion.)

### Definitions

#### 150.031 Defined Words

**SIGN.** ~~Any object, device, display or structure (including but not limited to letters, words, numerals, figures, symbols, pictures, outline, character, color, illumination, trademark, logo or any part or combination) used for visual communication which is intended to attract the attention of the public and is visible from the public rights-of-way or other properties.~~ Refer to §150.094 for Sign and signage related terms and definitions.

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(The following text is proposed to repeal and replace the existing Development Code Part 3 Sign Regulations, sections 150.092 to 150.130.)

### Part 3. Sign Regulations

#### Sections

150.092 Purpose, Scope and Authority  
150.093 Applicability  
150.094 Signage Definitions  
150.095 Exemptions  
150.096 Prohibited Commercial Signs  
150.097 Prohibited Sign Locations  
150.098 Standards, Limitation and Requirements for All Signs  
150.099 Signs for Employment/Commercial and Mixed Use Districts  
150.100 Signs for Residential Districts  
150.101 Comprehensive Sign Plan Required  
150.102 Submittal and Permit Requirements  
150.103 Exceptions; Permits Not Required  
150.104 Legal Nonconforming Signs  
150.105 Signs Rendered Nonconforming  
150.106 Abandoned Signs  
150.107 Unsafe Signs  
150.108 Enforcement and Penalties  
150.109 -130 *Reserved*

#### 150.092 Purpose, Scope and Authority

The purposes of these Sign regulations, hereafter referred to as the “Sign Code”, are:

(A) To encourage the effective use of Signs as a means of communication in the Town.

- (B) To maintain and enhance the aesthetic beauty of the built environment and the Town's ability to attract sources of economic development and growth.
- (C) To improve pedestrian and traffic safety.
- (D) To minimize the possible adverse effect of Signs on nearby public and private property.
- (E) To balance the rights of businesses and individuals to convey messages through Signs against the aesthetics and safety hazards that come from the proliferation of Sign clutter.
- (F) To enable the fair and consistent enforcement of the Sign Code.

#### **150.093 Applicability**

- (A) It shall be unlawful to display, erect, place, establish, paint or maintain a nonexempt Sign in the Town except in conformance with the standards, requirements, limitations and procedures of the Sign Code.
- (B) The effect of this Sign Code as more specifically set forth herein, is:
  - (1) To prohibit all Signs except as permitted by the Sign Code.
  - (2) To allow a variety of types of Signs in Employment/Commercial and Mixed Use districts, and a limited variety of Signs in residential districts, subject to content neutral standards requirements and limitations.
  - (3) To allow certain Signs that are appropriately sized and incidental to the principal use of the respective lots on which they are located, subject to the substantive requirements of these regulations, but without a requirement for permits.
  - (4) To establish standards, requirements and limitations and a permit system that honor constitutional rights and requirements.
  - (5) To provide for the enforcement of the provisions of the Sign Code.

#### **150.094 Signage Definitions**

For the purpose of the Sign Code, the following definitions shall apply unless the context indicates or requires a different meaning.

**A-FRAME SIGN.** A portable type of promotional business Sign.

**ADJACENT.** Adjacent means abuts, is contiguous to or shares a common boundary.

**ALLOWABLE SIGN AREA.** The total Sign Area permitted for all nonexempt Signs.

**ARTERIAL ROADWAY.** A street designated as an arterial roadway in transportation plans approved by the Town of Florence.

**BANNER.** Any Sign of fabric, plastic or similar material that is mounted to a pole, structure or a building at one or more edges. Banners are used to advertise special events or new business and are not permanently attached.

**BEACON.** Means any light with one or more beams directed into the atmosphere or directed at one or more points not on the same site as the light source; also, any light with one or more beams that rotate or move. Beacons are prohibited except when approved for limited usage with a Special Event Permit.

**BILLBOARD.** A flat surface or board, used outdoors, on which large commercial advertisements or notices are posted. In this Sign Code, Billboards shall be referred to as Off Premise Advertising Signs.

**BLADE SIGN.** A type of projecting Sign mounted on a building facade or storefront pole or attached to a surface perpendicular to the normal flow of traffic.

**BUILDING.** Building is defined in Section 150.031 of the Development Code.

**BUILDING FRONTAGE.** The length of the wall of a completely enclosed permanent building on a site that fronts directly on a public or private street or right-of-way.

**BUILDING GROUND FLOOR AREA.** The area of the ground floor enclosed within the walls of all buildings on the site.

**BUILDING IDENTIFICATION SIGN.** A non-commercial Sign that identifies the street address of the building, as well as other identifying information required for public safety purposes.

**BUILDING MARKER.** A Sign indicating the name of a building and date and incidental information about its construction, which Sign is cut into masonry surface or made of bronze or other permanent material, and affixed to or placed near a building.

**BUILDING SIGN.** Any Sign attached to or painted on any part of a building, as contrasted to Fence, Freestanding or Monument Signs.

**BUS STOP.** A bench, shelter, kiosk, or pole Sign or similar structure placed by the Town of Florence or the locally endorsed public transportation authority, e.g., Central Arizona Regional Transit, along an established public transportation route to mark an area for members of the general public to wait for and get on or off of public transportation.

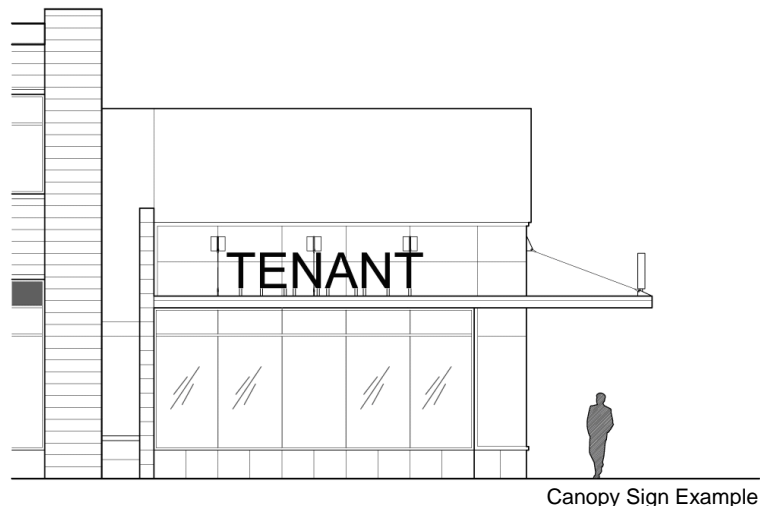
**BUSINESS FRONTAGE.** The length of the face or wall of a completely enclosed and permanent building occupied by an individual building occupant and contains a customer entrance. An occupant may have more than one business frontage if it occupies building frontage facing on two or more streets or public areas. If the building faces two or more streets or public areas, only the two main frontages may be used in calculating allowable Sign Area.

**CABINET SIGN.** A building Sign that is an enclosed cabinet with Copy on one or more sides and may enclose an integrated light source that can shine through the sides or face of the Sign.

**CAFE UMBREALLA SIGNS.** Signs or Copy permanently embroidered, screened, dyed, stenciled or painted into the fabric of umbrellas that are set up in sidewalk cafes.

**CANOPY SIGN.** Any Sign that is a part of or is attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area. A Marquee Sign is not a Canopy Sign.

**CHANGEABLE COPY SIGN, MANUAL.** A Sign or portion thereof that has a reader board for the display of text information in which each alphanumeric character, graphic or symbol, may be changed or re-arranged manually with characters, letters or illustrations. Furthermore, the changes can occur without altering the face or surface of the Sign.



**CHANNEL LETTERING.** Copy that is individually cut, raised, carved or manufactured.

**CIVIC DISPLAY.** A temporary display of banners, balloons, flags, lights or similar decorations erected on a public street or other public property in connection with a holiday or civic event.

**COLLECTOR ROADWAY.** A street designated as a collector roadway in transportation plans approved by the Town of Florence.

**COMMERCIAL CENTER.** A group of contiguous lots organized into a shopping center, strip mall, business park, office condominium or similar grouping that share mutual access, ingress and egress easements.

