

**AGENDA FOR WORK
SESSION**



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SESSION**

NOTICE OF PUBLIC MEETING AND EXECUTIVE SESSION
PINAL COUNTY PLANNING AND ZONING COMMISSION
SUMMARY FOR AGENDA FOR MEETING
Thursday, May 30, 2024

9:00 AM - CALL TO ORDER

PINAL COUNTY ADMINISTRATIVE COMPLEX
EMERGENCY OPERATIONS CENTER
301 E. 11TH STREET
FLORENCE, AZ 85132

Action means discussion/recommendation for approval or denial to the Board of Supervisors on the following Planning Cases. (Numbers are shown for administrative convenience only. All interested persons should be aware that the cases may be heard in an order different than that shown on the agenda.)

A work session is not a public hearing. For matters that are not listed as "public hearings" the public may attend and listen to the proceedings, but may only address the Commission with its permission.

(1) REGULAR ITEMS

A. **CALL TO ORDER AND ROLL CALL OF COMMISSION MEMBERS:**

- () **RIGGINS, Chairman**
- () **MENNENGA, Vice-Chairman**
- () **DEL COTTO, Member**
- () **HARTMAN, Member**
- () **KELLER, Member**
- () **KLOB, Member**
- () **LIZARRAGA, Member**
- () **SCHNEPF, Member**
- () **DAVILA, Member**
- () **MOONEY, Member**

B. **DISCUSSION ITEMS**

- 1. DIRECTOR REPORT
- 2. UPDATES
- 3. PARKING LOT ITEM FOLLOW UP

Brent Billingsley

(2) WORK SESSION: ZONING CODE UPDATE

- A. **2.195. - OUTDOOR LIGHTING**
- B. **2.180. - DARK SKY**
- C. **2.145. - SIGNS**

- D. **2.150.200.** - GROUP HOMES
- E. **2.150.240.** - ACCESSORY DWELLING UNIT
- F. SHORT TERM RENTALS
- G. **2.150.210.** - BED AND BREAKFAST

ADJOURNMENT

Support documents for the above-listed matters are available at the Pinal County Community Development Office for the public inspection at least 48 hours prior to the meeting at the Pinal County Community Development Department, Pinal County Complex, 85 N. Florence Street, Florence, Arizona, Monday through Thursday between the hours of 7:00 a.m. and 5:30 p.m.

NOTE: One or more members of the Board may participate in this meeting by telephonic conference call.

The Board may go into Executive Session for the purpose of obtaining legal advice from the County's Attorney(s) on any of the above agenda items pursuant to A.R.S. 38-431.03(A)(3).

In accordance with the requirement of Title II of the Americans with Disabilities Act (ADA), the Pinal County Board of Adjustment and Appeals does not discriminate against qualified individuals with disabilities admission to public meetings. If you need accommodation for a meeting, please contact the Community Development Department at (520) 866-6442, at least (5) five business days prior to the meeting (not including weekends or holidays) so that your request may be accommodated.

Posted this 23rd day of May 2024 around 9am /s/ Todd Williams.



PINAL COUNTY

WIDE OPEN OPPORTUNITY

AGENDA ITEM

May 30, 2024 ADMINISTRATION BUILDING A
FLORENCE, ARIZONA

REQUESTED BY: Brent Billingsley

Funds #:

Dept. #:

Dept. Name:

Director:

BRIEF DESCRIPTION OF AGENDA ITEM AND REQUESTED BOARD ACTION:

DISCUSSION ITEMS

1. DIRECTOR REPORT
2. UPDATES
3. PARKING LOT ITEM FOLLOW UP

BRIEF DESCRIPTION OF THE FISCAL CONSIDERATIONS AND/OR EXPECTED FISCAL IMPACT OF THIS AGENDA ITEM:

BRIEF DESCRIPTION OF THE EXPECTED PERFORMANCE IMPACT OF THIS AGENDA ITEM:

MOTION:

| History | Who | Approval |
|---------|-----|----------|
| Time | | |

| ATTACHMENTS: |
|--|
| Click to download |
| <input type="checkbox"/> Parking_Lot |

Animal Keeping-

- **Novelty Animals- Small Livestock Title 4 (pet stand point), breeders?**
- **Having definitions on the individual sections versus a section dedicated to definitions**
- **Bee Keeping D. 3. Concerns on the 5 acres or more (no restriction on number of hives)- location of the hives in relation to neighborhoods**

Farm Winery, Craft Distillery and Microbrewery and Tasting Rooms-

- **Adding a reference to the state law for personal production**

Wireless Communication Facilities-

- **Small cell facilities- create a definition**
- **Define what alternative screening would be (provide options or define requirements)**

Recreational Vehicles-

- **Add a reference to using an RV while your primary dwelling is being built (TUP section)**
- **Modular, mobile, and park models as accessory dwelling units- reference ADU section**
- **Add a reference that the RV's have to be licensed, registered, and owned by the property owner**
- **Definitions of vehicles and licensing- reference**
- **2.185.060- B. addition of a requirement that RV's cannot not be stored/occupied in the front yard on small or larger residential lots (</> 35,000 square feet)**
- **Provide a limit on the number of RV's that can be stored on lots above 35,000 sq ft**
- **Modify the portion where the draft does not allow someone to receive a variance for any portion of this section**
- **Addition of a screening requirement for storage (section A-4)**
- **Setback requirements of A.4 (Limits architectural designs) are provided at 5 and 7 feet. What if the RV is located inside a building or shed?**

Hillside Development-

- **1. Change test boring to geotechnical testing**
- **1. D Maximum slope percentage for the driveway**
- **Addition of height requirements as being an average using "plane that parallels slope"**

Septic Tanks-

- ***Addition of clarification on alternate septic systems (reference to AAC)***

Adult Orientated Business-

- ***Insure consistency of Section A in 2.190.010 with the rest of the sections in our code***
- ***Commercial aspects of adult media creation in personal home***



PINAL COUNTY

WIDE OPEN OPPORTUNITY

AGENDA ITEM

May 30, 2024 ADMINISTRATION BUILDING A
FLORENCE, ARIZONA

REQUESTED BY:

Funds #:

Dept. #:

Dept. Name:

Director:

BRIEF DESCRIPTION OF AGENDA ITEM AND REQUESTED BOARD ACTION:

2.195. - OUTDOOR LIGHTING

BRIEF DESCRIPTION OF THE FISCAL CONSIDERATIONS AND/OR EXPECTED FISCAL IMPACT OF THIS AGENDA ITEM:

BRIEF DESCRIPTION OF THE EXPECTED PERFORMANCE IMPACT OF THIS AGENDA ITEM:

MOTION:

| History | Who | Approval |
|---------|-----|----------|
| Time | | |

| |
|---|
| ATTACHMENTS: |
| Click to download |
| <input type="checkbox"/> Outdoor Lighting |

Pinal County Development Services Code:

Outdoor Lighting

CHAPTER 2.195. OUTDOOR LIGHTING

2.195.010. Administration.

- A. *Purpose.* The purpose of this chapter is to establish comprehensive provisions for outdoor lighting within Pinal County. This document intends to achieve a balance between safety and aesthetics, to encourage designs that provide for the proper quality and quantity of nighttime illumination, while managing energy consumption, and minimizing light trespass and negative impacts on the surrounding areas and our night sky. Proper exterior lighting design creates lighting systems that are sensitive to the surrounding areas by confining the illumination as much as possible within the boundaries of the project site. It also provides appropriate quantities and uniformity of both horizontal and vertical illumination on the site while minimizing energy usage. This will involve the use of not only the appropriate fixtures and light sources, but also proper placement and operating schedules. Pinal County recognizes the intent of the International Dark-Sky Association, the Recommended Practices and Design Guidelines put forth by the Illuminating Engineering Society of North America (IESNA), and the requirements and limitations of the International Energy Conservation Code (IECC), and has used these as guiding principles in the development of this chapter. More information can be acquired by obtaining copies of the most recent IESNA and IECC publications.
- B. *Applicability.* This ~~C~~chapter applies to all new and replacement lighting to be installed at all residential and nonresidential facilities/sites, or the existing lighting at a facility/site that is undergoing a change in use. In the event that a lighting renovation affects more than 50 percent of the facility/site lighting, then the entire facility/site shall be brought into compliance with this ~~C~~chapter. Single-family residences, attached and detached, are subject to PCDSC 2.195.0540(L) ~~and PCDSC 2.195.070~~ through 2.195.09110 only. In the event an attached or detached single-family dwelling family is on the same parcel as a multifamily commercial or industrial use, the requirements for the multifamily commercial or industrial use shall apply. ~~All residential properties with nonconforming outdoor lighting, legal or otherwise, shall be brought into compliance with this chapter by not later than December 31, 2031.~~
- C. *Conformance with applicable law.* All outdoor illuminating devices shall be installed in conformance with the provisions of this chapter, Pinal County subdivision regulations, and any building, zoning or energy codes now in effect or which may hereafter be enacted, as applicable. Where any provisions of any of the Arizona Revised Statutes, federal law, or other Pinal County ordinances or regulations conflict with the requirements of this chapter, the most restrictive shall govern.
- D. *Approved material and methods of installation.* The provisions of this chapter are not intended to prevent the use of any material or method of installation not specifically prescribed by this chapter, provided any such alternate has been approved. The ~~planning director~~Community Development Director may approve any such alternate, provided he or she finds that the proposed design, material or method:
1. Provides approximate equivalence to those specific requirements of this ~~C~~chapter; or
 2. Is ~~consistent otherwise satisfactory and complies~~ with the intent of this ~~C~~chapter.
- E. *Use of new technology.* As new lighting technology develops which is useful in reducing energy consumption, light pollution, and light trespass, consideration shall be given to use of state of the art technology in keeping with the intent of this chapter.

F. *Lumen requirement.* In certain sections of this chapter a lumen requirement is followed by incandescent equivalent in parenthesis. This is for an example only. The lumen requirement shall apply. Additionally, certain types of illumination is measured in nits, in which case the measurement should be converted to lumens.

(Ord. No. PZ-C-003-09 , § 1)

2.195.020. Definitions.

The following words, terms and phrases when used in this chapter shall have the meanings ascribed to them below, except when the context clearly indicates a different meaning:

~~*Abandonment* means the discontinuation of use for a period of one year or more.~~

Areas, equestrian/~~roping~~, means an improved area, generally fenced, of at least 30 feet in width or length within which equestrian activities involving horse riding or driving occurs that are noncommercial in nature and do not include seating.

Arenas, equestrian/~~roping~~, means a commercially utilized structure or area, sometimes with tiers of seating rising around an improved area, of at least 30 feet in width or length within which equestrian activities involving horse riding or driving occurs.

Bollard, louvered, means a ground-mounted luminaire that is usually 36 inches to 48 inches in height, is generally used for the lighting of paths and building entries, and possesses a stacked set of external angled visors/louvers that minimize direct view of the light source. In order to qualify as a louvered bollard under this chapter, the stacked visors must be positioned/angled in such a fashion as to prevent any direct view of the light source from viewing angles of 90 degrees and above.

Fascia means the vertical element found around the perimeter of a canopy structure.

Footcandle (FC or VFC) means a unit of the illumination being produced on a surface, and defined as one lumen per square foot of area illuminated. Footcandle or FC is a general term for all types of illumination, while vertical footcandles (VFC) refers only to illumination being produced on a vertical surface (facade of a building) or passing over a property line (spill light/light trespass).

~~*General illumination* means outdoor lighting used for, but not limited to, illumination for walkways, roadways, equipment yards, parking lots, and outdoor security where safety or security of the grounds is the primary concern.~~

~~*Glare* means the sensation produced by a bright light source within the visual field that is sufficiently brighter than the level to which the eyes are adjusted, causing discomfort and/or loss in visual performance or visibility.~~

House-side shield (HSS) means a visor or louver that is internal or external to a luminaire, that physically blocks and thereby reduces the amount of illuminance being produced to the rear of the luminaire (usually toward residential properties).

Illuminance means the amount of light falling onto a surface area, measured in footcandles (lumens per square foot) or lux (lumens per square meter). For conversion purposes, one footcandle (FC) is equal to 10.76 lux (lx).

Illuminating Engineering Society of North America (IESNA) means the nonprofit society established in 1906 whose goal is to improve the lighted environment by bringing together those with lighting knowledge and by translating that knowledge into actions that benefit the public. The IESNA is the primary source of lighting recommended practices in North America.

~~*Individual* means any private individual, tenant, lessee, owner or any commercial entity including but not limited to companies, partnerships, joint ventures or corporations.~~

(Supp. No 3)

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~~Installed means the attaching or assembling in place of any luminaire.~~

Kelvin means the temperature scale utilized in illumination science to describe the hue/color of the light. A lower value such as 2,700 Kelvin is associated with a "warm" colored light source such as LED or incandescent, while a higher value such as 4,000 Kelvin is associated with a "cool" colored light source such as metal halide.

Lamp, coated, is the correct term for a light source, such as incandescent-LED or metal halide lamps. "Coated" lamps have an outer coating that minimizes direct view of the arc tube.

Lighting power density (LPD) means the watts of exterior lighting per square foot of area (watts/ft²) for the different sections of the project site (parking lot, walkways, building entries, etc.). This is the metric established by the International Energy Conservation Code (IECC), and will therefore be utilized as one of the factors for determining conformance with the IECC and this chapter.


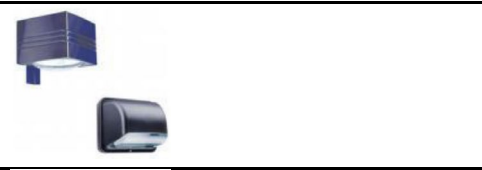

Light trespass/spill light means unwanted light that falls outside of the area intended to be lighted. This chapter places limits on the amount of illumination, in footcandles, that shall be allowed to cross a residential property line.


Lumen means the unit used to measure the total amount of light that is produced by a light source/lamp. All light sources reduce in lumen output the longer that they are operated. "Initial lumens" is a term defined as the amount of light output from a lamp when it is new. "Mean lumens" is a term defined as the average lumen output of a lamp over its life, and is the lumen value utilized in the proper design of lighting systems. A lumen is a unit of standard measurement used to describe how much light is contained in a certain area. One lumen is defined as the luminous flux of light produced by a light source that emits one candela of luminous intensity over a solid angle of one steradian.

Lumen density (LD) means the initial lumens of the lamps/light sources utilized by the exterior lighting per square foot of area (lumens/ft²) for the project site. This metric is another factor that will be utilized for determining compliance with this chapter.

Luminaire means a complete lighting unit/fixture, including the lamp, ballast, wiring, housing, reflector, lens, and any shielding.

Luminaire cutoff is a term established by the IESNA that is associated with four different general classifications of luminaires, each with a different amount of allowed high-angle and upward light: non-cutoff, semi-cutoff, cutoff and full-cutoff. Full-cutoff luminaires, which minimize high-angle light and allow no light above the horizontal, shall be required for most uses. Semi-cutoff and cutoff luminaires, which allow for up to five percent and 2.5 percent uplight respectively, shall be allowed for low-wattage decorative/accent lighting for some uses in lighting zones 2 and 3.

| | |
|---|---|
|  | Examples of full-cutoff pole-mounted and building-mounted luminaires. The lamp is completely recessed into the luminaire, and the lens is flat. No light is produced above the horizontal. |
|  | Examples of cutoff pole-mounted and building-mounted luminaires. The lamp is completely recessed into the luminaire, but the lens sags/curves downward. Up to 2.5% of the light is produced above the horizontal. |
|  | Examples of semi-cutoff pole-mounted and building-mounted luminaires. The lamp visibly protrudes downward into a sag/curved lens. Up to 5.0% of the light is produced above the horizontal. |

| | |
|---|--|
|  | <p>Examples of non-cutoff pole-mounted and building-mounted luminaires (which are not allowed under this chapter). The lamp is substantially exposed. Little or no attempt is made to control the light produced above the horizontal.</p> |
|---|--|

Luminaire, fully shielded, means a fully shielded fixture that is shielded in such a manner that light rays emitted by the fixture, either directly from the lamp or indirectly from the fixture, are projected below a horizontal plane running through the lowest point on the fixture where light is emitted.

Luminaire, partially shielded, means a partially shielded fixture that is shielded in such a manner that the bottom edge of the shield is below the plane of the center line of the lamp reducing light above the horizontal.

Outdoor lighting means any lighting not within a completely enclosed building.

Outdoor luminaires/light fixtures means outdoor electric illuminating devices, fixtures, lamps and other devices, searchlights, spotlights or floodlights, permanently installed or portable, used for illumination, emergency, security or commercial purposes. Such devices shall include, but are not limited to, lights for:

- A. Parking lots;
- B. Roadways;
- C. Driveways;
- D. Buildings and structures;
- E. Recreational areas and facilities;
- F. Landscaping decorative effects;
- G. ~~Billboards and signs, on- and off-site premises~~-(advertising and other);
- H. Product display areas;
- I. Gas station lighting; and
- J. Automotive dealership lighting.

~~*Outdoor recreational facility* means an area designed for active recreation, whether publicly or privately owned, including but not limited to: parks, sports fields, sport courts, golf courses, and roping/equestrian arenas.~~

~~*Residential lighting* refers to outdoor lighting for single or multiple household dwellings.~~

Security lighting refers to luminaires that operate dusk-to-dawn in order to provide for protection of property and safety for individuals. They shall conform to all sections of this chapter, and shall generate less than 50 percent of the lighting power density or lumen density utilized by the facility/site during normal business hours.

~~*Skyglow* means the brightening of the sky caused by outdoor lighting, atmospheric factors, and celestial factors. Excessive skyglow interferes with astronomical observations and the enjoyment of the night sky, and this chapter includes several requirements and limitations that help to minimize skyglow.~~

Uplighting means any light source that does not have an opaque covering on top.

~~*Use, nonresidential*, means the use of land for a purpose other than single family dwelling units or multiple household dwellings. This definition includes parks with residential zoning.~~

Watt means the unit used to measure the electrical power consumption (not the light output) of a light source/lamp.

2.195.030 Established Lighting Zones.

2.195.030. General requirements.

- A. *Lighting zones.* In order to be more responsive to the special needs of different portions of the county, a system of ~~three-four~~ different "lighting zones" has been established based upon the current and/or planned uses and ambient brightness of the area. Each "lighting zone" will have different development requirements and lighting restrictions.
- ~~1.~~ *Lighting Zone 0.* Very low ambient light areas, found in ~~zoning district~~Zoning Districts RU-10, RU-5, RU-3.3, RU-2, RU-1.25, and RU-43. Outdoor lighting in this lighting zone shall not exceed 25 percent of the maximum lighting power density (LPD) limits established in the currently adopted version of the International Energy Conservation Code (IECC), or a lumen density (LD) of four ~~(4)~~ lumens per square foot, whichever is less.
 - ~~12.~~ *Lighting zone 1.* Low ambient light areas, found in ~~zoning district~~Zoning Districts: CAR, CR-1, CR-1A, CR-2, CR-3, GR, GR-5, GR-10, SH, SR, MH, RU-10, RU-5, ~~RU 3.3, RU 2, RU 1.25~~, RU-C, ~~R-43~~, R-35, R-20, R-12, R-9, R-7 and MH-8. Outdoor lighting in this lighting zone shall not exceed 50 percent of the maximum lighting power density (LPD) limits established in the currently adopted version of the International Energy Conservation Code (IECC), or a lumen density (LD) of nine ~~(9)~~ lumens per square foot, whichever is less.
 - ~~23.~~ *Lighting zone 2.* Medium ambient light areas, found in ~~zoning district~~Zoning Districts CB-1, CR-4, CR-5, MHP, PM/RVP, RV, TR, MD, MR, O-1, O-2, C-1, MHP-435, PM/RV-435. Outdoor lighting in this lighting zone shall not exceed 75 percent of the maximum lighting power density (LPD) limits established in the currently adopted version of the International Energy Conservation Code (IECC), or a lumen density (LD) of ~~fourteen~~ (14) lumens per square foot, whichever is less.
 - ~~34.~~ *Lighting zone 3.* High ambient light areas, found in ~~zoning district~~Zoning Districts: CB-2, CI-1, CI-2, CI-B, AC-1, AC-2, AC-3, C-2, C-3, I-1, I-2, I-3. Outdoor lighting in this lighting zone shall not exceed 100 percent of the maximum lighting power density (LPD) limits established in the currently adopted version of the International Energy Conservation Code (IECC), or a lumen density (LD) of ~~nineteen~~ (19) lumens per square foot, whichever is less.
- B. ~~Note: Additional Lighting zone 3 requirement.~~ In the event that a new lighting zone 3 site, or an existing lighting zone 3 site that is undergoing a renovation (as per PCDC 2.195.010(B)), is to be located within 150 feet of an existing ~~site in~~ lighting zones ~~0 or 1-site~~, then the lighting zone 3 site shall be considered a lighting zone 2 site for the purpose of conformance to this chapter.

2.195.035. General requirements.

- ~~BA.~~ *Operating Hours.* Every project in all lighting zones shall reduce the amount of outdoor lighting to security lighting only after 10:00 p.m. or within one (1) hour after close of business, ~~whichever is later~~, except as permitted in PCDC 2.195.030. All nonsecurity lighting (except for the illumination of roadways and state and federal flags) shall be turned off by 10:00 p.m. or within one (1) hour after close of business, ~~whichever is later~~. A nighttime reduction of LPD shall be at least 75 percent of IECC limit after 11 P.M. All non-full cutoff luminaires in lighting zones ~~0, 1, and 2~~ shall be included in the fixtures being turned off. ~~Operating hours.~~ Every project in all lighting zones shall be encouraged to reduce as much as possible the amount of outdoor lighting that operates after 10:00 p.m., except as permitted in PCDC 2.195.040. All nonsecurity lighting (except for the illumination of roadways and state and federal flags) shall be turned off by 10:00 p.m. or within one hour after close of business, ~~whichever is later~~. A nighttime reduction of at least 50 percent in

overall LD or LPD is required. All non-full cutoff luminaires in lighting zones 1 and 2 shall be included in the fixtures being turned off.

1. Non-full-cutoff and non-fully shielded ~~incandescent~~ luminaires of greater than **2,250 lumens** (150 watts ~~incandescent~~), and all other luminaire types of greater than **1,050 lumens** (70 watts ~~incandescent~~), that were installed prior to the adoption of this chapter are considered to be nonconforming, and shall possess an automatic control device that turns the luminaires off between midnight and sunrise.
2. In addition to turning off these nonconforming luminaires, multifamily housing is only required to reduce **at least 50 percent of IECC limit after 10 P.M** the lighting located at common areas such as clubhouses, pool areas and playgrounds.

CB. *Light sources and fixture shielding.*

1. New mercury vapor light sources shall not be allowed. ~~Existing installations must be removed or replaced with a conforming light source and luminaire by no later than January 1, 2011.~~
2. Searchlights and strobe/flashing lights are not allowed in any lighting zone without a separate permit as required in PCDSC 2.195.090**110**, and the duration of the allowed use may be limited by the County via condition of approval of the permit~~planning staff.~~
3. Lasers, exposed neon, and other intense linear light sources are not allowed in lighting zones **0 or 1**, but are allowed in lighting zones 2 and 3 and subject to approval and stipulations by planning staff during the review process. Lasers must be aimed at-or-below the horizontal plane and terminated on an opaque surface within the site.
4. All site perimeter luminaires located within 50 feet of a single-family residential property line, excluding bollards or other luminaires of less than six feet in height, shall possess house-side shielding (HSS) ~~consistent with the intent of this Chapter to the satisfaction of planning staff.~~ House-side shielding may be re-evaluated within 60 days of certificate of occupancy or final inspection for non-residential uses when such uses are constructed following the single-family residential development. All such luminaires that will also be operating after 10:00 p.m. shall possess external house-side shielding.
5. The total amount of outdoor lighting that is not full-cutoff, including uplighting, shall not exceed five percent of the outdoor lighting LPD or LD, whichever is less. Uplighting that is covered by solid roof or solid building overhang will not be subject to this chapter if it is:
 - a. Permanently set at 90 degrees; and
 - b. Is pulled back from any edge of the solid roof or solid building overhang ~~by so that the~~ distance ~~equal to of~~ the ~~height of distance between~~ the top of the uplight (~~XY~~) at its installed orientation and the distance between the outside edge of the uplight and the outside edge of the solid roof or solid building overhang (~~YX~~) are equal.

2.195.040 General regulations by lighting zone.

A. Lighting Zone 0

1. Pole- or wall-mounted luminaires shall be full-cutoff luminaires only. Bollards shall be full-cutoff, or louvered with coated lamps. (See PCDSC 2.195.020, "Bollard, louvered"). All light sources shall have a maintained color temperature of less than or equal to 2,500 degrees Kelvin.
 - a. Wall-mounted luminaires of greater than 400 initial lumens shall possess a bottom-diffusing lens or an internal house-side shield (HSS), consistent with the intent of this Chapter, in order to minimize the illuminance "hot spot" on the wall. Up-lighting luminaires shall not exceed 400 initial lumens each.

2. Luminaires located at or within 30 feet of a residential property line shall not exceed eight feet in height. All others shall not exceed 10 feet in height, and the pole color shall be dark and nonreflective (such as dark bronze or black).
3. The maximum initial vertical illuminance at any calculation point shall not exceed 0.20 foot-candles or 0.10 foot-candles after 10:00 p.m. or during security lighting-only operating mode for permitted non-residential uses (in compliance with 2.195.035(A) of this Chapter).