**COMMERCIAL MESSAGE.** Any Sign wording, logo, or other representation that, directly or indirectly, names, advertises or calls attention to a business, product, service, or other commercial activity or is otherwise defined as "commercial speech" by the Arizona Supreme Court, the United States District Court for the District of Arizona, the Ninth Circuit Court of Appeals, or the United States Supreme Court for purposes of interpreting the United States Constitution or Arizona Constitution regarding freedom of expression or speech.

**COMMUNITY BUILDING.** A building that is typically owned by a government entity, civic organization or Homeowner's Association that is used for meetings and activities related to the local community.

**COMMUNITY DIRECTORY SIGN.** A Sign, or a group of Signs designed as a single display, that gives information about local community organizations.

**COPY.** Characters, letters, symbols (including logos and trademarks), illustrations and writings.

**CO-TENANCY.** A business that leases or rents space to tenant(s) or business(es) that are housed within their building though they operate as an independent business.

**DIGITAL SIGN.** A Sign or portion thereof that displays electronic, static images, static graphics, text information, or static pictures, with or without information, defined by a small number of matrix elements using combinations of light emitting diodes (LED), fiber optics, light bulbs, liquid crystal display (LCD) or other Illumination devices within the display area. Digital Signs include computer programmable, microprocessor controlled electronic or digital displays. May also be known as an Electronic Message Center.

**DIRECT LIGHTING.** Direct lighting means that the light fixture or bulbs are visible when looking at the light source or Sign.

**DIRECTIONAL SIGN.** A permanent Sign that directs the flow of traffic or pedestrians and may or may not contain a Commercial Message. Directional Signs shall not exceed six square feet in Sign Area and three feet in Height.

**DIRECTORY SIGN.** A Sign, or a group of Signs designed as a single display, which gives information about the location of businesses, buildings or addresses within a residential, office, commercial or industrial complex with no Commercial Message. Directory Signs located internal to a project and not visible from adjacent roadways shall not count towards on-site signage calculations.

**FENCE SIGN.** A Sign that is mounted or painted on a fence, screen wall, retaining wall, sound wall or similar type of fence or wall structure.

**FLAG.** A piece of fabric varying in shape, color and design usually attached at one edge to a staff, pole or cord which contains a Noncommercial Message as defined herein, unless otherwise permitted in this code.

**FREESTANDING SIGN.** A Sign that is placed on or anchored to the ground or is supported by a Sign Structure that is placed on or anchored to the ground and is independent from any building or other structure. In this Sign Code, A Freestanding Sign may also be known as a Monument Sign, but this definition excludes Billboards or Off Premise Advertising Signs.

**FRONTAGE.** The portion of a site that fronts directly on a public or private street or right of way. See "building frontage," and "site frontage."

**GAS/SERVICE STATION CANOPY SIGN.** A Sign or Signs that are attached to a canopy located at a gas station or service station. These Signs are considered Wall Signs and shall be counted towards the allowable wall signage allowed for a development.

**GATEWAY SIGN.** A freestanding or monument type of Sign near the municipal boundaries of the Town of Florence that introduces or welcomes visitors to the community. In certain cases, this may be incorporated into a business' Freestanding or Monument Sign, in which case such signage would not be counted towards the business' allowable signage.

**GRADE.** Unless otherwise specified, the average of the highest and lowest elevations of the ground at the base of the Sign.

**GROSS FLOOR AREA.** The sum of the square footage of all the floors of a structure or building.

**HALO ILLUMINATION.** A form of internal Illumination where channel lettering is used and the light source is hidden behind and glows around the edges of letters or symbols giving the effect of a light halo.

**HEIGHT.** Unless otherwise specified, the vertical distance from the topmost part of the Sign cabinet or Copy (whichever is higher) to Grade.

**HISTORIC DISTRICT.** Any officially adopted and recognized Historic District located within the Town of Florence.

**HOLIDAY DECORATION.** Any display commonly associated with a nationally recognized holiday.

**HUMAN SIGN.** A Sign held by or attached to a human for the purposes of advertising or otherwise drawing attention to an individual, business, commodity, service or product. This can also include a person dressed in costume for the purpose of advertising or



drawing attention to an individual, business, commodity, service or product. May also be referred to as "Sign Walkers".

**ILLEGAL SIGN.** Any Sign or any type that was erected or put up after the effective date of the currently adopted Sign Code and does not comply with the Sign Code.

**ILLUMINATION.** Illumination refers to the type and location of the light source for the Sign: "All types" of Illumination means any form of light source including indirect, internal, exposed bulb including neon or other tubes of light.

**INFLATABLE SIGN.** A Sign consisting of balloons and/or inflatables made of plastic, rubber, metallic, cloth or other materials, regardless of the size, that is used for the purpose of attracting attention.

**INCIDENTAL SIGN.** A Sign posted on private property by the owner of the property that is generally informational, contains no Commercial Message, and has a purpose secondary to the use of the site on which it is located, such as traffic control Signs, parking or loading control Signs, Signs indicating the location of telephones or emergency equipment and other similar Signs. Official Signs are not incidental Signs.

**INDIRECT ILLUMINATION.** Illumination that is cast on a Sign from a source outside the Sign.

**INTERACTIVE SIGN.** A Digital Sign that changes the Sign message based on a passing vehicle or person. Radar speed Signs or other traffic control Signs are exempted from this definition.

**INTERNAL ILLUMINATION.** Illumination produced by a light source contained within a Sign and not directly visible from outside.

**LIQUID-CRYSTAL DISPLAY (LCD).** A low-power, flat-panel display used in many digital devices to display numbers or images. It is made of liquid containing crystals that are affected by electric current, sandwiched between filtering layers of glass or plastic. LCDs do not produce light of their own; instead, when electric current is passed through the material, the molecules of the "liquid crystal" twist so that they either reflect or transmit light from an external source.

**LIGHT-EMITTING DIODES (LED) LIGHTING.** A type of solid state lighting that utilizes light-emitting diodes (LED) as a source of Illumination rather than electrical filaments or gas. If the Sign is made up of matrix of bulbs or light source that individually light up to form images, it will be considered a Digital Sign.

**LED SIGN.** A Sign that is lit by use of light-emitting diodes (LED) lighting visible from the outside. If the Sign is made up of matrix of bulbs or light source that individually light up to form images, it will be considered a Digital Sign.

**LOT.** Lot is defined in Section 150.031 of the Development Code.

**LUMINANCE.** The physical measurement of brightness or illumination leaving a surface in a particular direction, or reflected off that surface, and can be thought as measuring the brightness of a surface as seen by the eye. It is measured in candelas per square meters ( $\text{cd/m}^2$ ) or nits (one nit = one  $\text{cd/m}^2$ ).

**MARQUEE.** Any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designated and constructed to provide protection from the weather. Marquee Signs located on private property shall not extend beyond the property line into adjacent lots and, except in the redevelopment area or with a right-of-way permit, shall not extend into the right-of-way.

**MODES OF OPERATION.** A term referring to the types of visual display, including:

**Dissolve.** Signs where static messages are changed by means of varying light intensity or pattern, where the first message gradually appears to dissolve and lose legibility simultaneous to the gradual appearance and legibility of subsequent message.

**Fade.** Signs where static messages are changed by means of varying light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.

**Flashing sign.** A Sign that uses blinking or intermittent illumination.

**Message sequencing.** Signs where a single thought, idea, concept, message or advertisement for a product or service that is divided into segments and presented over two or more successive display phases of a single dynamic Sign or across two or more individual dynamic Signs.

**Scrolling.** Signs where the message is changed by the apparent vertical movement of the letters or graphic element of the message.

**Static.** Signs that include no animation or effects simulating animation.

**Travel.** Signs where the message is changed by the apparent horizontal movement of the letters or graphic elements of the message.

**Video display.** Signs that change its message or background in a manner or method of display characterized by motion or pictorial imagery, which may or may not include text and depicts action or special effect to imitate movement, the presentation of pictorials or graphics displayed in a progression of frames which give the illusion of motion, including moving objects, moving patterns or bands of light or expanding or contracting shapes.

**MONUMENT SIGN.** A Sign that is attached directly to the ground or is supported by a Sign Structure that is placed on or anchored in the ground and is independent from any building or other structure. Within this Sign Code, all Monument Signs will be referred to as “Freestanding Signs”.

**MOVING SIGN.** A Sign where the Sign, Sign Structure, or any part of the Sign or Sign Structure physically moves or rotates by mechanical means. For example, a tri-vision Sign is a moving Sign. If the only moving part of a Sign is a clock, the Sign shall not be considered as a moving Sign.

**MURAL.** A painting or other work of art executed directly on a wall or the like that does not contain any Commercial Messages or images.

**NEIGHBORHOOD BULLETIN BOARD.** Any surface outside of a building provided specifically to allow the posting of neighborhood notices.

**NEON.** A type of Illumination that is produced by neon lights or by lamps containing similar gases such as helium, carbon dioxide, argon or krypton usually electrifying glass tubes or bulbs.

**NONCOMMERCIAL MESSAGE.** Any Sign Copy that is not a Commercial Message as defined above, and includes any definition of "noncommercial speech" by the Arizona Supreme Court, the United States District Court for the District of Arizona, the Ninth Circuit Court of Appeals, or the United States Supreme Court for purposes of interpreting the United States Constitution or Arizona constitution regarding freedom of expression or speech.

**NONCONFORMING SIGN.** Any Sign that was lawfully erected prior to the adoption of an ordinance codified in this Sign Code, or amendments thereto, which would not be permitted under the ordinance or amendment. This definition shall include Signs that were erected without a permit and which would require a permit under the current provisions of this Sign Code.

**OFFICIAL SIGN.** Any Sign owned by, or erected by or at the direction of the Town in furtherance of the official duties of the Town or another authorized governmental agency, including, but not limited to, traffic control Signs, Directional Signs, street identification Signs, warning Signs, parking control Signs, area identification Signs, and Signs prohibiting or controlling access to property.

**OFF-PREMISE ADVERTISING SIGN.** An outdoor advertising Sign that advertises an activity, service or product and that is located on premises other than the premises at which activity or service occurs or product is sold or manufactured.

**ON-PREMISE ADVERTISING SIGN.** An outdoor advertising Sign that advertises an activity, service or product and that is located on premises at which activity or service occurs or product is sold or manufactured. In the case of a shopping center or office

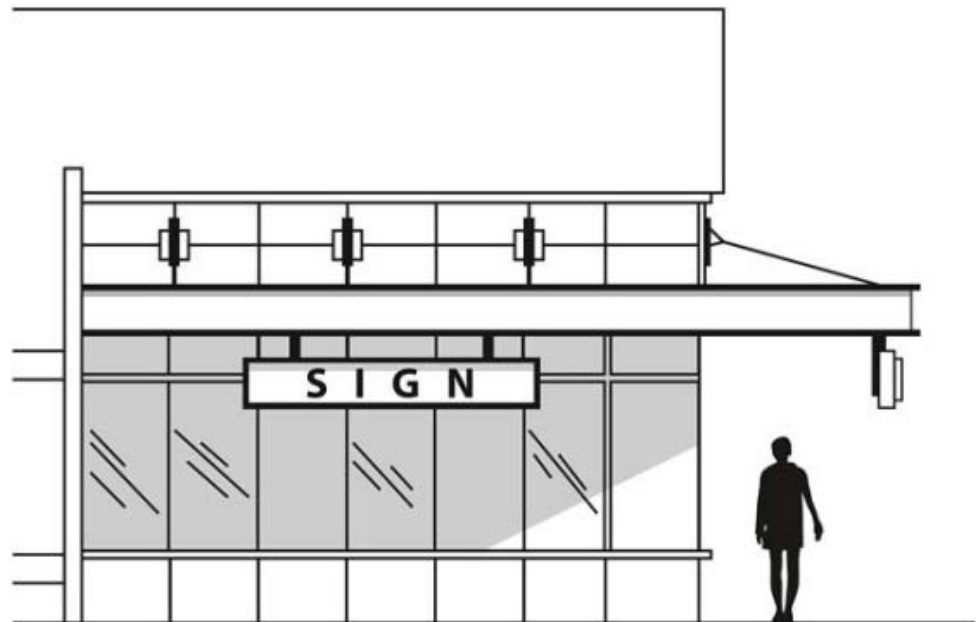
complex or similar arrangement of uses, this may also include a reasonably adjacent location within the same center or complex.

**PARCEL.** See “Lot”.

**PENNANT.** Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind.

**PORTABLE SIGN.** A movable Sign that is not permanently attached to a structure or the ground, and includes: A-frame, portable reader boards and similar Signs. This definition does not include any Signs on trailers, vehicles or Digital Signs.

**PROJECTING/SUSPENDED SIGN.** Any Sign affixed to a building or wall in such a manner that its face is not parallel to the wall. A Marquee is not considered a projecting Sign. Projecting Signs located on private property shall not extend beyond the property line into adjacent lots and, except in the redevelopment area or with a right-of-way permit, shall not extend into the right-of-way. Projecting/suspended Signs shall have an eight foot minimum clearance between the bottom of the Sign and the sidewalk, or finished grade where no sidewalk exists.



Projecting Sign Example

**PROMOTIONAL SIGNS.** Promotional Signs are classified as Temporary Signs that are used to promote a new business, special offers, sales, special events and similar occasions. All Promotional Signs are considered Temporary Signs, but not all Temporary Signs are Promotional Signs.

**PUBLIC TRANSPORTATION.** Any type of local or regional public transportation service that is run by the Town of Florence or a locally endorsed public transportation authority, e.g., Central Arizona Regional Transit.

**PYLON SIGN.** A Freestanding Sign in excess of ten feet in Height that is detached from a building and is supported by one or more structural elements which are architecturally similar to the design of the Sign. A pylon Sign is considered a 'Freestanding Sign.'

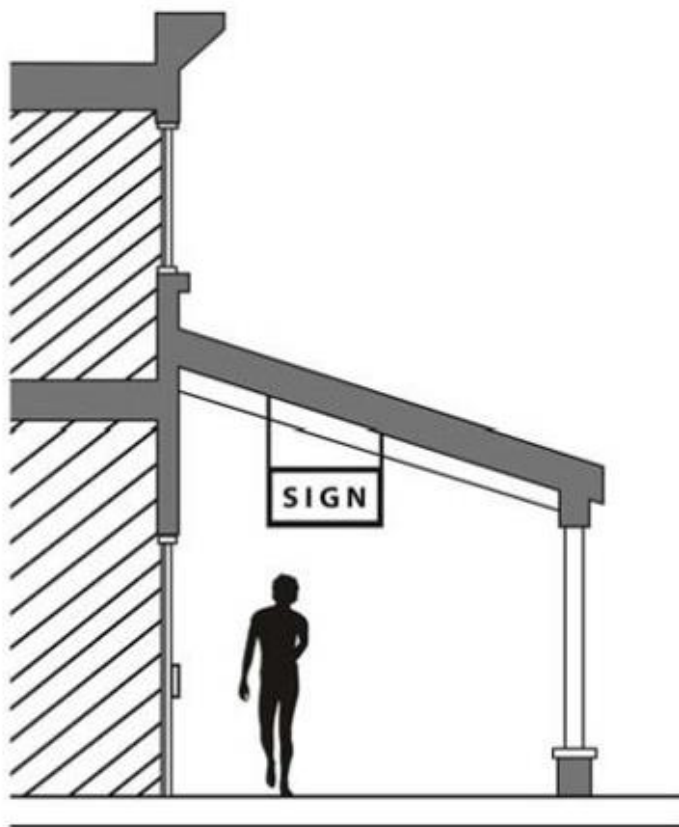
**RESIDENTIAL DISTRICTS.** For the purposes of the Sign Code, the following Zoning Districts shall be considered Residential Districts: RA-10, RA-4, R1-R, RRES, R1-18, R1-6, R-2 MFR, MHS and RV. PUD may be Employment/Commercial, Residential or Mixed Use District. The underlying land use shall define the type of District applicable.

**RESIDENTIAL SIGN.** A Sign located within a Residential District.

**ROOF.** A horizontal or sloping surface of a building which serves as a cover for the building or its entry, portico or other appurtenances. This definition shall include any part of a building which resembles a roof in form or function.

**ROOF SIGN.** A Sign painted on, supported by or attached to the roof or roof structure of a building. This definition shall not include a Sign attached flat against the wall of a penthouse; painted flat on the roof and only visible from the air; attached to a mansard roof or parapet as long as the Sign does not project above the roofline and there is no other viable location on the building.