A.B. Lighting zone 1:

- 1.a. Pole- or wall-mounted luminaires shall be full-cutoff luminaires only. Bollards shall be full-cutoff, or louvered with coated lamps. ~~(See PCDSC 2.195.020, "Bollard, louvered")~~. All light sources shall have a maintained color temperature of less than or equal to 3,000 degrees Kelvin.
 - a.b. Wall-mounted luminaires of greater than 800 initial lumens shall possess a bottom-diffusing lens or an internal house-side shield (HSS), consistent with the intent of this Chapter to the satisfaction of planning staff, in order to minimize the illuminance "hot spot" on the wall. Uplighting luminaires shall not exceed 800 initial lumens each.
2. Luminaires located at or within 30 feet of a residential property line shall not exceed eight feet in height. All others shall not exceed 15 feet in height, and the pole color shall be dark and nonreflective (such as dark bronze or black).
3. The maximum initial vertical illuminance at any calculation point shall not exceed 0.30 foot-candles during normal business evening hours, and 0.10 foot-candles after the facility enters security lighting-only operating mode (in compliance with 2.195.035(A) of this Chapter).

C7. Lighting zone 2:

- 1.a. Pole- or wall-mounted luminaires of less than or equal to 1,800 initial lumens may be ~~semi-cutoff,~~ cutoff, or full-cutoff. All other pole or wall-mounted luminaires shall be full-cutoff. Bollards shall be full-cutoff, or louvered with coated lamps, or of a type where the lamp is recessed and not directly visible.
 - a.b. Wall-mounted full-cutoff luminaires of greater than 3,500 initial lumens shall possess a bottom-diffusing lens or an internal house-side shield consistent with the intent of this Chapter to the satisfaction of planning staff. Uplighting luminaires shall not exceed 1,200 initial lumens each.
2. Luminaires located at or within 30 feet of a residential property line shall not exceed eight feet in height. Luminaires located greater than 30 feet and less than or equal to 150 feet from a residential property line, and not blocked from direct view by a structure, shall not exceed 15 feet in height. All others shall not exceed 25 feet. Pole color shall be dark and nonreflective (such as dark bronze or black).
3. The maximum initial vertical illuminance at any calculation point shall not exceed 0.80 foot-candles during normal business evening hours, and 0.30 foot-candles after the facility enters security-lighting-only operating mode.

D8. Lighting zone 3:

- a1. Pole- or wall-mounted luminaires of less than or equal to 3,500 initial lumens may be semi-cutoff, cutoff, or full-cutoff. All other pole or wall-mounted luminaires shall be full-cutoff. Bollards shall be full-cutoff, or louvered with coated lamps, or of a type where the lamp is shielded and not directly visible.
 - a.b. Wall-mounted fixtures of greater than 6,500 initial lumens shall possess a bottom-diffusing lens or an internal house-side shield consistent with the intent of this Chapter to the satisfaction of planning staff. Uplighting fixtures shall not exceed 1,200 initial lumens each.

2. Luminaires located at or within 30 feet of a residential property line shall not exceed eight feet in height. Luminaires located greater than 30 feet and less than or equal to 150 feet from a residential property line, and not blocked from direct view by a structure, shall not exceed 15 feet in height. All others shall not exceed 30 feet in height. Pole color shall be approved by planning staff.

3. The maximum initial vertical illuminance at any calculation point shall not exceed 1.50 foot-candles during normal business evening hours, and 0.80 foot-candles after the facility enters security-lighting-only operating mode.

D. Luminaire mounting height and equipment finish. The mounting height of a luminaire is to be measured from finished grade to the fixture lens or luminous opening. The exposed portion of concrete pole bases shall be finished in a fashion other than exposed concrete (brushed finish, painted, etc.). No portion of any luminaire that is attached to a wall that is common with another property shall be allowed to protrude above the top of the wall. In lighting zones 1 and 2, bollards shall not be more than 48 inches in height.

1. Lighting zone 1. Luminaires located at or within 30 feet of a residential property line shall not exceed eight feet in height. All others shall not exceed 15 feet in height, and the pole color shall be dark and nonreflective (such as dark bronze or black).

2. Lighting zone 2. Luminaires located at or within 30 feet of a residential property line shall not exceed eight feet in height. Luminaires located greater than 30 feet and less than or equal to 150 feet from a residential property line, and not blocked from direct view by a structure, shall not exceed 15 feet in height. All others shall not exceed 25 feet. Pole color shall be dark and nonreflective (such as dark bronze or black).

3. Lighting zone 3. Luminaires located at or within 30 feet of a residential property line shall not exceed eight feet in height. Luminaires located greater than 30 feet and less than or equal to 150 feet from a residential property line, and not blocked from direct view by a structure, shall not exceed 15 feet in height. All others shall not exceed 30 feet in height. Pole color shall be approved by planning staff.

E. Perimeter (spill light) illuminance levels. This chapter establishes limits for the amount of light trespass/spill light that is allowed to cross a project site's property line when there is a residential property line located within 150 feet of any of the project site's property line. These limits are based upon initial maximum vertical illuminance values along the appropriate property lines, calculated at no more than ten-foot horizontal increments, and at an elevation of six feet above finished grade. The calculated observation point shall be oriented perpendicular into the project site, and angled at 90 degrees above nadir (perfectly horizontal). The light loss factor (LLF) utilized for the calculations shall be 1.00. The following limits shall not be applied to the permanently exempted uses, or the specific uses in this chapter where alternate spill light limits are expressly defined.

1. Lighting zone 1. The maximum initial vertical illuminance at any calculation point shall not exceed 0.30 footcandles during normal business evening hours, and 0.10 footcandles after the facility enters security lighting-only operating mode (in compliance with subsection (B) of this section).

2. Lighting zone 2. The maximum initial vertical illuminance at any calculation point shall not exceed 0.80 footcandles during normal business evening hours, and 0.30 footcandles after the facility enters security-lighting-only operating mode.

3. Lighting zone 3. The maximum initial vertical illuminance at any calculation point shall not exceed 1.50 footcandles during normal business evening hours, and 0.80 footcandles after the facility enters security-lighting-only operating mode.

2.195.0540. Specific uses Lighting by use.

A. Parking canopies. All light fixtures shall be full-cutoff, or the fixtures shall be located and all sides of the canopy fascia extended so that no portion of the lamp or lens is visible from beyond any of the property lines. Light fixtures in multifamily housing shall be located at no less than every other parking space, and shall

utilize polycarbonate lenses and tamper-proof hardware. This illumination and associated wattage shall be included in the outdoor lighting submittal, and shall not exceed an LPD of 1.08 watts/ft².

B. *Multilevel parking structures.*

1. *Lighting zones 0, 1 and 2.* Interior fixtures and rooftop fixtures shall be full-cutoff. The interior fixtures shall be attached to the ceiling or mounted no lower than the bottom of the support beams. Rooftop fixtures shall be set back a minimum of 25 feet from the perimeter, and shall not exceed 14 feet in height.
2. *Lighting zone 3.* Interior fixtures visible from any residential property shall be full-cutoff. All others may be semi-cutoff or cutoff, but shall possess diffusing lenses or shielding so the lamp is not directly visible from off site. Roof fixtures shall be full-cutoff, set back a minimum of 25 feet from the edge, and shall not exceed 16 feet in height.

C. *Gas stations/convenience stores.* Fuel canopy luminaires shall be recessed into the canopy ceiling, with a lens that is flat and flush to the ceiling (the fixture access door can protrude below the ceiling). Metal halide canopy lighting is allowed in all lighting zones. In the event that the canopy is located within 150 feet of a property line that is zoned as residential, the canopy fascia shall be extended to a minimum depth of 12 inches below the canopy ceiling. Exposed light sources (such as neon or fluorescent) on the canopy are not allowed. Areas of fascia that are internally illuminated are not allowed in lighting zones 0, 1, and 2. This does not include any internally or back-lighted signage, which shall continue to be regulated by the county's sign ordinance. The amount of spill light shall not exceed two times the limits in the provisions for the four (4) individual lighting zones in PCDSC 2.195.0340(A-DE); except when adjacent to residential or rural zoned properties, then the standard spill light requirements shall apply.

D. *Drive-throughs.* All fixtures are to be full-cutoff and either recessed into the canopy ceiling, or mounted so that the lowest portion of the fixture is higher than the bottom edge of the canopy fascia. All nonsecurity lighting is to be turned off by 10:00 p.m. or within one hour after close of business, whichever is later.

E. *Banks/ATMs.* All fixtures for the ATM or teller areas shall be full-cutoff. The fixtures at drive-up canopies shall either be recessed into the canopy ceiling, or mounted so that the lowest portion of the fixture is higher than the bottom edge of the canopy fascia.

F. *Religious facilities.* Metal halide and other light sources with color temperatures cooler than 3,000 Kelvin are not allowed in lighting zones 0, 1, and 2, and for all facilities in lighting zone 3 that are at or within 300 feet of a residential property line. All nonsecurity lighting shall be turned off within two hours after the completion of the last service/event. Any fixtures located within 30 feet of a residential property line shall be included in those being turned off. In the event that the parking lot is sized for peak usage (holidays, etc.), control of the lighting is to be divided into "tiers," so that the parking lot lighting in the peak-usage areas only operates during those peak times of the year. Uplighting for the illumination of steeples or other towers for religious facilities are not subject to the provisions of this chapter.

G. *Automotive dealerships.* A minimum of 50 percent of the outdoor illumination shall be turned off within one hour after the close of business. All non-full-cutoff fixtures shall be automatically turned off at this time. All perimeter fixtures shall possess house-side shields. Under-canopy lighting shall be full-cutoff, or the canopy fascia shall be extended on all sides so that is lower than any portion of the fixture lens. This use is subject to all other applicable sections in this chapter except for the vertical footcandle (VFC) limits in the provisions for the four (4) individual lighting zones in PCDSC 2.195.0430(EA-D).

H. *Equestrian arenas.* All new luminaires mounted at a height of 40 feet or less shall be full-cutoff, and others mounted higher than 40 feet may be sports-style floodlights with exceptional internal and external partial shielding, consistent with the intent of this Chapter to the satisfaction of planning staff. All luminaires are to be located, aimed, and/or externally partially shielded so that none of the light sources are directly visible at

any of the property lines. All arena lighting shall be turned off when not in use, and all non-arena lighting shall be reduced at nighttime as per PCDCS 2.195.03~~50~~(A~~B~~) when not in use.

1. Lighting Zone 0. Equestrian arenas located within 150 feet of a residential property line, then the calculated spill light at the property line facing the residential property shall not exceed 0.80 initial vertical foot-candles at any point, or 2.00 initial vertical foot-candles at any point along the other property lines.

~~2.~~ *Lighting zone 1.* If the arena is located within 150 feet of a residential property line, then the calculated spill light at the property line facing the residential property shall not exceed 0.80 initial vertical footcandles at any point, or 2.00 initial vertical footcandles at any point along the other property lines.

~~3.~~ *Lighting zone 2.* If the arena is located within 150 feet of a residential property line, the calculated spill light shall not exceed 1.00 initial vertical footcandles (VFC) at any point, or 2.50 initial VFC at any point along the other property lines.

~~4.~~ *Lighting zone 3.* If the arena is located within 150 feet of a residential property line, the calculated spill light shall not exceed 1.50 initial vertical footcandles (VFC) at any point, or 3.00 initial VFC at any point along the other property lines.

I. *Flagpole lighting.* Flagpole uplighting is restricted to state and federal flags, and shall be fully shielded so that the light source is not directly visible from any of the property lines. Uplighting in all lighting zones shall not exceed the equivalent of two fixtures of 3,500 initial lumens each per flagpole. Flagpole lighting may operate all night, but is to be turned off at dusk if the flag is lowered.

J. *Park and sports lighting for all private and public nonresidential facilities.* All sports, path, parking lot, and playground lighting are to be illuminated in conformance with this chapter, and the most current recommended practices issued by the IESNA. All sports field luminaires shall utilize superior full shielding and aiming angles ~~consistent with the intent of this Chapter to the satisfaction of planning staff.~~ All sports field luminaires shall possess a gray painted finish, and all poles shall have a painted or "dull" galvanized finish. Sports field poles are to be set back a minimum of 50 feet from any residential property line or right-of-way.

1. Lighting Zone 0. Sports field lighting shall not exceed 80 feet in height. Path, and parking lot lighting shall not exceed 16 feet in height. Playground lighting shall not exceed 20 feet in height. Sport court lighting shall not exceed 25 feet in height, and all fixtures shall possess four-sided shielding/skirting. Sports lighting shall not operate after 10:30 p.m. Perimeter spill light shall not exceed 0.80 foot-candles at any point along an adjacent residential property line, or 1.60 foot-candles at any point along any property line not adjacent to a residential property.

~~2.~~ *Lighting zone 1.* Sports field lighting shall not exceed 80 feet in height. Path, and parking lot lighting shall not exceed 16 feet in height. Playground lighting shall not exceed 20 feet in height. Sport court lighting shall not exceed 25 feet in height, and all fixtures shall possess four-sided full shielding/skirting. Sports lighting shall not operate after 10:30 p.m. Perimeter spill light shall not exceed 0.80 footcandles at any point along an adjacent residential property line, or 1.60 footcandles at any point along any property line not adjacent to a residential property.

~~3.~~ *Lighting zone 2.* Sports field lighting shall not exceed 80 feet in height. Path, parking lot, and playground lighting shall not exceed 25 feet in height. Sport court lighting shall not exceed 30 feet in height. Sports lighting shall not operate after 10:30 p.m. Perimeter spill light shall not exceed 1.20 footcandles at any point along an adjacent residential property line, or 2.40 footcandles at any point along any property line not adjacent to a residential property.

~~4.~~ *Lighting zone 3.* Sports field lighting shall not exceed 90 feet in height. Path, parking lot, and playground lighting shall not exceed 30 feet in height. Sport court lighting shall not exceed 50 feet in height. Sports lighting shall not operate after 11:00 p.m. Perimeter spill light shall not exceed 1.50

footcandles at any point along an adjacent residential property line, or 3.00 footcandles at any point along any property line not adjacent to a residential property.

51. All sport courts shall be lighted with full-cutoff luminaires, and are to utilize "on" and "off" user-accessible push-buttons so that the lighting does not operate unless the courts are in actual use. Automatic time-clocks or other programmable controllers are to be used, and shall turn off all nonsecurity lighting at a time in accordance with the applicable lighting zone, except for sports field lighting, which may stay on to as late as 11:00 p.m. when a formal game is in progress, except as permitted under PCDCS 2.195.1090.
62. All park luminaires, such as those located in ramadas, shall be fully shielded and/or located so that the light source is not directly visible from beyond any of the property lines. Initial vertical illuminance (spill light) shall be calculated in conformance with the provisions for the four (4) individual lighting zones in PCDCS 2.195.0430(EA-D), except that the spacing distance between the calculation points may match the spacing used for the sports lighting calculations.
- K. *Signage lighting.* This chapter shall apply to externally illuminated signs and LED signs only. All such lighting shall comply with the lumen and LPD limits and shielding requirements established in PCDCS 2.195.030(CB).
- L. *Single-family residences, attached and detached.*
1. *Lighting zones 0 and 1.*
 - A. All fixtures, except fixtures of 1,080 lumens (100-75 watts incandescent) or less, shall be fully shielded and/or located so that the light source is not directly visible from beyond any of the property lines.
 - B. The mounting height of any building-mounted fixture including fixtures 1.100 lumens (75 watts incandescent) or less shall not exceed 15 feet from finished grade to the center of the fixture. Spill light from adjacent properties shall not exceed 0.30 footcandles within eight feet of any single-family residence between the hours of 10:00 p.m. and 6:00 a.m.
 2. *Lighting zones 2 and 3.* All fixtures of greater than 1,800 lumens shall be fully shielded and/or located so that the light source is not directly visible from any of the property lines. The mounting height of any building-mounted fixture shall not exceed 20 feet from finished grade to the center of the fixture. Spill light at any point on any of the property lines shall not exceed 0.80 footcandles between the hours of 10:00 p.m. and 6:00 a.m. All nonconforming fixtures shall be turned off between the hours of 10:00 p.m. and 6:00 a.m.
 3. *Motion sensors.* Motion-sensor-controlled fixtures that are equipped with an automatic shutoff time of 5 seconds, located at least 50 feet apart with a maximum of two per structure (measured along the roof lines) and are less than 100 watts (1,800 lumens) per lamp are exempt from subsections (L)(1) and (2) of this section.
 4. *Residential sport courts and equestrian areas in all lighting zones.*
 - a. Existing facilities that were built prior to the adoption of this chapter are exempt from all sections of this chapter, except in the event that any of the existing luminaires needed to be replaced, then they shall be specified, installed, and controlled in compliance with all sections of this chapter. This does not include the normal maintenance of lamps or ballasts. All new luminaires must be full-cutoff, fully shielded, or partially shielded, consistent with the intent of this Chapter to the satisfaction of planning staff.
 - b. All equestrian areas and sport court luminaires must be turned off when not in use.
 - c. New facilities shall not exceed a mounting height of 40 feet. New facilities that utilize full-cutoff or fully shielded luminaires shall not exceed a lighting power density of 1.50 watts per square

foot. New facilities that utilize cutoff, semi-cutoff, or partially shielded luminaires shall not exceed a lighting power density of 1.00 watt per square foot.

- d. All applicants shall include in their submittal a completed worksheet, which may be obtained from planning staff, and which will document compliance with this section.
- 5. *Mercury vapor.* Mercury vapor light sources are ~~not allowed~~ prohibited, and any existing installations of such lights must have been ~~be~~ removed prior to January 1, 2011. Any existing mercury vapor lights are in violation of this ordinance.

(Ord. No. 011812-ZO-PZ-C-007-10 , § 22; Ord. No. PZ-C-003-09 , § 1)

2.195.060. Lighting chapter matrix (~~commercial~~ non-residential uses only).

| Lighting zone | Operating hours, LPD limit and LD limit | Light sources and fixture shielding | Mounting height and pole color | Perimeter illuminance levels | Uplighting |
|---------------------------------------|---|---|---|--|---|
| <u>0 Very low ambient light areas</u> | <u>Security lighting only after 10:00 p.m. or 1 hour after close of business</u> LPD = 25% of IECC limit LD = 4 lumens/ft ² | <u>Light sources L.T.E. 3,000K color temperature Full-cutoff fixtures only HSS on perimeter fixtures adjacent to residential</u> | <u>8' height when L.T.E. 30' from residential property line 15' height when G.T. 30' Dark and nonreflective colors</u> | <u>0.20 VFC maximum normal business and 0.10 VFC security only, at a residential property line</u> | <u>L.T.E. 400 initial lumens Turn off at 10:00 p.m. or 1 hour after close of business</u> |
| 1 Low ambient light areas | Security lighting only after 10:00 p.m. or one hour after close of business LPD = 50% of IECC limit LD = 9 lumens/ft ² | Light sources L.T.E. 3,000K color temperature Full-cutoff fixtures only HSS on perimeter fixtures adjacent to residential | 8' height when L.T.E. 30' from residential property line 15' height when G.T. 30' Dark and nonreflective colors | 0.30 VFC maximum normal business and 0.10 VFC security only, at a residential property line | L.T.E. 800 initial lumens Turn off at 10:00 p.m. or one hour after close of business |
| 2 Medium ambient light areas | Security lighting only after 10:00 p.m. or one hour after close of business | All light sources Semi-cutoff and cutoff fixtures when L.T.E. 1,800 initial lumens | 8' height when L.T.E. 30' from residential property line 15' ht. when G.T. 30' and | 0.80 VFC maximum normal business and 0.30 VFC security only, at a residential | L.T.E. 1,200 initial lumens Turn off at 10:00 p.m. or one |

| | | | | | |
|----------------------------|---|---|---|---|---|
| | LPD = 75% of IECC limit LD = 14 lumens/ft ² | Full-cutoff when G.T. 1,800 initial lumens HSS on perimeter fixtures adjacent to residential | when L.T.E. 150' 25' ht. when G.T. 150' Dark and nonreflective colors | property line | hour after close of business |
| 3 High ambient light areas | Security lighting only after 10:00 p.m. or one hour after close of business LPD = 100% of IECC limit LD = 19 lumens/ft ² | All light sources Semi-cutoff and cutoff fixtures when L.T.E. 3,500 initial lumens Full-cutoff when G.T. 3,500 initial lumens HSS on perimeter fixtures adjacent to residential External HSS adjacent to residential after 10:00 p.m. | 15' height when L.T.E. 150' from residential property line 30' ht. when G.T. 150' Dark and nonreflective colors | 1.50 VFC maximum normal business and 0.80 VFC security only, at a residential property line | L.T.E. 1,200 initial lumens Turn off at 10:00 p.m. or one hour after close of business |

Explanation of terms used in the lighting chapter matrix:

| | |
|-------------------------------|---|
| *** | To be determined by planning staff. |
| 1,800, 3,500 and 6,500 Lumens | 1,800 lumens is equivalent to the initial lumen output of a <u>20-watt LED (100-watt incandescent)</u> , or a 26-watt compact fluorescent lamp. 3,500 lumens is equivalent to the initial lumen output of a 42-watt compact fluorescent, or a 50-watt metal halide lamp. 6,500 lumens is equivalent to the initial lumen output of a 70-watt high pressure sodium lamp. |
| G.T. | Greater than. |
| L.T.E. | Less than or equal to. |
| L.T.E. 1,800 | A light source that produces less than or equal to 1,800 lumens of light when the lamp is new. |
| Kelvin (K) | The Kelvin temperature scale is utilized to describe the color/hue of a light source. |
| L.T.E. 3,000K | A light source with a color temperature of less than or equal to 3,000 degrees Kelvin ("warm" color/hue light). |

| | |
|------------------------------|--|
| Light source | A type of lamp, such as an LED-incandescent or metal halide lamp. |
| H.S.S. | House-side shields reduce the amount of rearward illumination produced by a luminaire. Shields on pole-mounted luminaires reduce the amount of spill light/light trespass from the site, while shields on wall-mounted fixtures reduce the intense illumination "hot spots" that can be produced underneath the luminaire. |
| Height (Ht.) | The mounting height of a luminaire, as measured from the fixture lens to the finished grade of the parking lot. 15' HT. L.T.E. 150' means that luminaires located less than or equal to 150 feet from a residential property line cannot exceed 15 feet in mounting height. |
| Dark color | The required color/finish of a light pole. |
| Perimeter illuminance levels | The highest allowed initial vertical illuminance at any point around the perimeter of a site. |

(Ord. No. 011812-ZO-PZ-C-007-10 , § 22; Ord. No. PZ-C-003-09 , § 1)

2.195.0750. Equipment substitutions or alterations.

The outdoor lighting equipment installed at a project site (fixtures, lamps, poles, finishes, controls, etc.) and the locations thereof shall not be substituted or altered in any way from the approved plans (except for the use of alternate manufacturers already listed in the fixture schedule of the approved plans) without first submitting the changes to planning staff and receiving written approval. Failure to comply with this chapter can result in penalty action from the county, including a decline to issue the final certificate of occupancy or final certificate of completion until the project is brought into conformance with the approved plans consistent with the intent of this Chapter, to the satisfaction of planning staff.

(Ord. No. PZ-C-003-09 , § 1)

2.195.0680. Verification.

All outdoor lighting installations are subject to inspection/verification of the lighting equipment, LPD, LD, and illumination levels (adjusted for light loss factors) by county staff or their designee, prior to the issuance of the final certificate of occupancy or final certificate of completion. Installations that are determined by planning staff to not be in compliance with the approved plans shall be corrected and brought into compliance with the approved plans prior to the issuance of the final certificate of occupancy or final certificate of completion. A complete set of the approved planning submittal shall be kept at the site for the duration of the project, and the ~~planning department~~ Planning Division shall be contacted for an on-site inspection of the outdoor lighting equipment prior to the installation of any luminaire that is to be mounted at a height of more than six feet.

(Ord. No. PZ-C-003-09 , § 1)

2.195.0970. Permanent exemptions.

- A. *Nonconforming fixtures.* All outdoor fixtures existing and fully installed prior to the effective date of this chapter, except for luminaires with a mercury vapor light source, may remain "nonconforming" indefinitely;

provided, however, there shall be no change in use, replacement, structural alteration, or restoration of outdoor light fixtures after not being used for a period of 12 consecutive months unless it thereafter conforms to the provisions of this chapter. This does not include the standard maintenance replacement of lamps and/or ballasts.

- B. *Federal and state facilities.* Those facilities and lands owned and/or operated as protected by the U.S. federal government or the State of Arizona is exempted by law from all requirements of this chapter. In addition, all federal and state detention facilities and other places for lawful confinement shall have the same exemption. Voluntary compliance with the intent of this chapter at those facilities is encouraged.
- C. *Public and private detention facilities.* All detention facilities and other places for lawful confinement, whether they are public or private, shall have the same exemptions as in subsection (B) of this section. Voluntary compliance with the intent of this chapter at those facilities is encouraged.
- D. *Projects that require unusually high illuminance levels or luminaire mounting height.* Projects that require unusually high illuminance levels and/or mounting height shall be exempt from this chapter. These projects will be reviewed by county staff on an individual basis, and subsequently submitted to the ~~B~~board of ~~supervisors~~ Adjustment for final approval. These types of projects include, but are not limited to: professional sports stadiums, other public or private sports facilities, and high schools.
- E. *Motion-sensor-controlled lighting.* Motion-sensor controlled fixtures being utilized for security or safety purposes, with ~~a wattage of~~ less than or equal to 1,800 lumens (100 watts ~~incandescent~~(~~1,800 lumens~~) per lamp, are exempt from these provisions.
- F. *Electric utility leased lighting.* Planning staff, at its discretion, may allow the use of electric utility leased lighting that does not exceed a mounting height of 21 feet in lighting zones 0 or 1, and 28 feet in lighting zone 2. The light sources utilized in lighting zones 0 or 1 shall not exceed a color temperature of 3,500 degrees Kelvin. "Half-night" photocells may be utilized instead of the required 10:00 p.m. timed shutdown. The lighting must meet any of the relevant shielding requirements established in this chapter.
- G. *Holiday lighting.* In all lighting zones, low-Lumen output holiday decorations, consistent with the output of Lighting zone 1, may be unshielded and remain on all night from October 15th to January 15th.