**SHINGLE SIGN.** A Sign suspended from, and located entirely under a covered porch, covered walkway or an awning and is anchored or rigidly hung to prevent the Sign from swinging due to wind movement. Shingle Signs shall have an eight foot minimum clearance between the bottom of the Sign and the sidewalk, or finished grade where no sidewalk exists.



Shingle Sign Example

**SIGN.** Any visual communication, including appurtenances, which is used to attract the attention of the public, when the display is visible beyond the boundaries of the property.

**SIGN AREA.** The entire area within a continuous perimeter, enclosing the extreme limits of Sign display, including any frame or border. Curved, spherical or any other shaped Sign face shall be computed on the basis of actual surface area. The Copy of Signs composed of individual letters, numerals or other devices shall be the sum of the area of the smallest rectangle or other geometric figure encompassing all of the letters or devices.

**SIGN HEIGHT.** The Height of the Sign measured from the finished Grade located directly beneath the highest part of the Sign. Where an adjacent roadway sits notably higher than the adjacent Grade for the Sign location, the Height of the Sign may be measured from the elevation of the centerline of the nearest travel lane of the street or highway to which the Sign is oriented rather than from Grade.

**SIGN STRUCTURE.** A structure designed to support one or more Signs in place.

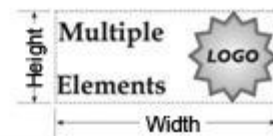
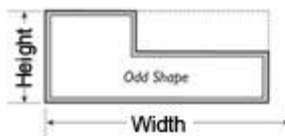
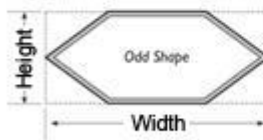
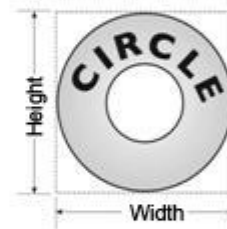
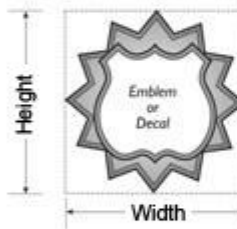
**SITE.** Site means (i) a lot or parcel owned by a person or entity, unless the lot or parcel is part of a combination or commercial center as defined herein; or (ii) a combination of lots or parcels that are contiguous, are owned in fee as a matter of record by the same person or entity, have the same zoning classification, and are designated by the owner to be a site for purposes of this Sign Code; (iii) a Commercial Center as defined above; or (iv) a Bus Stop if the property on which the Bus Stop is located is leased or licensed to the Town or locally endorsed regional transportation authority.

**SITE FRONTAGE.** The linear dimension of a site abutting on public or private street right-of-way.

**STACKED SIGN.** Two or more Signs affixed to the same Sign Structure that vary in Height from the ground.

**SUBDIVISION.** Subdivision is defined in Section 150.030 of the Development Code.

Sign Area = Width x Height



**SUSPENDED SIGN.** A Sign supported from, and below, a building soffit or permanent canopy. Also see "Projecting/Suspended Sign".

**TEMPORARY SIGN.** Any Sign that is used only temporarily, is located on-site or off-site of the business/entity being advertised and is not permanently mounted to a structure or ground.

**TIME AND TEMPERATURE SIGN.** A Sign or portion of a Sign which displays only the current time and/or temperature and carries no other Copy. A time and temperature Sign shall not be considered a flashing or animated Sign and shall not exceed fifteen square feet in Sign Area.

**TRI-VISION SIGN.** A Sign composed in whole or in part of a series of vertical or horizontal slats or cylinders that are capable of being rotated at intervals so that partial rotation of the group of slats or cylinders produces a different image and when properly functioning allows on a single Sign Structure the display at any given time one of two or more images.

**V-TYPE SIGN.** Two or three Signs in the shape of the letter "v" or of a triangle, when viewed from above, and supported by integral structures with their faces oriented in different directions.

**WALL SIGN.** A Sign that is attached parallel to, and within six inches of a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall or roof of any building or structure, which is supported by such wall or building, and which displays only one Sign surface. Included in this definition is a Sign attached to the wall of a penthouse or other vertical structure on the top of a roof.

**WINDOW SIGN.** Any Sign that is placed upon the exterior or interior window panes of glass and is visible from the exterior of the window. Does not include Signs that are not attached to the interior of the window and viewable from the outside of the window.

### **150.095 Exemptions**

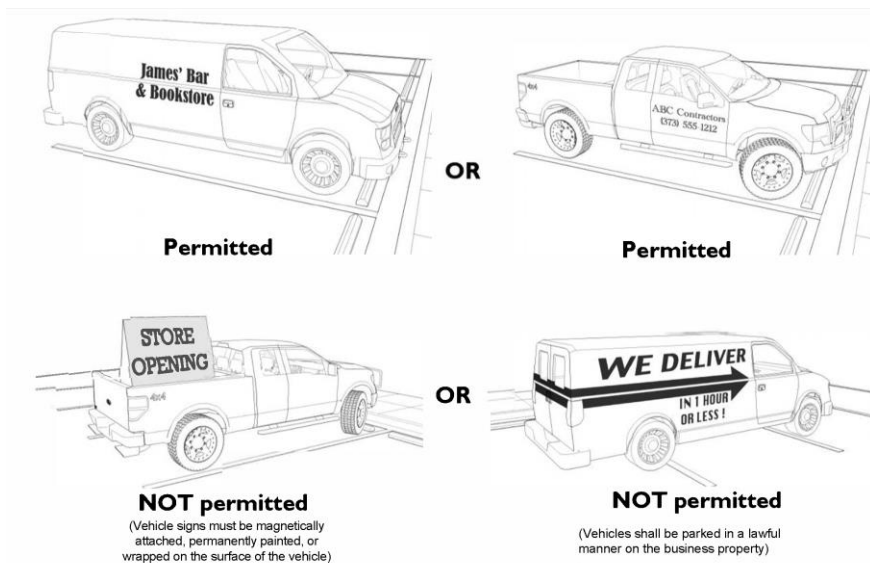
Unless specifically provided otherwise, the following types of Signs and displays are not subject to the provisions of this Sign Code and are not counted in any aggregate area or number of Sign computations:

- (A) Official Signs.
- (B) Holiday decorations that (i) do not include a Commercial Message and (ii) not installed earlier than 30 days before the holiday and (iii) are removed within 30 days after the holiday.
- (C) Incidental Signs whose size is not greater than the larger of (i) two square feet or (ii) as specified for the particular type of Sign in the most current Manual on Uniform Traffic Control devices published by the United States Department of Transportation.

- (D) Handicap parking Signs.
- (E) Signs posted on or near easements held by public utilities warning or informing the public about the easements or location of public utilities.
- (F) Building identification Signs.
- (G) Nameplates appearing on residences or mailboxes.
- (H) Civic displays.
- (I) The American Flag and the State of Arizona flags on ground mounted flagpoles not exceeding twenty feet in Height and displayed in compliance with Federal law.
- (J) Signs that are located within a building or structure and are not visible from a public street, sidewalk or alley.
- (K) Building Markers that do not exceed four square feet in size.
- (L) Any temporary on-site or off-site Signs not in excess of sixteen square feet in Sign Area and no more than four feet in Height that are used within 72 hours of the advertised special event, promotion or sale, including but not limited to realtor Signs, garage sale Signs, open house Signs and other similar Signs.
- (M) Signs or Copy permanently embroidered, screened, dyed, stenciled or painted into the fabric of umbrellas that are set up in sidewalk cafes.
- (N) Signs painted on or integral to vending machines, fuel dispensing pumps or fuel storage tanks.
- (O) Signs painted on the flat surface of the roof and only visible from the air.
- (P) Murals.
- (Q) Signs on public transportation or on/at Bus Stops.
- (R) Any Sign located in such a manner that the Sign is not readily visible, including any Sign Illumination, from any adjacent public right-of-way.
- (S) Gateway Signs.



- (T) Vehicle wraps or other painted or adhesive-type signage on vehicles that are properly registered, licensed and being operated in accordance with applicable Town of Florence regulations.



- (U) Human Signs.

- (V) All Signs that are specifically regulated by the United States of America and/or the State of Arizona, including but not limited to, political Signs.

### 150.096 Prohibited Commercial Signs

The following types of Signs are prohibited within the Town:

- (A) Signs not specifically permitted in or which violate any provision in this Sign Code.
- (B) Signs attached to (i) Official Signs and their Sign Structures, (ii) trees or poles or standards that are used for a purpose other than Sign Structures, or (iii) utility structures.
- (C) Roof Signs.
- (D) Fence Signs.
- (E) Any display or Sign that imitates or resembles an official traffic signal, Sign device or other official warning Signs.
- (F) Interactive Signs.
- (G) Inflatable Signs, unless permitted in conjunction with a temporary use or special event.
- (H) Signs on cellular towers, water towers or other equipment except for standard and customary manufacturer logos, unless otherwise permitted in the Development Code.

### **150.097 Prohibited Sign Locations**

- (A) General. Notwithstanding any provision in or right established in this Sign Code, no Sign shall be permitted in any of the following locations.
  - (1) Drains, ditches, flood channels. Except for Official Signs, no Sign shall be placed in any ditch, storm drain facility or flood channel, except for Signs displayed by a utility regarding any easements or dangers that lie within the drain, ditch or flood channel.
  - (2) Signs in the public right-of-way or on public property, except as follows:
    - (a) Official Signs.
    - (b) Building Markers and address Signs.
    - (c) Cafe umbrella Signs.
    - (d) Bus Stop Signs.
    - (e) Signs expressly permitted by the Federal Government and/or the Government of Arizona.
    - (f) Any Signs expressly allowed by this Sign Code.


### **150.098 Standards, Limitation and Requirements for All Signs**

- (A) No Sign shall be placed on any lot without the written permission of the owner of the lot.
- (B) No Sign may resemble, simulate or conflict with the proper functioning of any Official Sign, or use yellow or red blinking or intermittent lights resembling danger or warning signals.
- (C) Signs that produce odor, sound, smoke, flame or other emissions are prohibited.
- (D) No obstruction or interference. No Sign shall:
  - (1) Obstruct or impair access to a public sidewalk, public or private street or driveway, traffic control Sign, Bus Stop, fire hydrant, or any other type of street furniture;
  - (2) Block the light and ventilation of any residence on any adjoining property which is zoned for residential use; or
  - (3) Mislead or confuse users of the roadway.

- (E) Stacked Signs are allowed if (i) the other requirements of this Sign Code are satisfied (ii) the Sign is integrated with the structure, and (iii) all Signs on the same structure are similar in shape and material with one another, except for channel lettering.
- (F) All Signs shall comply with applicable provisions of all codes adopted by the Town of Florence.
- (G) Except as otherwise indicated by this Sign Code, all Signs shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame or structure.
- (H) All Signs and Sign Structures shall be maintained in good, safe, structural condition and repair. All Signs and display surfaces shall be neat in appearance, and neatly painted or posted, and not ripped, tattered or faded. Premises immediately surrounding Freestanding Signs shall be kept clean and free of rubbish, weeds and debris.
- (I) All Signs shall be professionally constructed and installed.
- (J) All non-exempt Signs are subject to Design Review approval.
- (K) Historic District. Signs within the Historic District shall conform to the Town of Florence Historic District Guidelines, except as allowed by the Historic District Advisory Commission.
- (L) Under no scenarios shall the Town of Florence have content-based Sign regulations via this Sign Code, the Design Review process or other administrative processes. Any provision of this code that imposes a limitation on freedom of speech shall be construed in a manner that is viewpoint neutral.
  - (1) Notwithstanding anything in this code to the contrary, no Sign or Sign Structure shall be subject to any limitation based upon the viewpoint of the message contained on such Sign or displayed on such Sign Structure.
  - (2) Notwithstanding anything in this code to the contrary, it is the policy of the Town to regulate Signs in a manner that does not favor commercial speech over noncommercial speech and does not regulate protected noncommercial speech by message content.
  - (3) Within this code, any distinction between onsite Signs and offsite Signs applies only to Commercial Messages. It does not apply to Noncommercial Messages.
- (M) Illumination standards.


- (1) Direction of light. The light source for all Indirect Illumination Signs shall be effectively shielded to prevent beams or rays from being directed at any roadway or abutting property.
  - (2) Intensity. The intensity and brilliance of light shall not be so great as to interfere with the effectiveness of any Official Sign, or impair the vision of or distract any person on any roadway.
  - (3) Prohibited light sources. No Sign shall use a beacon, strobe light, racing/traveling or an exposed individual light source (excluding LED and neon) which exceeds seventy five watts.
  - (4) Digital Signs. See subsection 150.099(D)(10) for special standards.
- (N) Signs not included in computations. If the following types of Signs comply with all other requirements of this Sign Code, they need not be included in any allowance computations for Sign Area or number of Signs:
- (1) Building identification Signs.
  - (2) Building markers.
  - (3) Incidental Signs.
  - (4) Directional Signs.
  - (5) Internally located Directory Signs.
  - (6) Signs expressly permitted by the Federal Government and/or the Government of Arizona.
  - (7) Certain Window Signs as provided in the Sign Code.
  - (8) Signs exempted under Section 150.095 of the Sign Code.
  - (9) Murals.
  - (10) As specifically provided in other provisions in the Sign Code.
- (O) Computation of Sign Area of individual Signs. The allowable Sign Area shall apply to the maximum geometric area of all Sign faces. The area of a Sign comprised of individual letters or elements attached to a building wall, which are without an integrated background and are not enclosed in a frame or cabinet, the area of the letter can be calculated as long as the distance between the letters and/or elements is less than the largest dimension of the largest Sign letter. If such a display consists of more than one line or component, the area of each line or component may be

calculated separately. Where a display is enclosed in a frame or cabinet, or has an integrated background, the entire area within the frame, cabinet or background must be included in the calculation.

- (P) Computation of Sign Area of multi-faced Signs. The Sign Area for a Sign with more than one face shall be computed by adding together the area of all Sign faces visible from any one point. When two Sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when such Sign faces are part of the same Sign Structure and are not more than 25 degrees apart, the Sign Area shall be computed by the measurement of one of the faces. For Sign faces greater than 25 degrees apart, the Sign Area is computed to include both faces.
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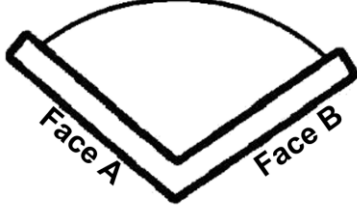
**Total Sign Area = A**

$\leq 25^\circ$



**Total Sign Area = A + B**

$> 25^\circ$



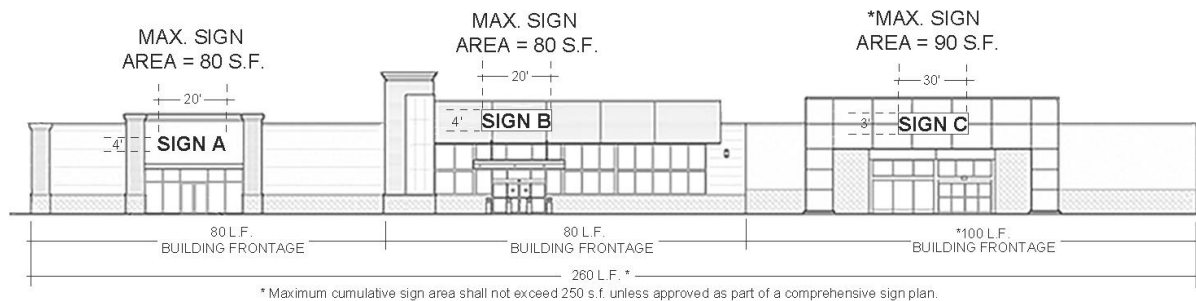
**Total Sign Area = A + B**

- (Q) Computation of number of Signs. All Signs contained within a single frame, structure, cabinet or integrated background shall be counted as one Sign. If a display is not so contained, a single message or business name shall be counted as one Sign. A business name combined with a brief slogan may be counted as one Sign if the elements are visually integrated.
- (R) A comprehensive sign plan (refer to §150.101) may establish unique regulatory requirements for a project.