(Ord. No. PZ-C-003-09 , § 1)

2.195.1080. Procedures for chapter compliance.

- A. *Applications.*
 - 1. Any individual applying for a compliance review number or building permit under this chapter intending to install outdoor lighting shall, as part of said application, submit evidence that the proposed work will comply with this section.
 - 2. All other individuals intending to install outdoor lighting fixtures shall submit an application to the ~~planning director~~Community Development Director providing evidence that the proposed work will comply with this section.
- B. *Contents of application or submission.*
 - 1. The applicant may obtain from planning staff a document that lists all of the items that comprise a proper and complete outdoor lighting submittal. The submittal shall contain, but shall not necessarily be limited to, the following:
 - 2 a. Plans indicating the location on the premises, and the type of illuminating devices, fixtures, lamps, supports, other devices, etc. A Security Lighting Plan which represents a 75% reduction in the proposed lighting on a particular site and a post-curfew (after 10 P.M.) lighting reduction plan.

~~3~~ b. Description of the illuminating devices, fixtures, lamps, supports and other devices, etc. This description may include but is not limited to manufacturers, catalog cuts, drawings and photometrics (including sections where required).

~~4~~ 2. The above required plans and descriptions shall be sufficiently complete to enable the ~~planning director~~Community Development Director to readily determine whether compliance with the requirements of this chapter will be secured. If such plans and descriptions cannot enable this ready determination, by reason of the nature or configuration of the devices, fixtures or lamps proposed, the applicant shall submit evidence of compliance by certified test reports as performed by a recognized lab.

C. *Issuance of permit.* Upon compliance with the requirements of this chapter, the ~~planning director~~Community Development Director shall issue a permit for installation of the outdoor lighting fixtures, to be installed as approved. In the event the application is part of the building application under the zoning regulations, the issuance of the building permit will be made if the applicant is in compliance with this chapter as well as the other requirements for issuance under the zoning regulations.

D. *Amendment to permit.* Should the applicant desire to substitute outdoor light fixtures or lamps after a permit has been issued, the applicant must submit all outdoor light fixture or lamp changes to the ~~planning director~~Community Development Director for approval with adequate information to assure compliance with this chapter.

(Ord. No. PZ-C-003-09 , § 1)

2.195.09110. Temporary exemptions.

A. *Request for temporary exemptions.*

1. Any individual as defined in this chapter may submit a ~~Temporary Use Permit written~~ request on a form prepared by the ~~planning Community Development department~~Department for a "temporary exemption" to the requirements of this chapter. Approval for a temporary exemption is at the discretion of the ~~planning director~~Community Development Director and shall be valid for 30 calendar days or less, as determined by the ~~planning director~~Community Development Director. Any renewal is also at the discretion of the ~~planning director~~Community Development Director. The request for temporary exemption shall contain minimally the following listed information:

- a. Specific exemptions involved;
- b. Previous temporary exemptions, if any;
- c. Duration of time requested exemption;
- d. Type and use of exterior light involved;
- e. Type, ~~wattage and~~ initial lumens (or wattage) of proposed lamps;
- f. A plan with proposed luminaire locations; and
- g. Manufacturer cut sheets for proposed luminaires.

2. In addition to the above data, the ~~planning director~~Community Development Director may request any additional information which would enable him or her to make a reasonable evaluation of the request for temporary exemption.

(Ord. No. PZ-C-003-09 , § 1)



PINAL COUNTY

WIDE OPEN OPPORTUNITY

AGENDA ITEM

May 30, 2024 ADMINISTRATION BUILDING A
FLORENCE, ARIZONA

REQUESTED BY:

Funds #:

Dept. #:

Dept. Name:

Director:

BRIEF DESCRIPTION OF AGENDA ITEM AND REQUESTED BOARD ACTION:

2.180. - DARK SKY

BRIEF DESCRIPTION OF THE FISCAL CONSIDERATIONS AND/OR EXPECTED FISCAL IMPACT OF THIS AGENDA ITEM:

BRIEF DESCRIPTION OF THE EXPECTED PERFORMANCE IMPACT OF THIS AGENDA ITEM:

MOTION:

| History | Who | Approval |
|---------|-----|----------|
| Time | | |

| ATTACHMENTS: |
|---|
| Click to download |
| <input type="checkbox"/> Dark_Sky |

Pinal County Development Services Code:

Dark Sky

CHAPTER 2.180. ~~DARKESIGN SKYREVIEW~~ OVERLAY (~~DSRO~~) ZONING DISTRICT

2.180.010. Applicability.

The ~~DSRO~~ Zoning ~~D~~istrict is an overlay zone that ~~provides for reduced outdoor lighting levels. Each specific DSO Zoning District and its associated Lighting Overlay Plan (LOP) require approval by the Supervisors. Each specific DSO Zoning District is subject to additional lighting and environmental impact standards as set forth in its associated LOP. This chapter shall apply to all Proposed Development and all Signs and outdoor lighting within a DSO Zoning District. shall be used only when there is public consensus for an overlay zone in order to allow for economic and aesthetic concerns. Each specific DRO Zoning Ddistrict and design review plan ("DRP") shall require approval by the Pinal County board of supervisorsBoard of Supervisors. DRO areas are subject to the review of additional architectural and environmental impact standards. The review of architectural and site planning standards of this chapter shall apply only to proposed development for community service agencies, multiple dwellings, commercial, churches, office and industrial developments and all signage and lighting for such uses.~~

- A. ~~All applications for development approval that have been accepted as complete prior to the adoption of a specific DSO Zoning District shall be lawfully non-conforming, subject to the provisions enumerated in PCDSC 2.05.060 through 2.05.100. After the adoption of a specific DSO Zoning District, an amendment to the development approval that changes any of the design elements listed in PCDSC 2.180.040(D) shall require compliance with the adopted DSO Zoning District and LOP. All applications for site planSite Plan approval that have been accepted as complete prior to the adoption of a DRO Zoning Ddistrict shall not be subject to review by the design review overlay zoning Zoning district District advisory Advisory boardBoard for that DRO zoning districtDRO Zoning District. Any proposed amendment to any approved site planSite Plan constructed prior to the establishment of the DRO zoning districtDRO Zoning District regarding the design elements listed in PCDSC 2.180.040(D) shall follow the development plan approval procedures enumerated under PCDSC 2.180.070, 2.180.080 and 2.180.090.~~
- B. ~~A DSO Zoning District may be formed over an existing Planned Area Development (PAD) Overlay Zoning District or any other Zoning District provided that, in the opinion of the Supervisors, the adopted DSO Zoning District and LOP are consistent with the established character and parameters of the approved PAD Overlay Zoning District or other Zoning District. A DRO zoning districtDRO Zoning District may be formed over an existing Pplanned Aarea Ddevelopment; provided, that in the opinion of the Bboard of Ssupervisors the adopted DRP is consistent with established architectural character and parameters of the approved Pplanned Aarea Ddevelopment.~~

~~{Ord. No. 061610-DROZ, § 1(3330)}~~

2.180.020. Purpose and objectives.

~~The purpose of this chapter is to establish the process for creation and adoption of a DSO Zoning District and its associated LOP in order to protect and preserve the County's dark sky resource. It is recognized that in certain areas of the County, naturally dark landscapes and star-filled skies are valued by many, and~~

that poor lighting practices in outdoor lighting waste energy, hamper the reasonable use and enjoyment of property, and endanger the public welfare by producing unnecessary glare.

Additionally, the purpose of this chapter is to accomplish the following objectives:

- A. To identify specific areas in the County through Public Consensus where lower outdoor lighting levels are necessary to preserve access to dark sky environments for County residents;
 - B. To achieve a balance between safety and aesthetics, encourage designs that provide for the proper quality and quantity of nighttime illumination, while managing energy consumption and minimizing light trespass and negative impacts on the surrounding areas and the night sky;
 - C. To help ensure that the lower lighting levels enhance development, buildings and structures and will assist in the enhancement of the values of adjacent properties and will not prove detrimental to the character of buildings or uses already established in the area;
 - D. To help ensure that lower lighting levels do not impair the functionality and safe operation of any recreational areas and public infrastructure and facilities within a DSO Zoning District;
 - E. To help ensure reasonable reduction in outdoor lighting levels below what is currently required in PCDSC 2.195, while reducing potential for conflict with areas not covered by an approved DSO Zoning District and LOP; and
 - F. To provide a procedure for the adoption and amendment of an approved LOP. ~~The purpose of this chapter is to establish the process for creation and adoption of a DRO zoning district~~DRO Zoning District and its associated ~~DRP~~. In order to protect and preserve property values and enhance certain scenic vista areas of the county, the ~~board~~Board, upon recommendation by the ~~commission~~Commission and when there is public consensus for the ~~DRO zoning district~~DRO Zoning District, may apply the ~~DRO zoning district~~DRO Zoning District, in conjunction with the underlying zone. Additionally, the purpose of this chapter is to accomplish the following objectives:
- ~~A. To help ensure that the development, buildings or structures will assist in the enhancement of the values of adjacent properties and will not prove detrimental to the character of buildings or uses already established in the area.~~
 - ~~B. To help ensure that the proposed development will be properly related to its site and to surrounding sites and structures, and to help prevent the construction of structures that would conflict with their environment.~~
 - ~~C. To help ensure that sites, projects, buildings and structures subject to design review are developed with due regard for the environmental qualities of the natural terrain and landscape, and, that native vegetation, scenic vistas and topography are not indiscriminately destroyed.~~
 - ~~D. To help ensure that the design and exterior architecture of proposed buildings and structures will be in harmony with either the design or exterior architecture of the buildings and structures already constructed or being constructed in the immediate neighborhood, as to not cause a substantial depreciation of property values in the neighborhood.~~
 - ~~E. To help ensure that open spaces, drainage ways and landscaping are thoughtfully designed to enhance property values, enhance views into and from the site and to screen and minimize the impacts of deleterious uses and parking areas.~~
 - ~~F. To help ensure that the proposed development complies with all of the provisions of this chapter and applicable goals and policies of the comprehensive plan~~Comprehensive Plan or any amendment or element thereof or specific plan for the area.

2.180.030. Definitions.

The following words, terms and phrases, when used in this Chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~Design Review Overlay (DRO) Zoning District means an area subject to review of additional architectural and environmental impact standards as outlined in the associated Design Review Plan (DRP).~~

~~Design Review Overlay Zoning District Advisory Board or Advisory Board means a seven-member advisory board which is appointed for each DRO zoning district DRO Zoning District.~~

~~Design Review Overlay Zoning District Formation Board or Formation Board means a seven-member formation board which is appointed to initiate a DRO zoning district DRO Zoning District.~~

~~Design Review Plan (DRP) means a plan for the DRO zoning district DRO Zoning District that will consist of a written narrative text, maps and graphics which shall establish the standards, criteria, goals and policies for the DRO zoning district DRO Zoning District in accordance with PCDSC 2.180.050(D) in order for proposed structures to be in harmony with the structures already constructed or in the process of construction.~~

~~Developed means property that has a dwelling unit constructed or installed on the lot.~~

~~Development plan means a plan filed by the a Lot Owner developer for a specific development project within the DRO zoning district DSO Zoning District showing the location of structures and providing all the information required under PCDSC 2.180.0790(B).~~

~~DSO Zoning District means a Dark Sky Overlay District, which is an area subject to additional outdoor lighting and environmental impact standards as outlined in the associated LOP.~~

~~General welfare, for the purpose of this chapter, means the preservation of neighborhoods or community character or the attainment of economic objectives such as the preservation of property values or promotion of tourism.~~

~~LOP means a Lighting Overlay Plan for a specific DSO Zoning District that consists of written narrative text, maps, and graphics that establish the standards, lighting specifications, criteria, goals, and policies for the specific DSO Zoning District.~~

~~Lot, for purposes of this chapter, means a parcel or unit of land described as metes and bounds or shown as a lot on a recorded subdivision plat or shown as a lot on a map of survey for the purpose of minor land division. This does not include common area tracts located within subdivisions.~~

~~Lot Owners means the person or persons holding title by deed to land or a condominium unit. all owners of property within the DRO zoning district DRO Zoning District. This term is not based upon a certain use or zone classification of the property within the DRO zoning district DRO Zoning District.~~

~~Person means any individual, corporation, partnership, or company and any other form of multiple organization for carrying on business, foreign or domestic.~~

~~Proposed Development means any new construction, alteration, expansion or modification to the exterior of any building or structure which that requires a building permit as defined in the Pinal County's Building Code.~~

~~Public Consensus means the general agreement of a majority of the Lot Owners by area and number within a proposed DSO Zoning District. -qualifying property owners required to form a DRO zoning district DRO Zoning District as enumerated under PCDSC 2.180.040(F) and (G).~~

~~Sign package means a component of the development plan that indicates the general specifications of signage including architectural qualities, size (including proportions), materials, quantity, illumination and location~~

on a development site. The sign package is intended to develop a design theme for on-site attached and detached signage.

(Ord. No. 061610 DROZ, § 1(3332))

2.180.040. Special provisions.

- A. The adoption of a ~~DRO zoning district~~DSO Zoning District does not change the permitted uses in the underlying zone.
- B. Upon application for a ~~DRO zoning district~~DSO Zoning District to a specific area of the county, the ~~board~~Board, upon recommendation of the ~~commission~~Commission, shall establish ighting requirements and administrative processes and procedures in the form of a LOP for the specific DSO Zoning District. Said requirements include, but are not limited to, applicability, materials and methods of installation, use of new technology, lumen levels and fixture shielding requirements, hours of operation, and means of illumination for Signs and Sign Packages approved in accordance with Chapter 2.145 PCDSC. design guidelines in the form of a DRP for that specific area which reflect public consensus. Said guidelines may include, but are not limited to, exterior design, materials, textures, colors, signage and means of illumination.
- C. The approved ~~DRP-LOP~~ is to serve as the official document for the ~~commission~~Commission, ~~board~~Supervisors, and all ~~C~~county officials and agencies for accomplishing coordinated physical development within the ~~DRO zoning district~~DSO Zoning District.
- D. All development described in PCDSC 2.180.010, including without limitation buildings, structures, landscaping, drainage ways, site layout and ~~S~~signs, to be located within the ~~DRO zoning district~~DSO Zoning District shall be ~~first~~ approved under the provisions of this ~~e~~Chapter and under the provisions of the Chapter applicable to the underlying Zoning District. Interior construction or remodeling and nonstructural exterior utility alterations (gas, electric, water) are not included.
- E. Any violation of the provisions of this chapter shall be subject to the enforcement provisions of ~~chapter~~Chapter 2.160 PCDSC.
- F. ~~To have a DRO zoning district~~DO Zoning District, ~~A~~ minimum of ~~750~~ percent of the land area must be zoned residential or rural at the time of the initial application for a DSO Zoning District. After the initial application for a DSO Zoning District, the underlying zoning may subsequently change so that less than 50 percent of the land area within the DSO Zoning District is zoned residential or rural without affecting the DSO Zoning District application or any subsequent DSO Zoning District approvals., and 50 percent of that residentially zoned property must be developed.
- G. Public Consensus, although not required, is a substantial factor to be considered by the Commission and Supervisors in approving a DSO Zoning District. Public Consensus can be shown in the following ways including, but not limited to, petitions in support or minutes from neighborhood meetings. To have a DRO zoning districtDO Zoning District, there must be public consensus. Lot owners, no matter what type of ownership, are entitled to only one vote per lot. The required number of lot owners for public consensus shall be determined by notarized petitions meeting the following requirements:

 - 1. ~~Petitions must contain signatures of approval of at least 51 percent of all the lot owners by area and number within the proposed DRO zoning district~~DO Zoning District; and
 - 2. ~~If commercial or industrial zoned land is included in the proposed DRO zoning district~~DO Zoning District, the 51 percent of all lot owners signing the petitions must include at least 50 percent of the commercial and/or industrial property owners.

- H. Applicability

1. For Lots that are in both a DSO Zoning District and a PAD Overlay Zoning District, if any conflict should arise between the requirements of the DSO Zoning District/LOP and the requirements of the PAD Overlay Zoning District, the Community Development Director shall determine which requirements shall apply. A request for a determination shall be in writing to the Community Development Director and may be submitted in conjunction with an application for a zoning clearance/compliance review number as specified in Section 2.180.090.
 2. The Community Development Director's determination may be appealed to the Board of Adjustment within thirty days after the Community Development Director has rendered a decision. Property in a PAD Overlay District where the development plan specifically articulated the elements described in PCDCS 2.180.050(D) and the development plan and PAD Overlay District was approved by the BOS prior to the establishment of a DRO zoning district DRO Zoning District over the subject property shall not be subject to the requirements of the DRO zoning district DRO Zoning District, unless an amended or new PAD is requested that materially changes the PAD.
- I. If any conflict should arise between this chapter and ~~chapter~~Chapter 2.145 PCDCS which regulates ~~S~~signs, this ~~e~~Chapter shall prevail within an approved ~~DRO zoning district~~DSO Zoning District. The ~~Aadvisory board~~Board ~~LOP~~ may not authorize additional height, area or number of ~~s~~signs than allowed under ~~chapter~~Chapter 2.145 PCDCS.
- J. If any conflict should arise between a DSO Zoning District/LOP and Chapter 2.195 PCDCS, which regulates outdoor lighting, the more restrictive provision shall apply. For outdoor lighting standards not specifically mentioned in a LOP, Chapter 2.195 PCDCS shall apply.

(Ord. No. 061610-DROZ , § 1(3333))

2.180.050. Initiation of a ~~DRO zoning district~~DSO Zoning District.

A DSO Zoning District may be initiated by the Commission on its own motion or by a Lot Owner or authorized agent of a Lot Owner filing an application. The commissionCommission shall initiate the formation of a DRO zoning district ~~DRO Zoning District~~ in conjunction with other existing zones with the following procedures:

- A. ~~Any person or group proposing that the commission~~Commission initiate the formation of a DRO zoning district ~~DRO Zoning District~~ shall file with the ~~commission~~Commission an application for such DRO zoning district ~~DRO Zoning District~~ on the form provided by the ~~planning department~~Planning Division. At minimum the application shall include:
1. ~~A preliminary map depicting the boundaries of the proposed DRO zoning district~~DSO Zoning District;
 2. ~~A tabulation of the total number of lots and lot area;~~
 3. ~~A preliminary list of names and contact information of seven individuals desirous of being appointed to the seven-member formation board; and~~
 4. ~~A petition indicating that at least 51 percent of lot owners by both area and number agree to the initiation of a DRO zoning district~~DSO Zoning District.
- B. ~~After initiation of the formation of the DRO zoning district~~DSO Zoning District by the ~~commission~~Commission, a seven-member ~~Fformation~~ Bboard will be appointed for the DRO zoning district ~~DRO Zoning District~~ by the county supervisor in the supervisorial district where the proposed DRO zoning district ~~DRO Zoning District~~ will be located. Members of the ~~Fformation~~ Bboard must be lot owners from within the supervisorial district where the proposed DRO zoning district ~~DRO Zoning District~~ will be located. At least 51 percent of ~~Fformation~~ Bboard members must own property within the proposed DRO zoning district ~~DRO Zoning District~~.

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- C. ~~County staff will assist the seven member Ddesign Review Overlay Zoning Ddistrict Fformation Bboard ("Fformation Bboard") in establishing the DRO zoning districtDRO Zoning District boundary and associated DRP.~~
- D. ~~DRO zoning districtDRO Zoning Districts shall be established by a DRO zoning districtDRO Zoning District boundary map defining the boundaries of the proposed DRO zoning districtDRO Zoning District and the DRP. The DRP shall only address design guidelines for site development, architectural character, building form (excluding height restrictions and architectural massing for churches) and landscaping through criteria related to building placement, circulation, exterior design, materials, textures, colors, means of illumination and signage. Guidelines may include design criteria related to driveways, pedestrian walks, fences and walls, off street parking areas including entrances and exits, landscaping varieties and sizes of plant materials, architectural drawings or sketch requirements, and grading and drainage plans. The completed DRO zoning districtDRO Zoning District boundary map and the DRP shall be submitted to the commissionCommission for review and recommendation to the boardBoard. Once the proposed DRO zoning districtDRO Zoning District and its associated DRO zoning districtDRO Zoning District boundary map and DRP have been reviewed by the commissionCommission, the documents shall then be forwarded with the commissionCommission's recommendation to the boardBoard for its consideration. The commissionCommission may recommend denial or approval.~~
- E. ~~The Fformation Bboard shall meet as they deem necessary with county staff, members of the public and affected business community to determine the DRO zoning districtDRO Zoning District boundary and draft the associated DRP.~~
- F. ~~The Fformation Bboard shall circulate a petition with the proposed DRO zoning districtDRO Zoning District boundary map and DRP in an effort to secure public consensus for the proposed DRO zoning districtDRO Zoning District.~~
- G. ~~Upon receipt by the commissionCommission of a completed DRO zoning districtDRO Zoning District boundary map reflecting the boundary of the DRO zoning districtDRO Zoning District in conjunction with a completed DRP and signed petitions of the required number of lot owners within the proposed DRO zoning districtDRO Zoning District, the commissionCommission shall hold at least one public hearing.~~
- H. ~~The DRO zoning districtDRO Zoning District boundary map and the notice of the public hearing shall be published in a newspaper of general circulation in the county seat at least 15 calendar days prior to the date of the public hearing.~~
- I. ~~The area in the proposed DRO zoning districtDRO Zoning District shall be posted at least 15 calendar days prior to the date of the public hearing. The posting shall be in no less than two places with at least one notice for each quarter mile of frontage along perimeter public rights of way so that the notices are visible from the nearest public right of way. It shall not be the responsibility of the county to maintain such posting once erected.~~
- J. ~~The proposed DRO zoning districtDRO Zoning District boundary map and notice of the public hearing shall be mailed to each property owner of record as shown on the assessment of the property within the proposed DRO zoning districtDRO Zoning District and within 600 feet of the proposed DRO zoning districtDRO Zoning District. The DRO zoning districtDRO Zoning District boundary map and the notice shall also be mailed to each county and municipality contiguous to the area of the proposed DRO zoning districtDRO Zoning District.~~
- K. ~~At a minimum, the notice shall include the following:~~
- ~~1. The date, time and place of the public hearing;~~
 - ~~2. A general explanation of the matter to be considered;~~

3. ~~A general description of the area of the proposed DRO zoning district~~DRO Zoning District;
 4. ~~An explanation of how the property owner within the zoning area may file approval or protests to the proposed DRO zoning district~~DRO Zoning District;
 5. ~~Notification that if 20 percent of the property owners by area and number within the zoning area file protests, an affirmative unanimous vote of the board~~Board ~~will be required to approve the DRO zoning district~~DRO Zoning District; and
 6. ~~Locations as to where a copy of the proposed boundary map and DRP can be obtained (two locations minimum).~~
- ~~L. The commission~~Commission ~~may recommend approval or denial of the proposed DRO zoning district~~DRO Zoning District. ~~The commission~~Commission ~~may continue the hearing to a definite time and date that is not to exceed six months, on its own initiative or at the request of the~~A~~advisory board~~Board, ~~affected lot owners, or county staff.~~
- ~~M. The commission~~Commission ~~shall transmit recommendations on the proposed DRO zoning district~~DRO Zoning District ~~to the board~~Board ~~for its action. The transmittal shall be made within three months from the date the commission~~Commission ~~makes the recommendation.~~
- ~~N. Notice of the public hearing before the board~~Board ~~shall be given at least 15 calendar days prior to the date of the public hearing by one publication in a newspaper of general circulation in the county seat and by posting in no less than two places with at least one notice for each quarter mile of frontage along perimeter public rights-of-way so that the notices are visible from the nearest public right-of-way. It shall not be the responsibility of the county to maintain such posting once erected.~~
- ~~O. The board~~Board ~~may approve or deny the action establishing the proposed DRO zoning district~~DRO Zoning District ~~or continue the public hearing to a definite time and date not to exceed six months, on its own initiative or at the request of the~~F~~formation board~~Board, ~~affected lot owners, or county staff.~~
- ~~P. If 20 percent of the owners of property by area and number within the proposed DRO zoning district~~DRO Zoning District ~~or within 600 feet of the proposed DRO zoning district~~DRO Zoning District ~~file a protest to the proposed DRO zoning district~~DRO Zoning District, ~~the approval of the proposed DRO zoning district~~DRO Zoning District ~~shall not be made except by unanimous vote of the board~~Board.
- ~~Q. After the establishment of the DRO zoning district~~DRO Zoning District, ~~the~~F~~formation board~~Board ~~shall terminate.~~
- ~~R. After the termination of the~~F~~formation board~~Board, ~~a DRO zoning~~D~~istrict~~A~~advisory board~~Board ~~will be appointed for the DRO zoning district~~DRO Zoning District ~~by affirmative vote of the board of supervisors~~Board of Supervisors ~~upon recommendation from the supervisor in the supervisorial district where the proposed DRO zoning district~~DRO Zoning District ~~will be located. Members of the~~F~~formation board~~Board ~~may be appointed to the~~A~~advisory~~B~~oard. ~~A majority of members must be lot owners from within the DRO zoning district~~DRO Zoning District ~~and reside at a residence within the zone more than six months out of a calendar year. Each member will be appointed for a term of three years and if possible be comprised of at least one member from the building/construction or architectural profession, one member from the business community, to include the real estate profession, two members who own commercial or industrial property within the proposed zone and three members from the community at large. Members may be reappointed for additional terms. Members may serve no more than three consecutive terms.~~~~

{Ord. No. 061610-DROZ, § 1(3334)}

2.180.060. Application for a DSO Zoning District~~Zoning maps update.~~

~~Applications for a DSO Zoning District shall follow procedures enumerated in Section 2.166.040 PCDSC and as set forth below. The zoning maps shall be updated to reflect the approved DRO zoning district~~DRO Zoning District boundary.