### **150.099 Signs for Employment/Commercial and Mixed Use Districts**

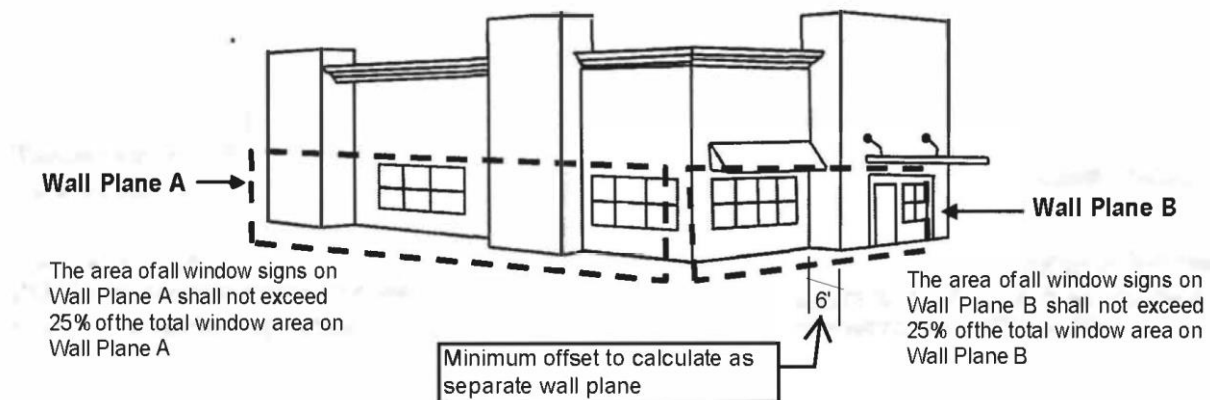
- (A) Except as otherwise provided in this Sign Code, it shall be unlawful to construct or maintain a Sign in an Employment/Commercial and Mixed Use district in violation of the specifications and requirements of this Sign Code.
- (B) Wall Signs.

- (1) The maximum cumulative Sign Area of Wall Signs shall be calculated at one square foot of Sign Area per linear foot of Building Frontage. A minimum cumulative Sign Area of 16 square foot shall be permitted in the event a Building Frontage is less than 16 feet. A maximum cumulative Sign Area of 250 square feet shall not be exceeded.



- (2) Marquee, Blade, Shingle, Canopy, Projecting and other related types of signage shall be considered wall signage and will be counted in the cumulative allowable square footage.
- (3) Each drive through restaurant lane may be permitted one preview menu board and one ordering menu board. These Signs may be freestanding (refer to subsection D for Freestanding Sign requirements) or wall mounted and shall be located a minimum of 25 feet from the street property line and the board(s) shall be screened and oriented in a manner as to not be visible from the adjacent public streets. Call box speakers shall be directed away from adjacent residential zoned land and residences. The maximum aggregate Sign Area for both Signs (per lane) shall not exceed 50 square feet or a maximum Height of eight feet per Sign. These Signs shall not be included in calculating the total aggregate Sign Area for signage allowed on a parcel, lot or for a particular business.
- (4) Wall signage may be located on any building elevation.
- (5) Wall signage shall not extend horizontally a distance greater than 80 percent of the width of the building wall on which it is displayed.
- (6) Wall Signs shall not extend above or beyond the wall or roof line.
- (7) Wall Signs may be internally or externally illuminated provided such Illumination meets the requirements of the Sign Code and the Town's Development Code.
- (8) Wall Signs shall not be digital.

- (C) Window Signs. The total Sign Area of all Window Signs for a business shall not exceed 25 percent of the total area of all windows located on the same wall plane for that business in the building. Wall planes with an offset or break in the wall plane in excess of six (6) feet shall be considered separate wall planes. Window Signs shall include any advertisement display visible from the exterior of the building and located within six (6) feet of the window through which the advertisement is visible. Permits are not required for any Window Signs, and Window Signs are not governed by or counted against Sign Area or number limitations. Window Signs must, however, conform to other standards, requirements and limitations in this Sign Code.

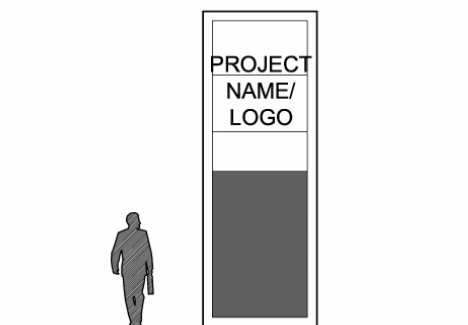


(D) Freestanding Signs.

- (1) Up to one Freestanding Sign is allowed for each building frontage. No business shall have more than two Freestanding Signs, except as allowed by an approved comprehensive sign plan (refer to §150.101). Freestanding Signs may be Monument Signs or Pylon Signs finished in a manner that architecturally integrates the sign with the architectural theme of the site.

(2) Sign Height:

- (a) The maximum Height of any Freestanding Sign shall not exceed 15 feet for any property with Building Frontage along State Highway 287, State Highway 79, excluding 79B, or Hunt Highway. The maximum Height of any Freestanding Sign shall not exceed 10 feet for any property with building frontage along a current or planned collector or arterial roadway, except as noted in the preceding sentence. In all other



cases, the maximum Height of any Freestanding Sign shall not exceed eight feet.

- (b) The width of the Sign base shall not be greater than 10 feet.
- (c) The architectural elements of the Sign are included in the Height calculation.

(3) Sign Area:

- (a) The maximum Sign Area of a Freestanding Sign shall be: up to 32 square feet for a Sign that is eight feet or less in Height; up to 40 square feet for a Sign over eight feet in Height, but under 10 feet in Height; and up to 55 square feet for a Sign over 10 feet in Height and up to 15 feet in Height.
  - (b) The architectural elements of the Sign are excluded from the Sign Area calculation, but not the maximum Height restrictions.
- (4) Each drive through restaurant lane may be permitted one preview menu board and one ordering menu board. These Signs may be freestanding or wall (refer to subsection C for wall Sign requirements) mounted and shall be located a minimum of 25 feet from the street property line and the board(s) shall be screened and oriented in a manner as to not be visible from the adjacent public streets. Call box speakers shall be directed away from adjacent residential zoned land and residences. The maximum aggregate area for both Signs (per lane) shall not exceed 50 square feet or a maximum Height of eight feet per Sign. These Signs shall not be included in calculating the total aggregate area for signage allowed on a parcel, lot or for a particular business.
  - (5) Freestanding Signs shall maintain a distance of at least 200 linear feet apart on the same parcel or at least 50 linear feet on different parcels. In the event the minimum spacing distances are found to be unachievable through the Site Plan and Design Review process, a lesser dimension may be approved.
  - (6) All Freestanding Signs and Sign Structures must contain similar architectural elements and materials visually compatible with related buildings on the site. All supports used as a part of Freestanding Sign Structures shall be covered/wrapped and architecturally integrated with the structure.
  - (7) Freestanding Signs must be located at least five feet from all property lines, easements and/or rights-of-way, except where such placement may be allowed with a Right-of-Way Permit.



- (8) Freestanding Signs must not be located within any sight distance or sight triangle areas defined by the Town of Florence.
- (9) Freestanding Signs may be internally or externally illuminated provided such Illumination meets the requirements of the Sign Code and the Town's Development Code.
- (10) In addition to all of the other limitations, standards and requirements for Freestanding Signs, if one or more of the permitted Freestanding Signs is proposed to be digital, they shall be subject to the following limitations, standards and requirements:
  - (a) Digital Signs shall be prohibited in the Historic District.
  - (b) One Digital Sign per Site and such Sign shall be considered as one of the allowed Freestanding Signs and be subject to all of the requirements for Freestanding Signs, as well as the requirements set forth in this Section.
  - (c) The use of fade, dissolve, travel, message sequencing or scrolling is prohibited for Signs over 32 square feet.
  - (d) The use of video display, flashing or blinking is prohibited for any Digital Sign.
  - (e) Digital Signs must contain a minimum constant display of no less than eight seconds. Maximum time allowed for messages to change is one second.
  - (f) Digital displays shall not operate at brightness levels of more than 0.3 foot candles above ambient light, as measured using a foot-candle meter at a pre-set distance depending on Sign Area. The pre-set distances to measure the foot-candles shall be calculated by the square root of the Sign Area times one hundred. Example using a 12 square-foot Sign: Measurement Distance =  $\sqrt{(12 \times 100)} = 34.6$  feet. The measurement distance can be rounded to the nearest whole number.
  - (g) Digital Signs shall be sited in a manner that the intensity or brilliance does not interfere with the effectiveness of an official traffic Sign, device or signal.
  - (h) The Digital Sign shall include photo-sensors to provide automatic intensity adjustment based on ambient lighting conditions.
  - (i) Signs with a digital component shall consist of one unit.