~~(Ord. No. 061610-DROZ, § 1(3335))~~

2.180.070. Development applications required~~DSO Zoning District application process.~~

~~After establishment of the DRO zoning district~~DRO Zoning District, any lot owner or the lot owner's agent of any applicable development, as determined in PCDSC 2.180.010, shall first file a design review application ("application") together with a development plan for consideration. The planning director~~Community Development Director~~ shall review the development plan for compliance with established application requirements and shall determine whether the application is complete. Said application of the development plan shall contain the following:

- A. Pre-application submittal.~~A site plan~~Site Plan, drawn to scale showing the proposed location of structures and other improvements including, where appropriate, driveways, pedestrian walks, off-street parking areas, landscaped areas, fences and walls. The development plan shall indicate the locations of entrances and exits and the direction of traffic flow into and out of off-street parking areas and grading and drainage plans;
 - 1. The application shall include those forms, maps, plans and other documents prescribed by the Community Development Director as necessary to:
 - a. Identify the applicant(s);
 - b. Identify the Lot(s) subject to the proposed DSO Zoning District;
 - c. Identify all Lot Owners subject to the proposed DSO Zoning District and their authorized agents;
 - d. Describe the nature of the request;
 - e. State justifications or reasons for the request; and
 - f. Show compliance with the Comprehensive Plan.
 - 2. The application shall be accompanied by a nonrefundable filing fee in accordance with the fee schedule adopted under the authority of PCDSC 2.160.050.
- B. Any person or group may file an application with the Commission for a DSO Zoning District on the form provided by the Department that, at minimum, shall include:
 - 1. One of the following:
 - a. Evidence that 100% of the Lot Owners within the proposed DSO Zoning District authorize the submittal of the application; or
 - b. A request that the Commission initiate the proposed DSO Zoning District.
 - 2. A preliminary map depicting the boundaries and legal description of the proposed DSO Zoning District;
 - 3. A tabulation of the total number of Lots, lot area, and ownership information dated no more than 60 days before the date of application;

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- 4. A proposed LOP;
 - 5. Evidence of compliance with the citizen review process in accordance with 2.166.050(E) PCDSC, including but not limited to, copies of notices, mailings, signs, and other methods of notification, meeting minutes, and a report documenting the citizen contact implemented by the applicant; and
 - 6. The application fee for the DSO Zoning District, which shall be the same as the fee for a rezoning as indicated in the most recently adopted fee schedule.
- C. County staff will review the proposed application for completeness and may recommend amendments to the application prior to the Commission's work session or public hearing.
 - D. After receipt of a complete application, the Commission shall hold at least one work session.
 - E. After holding at least one work session:
 - 1. If the application was authorized by 100% of the Lot Owners within the proposed DSO Zoning District, the Commission shall hold at least one public hearing; or
 - 2. If the application requested that the Commission initiate the DSO Zoning District, the Commission shall vote on whether to initiate, initiate with modifications, refuse to initiate, or continue the matter to a date certain, not to exceed six months, in order to require additional information or direct the County staff to obtain additional public input on the item.
 - F. If the Commission decides to initiate the proposed DSO Zoning District, the Commission shall hold at least one public hearing.
 - G. Notice of the public hearing before the Commission shall be given as set forth in 2.166.050(G) PCDSC.
 - H. After the required notices have been given, the Commission shall hold a public hearing and may recommend that the Supervisors approve or deny the proposed DSO Zoning District and LOP. The Commission may also continue the hearing to a date certain, not to exceed six months, on its own initiative or at the request of affected Lot Owners or County staff.
 - I. If the Commission makes a recommendation, the Commission shall transmit its recommendation to the Supervisors for action within three months from the date the Commission makes its recommendation.
 - J. After the Commission makes a recommendation to the Supervisors, the Supervisors shall take action as set forth in 2.166.050(J) PCDSC
- B. ~~A landscape plan, drawn to scale, showing the locations of existing trees proposed to be removed and/or proposed to be retained on the site, the location and design of landscaped areas and the varieties and sizes of plant materials to be planted therein, and other landscape features including sprinkler and irrigation systems;~~
 - C. ~~Architectural drawings or sketches, drawn to scale, in sufficient detail to permit computation of setback requirements and showing all elevations of the proposed structures as they will appear upon completion. All exterior surfacing materials and colors shall be specified;~~
 - D. ~~A sign package containing accurate scale drawings of all signs indicating their size, material, color, and illumination, if any, and design elements (themes) required of any future signage; and~~
 - E. ~~Such other data as may be required by the specific DRP to ensure that the purposes of this chapter are satisfied.~~

{Ord. No. 061610-DROZ, § 1(3336)}

2.180.080. Zoning maps update~~Review by the Advisory Bboard.~~

~~The County zoning maps shall be updated to reflect each DSO Zoning District boundary after approval by the Supervisors. The planning Community Development dDirector shall, as soon as possible after acceptance of the completed application, transmit one copy of the accepted application to the appropriate Advisory boardBoard for its review and recommendation. The Advisory boardBoard shall hold at least one public meeting, in accordance with open meeting law (A.R.S. § 38-431.01), within 30 calendar days of transmittal of the application to consider the submittal and make recommendations to the planning Community Development dDirector.~~

~~(Ord. No. 061610-DROZ, § 1(3337))~~

2.180.090. Provisions for Chapter compliance~~Decision by the director.~~

- A. ~~Application~~The ~~planning director~~Community Development Director shall review the proposed application for its compliance with the purpose and intent of the DRO zoning district~~DRO Zoning District~~ and ~~DRP~~ and shall approve, subject to conditions, or deny the application within 21 working days of receipt of the recommendation from the ~~Advisory board~~Board. If the ~~planning Community Development D~~director does not make a recommendation within 21 working days after receipt of the recommendation of the ~~Advisory board~~Board, the application is deemed approved.
- ~~1. Any individual applying for a zoning clearance/compliance review number or a building permit under this chapter and intending to install outdoor lighting shall, as part of said application, submit evidence that the proposed work will comply with this section and the approved LOP.~~
 - ~~2. If required by the LOP, individuals intending to install outdoor lighting fixtures but not needing a zoning clearance/compliance review number or a building permit shall submit an application to the Community Development Director with evidence that the proposed work will comply with this section, the approved LOP, and any applicable section of Chapter 2.195 PCDSC.~~
- B. ~~Contents of application or submission.~~ The applicant may obtain from County staff a document that lists all of the items required for an outdoor lighting submittal that are to be submitted with the application. These items shall include, but shall not necessarily be limited to, the following:~~The~~ ~~planning director~~Community Development Director shall provide the applicant, the appropriate ~~Advisory board~~Board and any other interested persons with a written statement setting forth the reasons supporting his/her decision.
- ~~1. A Development Plan indicating the locations of structures and the locations and types of illuminating devices, fixtures, lamps, and supports on the Lot.~~
 - ~~2. Descriptions of the illuminating devices, fixtures, lamps, and supports. These descriptions may include but are not limited to manufacturers, catalog cuts, drawings, and photometrics (including sections where required).~~
 - ~~3. The Development Plan and descriptions required above shall be sufficiently complete to enable the Community Development Director to determine compliance with the requirements of this chapter, the LOP, and any applicable section of Chapter 2.195 PCDSC. If the Development Plan and descriptions cannot enable this determination by reason of the nature or configuration of the devices, fixtures or lamps proposed, the Community Development Director may require the applicant to submit evidence of compliance, such as certified test reports performed by a recognized lab.~~
 - ~~4. A letter of determination as specified in Section 2.180.040.H PCDSC from the Community Development Director, if applicable.~~

C. Issuance of permit. If the application is part of a building permit application, the building permit will be issued if the applicant is in compliance with this chapter as well as all other applicable County requirements.

D. Amendment to permit. Should the applicant desire to substitute outdoor light fixtures or lamps or make other changes after a building permit has been issued, the applicant must submit all changes to the Community Development Director for approval with adequate information to enable the Community Development Director to determine compliance with the requirements of this chapter, the LOP, and any applicable section of Chapter 2.195 PCDSC.

{Ord. No. 061610-DROZ, § 1(3338)}

2.180.100. Decision by the Community Development Director.

A. The Community Development Director shall review an application submitted pursuant to 2.180.090 PCDSC for compliance with the applicable DSO Zoning District and LOP and shall approve, approve subject to conditions, or deny the application within time prescribed by the County's permit review timelines.

B. Upon request, the Community Development Director shall provide the applicant and any other interested persons with a written statement setting forth the reasons supporting the decision.

2.180.1190. Appeals procedure.

A. The decision of the ~~planning director~~Community Development Director on an application submitted pursuant to 2.180.090 PCDSC may be appealed to the ~~board~~Board of ~~adjustment~~Adjustment as provided in ~~chapter~~Chapter 2.155 PCDSC within 30 days after the Community Development Director's decision.

B. Appeals may be made by any of the following:

1. The applicant; or
2. Any Lot Owner within the DSO Zoning District~~The Advisory board~~Board.

{Ord. No. 061610-DROZ, § 1(3339)}

2.180.1210. Lapse of ~~Community Development Director~~design review approval.

Approval by the Community Development Director pursuant to 2.180.100 PCDSC shall lapse and shall be annulled one year following the date upon which the application was approved. Approval will not lapse if a building permit is issued prior to the expiration of the one-year period.~~Design review approval shall lapse and shall be null and void one year following the date upon which the application was approved. Approval will not lapse should a building permit be issued prior to the expiration of the one-year period.~~

{Ord. No. 061610-DROZ, § 1(3340)}

2.180.1320. Amendments to an approved ~~site plan~~Plan.

Any proposed amendments to any approved ~~site plan~~by the Community Development Director regarding the design elements listed in PCDSC 2.180.100~~40(D)~~, except changes in lettering or graphics for ~~S~~signs, shall require review and a decision by the ~~Community Development Director~~Advisory boardBoard ~~and decision by the director~~ following the procedures required for an initial application plan approval as enumerated under PCDSC 2.180.090~~70, 2.180.080 and 2.180.090~~ PCDSC.

2.180.1430. Amendments to the ~~DRP~~LOP.

- A. Major LOP amendment. An amendment is major if it involves any of the following: ~~After written request by the Advisory Board, amendments to the DRP shall be made by the board of supervisors~~Board of Supervisors. ~~The board of supervisors~~Board of Supervisors will hold at least one public hearing. Notice of the hearing shall be posted at least 15 calendar days prior to the date of the public hearing. The posting shall be in no less than two places with at least one notice for each quarter mile of frontage along perimeter public rights-of-way so that the notices are visible from the nearest public right-of-way. It shall not be the responsibility of the county to maintain such posting once erected. Content of the notice shall meet the specifications outlined in PCDSC 2.180.050(K).
1. A request that does not meet the minimum requirements for outdoor lighting found in Chapter 2.195 PCDSC ;
 2. A change in the DSO Zoning District boundaries;
 3. A request to waive, or a change altering, any condition or stipulation of approval; or
 4. A request to change criteria addressed in the LOP that the LOP specifically identifies as requiring as a Major Amendment to alter or amend.
- B. Major LOP amendment procedure. Requests for major amendments shall follow the same procedure as the initial application for a DSO Zoning District approval. ~~The notice shall be published in a newspaper of general circulation in the county seat at least 15 calendar days prior to the date of the public hearing.~~
- C. Minor LOP amendment. Any request that is not major, as defined in subsection (A) of this section, is a minor amendment. In general, minor LOP amendments are small adjustments to the details of a LOP that do not substantively or materially alter the original character and/or intent of the LOP and approved DSO Zoning District. ~~Notice of the public hearing shall be mailed to each property owner as shown on the assessment of the property within the DRO zoning district~~DRO Zoning District and within 600 feet of the DRO zoning district~~DRO Zoning District.~~ ~~The DRO zoning district~~DRO Zoning District boundary map and the notice shall also be mailed to each county and municipality contiguous to the area of the proposed DRO zoning district~~DRO Zoning District.~~
- D. Minor LOP amendment procedure. ~~The board~~Board may approve or deny the action regarding the proposed ~~DRP amendment or continue the public hearing to a definite time and date not to exceed six months, on its own initiative or at the request of the Advisory Board, affected lot owners, or county staff.~~
1. Requests for minor LOP amendments shall be filed with the Department.
 2. The request will be routed for comment to any affected County departments.
 3. Upon receipt of comments or no later than ten working days, the Community Development Director will determine whether to approve, approve with stipulations, or deny the requested amendment.
 4. Applicant will be notified by letter of the Community Development Director's decision and a copy of the letter will be filed for public record.
- E. Variances. The Board may grant variances to individual Lots from the requirements of the DSO Zoning District and LOP following the procedures enumerated in Chapter 2.155 PCDSC.

2.180.140. Dissolution of design review overlay zone and Advisory Board.

The ~~commission~~Commission shall initiate the dissolution of a ~~DRO zoning district~~DRO Zoning District and ~~Advisory Bboard~~ with the following procedures:

- A. ~~Any person or group proposing that the commission~~Commission initiate the dissolution of a ~~DRO zoning district~~DRO Zoning District and ~~Advisory Bboard~~ shall file with the ~~commission~~Commission an application for such dissolution on the form provided by the ~~planning department~~Planning Division. The application must contain notarized affidavits from at least 51 percent of lot owners by area and number within the ~~DRO zoning district~~DRO Zoning District stating they are in favor of the dissolution. Upon affirmative vote of the board of supervisors~~Board of Supervisors~~, the board of supervisors~~Board of Supervisors~~ may resolve to direct the ~~commission~~Commission to initiate such dissolution.
- B. ~~Upon receipt by the commission~~Commission of an application to dissolve and signed petitions from at least 51 percent of lot owners by area and number of lot owners within the ~~DRO zoning district~~DRO Zoning District, the ~~commission~~Commission shall hold at least one public hearing. Notice of the hearing shall follow the procedures and content prescribed in PCDSC 2.180.050(H), (I), (J) and (K).
- C. ~~The commission~~Commission may recommend approval or denial of the proposed dissolution. A recommendation in favor of a requested dissolution will require a two-thirds affirmative vote of the ~~planning commission~~Commission members. The ~~commission~~Commission may continue the hearing to a definite time and date that is not to exceed six months, on its own initiative or at the request of the ~~Advisory Bboard~~, affected lot owners, or county staff. Failure of the ~~commission~~Commission to act on application within six months of the date of the first hearing or a motion to recommend approval not receiving a two-thirds affirmative vote shall be forwarded to the board of supervisors~~Board of Supervisors~~ with a recommendation of denial.
- D. ~~The commission~~Commission shall transmit recommendations on the proposed ~~DRO zoning district~~DRO Zoning District to the board~~Board~~ for its action. The transmittal shall be made within three months from the date the ~~commission~~Commission makes the recommendation.
- E. ~~The board of supervisors~~Board of Supervisors shall hold one public hearing. Notice of the hearing shall follow the procedures and content prescribed in PCDSC 2.180.050(N), (O) and (P).
- F. ~~Upon affirmative vote of the board of supervisors~~Board of Supervisors on the dissolution, the ~~Advisory Bboard~~ shall immediately disband and the ~~DRO overlay zoning district~~Overlay Zoning District shall no longer apply. The zoning map shall be modified 31 days after the board of supervisors~~Board of Supervisors~~' approval to reflect the change.

{Ord. No. 061610 DROZ, § 1(3343)}

Definition

DSO Zoning District means a Dark Sky Overlay District, which is an area subject to additional outdoor lighting and environmental impact standards as outlined in the associated LOP.

LOP means a Lighting Overlay Plan for a specific DSO Zoning District that consists of written narrative text, maps, and graphics that establish the standards, lighting specifications, criteria, goals, and policies for the specific DSO Zoning District.



PINAL COUNTY

WIDE OPEN OPPORTUNITY

AGENDA ITEM

May 30, 2024 ADMINISTRATION BUILDING A
FLORENCE, ARIZONA

REQUESTED BY:**Funds #:****Dept. #:****Dept. Name:****Director:**

BRIEF DESCRIPTION OF AGENDA ITEM AND REQUESTED BOARD ACTION:

2.145. - SIGNS

BRIEF DESCRIPTION OF THE FISCAL CONSIDERATIONS AND/OR EXPECTED FISCAL IMPACT OF THIS AGENDA ITEM:

BRIEF DESCRIPTION OF THE EXPECTED PERFORMANCE IMPACT OF THIS AGENDA ITEM:

MOTION:

| History | Who | Approval |
|---------|-----|----------|
| Time | | |

ATTACHMENTS:

Click to download

[Signs](#)

Pinal County Development Services Code:

Signs

~~CHAPTER 2.145. SIGNS, BILLBOARDS, NAME PLATES AND OTHER OUTDOOR ADVERTISING~~

2.145.010. Purpose and Guiding Principles.

~~The uses, locations, types, heights, sizes and illumination of signs are herein regulated in order to protect the attractiveness of the county, to enhance tourism, to promote commerce, to preserve property values, to insulate residential areas from the undue impact of signs, to foster the effectiveness of business signage, to promote traffic and pedestrian safety, and to protect the general welfare.~~

~~(Ord. No. 61862, § 2201)~~

~~A. In no event shall consideration for approval be based upon the message content of a sign. It is the purpose of this chapter to promote the public health, safety and general welfare through reasonable, consistent and non-discriminatory sign standards. The sign regulations in this chapter are not intended to censor speech or to regulate viewpoints, but instead are intended to regulate the adverse secondary effects of signs. The sign regulations are especially intended to address the secondary effects that may adversely impact aesthetics and traffic and pedestrian safety. In no event shall consideration for approval be based upon the viewpoint of the message contained on a sign.~~

~~B. These sign regulations are designed to serve substantial governmental interests and, in some cases, compelling governmental interests such as traffic safety and warning signs of threats to bodily injury or death. This chapter is not intended to extend its regulatory regime to objects that are not traditionally considered signs for purpose of government regulation.~~

~~C. The regulation of signs within the County is necessary and in the public interest, and these regulations have been prepared with the intent of enhancing the visual environment of the County and promoting its continued well-being, and are intended more specifically to:~~

~~1. To maintain and enhance the beauty, unique character, aesthetic environment, and quality of the County, that will attract commerce, businesses, economic development, residents and visitors.~~

~~2. To preserve, conserve, protect, and enhance the aesthetic quality and scenic beauty of all zoning districts of the County.~~

~~3. To ensure that the benefits derived from the expenditure of public funds for the improvement and beautification of streets, sidewalks, public parks, public rights-of-way, and other public places and spaces, are protected by exercising reasonable controls over the physical characteristics and structural design of signs.~~

~~5. To maintain and improve traffic and pedestrian safety through properly located signs; to regulate signs in a manner so as to not interfere with, obstruct the vision of, or distract motorists, bicyclists or pedestrians.~~

~~6. To allow for traffic control devices consistent with national standards that promote roadway safety and efficiency by providing for the orderly movement of road users on streets and roadways, and that notify~~

users of regulations and provide warning and guidance necessary for the safe, uniform and efficient operation of all elements of the traffic stream.

8. To encourage signs that are clear and legible to be safely read by passing motorists.

9. To encourage the effective use of signs as a means of communication.

10. To aid the public and private sectors in identifying the location of goods and services.

11. To allow signs that are compatible with their surroundings and aid orientation, while precluding the placement of signs that contribute to sign clutter or that conceal or obstruct adjacent land uses or signs.

13. To preclude signs from conflicting with the primary permitted use of the site and adjoining sites.

14. To minimize the possible adverse effects of signs on nearby public and private property.

15. To reduce visual clutter that may otherwise be caused by the proliferation, improper placement, illumination, animation, excessive height, and excessive size or area of signs which compete for the attention of pedestrian and vehicular traffic.

16. To encourage and allow signs that are appropriate to the zoning district in which they are located.

17. To establish sign size in relationship to the scale of the lot and building on which the sign is to be placed or to which it pertains.

18. To foster the integration of signage with architectural and landscape designs.

19. To provide flexibility and to encourage variety in signage.

20. To relate signage to the basic principles of good design.

21. To promote the use of signs that positively contribute to the aesthetics of the community, are appropriate in scale to the surrounding buildings and landscape and advance the County's goals of quality development except to the extent expressly preempted by State or Federal law.

22. To ensure that signs are constructed, installed and maintained in a safe and satisfactory manner, and to protect the public from unsafe signs. To protect property values by precluding, to the maximum extent possible, sign types that create a nuisance to the occupancy or use of other properties as a result of their physical characteristics such as their size, area, height, number, illumination and movement.

23. To protect property values by ensuring that the number of signs are in harmony with buildings, neighborhoods, and conforming signs in the area.

24. To enable the fair and consistent enforcement of these sign regulations.

25. To provide standards that are consistent with County, State and Federal law regarding the non-communicative aspects of signs.

2.145.020. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

A- ~~Frame frame~~ means a Portable Sign with ~~anany portable~~ upright, rigid, self-supporting frame sign in the form of a triangle or the letter "A." (See Figure 1.)



Figure 1

Advertising means to call public attention to things, usually to promote sale.

Aggregate Sign Area means the total Sign Area in square feet of all signage Signs permitted for a given business.

Awning means a shelter or cover projecting from and supported by an exterior wall of a building.

Arm's Length means a transactions between two unrelated and unaffiliated parties.

Banner means a sign painted or printed on a strip of durable fabric, cloth or plastic. (See Figure 2.)



Figure 2

Banner, Feather, means a vertical Portable Sign that contains a harpoon-style pole or staff driven into the ground for support or supported by means of an individual stand. (See Figure 23.)



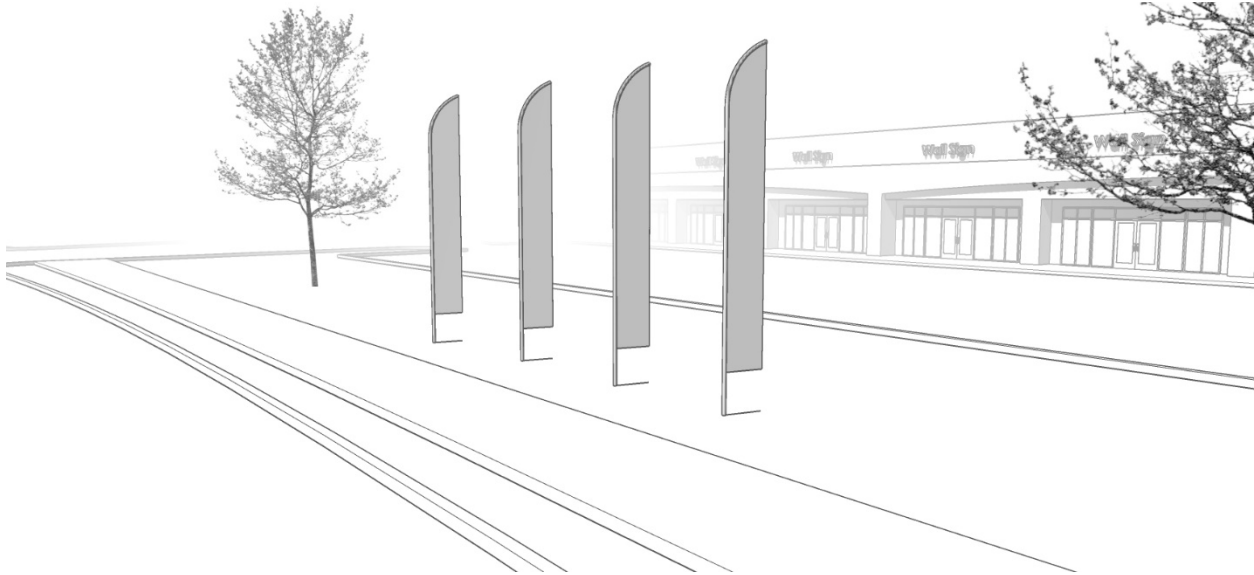


Figure 32

Canopy ~~Same as Awning~~ means an awning or other shelter or cover projecting from and supported by an exterior wall of a building.

Complex, ~~commercial, industrial or office~~ means a group of two or more office, commercial, or industrial businesses associated by a common agreement or common ownership with common parking facilities.

Comprehensive Sign Package means a collection of Signs approved pursuant to PCDSC 2.145.140.

Construction ~~(beginning)~~ means the placement or attachment of Sign-related materials (e.g., posts, poles, brackets, standards, bolts, screws, lumber, concrete, block, footings, paint) on the ground or on an existing building or other structure.

Director means the Director of the Pinal County Community Development Department or their authorized designee.

Electronic Message Display means a Sign that uses electronic means such as LEDs, fiber optics, light bulbs, or other illumination devices within a display area to cause one message to be replaced by another.

Frontage means the length of property line of any one Property premises along a public right-of-way on which it borders. For a multi-tenant development on a single property, frontage shall be the length of a business store front, which may or may not front directly onto a public right-of-way.

Grade means average elevation of the ground within a radius of 20 feet from the center point of the Sign.

Interstate Freeway Interchange means where ingress or egress is obtained to a federal interstate highway; specifically delineated as lying within 300 feet of the right-of-way and between the two points of widening of the interstate highway right-of-way approaching the interchange.

Lighting, ~~internal-Reverse Print~~, means an internally lit Sign in which the visible lighted area constitutes less than 50 percent of the total Sign Area, with lighted or visible letters against a dark background.

Mansard Roof means a roof with two angles of slope, the lower portion of which is steeper and is architecturally comparable to a building wall. ~~(See Figure 3.) Also or a facade~~ façade with a slope approaching the vertical which imitates a roof. (See Figure 4.)

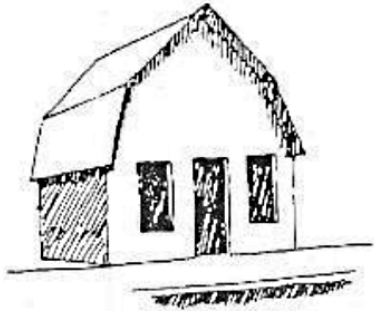


Figure 43

Marquee means a permanent roof-like structure or Ceanopy of rigid materials supported by and extending from the facade of a building, ~~which is to be~~ considered a Ceanopy for ~~sign allowances~~ calculating maximum Sign Area.