- (j) Digital Signs shall maintain a distance of at least 200 linear feet apart on the same parcel or at least 50 linear feet on different parcels. In the event the minimum spacing distances are found to be unachievable through the Site Plan and Design Review process, a lesser dimension may be approved.
- (k) The closest distance separation from any property zoned for single-family residential uses shall be a minimum of 300 feet.

(E) Temporary Signs.

(1) *Banners, pennants and displays for grand openings and special events.*

- (a) All businesses shall be permitted to display grand opening Signs at the time of original opening or when reopened by a new owner or lessee for a maximum period of 30 days.
- (b) Banners, pennants and other displays for special events may be allowed for a maximum period of 30 consecutive days on each occasion, with the exception of grand opening or reopening Signs. A minimum of 30 consecutive days shall pass between each special event banner, pennants or related display.
- (c) No pennant, banner or display shall be placed on or above the roof of any building.
- (d) For special events and promotions, the maximum banner size shall be 48 square feet, and shall be limited to one per street frontage of the business.
- (e) For grand openings, the maximum banner size shall be 48 square feet, and shall be limited to one per street frontage of the business.
- (f) Banners and pennants shall be displayed on the building or within the parking area, perimeter landscape or some other on-site area.
- (g) No banner or pennant Sign shall be located in a manner that impedes visibility or accessibility.

(2) A-Frame Signs

- (a) An A-Frame Sign shall be no greater than three feet in width and four feet in Height.
- (b) A-Frame Signs shall be limited to one per street frontage of the business.

- (c) A-Frame Signs may only be displayed during the posted hours the business is open to conduct business.

- (d) A-Frame Signs must include the name of the business being advertised.

- (e) A-Frame Signs shall be located at Grade level.

- (f) A-Frame Signs must be located on the property of the business being advertised, or on the immediately adjacent right-of-way. Signs placed along the immediately adjacent right-of-way shall be a minimum of three (3) feet behind curb or edge of pavement and not located on a sidewalk. In no event shall two A-Frame Signs be located closer than ten (10) feet to one another. Sight visibility triangles shall remain clear of all signage.



- (g) A-Frame Signs shall not be located in parking aisles or parking stalls, in raised or painted medians; where they may present a hazard or impede pedestrian traffic; in driving lanes; or on fences, boulders, planters, on other Signs, on vehicles, on utility facilities or any structure.

- (h) A-Frame Signs shall be professionally constructed and maintained in a manner free from chipping paint, cracks, gouges, and/or loss of letters.

- (i) A-Frame Signs shall not include any form of Illumination, animation, reflective materials or sound emitting devices.

(3) Construction or Development Signs.

- (a) One Sign may be posted on the lot or parcel where the construction or repair will be conducted. The Sign Area shall be a maximum of 32 square feet and a maximum Height of eight feet above finished grade.
- (b) Signs shall be allowed from three months preceding physical site construction or development to one month after the completion of construction or issuance of a Certificate of Occupancy, whichever occurs first.

### **150.100 Signs for Residential Districts**

- (A) Except as otherwise provided in this Sign Code, it shall be unlawful to construct or maintain a Sign in a residential district in violation of the specifications and requirements of this Sign Code.
- (B) Wall Signs.
  - (1) Wall Signs shall only be placed upon community buildings within residential subdivisions unless required by law.
  - (2) The maximum cumulative Sign Area of Wall Signs shall be calculated at one square foot of Sign Area per linear foot of Building Frontage. A minimum cumulative Sign Area of six square feet shall be permitted. A maximum cumulative Sign Area of 16 square feet shall not be exceeded.
  - (3) Marquee, Blade, Shingle, Canopy, Projecting and other related types of signage shall be prohibited.
  - (4) Wall signage may be located on a building elevation that faces a current or planned right-of-way.
  - (5) Wall Signs shall not extend horizontally a distance greater than 80 percent of the width of the building wall on which it is displayed.
  - (6) Wall Signs shall not extend above or beyond the wall or roof line.
  - (7) Wall Signs may be internally or externally illuminated provided such Illumination meets the requirements of the Sign Code and the Town's Development Code.
  - (8) Wall Signs shall not be digital.
- (C) Freestanding or Monument Signs.

- (1) One on-site Freestanding or Monument Sign is allowed per Arterial roadway frontage (Collector Roadway frontage when Arterial Roadway frontage does not exist). Freestanding or Monument Signs shall be located adjacent to the subdivision entrance(s).
- (2) Sign Height:
  - (a) The maximum Height of any Freestanding Sign shall not exceed eight feet in Height for any property.
  - (b) The width of the Sign base shall not be greater than ten feet.
  - (c) The architectural elements of the Sign are included in the Height calculation.
- (3) Sign Area:
  - (a) The maximum area of a Freestanding Sign shall be 32 square feet.
  - (b) The architectural elements of the Sign are excluded from the Sign Area calculation.
- (4) Freestanding Signs shall maintain a distance of at least 200 linear feet apart on the same parcel or at least 50 linear feet on different parcels.
- (5) All Freestanding Signs and Sign Structures must contain similar architectural elements and materials visually compatible with related buildings on the site. All supports used as a part of Freestanding or Monument Sign Structures shall be covered/wrapped and architecturally integrated with the structure.
- (6) Freestanding Signs must be located at least five feet from all property lines, easements and/or rights-of-way, except where such placement may be allowed with a Right-of-Way Permit. Additional clearance from other structures and utilities may be required.
- (7) Freestanding Signs must not be located within any sight distance or sight triangle areas defined by the Town of Florence.
- (8) Freestanding Signs may be internally or externally illuminated provided such Illumination meets the requirements of the Sign Code and the Town's Development Code.
- (9) Freestanding Digital Signs.

- a. Freestanding Digital Signs are only permitted in the MFR, MHS and RV Residential Zoning Districts.
  - b. Should one or more of the permitted Freestanding Signs be digital, freestanding Digital Signs shall also be in compliance with the Digital Sign requirements provided for Employment/Commercial and Mixed Use Zoning Districts.
- (D) Window Signs with Commercial Messages are prohibited in Residential Zoning Districts.
- (E) Temporary Signs for Subdivisions.
  - (1) During the construction phase, each subdivision may have one on-site Sign located at the subdivision advertising the subdivision. The Sign shall have a maximum Sign Area of 96 square feet and may be single or double faced with a maximum Height of 10 feet and boxed edges. The Sign shall not be located within 100 feet of any property line of an existing residence. The Sign must be removed when 95 percent of the lots within the subdivision are sold and/or the on-site sales office(s) closes.
  - (2) Subdivision identification flags may be placed on or behind the property line of the subdivision. No more than twelve flags may be placed at any one subdivision. The flags shall have a maximum area of 12 square feet and may not be maintained higher than 25 feet above the adjoining ground. The flags must be removed when 95 percent of the lots in the subdivision are sold and/or the on-site sales office closes.
  - (3) Additional on-site subdivision advertising and Directional Signs may be permitted if approved in a comprehensive sign plan (refer to §150.101) or by a Development Agreement.
- (F) Construction or Development Signs.
  - (1) One Sign may be posted on the lot or parcel where the construction or repair will be conducted. The Sign Area shall have a maximum of 32 square feet and a maximum Height of eight feet.
  - (2) Signs shall be allowed from three months preceding physical site construction or development to one month after the completion of construction or issuance of a Certificate of Occupancy, whichever occurs first.