Neon means a glass tube filled with gas or gas mixture that emits light by the passage of an electric current.

Neon Signs means a sign that is made of neon and is bent to form letters, shapes, and other decorative forms.

Parapet means the extension of a false front or wall above a Roof Line.

Pennant means a geometric shaped flag made of flexible materials, suspended from one or two corners fastened to a string, which is secured or tethered so as to allow movement and used as an attention-getting form of media.

Property means a lot or lots or a parcel or parcels of land considered as a unit for a single use or development, whether owned or leased.

*Reconstruction, S*ubstantial, means improvement or repair valued in excess of 50 percent of the current value of a Sign. The term ~~""reconstruction~~ Reconstruction does not include merely repainting or changing the copy on the Sign if the Sign Area, Sign Height, structure use and size remain the same.

*Roof L*ine means the highest point of a structure including Parapets, but not to include spires, chimneys or heating or cooling mechanical devices. (See Figures 54 and 65.)

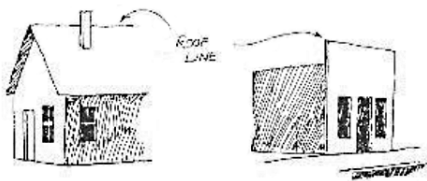


Figure 54 and Figure 65

Sign means any identification, description, illustration, symbol, or device which is affixed directly or indirectly upon a building, vehicle, structure, or land and which conveys visual information identifying or directing attention to or advertising a product, place, activity, person, institution, or business designed to identify, announce, direct or inform.

Sign Area means the overall area of the Sign; for double-faced Signs, the calculation of the Sign Area shall include only one of the faces.

Sign, ~~Abandoned~~, means that (i) use of a Sign has ceased or the Property on which the Sign is located has become vacant or has been unoccupied for a period of 180 consecutive days or more; (ii) a Sign has been damaged so as to be largely illegible; (iii) a Sign is without copy or without "space available" Advertising; or (iv) a Sign has no legal owner that a sign which no longer identifies or advertises a bona fide business, lessor, service, owner, product, or activity, and/or for which no legal owner can be found.

Sign, ~~Ceconomy~~, means any ~~S~~sign erected directly upon or suspended from a ~~Ceconomy~~ (~~awning~~). (See Figure 76.)

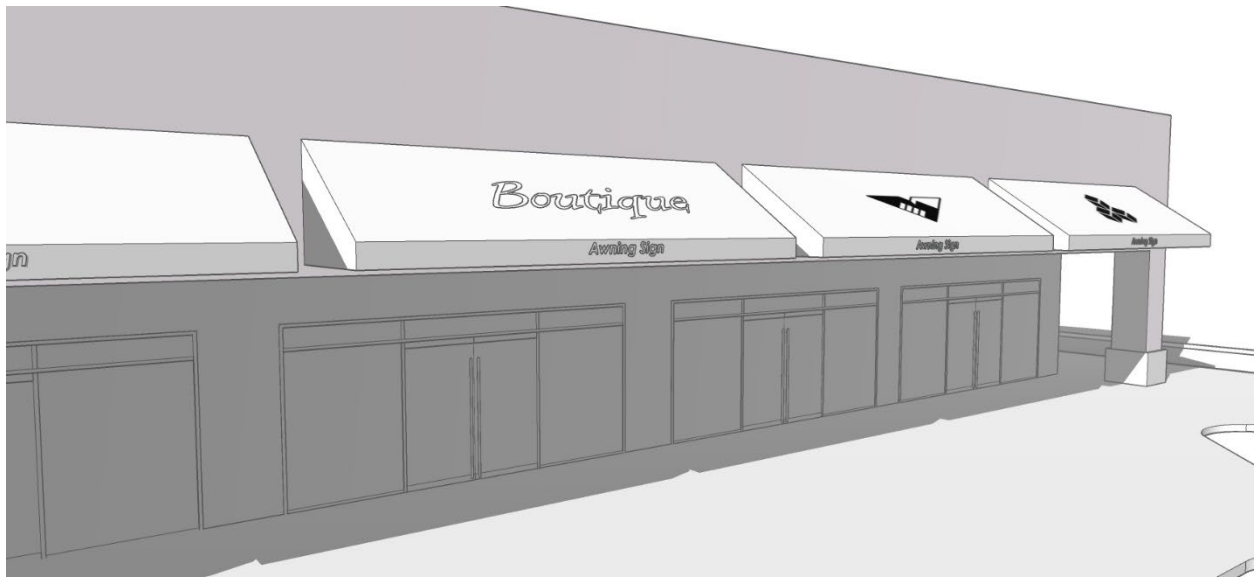
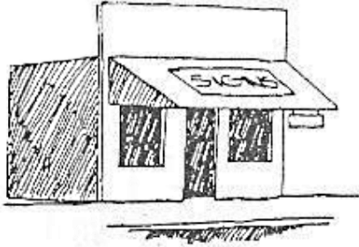


Figure 76

Sign, ~~Directional~~, means any ~~S~~sign which is designed solely for the purpose of assisting in the safe movement of pedestrian and vehicular traffic ~~or pedestrian~~ direction, which is and placed on the ~~P~~roperty to which or on which the public is directed, and which contains no ~~A~~advertising copy. (See Figure 87.)



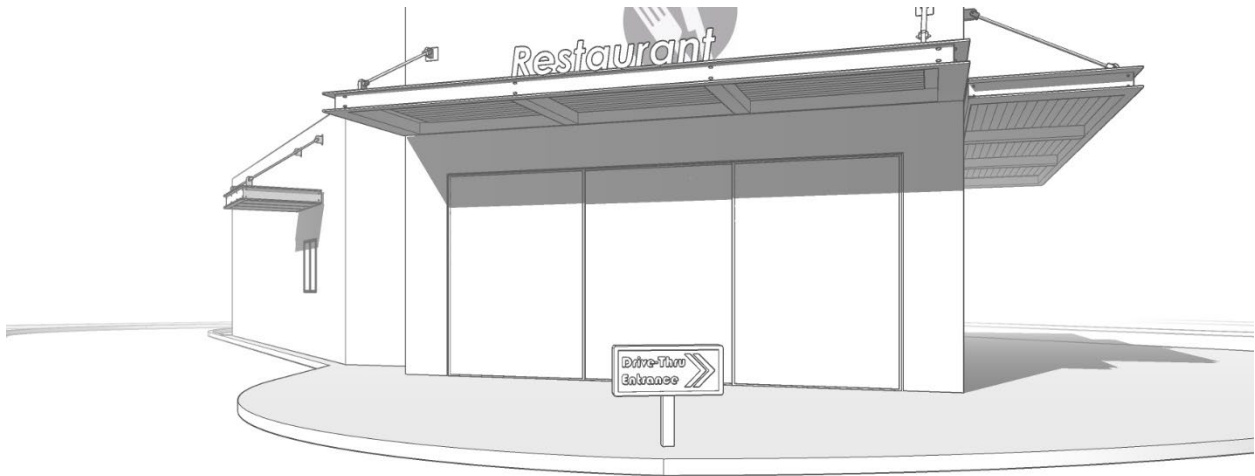


Figure 87

Sign, *Directory*, means any *Sign* listing the names, use, or location of the businesses or activities conducted within a building or group of buildings. (See Figure 98.)

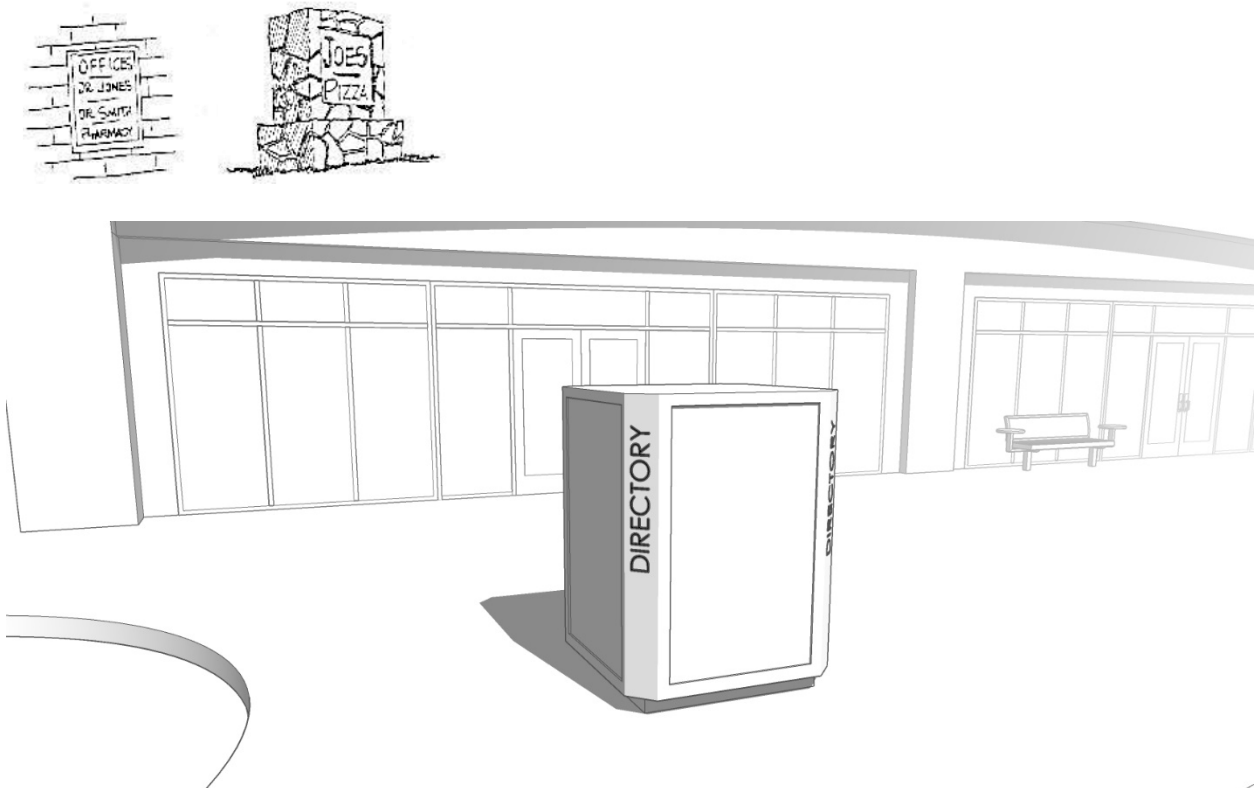


Figure 98

Sign, *Freestanding*, means a Sign which is erected on its own self-supporting permanent structure, detached from any significant (i.e., weight-bearing) supporting elements of a building (lateral stabilizing support is not considered attachment to the building). (See Figure 109.)

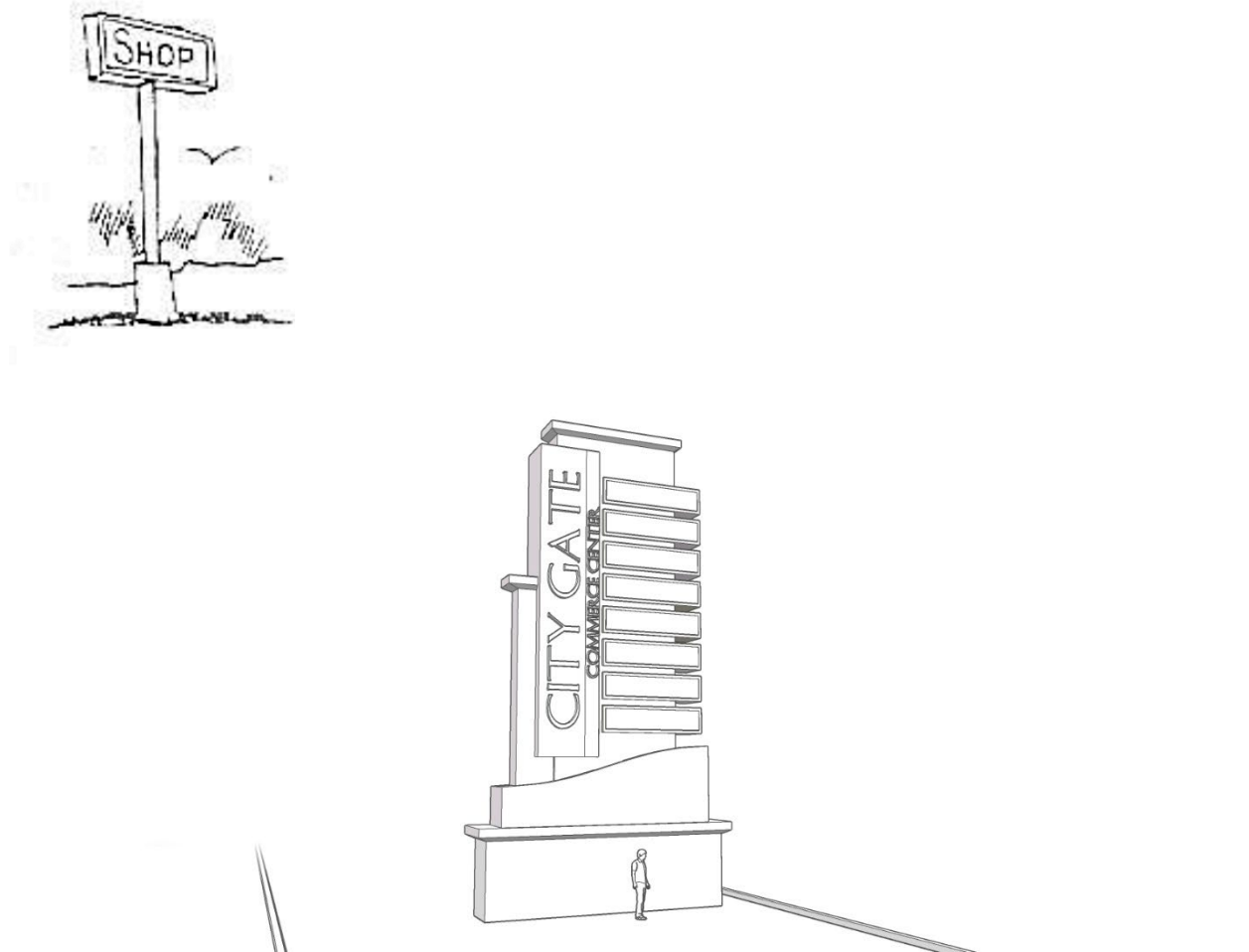


Figure 109

Sign *Height* means the distance measured from the Ggrade of at the base of a Sign to the topmost portion of a Sign, including decorative embellishments.

Sign, *Identification*, means any Sign identifying by name, message, ~~or~~ symbol, a business, ~~dwelling residence~~, occupant ~~activity~~, institution, establishment, operation, ~~merchandise, product~~, or service available at the Property on which the Sign is displayed for first responders, mail delivery, official governmental notification, and other purposes.

~~Sign, illuminated, means a sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.~~

~~Sign, inflated, means a sign held up by helium or blowing air.~~

Sign, Monument, means a Freestanding Sign for a Complex commercial, industrial or office site that displays the names of tenants at on the Property site as well as the Complex name. These Monument Signs are typically integrated into the landscaping for the Complex. (See Figure 11.)

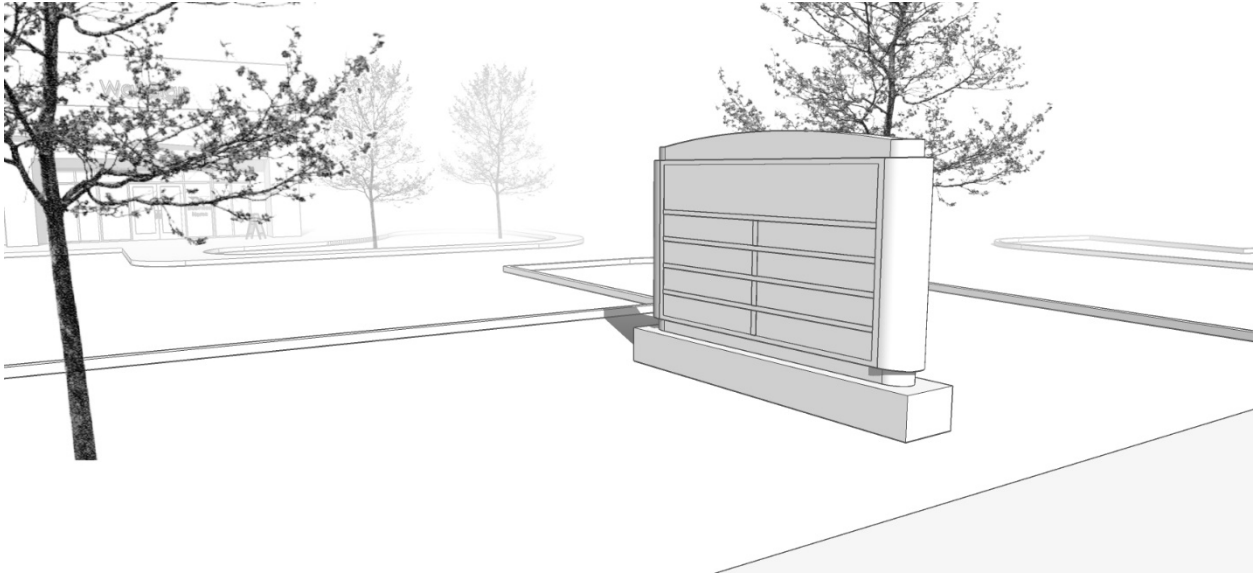


Figure 11

Sign, Name Plate means a Sign used to identify the name or profession of the occupant of a dwelling or the address of the Property.

Sign, Nonconforming, means any Sign that which is not allowed under this Code, but was allowed which, when it was first constructed, was lawful.

Sign, Off-Premises, (billboard or other outdoor Advertising) means a Sign Advertising a business, place, activity, goods, services, or products on a different Property from the Property where said sign is located.

Sign, On-Premises, means a Sign Advertising a business, place, activity, goods or services or products on the same Property on which the Sign is located.

Sign, Political, means a temporary Sign that supports or opposes a candidate for public office or supports or opposes a ballot measure and is subject to A.R.S. §16-1019 used in connection with a local, state, or national election or referendum.

Sign, Portable, means any Sign not permanently affixed to the ground or a structure on the Property site it occupies.

Sign, projection, means any sign attached to a building or other structure and extending in whole or in part more than 12 inches beyond the building shall be considered a freestanding sign with reference to square footage allowances. (See Figure 10.)

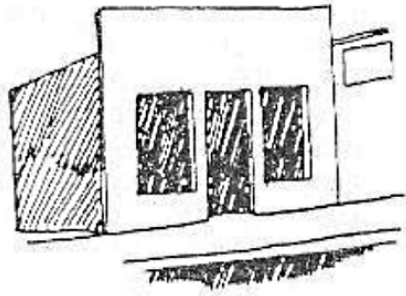


Figure 10

Sign, ~~R~~roof, means any ~~S~~sign erected upon the roof of any building and that which is partially or totally supported by the roof or reroof structure of the building. (See Figure ~~12~~.)



Figure ~~12~~

Sign, ~~T~~emporary ~~K~~kiosk, means a ~~F~~reestanding Sign that is not, non-illuminated and consists structure consisting of a maximum seven directional panels per side, for a total of 14 directional panels per kiosk.

Sign, ~~T~~emporary ~~P~~romotional, means ~~B~~anners, streamers, flags, ~~P~~pennants, inflatable structures and other attention-getting media or devices designed to promote a sale or event or for some other short-term promotional purpose. (See Figure 13.)



Figure 13

Sign, Temporary Real Estate means a Sign identifying Property offered for sale or lease.

Sign, Under-Ce canopy, means a Ssign suspended beneath a Ccanopy, ceiling, roof, or Mmarquee, which is shall be considered a Ffreestanding Ssign for purposes of calculating maximum Sign Area with reference to square footage allowances.

Sign, Wall-M mounted, means a Ssign mounted or painted flat against, projecting less than 12 inches or painted on the wall of a building with the exposed face of the Ssign in a plane parallel to the face of said wall. (See Figure 14.)





Figure 142

Sign, Yard means a temporary small placard-type sign that is typically associated with, but not limited to, the advertisement of real estate, political, political campaigns, and meeting or event announcements.

Sign Permit means any of the permits described in PCDSC 2.145.130.

Temporary Sign Permit means the permit described in PCDSC 2.145.130(F).

(Ord. No. PZ-C-002-12 , §§ 1—5; Ord. No. 2010-PZ-C-006-09 , § 1; Ord. No. 61862, § 2202)

2.145.030. General provisions.

Except as may be further restricted in designated zoning districts, all permitted signs shall be subject to the following:

-
- A. A ~~S~~sign may be illuminated during the hours of operation ~~at~~of the ~~Property~~facility being identified or advertised or until 11:00 p.m., whichever is later, but the source of illumination shall not be visible beyond the property lines. No flashing or intermittent illumination shall be used (except for Electronic Message Displays). ~~Internally lighted signs may be "reverse print" or otherwise.~~Signs may use Internal-Reverse Print Lighting or other lighting otherwise allowed. No portion of any ~~S~~sign shall consist of mirrors or highly polished reflective surfaces.
 - B. No ~~S~~sign (nor any portion of a ~~S~~sign) shall rotate, move, or simulate movement by means of fluttering, spinning, or reflection devices. (except for Temporary Promotional Signs). ~~No Sign Not including temporary promotional signs.) Nor shall it contain an electronic message device except for "time and temperature" signs, nor shall it flash, blink, be audible, or be animated by any means (except for Electronic Message Displays).~~
 - C. Lighted beacons, searchlights, or other lights or lighted devices which move to attract attention to a Property or are visible beyond the property line are prohibited.
 - D. No ~~sign~~Sign may encroach upon or overhang adjacent ~~property~~Property or public right-of-way. No ~~sign~~Sign shall be attached to any utility pole, light standard, bridge, or any other public facility located within the public right-of-way. Except when prohibited, Signs may be located in or project into required ~~yards~~Setbacks but no ~~sign~~Sign nor any support for a ~~sign~~Sign shall be located in, or project into any private street, alley, easement, driveway, parking area or pedestrian way in such a manner ~~at as~~ to obstruct the intended use or to constitute a safety hazard.
 - E. Canopy ~~(awning)-signs~~Signs shall not project above the ~~canopy~~Canopy. Signs may be attached flat against ~~canopies~~Canopies made of rigid materials; ~~canopies~~Canopies of nonrigid materials, e.g., canvas, shall only have ~~signs~~Signs painted on them.

~~Signs attached to a building shall not project above the eave line or parapet. Signs mounted on the lower portion of a mansard roof with a slope exceeding 74 degrees from the horizontal are permitted, provided they do not project above the top of the lower roof portion of the Mansard Roof.~~
 - F. ~~In no case~~No Sign Height shall ~~any sign~~ exceed 30 feet ~~in height~~.
 - G. The ~~square footage~~Sign Area of a ~~sign made up of letters, words, or symbols within~~Sign with a frame or border shall be determined from the outside edge of the frame or border ~~itself~~. The ~~square footage~~Sign Area of a ~~sign composed of only letters, words,~~Sign without a frame or ~~symbols~~border shall be determined from imaginary straight lines drawn around the entire copy ~~or grouping of such letters, words, or symbols~~. Only those portions of the construction elements that are an integral part of the ~~sign itself~~Sign shall be considered in the ~~allocation of square footage allowed~~Aggregate Sign Area.
 - H. No ~~sign~~Sign shall be painted on or affixed to any natural object in its natural location such as a boulder, tree or cliff face.
 - I. Signs may be painted directly onto structural surfaces (walls or buildings) but not onto any roof other than a Mansard Roof.
 - J. No sign shall be installed attached or painted on any fence.
 - J. No ~~sign~~Sign shall be located in such a manner as to obstruct or otherwise interfere with an official traffic sign, signal or device or obstruct or interfere with a driver's view of approaching, merging or intersection traffic.
 - K. No ~~sign~~Sign shall simulate the appearance of an official traffic sign, signal or device, nor the warning or signal device of any emergency vehicle.

- L. Signs painted on or attached to vehicles ~~which~~that are parked on the public right-of-way or on private ~~premises~~property for a continuous period in excess of 72 hours or repeatedly for three consecutive days for the purpose of intentionally circumventing the intention of this title shall be considered ~~portable signs~~Portable Signs within the meaning of this title.
- M. In no case shall any ~~sign~~Sign project above the ~~roof line~~Roof Line or Parapet of the building upon which it is mounted. Roof-mounted ~~signs~~Signs are permitted (if otherwise in compliance) and shall be considered to be a variety of ~~wall-mounted sign~~Wall-Mounted Sign. Signs mounted on the lower portion of a Mansard Roof with a slope exceeding 74 degrees from the horizontal are permitted, provided they do not project above the top of the lower portion of the Mansard Roof.
- N. Repealed by Ord. No. 012010-AEO .
- O. New ~~signs~~Signs with a Sign Area exceeding six square feet ~~in area~~or with a Sign Height exceeding eight feet ~~in height~~ shall follow the permitting requirements specified in PCDSC 2.145.140. Relocation or substantial reconstruction (i.e., costing more than 50 percent of the present value) are allowed if approved in accordance with PCDSC 2.145.140. The relocation or Substantial Reconstruction of a signSign shall be considered a new ~~sign~~Sign for building permit purposes.
- P. Unless allowed by PCDSC 2.145.040(B) or PCDSC 2.145.050(A)(1)(d), permanent Off-site commercial signsPremises Signs shall be allowed only as part of a Comprehensive Sign PackageSpecial Use Permit ~~only~~ in commercial and industrial zoning districts. (See PCDSC 2.145.060, ~~Off-premises signs~~.)
- Q. Signs which are not permitted in a residential zoning district, but are permitted in the zoning district of the adjacent ~~property~~Property, shall be set back a minimum of 20 feet from the residential zone.
- R. Signs located within the triangular area on a corner lot formed by measuring 30 feet along both street lines from ~~their~~the intersection ~~of a public street and a private street or driveway~~, shall either maintain a maximum Sign Height of three feet top height or minimum eight foot bottom height and feet or the bottom of the Sign shall be at least eight feet above the grade at the base of the Sign; such Signs shall contain a maximum of two supports with a maximum 12-inch diameter each. (See Figure ~~13~~15.)

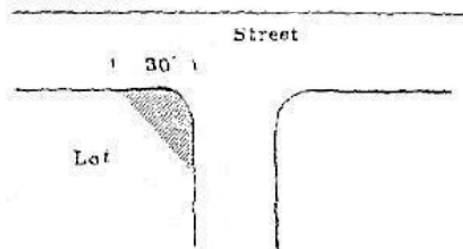


Figure ~~13~~15

- S. Portable ~~signs~~Signs are permitted where indicated for zoning districts provided they are planted securely into the ground, weighted, or otherwise anchored to resist rolling, blowing, tipping over or otherwise moving from a safe location and further provided they are not attached to or sitting upon wheels or trailers.
- T. ~~A-frame signs~~Frame Signs shall have a Sign Height of not exceed more than four feet ~~in height~~ and a Sign Area of not more than six square feet ~~per face~~. ~~A-frame signs~~Frame Signs must be located within 15 feet of the building entrance ~~on~~ the ~~business being advertised~~Property. One ~~A-frame sign~~Frame Sign is allowed per ~~business~~Property and shall not be included in the aggregate sign area allowances for purposes of calculating Aggregate Sign Area.

U. Electronic ~~message signs~~ Message Displays located in Lighting Zone 0, 1, or 2 must be de-activated from 11 p.m. to 6 a.m. M.S.T.

V. In all districts, any permitted Sign may, at the option of the owner, contain a noncommercial message instead of a commercial message. Sign copy may be changed from a commercial message to a noncommercial message or from one noncommercial message to another noncommercial message as long as there is no other change to the Sign.

W. All Ssignage shall be continually maintained in good condition by the ~~property~~ owner of the Property on which the Ssign is located, "Maintain" shall mean to repair or replace a part of a Sign that is damaged or deteriorated with like material, color, and design~~preserve and care for a structure, improvement, conditions, or area~~ so that it remains attractive, safe, ~~presentable,~~ and functional~~and carries out the purposes for which it was installed, constructed, or required.~~

X. Flags, emblems, insignias and posters; unlighted nonverbal religious symbols attached to a place of religious worship; and temporary displays (maximum of 45 consecutive days) of a noncommercial character shall meet the sign requirements of the zone in which they are located.

2.145.040. Exempt ~~signs~~ Signs.

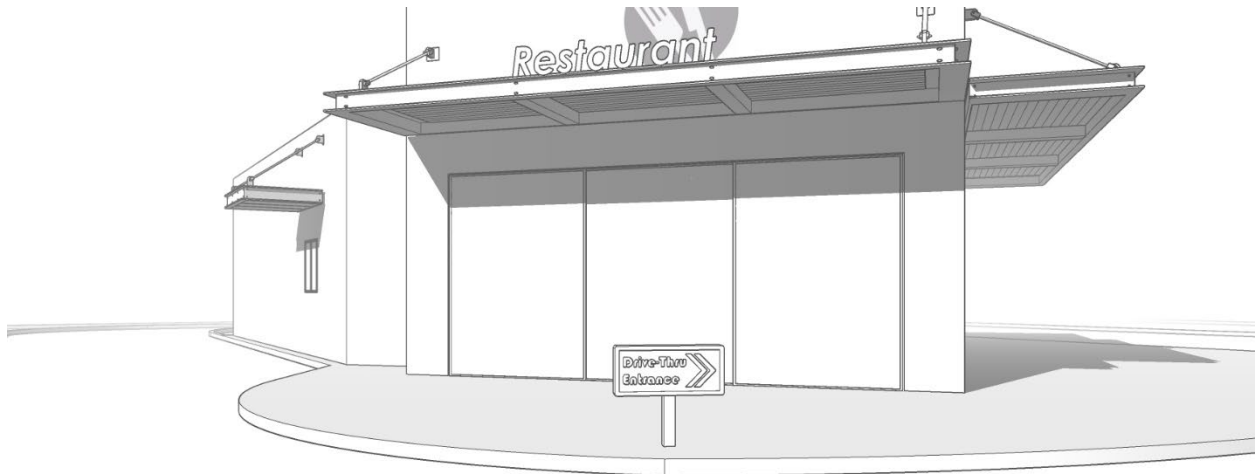
The following ~~signs~~ Signs shall be exempt from obtaining permits and other provisions of this title provided they satisfy all requirements or specifications contained within this section:

- A. Official notices authorized by a court, public body, or public safety official.
- B. Directional, warning or information ~~signs~~ Signs authorized by or consistent with federal, state, county, or municipal authority.
- C. ~~Memorial plaques~~ Plaques and building cornerstones when cut or carved into masonry surface or when made of incombustible material and made an integral part of the building or structure.
- D. ~~Commemorative~~ Historical symbols, plaques and ~~historical~~ tablets.
- E. Political ~~signs~~ Signs that meet the requirements in PCDCS 2.145.050(E).
- F. ~~Flags, emblems, insignias and posters of any nation, state, international organization, political subdivision or other governmental agency; unlighted nonverbal religious symbols attached to a place of religious worship; and temporary displays (maximum of 30-45 consecutive days) of a noncommercial character of a patriotic, religious, charitable, or civic character shall meet the sign requirements of the zone in which they are located.~~ be exempt from the provisions of this section.
- G. Signs located within structures, including inside ~~window signs~~ windows, such as but not limited to neon signs, intended to be seen from outside of the building.

(Ord. No. PZ-C-002-12 , § 7; Ord. No. 61862, § 2204)

2.145.050. Special purpose ~~signs~~ Signs.

- A. *Directional ~~signs~~ Signs.*



1. Permanent ~~on-premises directional signs~~ Premises Signs that are Directional Signs are permitted in all zoning districts (and are in addition to the ~~aggregate area~~ Aggregate Sign Area limits specified in each zoning district) subject to the following:
 - a. This sign Directional Sign shall not exceed four square feet in area Sign Area per face.
 - b. This sign Directional Sign may be double-faced.
 - c. This sign Directional Sign may be ~~placed flat against a wall of a building or such sign may be freestanding~~ a Wall-Mounted Sign or a Freestanding Sign, but the Sign Height shall ~~be no higher than~~ not exceed eight feet ~~above grade~~.
 - d. ~~Off-premises permanent directional or information signs~~ Premises Signs that are Directional Signs for public service or safety facilities shall be permitted, but limited to up to 24 square feet in area Sign Area per sign Sign.
 - e. The total number of ~~directional signs~~ Directional Signs on a Property is not limited provided ~~such signs~~ the Directional Signs are not located within required ~~setback yards~~ Setbacks.
 - f. Directional ~~subdivision signs~~ Signs for subdivisions are permitted in any zoning district, and are subject to that zoning district's square footage Sign Area limitations. Unlighted ~~subdivision signs~~ Directional Signs for subdivisions shall be permitted, provided:
 - i. There shall be no more than one such sign unlighted Directional Sign for each subdivision vehicular entrance, not to exceed a total of three; and
 - ii. Unlighted Directional ~~subdivision signs~~ Signs for subdivisions may only be displayed during the two years following the date of recordation of the Final Plat map.
2. ~~Permanent off-premises directional signs must be located away from arterial highways. Examples of such signs might include destination campgrounds and resorts. Such signs shall be:~~
 - a. ~~Limited to six square feet of panel area, not to exceed eight feet in height above grade, unlighted, and no closer than 20 feet to any property line.~~
 - b. ~~Mounted on the same standard where more than one such sign is erected at any one intersection and elsewhere whenever possible.~~

- c. ~~Required to obtain an off-premises sign permit (even though under the minimum size otherwise requiring a permit).~~
- d. ~~Limited to three such signs providing direction to any one parcel.~~
- e. ~~Shall be required to obtain a Special Use Permit (PCDSC 2.151.010) for each sign.~~

B. *Temporary ~~real-estate signs~~. The following are allowed with a Temporary Sign Permit:*

1. *Yard signs* are permitted in any zoning district. Two on-site unlighted signs not exceeding a total Sign Area of six square feet ~~in area~~ on each ~~street frontage adjoining a site~~ Frontage shall be permitted. *Yard Signs* shall not be located in landscaped parkways, street medians, or bike trails. When affixed to a ~~parcel~~ Property of two acres or larger ~~which that~~ lies contiguous to a major arterial highway with a right-of-way width of at least 150 feet at the location of the ~~sign~~ Sign, a *yard sign* shall be permitted with a Sign Area not to exceed 12 square feet ~~in area~~. The Sign Height of a yard sign shall not exceed six feet ~~in height~~. All ~~temporary signs~~ yard signs shall be posted for not more than 120 days per year and no more than ~~4560~~ consecutive days.
2. ~~New construction signs~~ Signs are permitted on Property undergoing construction, subject to the square footage limitation of the respective zoning district and in no case to exceed ~~a total~~ an Aggregate Sign Area of 40 square feet ~~in area~~ for the project. On ~~the site of a project~~ Property actively under construction, unlighted ~~signs~~ Signs are permitted. The Sign Height of Freestanding signs Signs on Property under construction shall not exceed eight feet ~~in height~~. ~~Such signs. Signs for Property under construction~~ shall be removed within 30 days after the ~~earlier of project completion of the project or any~~ the cessation of construction activity for a continuous period of six months.
3. ~~New~~ Signs are permitted on Property with new residential subdivisions undergoing development ~~signs~~ (including multifamily housing projects of 30 or more units and condominium projects) ~~shall be permitted provided there shall be no more than that the Sign Area does not exceed 100 square feet of total sign area for each Final Plat and a total of subdivision or project and there are no more than five signs. They~~ Signs. Such Signs shall not extend into any required ~~yard nor~~ Setback and Sign Height shall ~~any sign not~~ exceed 12 feet ~~in height~~. Such ~~on-site signs~~ Signs shall be permitted for a maximum of two years or final occupancy approval, whichever occurs first; ~~and provided, that such signs are maintained in good condition. Extensions beyond the two-year limitation may be granted in the form of a Special Use Permit (PCDSC 2.151.010) for one year increments.~~
4. ~~For the purpose of administering this section,~~ Signs are permitted on Property with new multifamily housing ~~complexes~~ projects of less than 30 units ~~or more shall be considered within the definition and regulations of a "subdivision" in subsection (B)(3) of this section. Multifamily complexes may display directional signs for a period of one year following~~ undergoing construction ~~completion~~, subject to the additional regulations of subsection ~~(AB)~~ (1) of this section, and Directional Signs shall be permitted for a maximum of one year following construction completion.
5. ~~Office~~ Complexes, multiuse buildings ~~or complexes~~, shopping centers ~~and~~, industrial parks, ~~and commercial subdivisions undergoing development~~ may display ~~temporary real estate signs~~ Temporary Real Estate Signs for a period of one year following construction completion. ~~These signs~~ Such Temporary Real Estate Signs shall be limited to one ~~freestanding sign~~ Freestanding Sign and two ~~building-mounted signs~~ Wall-Mounted Signs not to exceed a combined ~~total~~ Sign Area of 100 square feet ~~in area~~, with the Sign Height of Freestanding signs ~~shall~~ Signs not ~~exceed~~ exceeding eight feet ~~in height~~. After this one-year period, the regulations of subsection (B)(1) of this section shall apply.

C. *Temporary ~~promotional signs~~ Promotional Signs.*



1. *Promotional event types.*
 - a. ~~Grand opening signs~~ [Temporary Promotional Signs \(i.e. grand opening, going out of business, special event or sales\)](#) are allowed for a permitted business at the business location during one of the following:
 - i. An "arm's length" change of ownership.
 - ii. Opening a new location.
 - iii. An expansion of floor area of at least 25 percent.

2. *Allowed ~~signs~~ [Types of Temporary Promotional Signs](#).*
 - a. Banners, ~~feather banners, pennants~~ [Feather Banners, Pennants](#), and inflatable ~~signs~~ [Signs](#), balloons and/or structures.
 - b. ~~A-frame signs~~ [Frame Signs are permitted](#), subject to [the requirements set forth in](#) PCDSC 2.145.030 ~~(T)~~.

3. *Approvals required.* A ~~temporary sign permit~~ [Temporary Sign Permit](#) will be required.

4. *Time limitations.*
 - a. Permits shall be for a maximum of 45 days.
 - i. ~~Grand opening signs~~ [Temporary Promotional Signs for grand openings](#) shall be permitted no more than once in any 12-month period.
 - ii. ~~Sale~~ [Temporary Promotional Signs for sales](#) or ~~event signs~~ [events](#) shall be permitted no more than twice in any 12-month period.

5. *Requirements for all ~~temporary promotional signs~~ [Temporary Promotional Signs](#).*
 - a. Located on the ~~property~~ [Property](#) for which the ~~temporary sign permit~~ [Temporary Sign Permit](#) has been issued.
 - b. Cannot be affixed to any utility pole, tree or similar object.

- c. Not permitted in parking aisles.
 - d. ~~All sign owners must maintain their signs in a professional manner as to appearance and structure.~~
6. ~~Additional banner~~Banner requirements.
- a. Maximum size: 20 feet by five feet.
 - b. One-sided.
 - c. Securely attached to the building for which the ~~temporary sign permit~~Temporary Sign Permit has been issued.
7. ~~Additional feather banner~~Feather Banner requirements.
- a. Maximum size: Ten feet in height measured from the base and a maximum of 30 square feet in area.
 - b. Separated from any other ~~sign~~Sign, driveway or intersection by at least 50 feet, excluding ~~wall-mounted~~Wall-Mounted Signs and gasoline pricing ~~signs~~Signs.
 - c. Two ~~feather banners~~Feather Banners are permitted per tenant up to 20,000 square feet of building area.
 - d. Four ~~feather banners~~Feather Banners are permitted per tenant over 20,000 square feet of building area.
- D. ~~Temporary kiosk sign~~Kiosk Sign.
1. Temporary ~~kiosk signs~~Kiosk Signs are approved for the following entities only: ~~Communities~~communities, Planned Area Developments, named subdivisions, builders, and governmental entities.
 2. ~~All temporary kiosk sign~~A Temporary Sign Permit is required for all Temporary Kiosk Sign structures ~~will be required to get a temporary sign permit~~ and all Temporary Kiosk Sign structures will comply with the size, construction type, and color scheme as set forth by the Community Development Department.
 3. All applications shall require a minimum of one written agreement to install and maintain the sign contract from an existing community and/or builder within the service area, ~~to the satisfaction of the Director.~~
 4. All applications shall require a written authorization contract from the ~~property~~Property's owner for which the proposed ~~sign~~Temporary Kiosk Sign is to be located. If on ~~state~~State land, a permit must be obtained first from the ~~state~~State. The ~~Planning Division~~Department will not hold locations pending approval from any entity, whether private or public. Under no circumstances will ~~signs~~Temporary Kiosk Signs be permitted in a right-of-way.
 5. A ~~temporary kiosk sign~~Temporary Kiosk Sign located in the vicinity of state highways must obtain a state permit prior to submitting an application to the ~~Community Development~~Department.
 6. All locations must be approved by the ~~Community Development~~Department prior to the installation of ~~the sign~~a Temporary Kiosk Sign. These locations will be approved only if the site location is beneficial ~~to~~compatible with the surrounding area.
 7. Only one ~~temporary kiosk sign~~Temporary Kiosk Sign shall be allowed per applicant per corner/location until that ~~customer applicant's~~original kiosk has no more additional space for advertisements ~~copy is sold out and displayed~~. For the purpose of simplicity, a four-way intersection is considered to have four corners; a three-way intersection is considered to have three corners.

8. ~~Off-premises temporary kiosk signs located outside of an intersection must maintain a minimum of 500 feet from closest intersection.~~
9. ~~Off-premises temporary kiosks may be located within a five-mile radius of the subject community.~~
10. ~~All sign owners must maintain their signs in a professional manner as to appearance and structure.~~

E. Political Signs.

1. Political Signs can be located on private property or in public rights-of-way that are owned or controlled by the County, if the following conditions are met:
 - a. The Political Sign is erected no more than ~~90~~71 days prior to a primary election and removed 15 days after the general election, except that for a Political Sign for a candidate in a primary election who does not advance to the general election, the period ends 15 days after the primary election.
 - b. The Political Sign has a maximum Sign Area of 16 square feet if the Political Sign is located in an area zoned for residential use, or a maximum Sign Area of 32 square feet if the Political Sign is located in any other area.
 - c. The Political Sign is not placed in a location that is hazardous to public safety, obstructs clear vision in the area or interferes with the requirements of the Americans with Disabilities Act.
 - d. The Political Sign must contain the name and telephone number or website address of the candidate or campaign committee contact person.
2. If the County deems the placement of a ~~political sign~~Political Sign constitutes an emergency, the County may immediately relocate the Political Sign and notify the candidate or campaign committee that placed the Political Sign within 24 hours after the relocation.
3. If a Political Sign is placed in violation of subsection (E)(1) of this section, and the placement is not deemed to constitute an emergency, the County may notify the candidate or campaign committee that placed the Political Sign of the violation and provide 24 hours for its removal. If it is not removed 24 hours after the notification, the County may remove the Political Sign and retain it for ten business days to allow the candidate or campaign committee to retrieve the Political Sign without penalty.

(Ord. No. PZ-C-002-12 , §§ 8—11; Ord. No. 2010-PZ-C-006-09 , § 2; Ord. No. 61862, § 2205)

4. Nothing contained within this section is intended to conflict with ARSA, R.S. §16-1019 regarding ~~political signs~~Political Signs. Should such a conflict arise or should this code be deemed silent or otherwise inadequate for a specific issue, A.R.S. §16-1019 shall be the guiding regulation for the subject issue.

2.145.060. Off-premises signs

~~Off-premises signs~~Premises Signs may be permitted subject to the following conditions and restrictions:

- A. Permanent ~~Off-premises signs~~Premises Signs other than directional signsDirectional Signs described in PCDSC 2.145.040(B) and PCDSC 2.145.050(A)(1)(d) shall be ~~by~~allowed with a Comprehensive Sign Package Special Use Permit only in commercial and industrial zoning districts or as allowed with an approved PAD overlay, or an approved master plan in a LMPC or MP-CMP zoning district.
- B. No new, relocated, or reconstructed permanent off-premises signOff-Premises Sign shall be permitted within 200 feet of a residential zoning district.

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- C. No new, relocated, or reconstructed ~~permanent off-premises sign~~ Off-Premises Sign shall be permitted within 1,500 feet of an existing ~~off-premises sign~~ Off-Premises Sign.
 - D. Permanent Off-Premises Signs shall be constructed on no more than three supports.
 - E. In addition to the general provisions of PCDCS 2.145.030, all ~~permanent off-premises signs~~ Off-Premises Signs shall conform to the following development standards:
 1. Maximum ~~height~~ Sign Height: 20 feet.
 2. Maximum ~~area~~ Sign Area: 160 square feet.
 3. Shall not be located closer to a street than any existing building within 100 feet thereof, but in no case closer to the street right-of-way than 20 feet.
 4. Lighting shall be either internal or by indirect source in accordance with section 2.195.
 - F. Permanent Off-Premises Signs must be located at least 20 feet from arterial or higher classification streets. Examples of such Signs include destination campgrounds and resorts. Such Signs shall be:
 1. Limited to a Sign Area not to exceed six square feet and a Sign Height not to exceed eight feet, unlighted, and no closer than 20 feet to any property line.
 2. Mounted on the same standard where more than one such Sign is erected at any one intersection and elsewhere whenever possible.
 3. Limited to three such Signs providing direction to any one Property.
 - G. ~~Off-premises signs~~ Premises Signs consisting of banners, pennants or other temporary means of advertising that are Temporary Promotional Signs shall be permitted in office, commercial, activity center and industrial zoning districts. Such ~~signs~~ Signs shall obtain ~~temporary sign permits~~ Temporary Sign Permits (on a no-fee basis) prior to their erection. Permits for such ~~signs~~ Signs shall be for a specific period, after which such ~~signs~~ Signs shall be removed. Such ~~signs~~ Signs shall otherwise comply with the general provisions, and the provisions of the zoning district in which they are to be placed, except that ~~with as allowed by the Temporary Sign Permit~~ proper authorization, such ~~signs~~ Signs may be placed within or across the right-of-way of a public street or road. The number of such ~~signs~~ Signs shall be limited to one per entrance to the community by a county or state arterial highway.
 - HG. Off-Premises Signs that are Temporary Kiosk Signs shall be permitted for communities, Planned Area Developments, named subdivisions, builders, and governmental entities. Such Signs shall obtain Temporary Sign Permits prior to their erection. Permits for such Signs shall be for a specific period, after which such Signs shall be removed. Such Signs shall otherwise comply with the general provisions, and the provisions of the zoning district in which they are to be placed. Temporary Kiosk Signs located outside of an intersection must be a minimum of 500 feet from closest intersection and- must may be located within a five-mile radius of the subject community.
 - I. If any off-premises sign references a use, business or product no longer in existence or available; or is left blank or damaged so as to be largely illegible; or is maintained without copy or without "space available" advertising for a period exceeding 180 days, such sign shall be deemed abandoned and such sign Any Off-Premises Sign that is an Abandoned Sign shall be removed by the Property's owner within 30 days upon ~~after~~ written notification by the County.

(Ord. No. PZ-C-002-12 , § 12; Ord. No. 61862, § 2206)

2.145.070. Sign regulations specific to the rural or residential zoning districts.

No ~~sign~~Sign shall be placed or maintained in any rural, residential or transitional zoning district (when used as residential) except as follows:

A. *Permanent ~~signs~~On-Premises Signs.*

1. *Name ~~plate signs~~. Typically used to identify the name or profession of the occupant of a residence or address of the dwelling is*Plate Signs. Name Plate Signs are permitted subject to the following:
 - a. ~~This sign~~A Name Plate Sign shall not ~~exceed~~have a Sign Area of more than four square feet ~~in area, nor~~ or a Sign Height of more than eight feet ~~above grade at the sign.~~
 - b. ~~This sign~~A Name Plate Sign shall be located on the ~~property~~Property to which it pertains and the number of ~~signs~~Signs shall be limited to one for each dwelling.
 - c. ~~This sign~~A Name Plate Sign may be indirectly illuminated by one light bulb or fluorescent tube not exceeding 15 watts.
2. *Identification ~~signs~~Signs.*
 - a. Identification Signs ~~identifying for~~ any allowed use within the zoning district are permitted, subject to the following:
 - i. ~~This sign~~The Sign Area of the Identification Sign shall not exceed 24 square feet ~~in area,~~ and may not be double-faced.
 - ii. ~~This sign~~The Identification Sign may be placed flat against a wall of a building or ~~such sign~~ may be freestanding a Freestanding Sign, but placement against a wall of a building shall extend no higher than ten feet above the grade at the base of the wall. The ~~height~~Sign Height of a ~~freestanding sign~~Freestanding Sign shall not exceed ten feet ~~above the grade.~~
 - iii. ~~This sign~~The Identification Sign shall be located on the ~~property~~Property to which it pertains and the number shall be limited to one for each ~~such~~ use listed in subsection (A)(2)(a) of this section. Two ~~such signs~~Identification Signs shall be permitted if the ~~parcel~~Property exceeds five acres in area and has frontageFrontage on more than one publicly dedicated street or road.
 - b. Identification Signs identifying any allowed use within a multifamily district shall be allowed one ~~sign~~Identification Sign per ~~street frontage~~Frontage entrance, not exceeding 16 square feet in ~~area~~Sign Area each:
 - i. ~~This sign~~The Identification Sign may be ~~placed flat against a wall of a building or such sign may be freestanding~~ a Wall-Mounted Sign or a Freestanding Sign, but ~~placement against a wall of a building~~ a Wall-Mounted Sign shall be placed no higher than ten feet above the grade at the base of the wall nor above the ~~roof line.~~ Roof Line and the Sign Height of a Freestanding Sign shall not exceed ten feet ~~above grade.~~
 - ii. ~~This sign~~The Identification Sign shall be located on the ~~property~~Property to which it pertains.
3. *Subdivision ~~signs~~Signs.* Permanent Signs for the entrance of a subdivision ~~entrance signs~~ are permitted, subject to the following. At the major street entrance to a subdivision ~~or development,~~ not more than two ~~signs, each sign~~Signs are permitted with a Sign Height not

exceeding six feet ~~in height nor~~ and a Sign Area not exceeding 50 square ~~feet in area~~, attached to and not extending above a wall or fence, ~~are permitted~~.

4. ~~Electronic Message Displays. Non-Residential Uses Only (excludes home occupations). Wall-Mounted Signs, Marquee-mounted cabinet signs, marquee Signs, and freestanding monument signs may be an electronic changing message display subject to the following operational limitations. One~~one-half (1/2) of ~~the monument sign~~ Monument Signs may be an Electronic Message Display ~~for non-residential uses only (excludes home occupations)~~, subject to the following operation limitations:

a. Size/Height: ~~Each sign~~ Sign Height shall not exceed six feet ~~in height nor~~ and Sign Area shall ~~not exceed~~ 50 square feet ~~in area~~.

b. Display: Full color displays are permitted.

c. Minimum Display Time: Display shall not change more than once every eight (8) seconds.

d. Transition Method: No restrictions.

e. Illumination Levels: Electronic Message Displays shall incorporate photocell / light sensors with automatic dimming technology to adjust display brightness in accordance with ambient light conditions. Displays shall have a brightness level of no greater than 0.3 foot candles above ambient light conditions at any property line.

f. Maintenance: Any allowed Electronic Message Display that malfunctions or is damaged shall be repaired or disconnected within twenty-four (24) hours by the owner or operator of the ~~sign~~ Sign.