#### **150.101 Comprehensive Sign Plan Required**

- (A) Prior to issuance of Sign permits for any business or occupancy in a development, a comprehensive sign plan detailing the size, type, location, and color of all signage

within the development shall be submitted to the Town in conjunction with the Design Review process and adhere to the same review and approval procedures set forth in §150.013 of this Code, as applicable. An approved comprehensive sign plan shall be required for the following types of uses:

- (1) Three or more businesses on a single parcel of land
  - (2) Three or more businesses in a single cohesive development
  - (3) Commercial, Office, Institutional, or Multiple-family developments of 15 acres or more
  - (4) PUD's
  - (5) Single-family Residential subdivisions of 160 acres or more
  - (6) As otherwise prescribed in this Development Code
- (B) A comprehensive sign plan application shall be made in writing on forms provided by the Town.
- (C) A comprehensive sign plan that proposes a deviation from any of the requirements provided in this subsection shall be reviewed and approved by the Planning and Zoning Commission.
- (D) Amendments to an approved comprehensive sign plan shall be reviewed and approved in the same manner as the original approval.

#### **150.102 Submittal and Permit Requirements**

- (A) Sign permit approval is required for constructing or altering any non-exempt Sign.
- (B) A Sign permit application shall be made in writing on forms provided by the Town.
- (C) Before issuing any Sign permit required by this Sign Code, the Town shall collect a fee in accordance with an adopted Schedule of Fees. If work, for which a permit is required by this Development Code, is started before a permit has been issued, the fees specified above shall be doubled. The payment of the double fee shall not relieve any persons from complying fully with the requirements of this Sign Code in the execution of the work or from any penalties prescribed herein.
- (D) All Signs for which a permit is required shall be subject to inspections during various stages of construction as prescribed by the Town.

#### **150.103 Exceptions; Permits Not Required**

Sign permits are not required for the following Signs provided that the Signs are subject to all other provisions of this Sign Code (Note: This does not exempt any applicable permits for electrical work.):

- (A) Standard Sign maintenance;
- (B) Change of Sign Copy within an identical Sign frame;
- (C) Adhesive or painted Signs on windows;
- (D) Signs allowed only by the authority of the Federal Government, the State of Arizona or another political subdivision, but otherwise not permitted by this Sign Code;
- (E) Vehicle wraps or other painted or adhesive-type signage on vehicles;
- (F) Signs required for the posting of neighborhood meetings or public hearings related to Town of Florence applications; or
- (G) Promotional and Temporary Signs allowed by this Sign Code, except as otherwise noted.

#### **150.104 Legal Nonconforming Signs**

- (A) Legal Nonconforming Signs shall mean a Sign that is lawfully existing at the time of the enactment of this Development Code that does not conform to the regulations as specified in this Sign Code.
- (B) A legal Nonconforming Sign may continue to be utilized in perpetuity only in the manner and to the extent that it existed at the time of the adoption of this Sign Code or any amendment thereto.
- (C) A legal Nonconforming Sign may not be altered in any manner not in conformance with this Sign Code. This does not apply to reasonable repair and maintenance of the Sign or to a change of Copy provided that by changing the Copy, structural alterations are not required.
- (D) Any construction permit that invokes certificate of occupancy requirements shall specify and require that any Nonconforming Sign located within the boundaries of the development site and within the limits of the applicant's control, shall be brought into conformance with the provisions of this Sign Code. This may include removal if the Sign is now classified as a prohibited Sign.
- (E) Legal Nonconforming Signs located on a parcel of property that is severed from a larger parcel of property and acquired by a public entity for public use by condemnation, purchase or dedication may be relocated on the remaining parcel. Said relocation shall not extinguish the legal nonconforming status of that Sign provided that the Nonconforming Sign:
  - (1) Is not increased in area or Height to exceed the limits of the district in which it is located;



- (2) Remains structurally unchanged except for reasonable repairs or alterations;
  - (3) Is placed in the most similar position on the remaining property that it occupied prior to the relocation; and
  - (4) Is relocated in a manner so as to comply with all applicable safety requirements.
- (F) After relocation pursuant to this division, the legal Nonconforming Sign shall be subject to all provisions of this Sign Code in its new location.

#### **150.105 Signs Rendered Nonconforming**

- (A) Except as provided in this Sign Code, a Nonconforming Sign may continue in the manner and to the extent that it existed at the time of the ordinance adoption, amendment or annexation which rendered the Sign nonconforming. This Sign Code shall not prohibit reasonable repairs and alterations to Nonconforming Signs.
- (B) A Sign approved by variance or comprehensive sign plan before the effective date of this Sign Code, shall not be considered nonconforming and shall not be subject to the regulations set forth in this Sign Code.
- (C) A Nonconforming Sign shall not be re-erected, relocated or replaced unless it is brought into compliance with the requirements of this Sign Code.
- (D) If the structure of a Nonconforming Sign is changed, the Height and Sign Area shall not be increased to exceed the Height and Sign Area limits of the site on which it is located. If the Sign exceeds the site's Height and/or area limitations, the excess Height and/or Sign Area shall be reduced a minimum of 50%. Two reductions shall be permitted; after the third structural change, the Sign shall conform to current standards. Nothing in this Sign Code shall require a Nonconforming Sign to be reduced to a Height or Sign Area less than that allowed on the site.
- (E) If a Nonconforming Sign is located on a parcel that is experiencing development for which site plan and/or Design Review is required, the Height and Sign Area of the Sign shall not be increased to exceed the Height and Sign Area limitations of the site. If the Sign exceeds the site's Height and/or Sign Area limitations, the excess Height and/or Sign Area shall be reduced to a minimum of 50 percent. Two reductions shall be permitted; after the third structural change, the Sign shall conform to current standards. Nothing in this Sign Code shall require a Nonconforming Sign to be reduced to a Height or Sign Area less than that allowed on the site.

- (F) Site plan and/or Design Review required by one of the following types of development shall not cause reduction in a Sign's nonconforming Height and/or Sign Area:
- (1) An addition of less than 2,000 square feet when the addition is less than 50 percent of the size of the usable space of the site which is the subject of Design Review. A series of additions, which total more than 50 percent of the usable space of the site, shall require reduction of non-conformities. Usable space shall not include areas such as restrooms and storage rooms.
  - (2) An addition of more than 2,000 square feet when the addition is less than 10 percent of the size of the usable space of the site which is the subject of Design Review. A series of additions, which total more than 10 percent of the usable space of the site, shall require reduction of non-conformities. Usable space shall not include areas such as restrooms and storage rooms.
  - (3) A modification required by federal, state or local regulations or programs.

#### **150.106 Abandoned Signs**

- (A) Criteria for establishing abandonment. A Sign or Sign Structure shall be considered abandoned when any of the following occurs:
- (1) Any business advertised thereon is no longer in business and has not been in business anywhere within the Town for more than six months;
  - (2) Any product or service advertised thereon is no longer offered and has not been offered for the past six months;
  - (3) The structure no longer supports a Sign for a period of six months;
  - (4) The Sign, structure or advertising display is visibly damaged or partially missing; and/or
  - (5) Internal or halo Illumination is partially or wholly burned out or inoperative.
- (B) Removal of abandoned Signs. Any Sign or Sign Structure that has been abandoned shall be removed or restored to use within 30 days after a notice of abandonment is issued to the owner of the site. Notice shall be given by the Community Development Director using certified mail. The Community Development Director may allow an abandoned Sign or Sign Structure to remain in place provided that the Sign or Sign Structure is maintained in good condition, and that there is a reasonable possibility that the Sign will be restored to use within a one-year period.

- (C) Historic Signs. Abandoned Signs that are deemed by the Community Development Director to be historically significant may be permitted to remain for a specified duration, provided such Signs do not present any safety considerations.
- (D) Variances and minor deviations. Variances and deviations from the provisions of this Section may not be granted.

#### **150.107 Unsafe Signs**

If the Community Development Director, or designee, determines any Sign or Sign Structure to be in an unsafe condition, he or she shall immediately notify, in writing, the owner of the Sign who shall correct the condition within 48 hours. If the correction has not been made within 48 hours, the Community Development Director shall cause the Sign to be removed if it creates a danger to the public safety or have any necessary repairs or maintenance performed at the expense of the Sign owner, owner or lessee of the property upon which the Sign is located. The cost shall be an assessment against the property which may be recorded by the Town pursuant to A.R.S. § 9-499.

#### **150.108 Enforcement and Penalties**

- (A) To the extent not inconsistent with this Sign Code, the provisions of §150.999 shall apply to enforcement of this Sign Code.
- (B) Illegal Signs may be removed by Town officials.

#### **150.109 to 150.130 Reserved**