- B. ~~Temporary signs~~ Signs. Temporary ~~signs~~ Signs as provided in PCDC 2.145.050(B) are permitted subject to all regulations contained therein.

(Ord. No. PZ-C-002-12 , § 13; Ord. No. 61862, § 2207)

2.145.080. Sign regulations specific to local business, neighborhood commercial and minor office (CB-1, C-1 and O-1) Zoning Districts.

No ~~sign~~ Sign shall be placed or maintained in any ~~CB-1, C-1 or O-1~~ zoning district except as follows:

- A. ~~Identification or advertising. Signs identifying uses permitted in any C-1 or O-1 Zoning District and On-Premises Signs. On-Premises Signs for any allowed use within the zoning district not located in a commercial or industrial complex~~Complex are permitted, subject to the following:

1. Signs may be ~~wall-mounted, freestanding or portable~~ Wall-Mounted Signs, Freestanding Signs, Monument Signs or Portable Signs.

2. The ~~aggregate sign area~~ Aggregate Sign Area on any one ~~property~~ Property shall not exceed ~~an area~~ a Sign Area of one square foot for each linear foot of ~~street frontage adjoining~~ Frontage for the ~~property~~ Property to which it pertains, except that the total ~~area~~ Sign Area need not be less than 24 square feet, and in no case shall the ~~area~~ Sign Area exceed 96 square feet.

3. One ~~freestanding sign~~ Freestanding Sign is permitted, the ~~area~~ Sign Area of which may not exceed one-third of the ~~allowable total aggregate area~~ Aggregate Sign Area for the ~~property~~ Property, except that the ~~area of the sign~~ Sign Area need not be less than 16 square feet. This ~~sign~~ Freestanding Sign may be double-faced.

4. ~~The Sign Height of a~~ Freestanding ~~signs~~ Sign shall not exceed ~~a height of~~ 12 feet, except that ~~freestanding signs at interstate freeway interchanges (see PCDC 2.145.020, definitions)~~ the Sign

Height of Freestanding Signs at Interstate Freeway Interchanges in the CB-1, C-1 or O-1 Zoning Districts shall not exceed ~~a height of~~ 30 feet.

5. Signs shall be located on the ~~property~~Property to which they pertain.
 6. ~~A-frame signs~~Frame Signs are permitted, subject to the requirements set forth in PCDCS 2.145.030.
 7. ~~Electronic Message Displays. Wall-mounted Signs, Marquee-mounted cabinet signs, marquee Signs, and freestanding monument signs may be an electronic changing message display subject to the following operational limitations. One~~one-half (1/2) of ~~the monument sign~~Monument Signs may be an Electronic Message Display, subject to the following operation limitations:
 - a. Display: Full color displays are permitted.
 - b. Minimum Display Time: Display shall not change more than once every eight (8) seconds.
 - c. Transition Method: No restrictions.
 - d. Illumination Levels: Electronic Message Displays shall incorporate photocell / light sensors with automatic dimming technology to adjust display brightness in accordance with ambient light conditions. Displays shall have a brightness level of no greater than 0.3 foot candles above ambient light conditions at any property line.
 - e. Maintenance: Any allowed Electronic Message Display that malfunctions or is damaged shall be repaired or disconnected within twenty-four (24) hours by the owner or operator of the ~~sign~~Sign.
- B. *Temporary signs*Signs. Temporary signsSigns as provided in PCDCS 2.145.030(B), 2.145.050(B) and 2.145.060(HG) are permitted, subject to all regulations contained therein.

(Ord. No. PZ-C-002-12 , § 14; Ord. No. 61862, § 2208)

2.145.090. Sign regulations specific to the general business and general office (C-2, C-3 and O-2) Zoning Districts.

No signSign shall be placed or maintained in any, C-2, C-3 or O-2 Zoning District except as follows:

- A. ~~Identification or advertising (on-premises). Signs identifying uses permitted in any commercial and office~~On-Premises Signs. On-Premises Signs for any allowed use within the zoning district ~~and~~ not located in ~~an office, commercial or industrial complex~~a Complex are permitted, subject to the following:
 1. Signs may be ~~wall-mounted, freestanding~~Wall-Mounted Signs, Freestanding Signs, or ~~portable~~Portable Signs.
 2. The ~~aggregate sign area~~Aggregate Sign Area on any one ~~property~~Property shall not exceed ~~an area~~a Sign Area of one square foot for each linear foot of ~~street frontage adjoining the property to which it pertains~~Frontage for the Property, except that the total ~~area~~Sign Area need not be less than 24 square feet, and in no case shall the ~~area~~Sign Area exceed 128 square feet.
 3. One ~~freestanding sign~~Freestanding Sign is permitted, the ~~area~~Sign Area of which may not exceed one-half of the ~~allowable total aggregate area~~Aggregate Sign Area for the ~~property~~Property, except that the ~~area of the sign~~Sign Area need not be less than 24 square feet. This signSign may be double-faced.

4. ~~The Sign Height of a Freestanding signs~~ Sign shall not exceed ~~a height of~~ 15 feet, except that ~~freestanding signs at interstate freeway interchanges (see PCDSC 2.145.020, definitions)~~ the Sign Height of Freestanding Signs at Interstate Freeway Interchanges shall not exceed ~~a height of~~ 30 feet.
5. ~~A-frame signs~~ Frame Signs are permitted, subject to the requirements set forth in PCDSC 2.145.030.
6. ~~Approved Exposed light sources such as neon, incandescent, light emitting diode (LED), fluorescent, metal halide, or high- or low- sodium bulbs,~~ may be used; however, exposed light tubes and bulbs must be decorative in nature and shall adhere to the County's Outdoor Lighting Ordinance, including the protection of the study areas depicted in the 2020 Joint Land Use Study intended to align land use efforts to protect the community and the Arizona Army National Guard. All light sources shall be shielded to prevent illumination trespass onto properties other than where the light source is located.
7. ~~Electronic Message Displays. Wall-Mounted Signs, Marquee-mounted cabinet signs, marquee Signs, and freestanding monument signs may be an electronic changing message display~~ one-half (1/2) of Monument Signs may be an Electronic Message Display subject to the following operational limitations. ~~One half (1/2) of the monument sign may be an Electronic Message Display, subject to the following operation limitations:~~
 - a. Display: Full color displays are permitted.
 - b. Minimum Display Time: Display shall not change more than once every eight (8) seconds.
 - c. Transition Method: No restrictions.
 - d. Illumination Levels: Electronic Message Displays shall incorporate photocell / light sensors with automatic dimming technology to adjust display brightness in accordance with ambient light conditions. Displays shall have a brightness level of no greater than 0.3 foot candles above ambient light conditions at any property line.
 - e. Maintenance: Any allowed Electronic Message Display that malfunctions or is damaged shall be repaired or disconnected within twenty-four (24) hours by the owner or operator of the sign Sign.
- B. ~~Off-premises signs~~ Premises Signs. ~~Off-premises signs~~ Premises Signs are permitted, subject to PCDSC 2.145.060 ~~(H)~~.
- C. ~~Temporary signs~~ Signs. Temporary signs Signs as provided ~~in in PCDSC 2.145.030(B) and 2.145.050(B) and 2.145.060(G)~~ are permitted, subject to all regulations contained therein.

(Ord. No. PZ-C-002-12 , § 15; Ord. No. 61862, § 2209)

2.145.100. Sign regulations specific to the industrial zoning districts.

No sign Sign shall be placed or maintained in any industrial zoning district except as follows:

- A. ~~Identification or advertising signs (on-premises). Signs identifying or advertising~~ On-Premises Signs. On-Premises Signs for any allowed uses permitted in any industrial ~~the~~ zoning district not located in a ~~commercial or industrial center~~ Complex are permitted, subject to the following:
 1. Signs may be ~~attached to a wall of a building or such sign may be freestanding or portable~~ Wall-Mounted Signs, Freestanding Signs, or Portable Signs.

2. The ~~aggregate sign area~~ Aggregate Sign Area for any one ~~property~~ Property shall not exceed ~~an area~~ a Sign Area of one square foot for each linear foot of ~~street frontage adjoining the property to which it pertains~~ Frontage for the Property, except that the total ~~area~~ Sign Area need not be less than 60 square feet, and in no case shall the ~~area~~ Sign Area exceed 160 square feet.
3. One ~~freestanding sign~~ Freestanding Sign is permitted, the ~~area~~ Sign Area of which may not exceed one-half of the ~~allowable total aggregate area~~ Aggregate Sign Area for the ~~property~~ Property, except that the ~~area of the sign~~ Sign Area need not be less than 24 square feet. ~~This sign~~ The Freestanding Sign may be double-faced.
4. ~~The Sign Height of a~~ Freestanding signs Sign shall not exceed ~~a height of~~ 15 feet, except that ~~freestanding signs at interstate freeway interchanges (see PCDCS 2.145.020, definitions)~~ the Sign Height of Freestanding Signs at Interstate Freeway Interchanges shall not exceed ~~a height of~~ 30 feet.
5. ~~A frame signs~~ Frame Signs are permitted, subject to the requirements set forth in PCDCS 2.145.030.
6. Exposed light sources such as neon, incandescent, light-emitting diode (LED), fluorescent, metal halide, high- or low- sodium bulbs, or mercury vapor light sources shall be prohibited; however, the use of these light source types shall be permitted provided all light sources are shielded to prevent illumination trespass onto properties other than where the light source is located. This includes the protection of the study areas depicted in the 2020 Joint Land Use Study intended to align land use efforts to protect the community and the Arizona Army National Guard.
7. ~~Electronic Message Displays. Wall-Mounted Signs, Marquee-mounted~~ cabinet signs, marquee Signs, and freestanding monument signs may be an electronic changing message display subject to the following operational limitations. One ~~one~~ -half (1/2) of the monument sign Monument Signs may be an Electronic Message Display, subject to the following operation limitations:
 - a. Display: Full color displays are permitted.
 - b. Minimum Display Time: Display shall not change more than once every eight (8) seconds.
 - c. Transition Method: No restrictions.
 - d. Illumination Levels: Electronic Message Displays shall incorporate photocell / light sensors with automatic dimming technology to adjust display brightness in accordance with ambient light conditions. Displays shall have a brightness level of no greater than 0.3 foot candles above ambient light conditions at any property line.
 - e. Maintenance: Any allowed Electronic Message Display that malfunctions or is damaged shall be repaired or disconnected within twenty-four (24) hours by the owner or operator of the sign Sign.
- B. ~~Off-premises signs~~ Premises Signs. ~~Off-premises signs~~ Premises Signs are permitted, subject to all regulations contained in PCDCS 2.145.060.
- C. ~~Temporary signs~~ Signs. Temporary signs Signs as provided in ~~PCDCS 2.145.030(B)~~, 2.145.050(B) and 2.145.060(HG) are permitted, subject to all regulations contained therein.

(Ord. No. PZ-C-002-12 , § 16; Ord. No. 61862, § 2210)

2.145.110. Sign regulations, specific to the MH-8, MHP-435, and PM/RV-435 zoning districts.

- A. Signs placed or maintained within any manufactured/mobile home, ~~or~~ travel trailer-recreational vehicle parks are subject to all the regulations set forth under PCDCS 2.145.070(A)(1), ~~name-plate signs~~ Name Plate Signs.
- B. Permanent entrance ~~signs~~ Signs shall comply with the regulations set forth under PCDCS 2.145.070(A)(3), Subdivision Signs.
- C. ~~Electronic Message Displays, Non-Residential Uses Only (excludes home occupations). Wall Mounted Signs, Marquee-mounted cabinet signs, marquee Signs, and freestanding monument signs may be an electronic changing message display subject to the following operational limitations. One~~ one half (1/2) of the monument sign ~~Monument Signs may be an Electronic Message Display for non-residential uses (excludes home occupations), subject to the following operation limitations:~~
 - 1. ~~Display: Full color displays are permitted.~~
 - 2. ~~Minimum-Display Time: Display shall not change more than once every eight (8) seconds.~~
 - 3. ~~Transition Method: No restrictions.~~
 - 4. ~~Illumination Levels: Electronic Message Displays shall incorporate photocell / light sensors with automatic dimming technology to adjust display brightness in accordance with ambient light conditions. Displays shall have a brightness level of no greater than 0.3 foot candles above ambient light conditions at any property line.~~
 - 5. ~~Maintenance: Any allowed Electronic Message Display that malfunctions or is damaged shall be repaired or disconnected within twenty four (24) hours by the owner or operator of the sign~~ Sign.

(Ord. No. 61862, § 2212)

2.145.120. Sign regulations specific to commercial, industrial and office ~~complexes~~ Complexes.

Signs pertaining to a ~~group of two or more businesses associated by a common agreement or common ownership with common parking facilities~~ Complex are permitted subject to the following regulations:

- A. ~~Individual business signs~~ Signs for individual businesses shall be in accordance with the following:
 - 1. The ~~total aggregate area~~ Aggregate Sign Area of all ~~signs~~ Signs on the ~~site~~ Property pertaining to any one business shall not exceed 32 square feet. However, if the ~~portion of the building adjacent to its lot's street property line~~ frontage measures more than 40 ~~linear~~ feet, then the ~~total aggregate area~~ Aggregate Sign Area of one face of all such ~~signs~~ Signs on the ~~site~~ Property may be increased ~~in area~~ at the rate of one square foot of ~~sign area~~ Sign Area for each foot of building frontage in excess of 40 ~~lineal~~ linear feet; but the ~~total aggregate area~~ Aggregate Sign Area of all such ~~signs~~ Signs on the ~~site~~ Property shall not exceed 48 square feet for each separate business. For corner buildings, only the main entrance ~~building~~ frontage shall be so measured.
 - 2. When two or more businesses occupy one building with common entrances (i.e., without separate entrances), they shall be considered one business for ~~sign~~ Sign computation purposes.
 - 3. Such ~~signs~~ Signs shall be ~~wall-mounted or under canopy signs~~ Wall-Mounted Signs or Under-Canopy Signs.

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4. Under ~~canopy signs shall be business identification signs and Canopy Signs~~ shall be limited to one per ~~business~~Property and ~~have a~~ maximum ~~Sign Area of~~ six square feet ~~in area~~.
 5. A ~~frame signs~~Frame Signs are permitted, subject to the requirements set forth in PCDSC 2.145.030.
- B. Monument ~~signs~~Signs are permitted subject to the following:
1. One ~~freestanding monument sign~~Monument Sign is permitted for any ~~lot or parcel~~Property with a minimum of 300 feet of arterial or major collector ~~street frontage~~Frontage; provided, that:
 - a. ~~Such signs~~Monument Signs shall not be counted in the ~~total aggregate sign area~~Aggregate Sign Area for individual business ~~identification~~Identification Signs.
 - b. The maximum ~~sign area~~Sign Area shall not exceed 60 square feet and the maximum ~~height~~Sign Height shall not exceed 15 feet.
 - c. Individual tenant ~~signs~~Signs located on the ~~monument sign~~Monument Sign shall be no less than four square feet in ~~area~~Sign Area.
 - d. The ~~sign~~Monument Sign's face shall be located at least four feet from the back of sidewalk and a minimum 30 feet from a driveway or intersection.
 2. One additional ~~freestanding monument sign~~Monument Sign shall be permitted for each additional 200 feet of arterial or major collector ~~street frontage~~Frontage. Where ~~such an~~ additional ~~sign~~Monument Signs is permitted, it shall be at least 100 feet from any other ~~monument sign~~Monument Sign. No more than one ~~monument sign~~Monument Sign per driveway entrance is permitted. Gasoline pricing ~~signs~~Signs are exempt from the minimum separation between ~~signs~~Monument Signs.
 3. ~~Electronic Message Displays, Non-Residential Uses Only (excludes home occupations)-Wall-Mounted Signs, Marquee-mounted cabinet signs, marquee~~Signs, and ~~freestanding monument signs may be an electronic changing message display subject to the following operational limitations. One~~one-half (1/2) of ~~the monument sign~~Monument Signs may be ~~an~~ Electronic Message Display ~~for non-residential uses only (excludes home occupations)~~, subject to the following operation limitations:
 - a. Display: Full color displays are permitted.
 - b. Minimum Display Time: Display shall not change more than once every eight (8) seconds.
 - c. Transition Method: No restrictions.
 - d. Illumination Levels: Electronic Message Displays shall incorporate photocell / light sensors with automatic dimming technology to adjust display brightness in accordance with ambient light conditions. Displays shall have a brightness level of no greater than 0.3 foot candles above ambient light conditions at any property line.
 - e. Maintenance: Any allowed Electronic Message Display that malfunctions or is damaged shall be repaired or disconnected within twenty-four (24) hours by the owner or operator of the ~~sign~~Sign.
- C. Directory ~~signs~~Signs may be provided for direction (with location numbers and/or arrows) to individual businesses in ~~an office complex or commercial/industrial center~~a Complex in accordance with the following:
1. No more than one ~~such sign~~Directory Sign per tenant ~~business per directory~~.

2. Each ~~sign~~Directory Sign shall not exceed one square foot in ~~area~~Sign Area. Such ~~sign's area~~Sign Area shall be permitted in addition to the ~~aggregate~~Aggregate Sign Area permitted in subsection (A) of this section.
3. ~~Such signs~~Directory Signs shall be placed together in one or more groups at points nearest the pedestrian entrances to the businesses so indicated.
4. ~~Such signs~~Directory Signs or groupings of ~~signs~~Directory Signs shall be ~~wall-mounted or mounted on freestanding monument sign standards~~Wall-Mounted Signs or Monument Signs.
5. ~~Such signs~~Directory Signs or groupings of ~~signs~~Directory Signs shall ~~have a Sign Height~~ not exceed~~exceeding~~ six feet ~~in height~~.

(Ord. No. PZ-C-002-12 , § 18; Ord. No. 61862, § 2213)

2.145.130. Sign ~~permits~~Permits.

- A. *Permit required.* A ~~sign permit~~Sign Permit shall be secured from the ~~Pinal County Community Development Department~~ prior to the erection, relocation, ~~construction~~Construction, installation or ~~substantial reconstruction~~Substantial Reconstruction (including enlarging a painted ~~sign~~Sign on the surface of a permitted structure) of any nonexempt ~~permanent sign exceeding~~Sign with a Sign Area of more than six square feet ~~in area~~, or ~~higher a~~ Sign Height of more than eight feet ~~above grade at the sign~~, regardless of value, according to the following: requirements.
- B. *Fees.* A uniform fee as provided for in ~~Chapter 2.160~~ PCDSC 2.160.050 shall be paid for each ~~sign permit~~Sign Permit application.
- C. *Sign ~~permit~~Permit applications.* Each application for a ~~sign permit~~Sign Permit shall be ~~made at Pinal County Community Development~~ submitted to the Department ~~office~~ on the appropriate form and shall contain the information as required in ~~Chapter 2.160~~ PCDSC 2.160.040.
- D. *Existing ~~signs~~Signs.*
 1. Legal conforming ~~signs~~Signs and ~~legal nonconforming signs~~Nonconforming Signs existing prior to the effective date of the ordinance codified in this title shall be permitted to continue subject to PCDSC 2.05.080. Continuation shall include the right to repaint or change the message or copy on the ~~sign~~Sign provided the size, Sign Area, and ~~height is~~ Sign Height are not increased and provided the ~~sign~~Sign is not converted from ~~the on-premises to off-premises use an~~ On-Premises Sign to an Off-Premises Sign. A change of ownership and/or business name shall not in and of itself alter the right of continued use of a ~~sign~~Sign.
 2. It shall be the responsibility of the ~~sign~~Sign owner to demonstrate the age of an existing ~~sign~~Sign in order for County staff to ~~grant legal nonconforming status~~determine whether it is a Nonconforming Sign.
- E. *Signs not requiring permits.* Nonexempt permanent Signs not requiring ~~permits~~a Sign Permit by virtue of ~~their height~~size, Sign Area, and ~~size~~Sign Height must nevertheless comply with all other requirements and restrictions of this title.
- F. *Temporary ~~sign permits~~SignsSign Permits.* A Sign with a limited duration of use (such as those provided in ~~PCDSC 2.145.030(B), 2.145.040(B), and 2.145.050(B)~~ (C), and (D)) shall obtain a ~~temporary sign permit~~Temporary Sign Permit. The requirements and criteria for ~~such signs~~Temporary Sign Permits are as follows:

1. Temporary ~~sign permits~~Sign Permits shall be issued for no more than twice a year in 45-day increments ~~unless another timeframe is allowed in PCDSC 2.145.050~~. An extension of a ~~temporary sign permit~~Temporary Sign Permit shall be made the subject of application for a Special Use Permit (PCDSC 2.151.010).
2. Temporary ~~signs~~Signs shall conform to all other requirements of this title.
3. The fee for a ~~temporary sign permit~~Temporary Sign Permit shall be the same as a permanent ~~sign permit~~Sign Permit except as otherwise noted.

(Ord. No. PZ-C-002-12 , § 19; Ord. No. 61862, § 2214)

2.145.140. ~~Flexibility provisions~~Comprehensive Sign Packages; relief.

This section sets forth a design review procedure ~~which provides flexibility in the sign code for signs or sign packages not to obtain approval of Comprehensive Sign Packages, additional Sign Height and/or Sign Area for Signs than~~ allowed in PCDSC ~~2.145.010~~2.145.030 through ~~2.145.140~~2.145.120, or Signs not allowed as the result of a stipulation to a zoning approval. ~~The procedures include the use of design review to receive additional height and area for signs.~~

~~A. Upon receipt, in proper form, of an application requesting relief from prohibitive portions of this ordinance, the Community Development Director shall review the request and provide in writing a determination of relief that is in accordance with the applicant's request, modifies the request, or denies the request.~~

A. *Submittal package.* A completed application shall be filed with the Department together with an application fee; the application shall include the following:

1. A justification letter describing the request and how the Sign structure, materials, and colors are compatible with the development's building architecture. Include a list in outline form of each Sign requested, including both Freestanding Signs and Wall-Mounted Signs, Sign Area in square feet, and Sign Height.
2. An inventory and photographs of any or all existing Freestanding Signs.
3. Preliminary site/landscape plan.
 - a. A vicinity map showing the location of the Property in relationship to adjoining properties.
 - b. Provide a north arrow, date of plan preparation, with subsequent revision dates; project title and address; architect and/or consultant's name, address, and telephone number; Property owner's name, address, and telephone number.
 - c. Provide a data table on the Site Plan that includes existing zoning and the net site area.
 - d. Show Property boundaries and dimensions.
 - e. Show adjacent street right-of-way, existing and proposed; and existing/proposed street and sidewalk improvements noted to center line.
 - f. Show location of conceptual or existing landscape concepts including trees, shrubs, ground covers, berms, and screen walls.
 - g. Show location of proposed Freestanding Signs including dimensions, Sign Height, materials and colors, and method of illumination.
 - h. Include elevations of buildings showing Wall-Mounted Sign locations with dimensions.
 - i. When more than one permanent Sign is located on a Property or where more than one building or business is located in a single development, such as a shopping center, a

Comprehensive Sign Package shall be submitted demonstrating consistency and uniformity among Signs within the development. The requirements of a Comprehensive Sign Package shall apply to all businesses within a related project, even if the Property has been subdivided. Revisions or amendments to the Comprehensive Sign Package shall require documentation from all tenants on the Property prior to approval.

B. Notice. From the time of application submittal, proper notice shall be given by:

1. Publication once in a newspaper of general circulation in the area of the ~~property~~Property that is the subject of the application. If there is no newspaper of general circulation in said area, then in a newspaper of general circulation in the county seat.
2. Postings on the ~~property~~Property that is the subject of the application in locations where the notices will be visible from the nearest public right-of-way. It shall not be the responsibility of the ~~county~~County to maintain the posting once erected.
3. Notice by first class mail to the applicant and to all real property owners, as shown on the last assessment of the property, within 600 feet of the subject ~~property~~Property.
4. Notice shall be in place and remain active for no less than 15 full calendar days prior to the ~~Community Development~~ Director making a determination on the application.
5. Notice shall clearly state the deadline by which all public comments may be received, and the ~~Community Development~~ Director may make a determination on the application. The notice shall reasonably identify the ~~parcel of land~~Property that is the subject of the application, give a brief description of the request and state that anyone residing on or owning adjacent ~~property~~Property and wanting to comment on the request may submit comments in writing to ~~be received by the Community Development~~the Department before the deadline expires.

C. ~~{Sign review committee (SRC).}~~Determination. Upon receipt, in proper form, of a complete application requesting approval of a Comprehensive Sign Package or relief from prohibitive portions of this ordinance, the Director shall review the request and provide in writing a determination that approves the applicant's request, modifies the request, or denies the request within 30 working days of a completed application. Notification of the Director's decision shall be given in writing to the applicant. Said notice shall also inform applicant of applicant's right to request an appeal of the Director's decision to the Board of Adjustment and the process for such an appeal.

D. Appeal. Any person aggrieved by the determination may appeal, in writing, that decision to the Board of Adjustment. Appeals shall be received by the ~~Community Development~~ Department within 30 calendar days of the Director's decision.

~~D.~~ [Upon receipt of a written appeal of the Director's decision, the designated County staff shall initiate the notification and scheduling process for the Board of Adjustment as provided in Chapter 2.155 Board of Adjustment, Variances and Appeals.

E. ~~Comprehensive sign package; approval.}~~ Approval of a comprehensive sign package ~~Review.~~

1. The review process ~~is~~ intended to ~~encourage a flexible procedure to allow signage which is allow Signs that are~~ not in strict compliance with the provisions of the zoning district regulations under this chapter, but which ~~is are~~ appropriate to the character of the development, ~~provides provide~~ adequate identification and information, ~~provides provide~~ an ~~uncluttered good~~ visual environment, ~~promotes promote~~ traffic safety, ~~with Signs otherwise not allowed being and is~~ regulated to the extent necessary to be consistent with the purpose and intent of this chapter as specified in PCDSC 2.145.010
2. Upon the filing of the completed application ~~In making a determination, the Director shall review the application and prepare a written decision based on the following:~~

A. ~~If the application is for a Freestanding Sign or a Wall-Mounted Sign that exceeds any ordinance maximum Sign Height standard by 50 percent or less, or exceeds any maximum Sign Area standard by 25 percent or less, or is for a Directional sign that exceeds the Sign Area or Sign Height restrictions permitted on the siteProperty, the Director shall make a decision of approval, approval with modification, or denial.~~

B. ~~If the application is for a Freestanding Sign or a Wall-Mounted Sign that will exceed any ordinance maximum Sign Height standard by more than 50 percent, or any ordinance maximum Sign Area standard by more than 25 percent, the Director or designated County staff shall initiate the notification and scheduling process for the Board of Adjustment as provided in Chapter 2.155 Board of Adjustment, Variances and Appeals to make a decision of approval, approval with modification, or denial based on the guiding principles listed in Section 2.145.010 and the evaluation criteria in Section 2.145.140.G.~~

~~-3. The Director may deem an application incomplete and request revisions if the application does not address Revisions may include relevant criteria which is his/her opinion forward the guiding principles as listed in Section 2.145.010 and; the evaluation criteria in Section 2.145.140.G.~~

E. ~~[F. Comprehensive sign package; application Conditions.] Approval of the application may contain such conditions, requirements, or standards that may be stipulated by the Community Development Director, to assure that approved signs covered by the use permit will not be detrimental to persons or property in the vicinity, or to the public welfare in general.~~

FG. ~~[Comprehensive sign package; evaluation.] Comprehensive sign packages Applications approved under this section shall be evaluated based upon the guiding principles in Section 2.145.010 based upon and the following criteria:~~

1. *Placement.* All signs shall be placed where they are sufficiently visible and readable for their function. Factors to be considered shall include the purpose of the sign, its location relative to traffic movement and access points, site features, structures, and sign orientation relative to viewing distances and viewing angles. In commercial centers in which some tenants are in locations having little or no street visibility, in order to provide identification, wall signs may be placed on walls of the building in which such tenants are located, even though not a wall of the space occupied by those tenants.
2. *Quantity.* The number of signs that may be approved within any development shall not be greater than that required to provide project identification and entry signs, internal circulation and directional information to destinations and development subareas, and business identification. Factors to be considered shall include the size of the development, the number of development subareas, and the division or integration of sign functions.
3. *Size.* All signs shall be no larger than necessary for visibility and readability. Factors to be considered in determining appropriate size shall include topography, volume of traffic, speed of traffic, visibility range, proximity to adjacent uses, placement of display (location and height), lettering style and the presence of distractive influences.
4. *Materials.* Sign materials shall be compatible with architectural and/or natural features of the project development. This may be accomplished through similarity of materials for sign structures and faces, the use of complementary colors, similarity of architectural style, or the use of a consistent lettering style.
5. *Context.* The design of all signs should respect the context of the surrounding area and the character established by existing signage. Items to be considered include, but are not limited to, lettering style, sign placement, and architectural style.

6. *Considerations.* In making its determination to approve additional ~~signs~~Signs, the Director shall consider the following standards:

- a. The views of or from adjacent properties are not impaired;
- b. The ~~signs~~Signs do not interfere with public utilities, government uses, transportation, landscaping or other factors felt relevant by the Director;
- c. The width of the street, the traffic volume, and the traffic speed warrant the proposed ~~signage~~signs; ~~and~~
- d. The ~~signs~~Signs do not pose a hazard to public safety.

~~GH.~~ *Amendments.* Applications for amendments to ~~the comprehensive sign package~~an approved Comprehensive Sign Package or other application shall be processed in the same way as an original application.

~~HJ.~~ *Minor alterations.* Minor alterations in ~~sign~~Sign locations resulting from unexpected conditions on site may be approved by the ~~Community Development Director, or authorized designee.~~

~~I.~~ *Submittal package.* A completed application shall be filed with the Community Development Department together with an application fee; the application shall include the following:

- ~~1.~~ A justification letter describing the request and how the sign structure, materials, and colors are compatible with the project's building architecture. Include a list in outline form of each sign requested, both freestanding and wall, to include verbiage, area in square feet, and height.
- ~~2.~~ An inventory and photographs of any or all existing freestanding signs.
- ~~3.~~ Preliminary site/landscape plan.
 - ~~a.~~ A vicinity map showing the location of the property in relationship to adjoining properties.
 - ~~b.~~ Provide a north arrow, date of plan preparation, with subsequent revision dates; project title and address; architect and/or consultant's name, address, and telephone number; property owner name, address, and telephone number.
 - ~~c.~~ Provide a data table on the Site Plan that includes existing zoning and the net site area.
 - ~~d.~~ Show property boundaries and dimensions.
 - ~~e.~~ Show adjacent street right of way, existing and proposed; and existing/proposed street and sidewalk improvements noted to center line.
 - ~~f.~~ Show location of conceptual or existing landscape concepts including trees, shrubs, ground covers, berms, and screen walls.
 - ~~g.~~ Show location of proposed freestanding signs including dimensions, height, materials and colors, and method of illumination.
 - ~~h.~~ Include elevations of buildings showing wall sign locations with dimensions.
 - ~~i.~~ When more than one sign is located on a property, or where more than one building or business is located in a single development project, such as a shopping center, a comprehensive sign package shall be submitted demonstrating consistency and uniformity among signs within the project. The requirements of a comprehensive sign package shall apply to all businesses within a related project, even if the properties have been subdivided. Revisions or amendments to the comprehensive sign package shall require documentation from all tenants on the property prior to approval.

~~See the appendix at the end of this title for sign review committee evaluation sheet.~~

J. ~~Review process.~~

1. ~~Community Development Director review. Upon the filing of the completed application, the Director shall review the application and prepare a written decision based on the following:~~
 - a. ~~If the application is for a freestanding or wall sign that exceeds any ordinance maximum height standard by 50 percent or less, or exceeds any maximum area standard by 25 percent or less, or is for a directional sign that exceeds the area or height restrictions permitted on the site, the director shall make a decision of approval, approval with modification, or denial.~~
 - b. ~~If the application is for a freestanding or wall sign that will exceed any ordinance maximum height standard by more than 50 percent, or any ordinance maximum area standard by more than 25 percent, the director shall make a decision of approval, approval with modification, or denial.~~
2. ~~Director's decision. On applications reviewed by the director, notification of his/her decision shall be given in writing to the applicant. Said notice shall also inform applicant of applicant's right to request an appeal of the director's decision to the Board of Adjustment and the process for such an appeal.~~
3. ~~Board of Adjustment process. Upon receipt of a written appeal of the Director's decision, the designated County staff shall initiate the notification and scheduling process for the Board of Adjustment as provided in Article II Procedures Before the Board of Adjustment within Chapter 2.155 Board of Adjustment, Variances and Appeals.~~

2.145.150. Severability.

This title and the various parts thereof are hereby declared to be severable. If any section, subsection, sentence, clause, word or phrase of this title or application thereof is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this title.



PINAL COUNTY

WIDE OPEN OPPORTUNITY

AGENDA ITEM

May 30, 2024 ADMINISTRATION BUILDING A
FLORENCE, ARIZONA

REQUESTED BY:

Funds #:

Dept. #:

Dept. Name:

Director:

BRIEF DESCRIPTION OF AGENDA ITEM AND REQUESTED BOARD ACTION:

2.150.200. - GROUP HOMES

BRIEF DESCRIPTION OF THE FISCAL CONSIDERATIONS AND/OR EXPECTED FISCAL IMPACT OF THIS AGENDA ITEM:

BRIEF DESCRIPTION OF THE EXPECTED PERFORMANCE IMPACT OF THIS AGENDA ITEM:

MOTION:

| History | Who | Approval |
|---------|-----|----------|
| Time | | |

| |
|--|
| ATTACHMENTS: |
| Click to download |
| <input type="checkbox"/> Group_Homes |

Pinal County Development Services Code:

Group Homes

2.150.200. Group homes.

To permit the establishment of group homes in residential neighborhoods, while preserving the residential character of the community.

- A. Definition. The term "group home" means a ~~licensed~~ home suitable for accommodating more than six, but fewer than 11 adults or minor children who require special care for physical, mental, or developmental disabilities. This definition shall include assisted living homes and sober living homes but shall not include halfway/correctional/sex offender transitional facilities, or shelter homes for people at risk.
- B. Notwithstanding the definition of "Family" in Section 2.10.010 of this Code, H~~h~~omes of six or fewer persons receiving care on a 24-hour-per-day basis shall be considered a single-family residence for the purposes of this title, subject to meeting applicable building and fire code requirements. The limitation of six or fewer persons does not include the operator or members of the operator's family or staff.
- C. Group homes shall be permitted without conditions in the SR, SR-1, SH, GR, GR-5, GR-10, CR-1A, CR-1, CR-2, CR-3, CR-4, CR-5, TR, MH, RU-10, RU-5, RU-3.3, RU-2, RU-1.25, R-43, R-35, R-20, R-12, R-9, R-7, MD, AC-1, AC-2, and AC-3, and MH-8 zoning district~~Zoning Districts~~, subject to issuance of a use permit~~zoning clearance~~ by the ~~zoning inspector~~Zoning Administrator showing compliance with the requirements of this subsection.
- D. Requirements.
 - 1. If licensing is required by the State of Arizona, for the use, proof of such licensure shall be provided to the ~~planning and development~~Community Development ~~Department~~ and the operator of such licensed group home shall comply with all applicable laws and regulations governing licensed group homes.
 - 2. The establishment must obtain a certificate of occupancy if required by ~~e~~County ~~building code~~Building Codes.
 - 3. No such-group home shall be located on a lot with a property line within 1,200 feet, measured in a straight line in any direction, of the lot line of another such-group home.
 - 4. The establishment must meet the minimum off-street parking requirements as set forth in PCDSC 2.140.020, ~~and~~
 - 5. There shall be no exterior signage or other exterior indication that the property is being used as a group home. This shall not prevent improvements that are necessary for compliance with the Americans with Disabilities Act.
 - 6. No applicant or operator shall;
 - a. Have been convicted or pled *nolo contendere* to any sex offense, for which the person is required to register as a sex offender, committed within ten years prior to the date of the application for which the person is required to register as a sex offender~~this zoning clearance;~~
 - b. Have been convicted or pled *nolo contendere* to any arson offense committed within seven years prior to the date of the application for this ~~permit~~zoning clearance;

-
- c. Have been convicted or pled *nolo contendere* to any violent felony which involved doing bodily harm to another person committed within ten years prior to the date of the application for this ~~perm~~zoning clearance;
 - d. Have been convicted or pled *nolo contendere* to the unlawful sale or furnishing of any controlled substances committed within seven years prior to the date of the application for this ~~perm~~zoning clearance; or
 - e. Be on parole or formal probation supervision on the date of the submittal of the application for this ~~perm~~zoning clearance or at any time thereafter.
 - 7. The group home shall not house any person whose tenancy would constitute a direct threat to the health or safety of other individuals or would result in substantial physical damage to the property of others. An individual required to register under Arizona law as a sex offender and classified as a Level II or Level III community risk (intermediate to high risk) is not permitted to live in a group home.
 - 8. An administrative record of each ~~G~~group ~~H~~home shall be maintained with the ~~Planning~~Community Development Department. Group homes that have allowed federal or state licenses to lapse shall be deemed non-compliant and will be removed from the administrative record. To reinstate a group home, the owner or authorized agent shall reinitiate the application and review process by filing a registration request, application, and all applicable fees for review and consideration. Refiling these materials does not guarantee ~~approval~~zoning clearance; and
 - 9. The County reserves the right to revoke authorization to operate if it demonstrates that a group home cannot, or will not, operate in a manner that integrates with the existing community or that a group home operates in a manner that disrupts the residential character of the home or the community.
 - 10. Group homes not licensed by the state shall comply with the Environmental and Physical Plant Requirements set forth in Arizona Administrative Code Section R9-12-207.
 - E. Applicants may request a reasonable accommodation for group homes and similar residential facilities for persons with disabilities. The Community Development Director, or his/her designee, shall review the application and determine if the requested accommodation is reasonable and necessary.
 - 1. In determining whether a reasonable accommodation request is reasonable, the following shall be considered:
 - a. Whether the request was made by or on behalf of a person with a disability;
 - b. Whether there is a disability-related need for the accommodation;
 - c. Whether the proposed group home ~~for people with a disability~~ would cause a fundamental change in the County's zoning;
 - d. Whether the applicant has demonstrated that the proposed ~~facility~~group home in combination with any existing similar facilities will not alter the residential character of the surrounding neighborhood. ~~by concentrating community facilities on a block or in a neighborhood;~~
-

e. Whether the proposed ~~facility~~group home will be operated in accordance with any required state licensing to protect the health, safety, and welfare of the facility's occupants;

f. Whether the proposed ~~facility~~group home would cause any undue financial or administrative burden on the County or ~~it would~~ fundamentally alter the nature of the County's operations; and

g. Any other factor bearing on the "reasonableness" of the accommodation under the federal Fair Housing Act.

2. In determining whether a request for a reasonable accommodation is necessary, the following shall be considered:

a. The economics of the group home's operation;

b. The need for residential opportunities for ~~handicapped~~disabled persons;

c. Whether the requested accommodation is necessary to enhance the quality of life of disabled person and whether alternatives exist that would provide an equivalent benefit;

d. Whether without the accommodation, the disabled person will be denied an equal opportunity to live in the community;

e. The existence of other reasonably viable locations that the applicant can operate from that satisfy the County's distance requirements while still ensuring that people with disabilities may live in the community of their choice; and

~~ef.~~ Any other factor bearing on the "necessity" of the accommodation under the federal Fair Housing Act.

F. To the extent permitted by law, the Community Development Director, or his/her designee, may request additional information necessary to evaluate the request for an accommodation.

G. The applicant shall comply with the public notice requirements pursuant to the ~~Planning and Development~~Community Development Department policy and procedures established for ~~disability~~reasonable accommodation requests. Public notice is required in order to allow the opportunity for neighboring ~~properties~~property owners and neighborhood organizations to provide written relevant public input relating to the ~~disability~~reasonable accommodation application.

H. Following the Community Development Director's, or his/her designee's, review of the reasonable accommodation, notification of a decision shall be given in writing to the applicant. Said notice shall also inform applicant of applicant's right to request an appeal of the Director's decision to the Board of Adjustment.

~~I.~~ A decision to deny a reasonable accommodation request may be appealed to the Board of Adjustment in the nature of a variance request pursuant to A.R.S. § 11-816(B)(2). An appeal ~~requests~~ must be made in writing within 15 business days from the date of the denial decision.

~~J.~~ Reasonable accommodation approvals made by the Community Development Director, or the Board of Adjustment may be rescinded should it be determined that the applicant or subsequent facility owner is unable or unwilling to maintain the basis for an affirmative decision. The Community Development

Director shall prepare a written appeal to the Board of Adjustment requesting the previously issued statement approval of a reasonable accommodation be rescinded. The effect of a rescinded statement of reasonable accommodation could include the initiation of a revocation of operational permits and permissions, reporting to state authorities, prevention denial of future statements of reasonable accommodations requests for the owner or applicant of record, or the initiation of other corrective actions as deemed necessary to ensure compliance with the criteria contained herein.

(Ord. No. 011812 ZO-PZ-C-007-10, § 11; Ord. No. 61862, § 2331. Formerly § 2.150.340)

Definitions

Assisted Living Home means a residential care institution, including a foster care home that provides or contracts to provide resident rooms for supervisory care services, personal care services or directed care services on a continuous basis.

Family means any number of individuals related by blood or marriage or not more than five unrelated persons customarily living together as a single housekeeping unit, and using common cooking facilities, as distinguished from a group occupying a hotel or club. A family shall be deemed to include domestic servants. (1) An individual or any number of persons related by blood, marriage, domestic partnership, or adoption, and usual domestic help, living together as a single housekeeping unit in a dwelling unit, or (2) A group of not more than ~~six~~ five persons, who need not be related, living together as a single housekeeping unit in a dwelling unit.

Group Care Facility means a home for two or more unrelated individuals, who are not living as a single housekeeping unit, due to being under supervised care and/or treatment (including but not limited to those that have been placed by court-order), beyond that which would be provided in the confines of a traditional residential setting, who do not qualify as a Group Home, in which living facilities and sleeping rooms are provided; and which may provide select services, such as, but not limited to, meals, services to promote emotional support, life skills development and/or employment training. This shall include halfway/correctional/sex offender transitional facilities or shelter homes for people at risk.

Group Home means a home suitable for accommodating more than six, but fewer than 11 adults or minor children who require special care for physical, mental, or developmental disabilities. This definition shall include assisted living homes and sober living homes but shall not include halfway/correctional/sex offender transitional facilities or shelter homes for people at risk.

Halfway/Correctional/Sex Offender Facilities means a facility to house individuals who have been placed there by a court-order. The length of tenancy is limited, and occupants are typically subject to a curfew or other restrictions.

Housekeeping unit means one (1) or more individuals living, sleeping, and cooking in a single dwelling unit who share housekeeping tasks and responsibilities as an interdependent unit.

Shelter Home means a facility providing temporary residential service or facilities to individuals who are victims of domestic violence or temporary care of a child in any public or private facility or home that is licensed by the state and that offers a physically nonsecure environment that is characterized by the absence of physically restricting construction or hardware and that provides the child access to the surrounding community.

Sober Living Home means a home that provides alcohol-free or drug free housing and promotes independent living and life skill development and may provide activities that are directed primarily toward recovery from substance use disorders. A Sober Living Home does not provide any medical or clinical services or medication administration on-site, except for verification of abstinence.



PINAL COUNTY

WIDE OPEN OPPORTUNITY

AGENDA ITEM

May 30, 2024 ADMINISTRATION BUILDING A
FLORENCE, ARIZONA

REQUESTED BY:

Funds #:

Dept. #:

Dept. Name:

Director:

BRIEF DESCRIPTION OF AGENDA ITEM AND REQUESTED BOARD ACTION:

2.150.240. - ACCESSORY DWELLING UNIT

BRIEF DESCRIPTION OF THE FISCAL CONSIDERATIONS AND/OR EXPECTED FISCAL IMPACT OF THIS AGENDA ITEM:

BRIEF DESCRIPTION OF THE EXPECTED PERFORMANCE IMPACT OF THIS AGENDA ITEM:

MOTION:

| History | Who | Approval |
|---------|-----|----------|
| Time | | |

| ATTACHMENTS: |
|--|
| Click to download |
| <input type="checkbox"/> Accessory Dwelling Unit |

Pinal County Development Services Code: Accessory Dwelling Unit, Short-Term Rental, Bed and Breakfast

2.150.210. Bed and breakfast.

In addition to the requirements of a specific zone, a bed and breakfast is subject to the following additional requirements:

- A. Structures shall be altered or built in a way that maintains a residential appearance.
- B. For parking requirements, see PCDSC 2.140.020.
- C. No long-term rental of rooms shall be permitted; the maximum length of stay shall be 30 consecutive days.
- D. Other than registered guests, no meals shall be served to the general public.
- E. A specific ~~site plan~~ Site Plan shall be submitted for review and approval, subject to ~~chapter~~ Chapter 2.200 PCDSC.

(Ord. No. 011812-ZO-PZ-C-007-10 , § 11)

2.150.240. ~~Guest house/casita~~ Accessory Dwelling Unit.

In addition to the requirements of a specific zone ~~ing district~~, ~~guest houses/casitas~~ accessory dwelling units (ADU's) are subject to the following ~~additional~~ requirements:

- A. Detached Accessory Dwelling Units
 - ~~1. A detached accessory dwelling unit shall only be permitted in the RU, CAR, SR, SH, GR, R-43 or CR-1A zoning districts.~~
 - 1. Minimum development standards:
 - ~~1a. Shall meet the front, rear and side setbacks of the main building~~ Zoning District in which the subject lot is located.
 - ~~2. Minimum rear setback shall be ten feet;~~
 - b. Detached accessory dwelling units shall not exceed the height of the main building. Height restriction shall be the same as the main building; and
 - ~~4c. Minimum distance from the main building shall be seven feet. No detached accessory dwelling unit shall be located within six (6) feet if fire rated and ten (10) feet if not fire rated of the site's main building.~~
 - 2. Shall be located only on a lot containing one single-family detached dwelling unit.
 - 3. Shall have a separate exterior entrance from the main building.
 - ~~B4.~~ Shall be no larger than 45 percent of the total under-roof footprint floor area of the main dwelling building.

- ~~€5.~~ Only one guest house/casita accessory dwelling unit per lot shall be allowed.
- ~~Đ6.~~ Shall use the same street access which serves the main dwelling building and provide one additional off-street parking space as required in Section 2.140.020.
- ~~Є7.~~ The guest house/casita accessory dwelling unit and the main dwelling building shall not be physically addressed separately ~~served by separate utility meters.~~
- 8. A manufactured home, mobile home, recreational vehicle, or park model trailer shall not be used as an accessory dwelling unit, except as otherwise allowed under section 2.150.155.
- ~~F. A range, oven and stove are not permitted, unless associated with a permitted park model trailer.~~
- 11. If presented for rent, the accessory dwelling unit shall be rented in conjunction with the main dwelling unless occupancy of the accessory dwelling unit is offered for rent for individual periods of less than thirty consecutive days (i.e. short term rentals).
- 12. For individual rental periods of less than thirty consecutive days (i.e. short term rentals) where the main dwelling is owner-occupied-If presented for rent, the property owner, which shall include title holders and contract purchasers, must occupy either the main dwelling or the accessory dwelling unit as their principal residence. The residence main dwelling or accessory dwelling unit that is not occupied by the property owner may be rented for individual periods of more than or less than thirty consecutive days. If the main dwelling or accessory dwelling unit is not owner-occupied, the accessory dwelling unit may not be leased, subleased, or rented separate and apart from the main dwelling for either long-term or short-term periods.

~~(Ord. No. 011812 ZO PZ C 007 10, § 11)~~

B. Attached Accessory Dwelling Units

- ~~1. An attached accessory dwelling unit shall only be permitted in the RU, CAR, SR, SH, GR, R 43, R 35, R 20, CR 1A, or CR 1 zoning districts.~~
- 1. Minimum development standards:
 - a. Any attached accessory dwelling unit, by a common wall or covered roof to the main building, shall be deemed a part of the main building and shall conform to the development standards of the main building.
 - b. Attached accessory dwelling units shall not exceed the height of the main building.
- 2. Shall be located only on a lot containing one single-family detached dwelling unit.
- 3. May have a separate exterior entrance or connected interior entrance from the main building, subject to applicable building and fire code requirements.
- 4. The accessory dwelling unit and main building shall not be altered so as to appear to contain more than one dwelling unit.
- 5. Shall be no larger than 45 percent of the total under-roof footprint of the main building.
- 6. Only one accessory dwelling unit per lot shall be allowed.
- 7. Shall use the same street access which serves the main building and provide one additional off-street parking space as required in Section 2.140.020.
- 8. The accessory dwelling unit and the main building shall not be physically addressed separately.

- ~~12. If presented for rent, the accessory dwelling unit shall be rented in conjunction with the main dwelling unless occupancy of the accessory dwelling unit is offered for rent for individual periods of less than thirty consecutive days (i.e. short term rentals).~~
9. ~~For individual rental periods of less than thirty consecutive days (i.e. short term rentals) where the main dwelling is owner occupied~~ **If presented for rent**, the property owner, which shall include title holders and contract purchasers, must occupy either the main dwelling or the accessory dwelling unit as their principal residence. ~~The residence~~ **main dwelling** or accessory dwelling unit that is not occupied by the property owner may be rented for individual periods of **more than or** less than thirty consecutive days. If the main dwelling or accessory dwelling unit is not owner-occupied, the accessory dwelling unit may not be leased, subleased, or rented separate and apart from the main dwelling **for either long-term or short-term periods.**

Definition

Accessory Dwelling Unit means an ancillary or secondary living unit to a single-family detached dwelling unit that includes kitchen, bathroom, and sleeping areas, and is independently accessed from and located on the same lot as a single-family detached dwelling unit, either attached to the single-family dwelling unit or in a detached building. For purposes of determining maximum density, an accessory dwelling unit shall not count as a dwelling unit.

Bed and Breakfast means one dwelling (conventional construction only), or portion thereof, where short-term lodging rooms and meals are provided, for compensation. The operator shall live on the premises or on adjacent premises.



PINAL COUNTY

WIDE OPEN OPPORTUNITY

AGENDA ITEM

May 30, 2024 ADMINISTRATION BUILDING A
FLORENCE, ARIZONA

REQUESTED BY:

Funds #:

Dept. #:

Dept. Name:

Director:

BRIEF DESCRIPTION OF AGENDA ITEM AND REQUESTED BOARD ACTION:

SHORT TERM RENTALS

BRIEF DESCRIPTION OF THE FISCAL CONSIDERATIONS AND/OR EXPECTED FISCAL IMPACT OF THIS AGENDA ITEM:

BRIEF DESCRIPTION OF THE EXPECTED PERFORMANCE IMPACT OF THIS AGENDA ITEM:

MOTION:

| History | Who | Approval |
|---------|-----|----------|
| Time | | |

| ATTACHMENTS: |
|-----------------------------------|
| Click to download |
| No Attachments Available |



PINAL COUNTY

WIDE OPEN OPPORTUNITY

AGENDA ITEM

May 30, 2024 ADMINISTRATION BUILDING A
FLORENCE, ARIZONA

REQUESTED BY:

Funds #:

Dept. #:

Dept. Name:

Director:

BRIEF DESCRIPTION OF AGENDA ITEM AND REQUESTED BOARD ACTION:

2.150.210. - BED AND BREAKFAST

BRIEF DESCRIPTION OF THE FISCAL CONSIDERATIONS AND/OR EXPECTED FISCAL IMPACT OF THIS AGENDA ITEM:

BRIEF DESCRIPTION OF THE EXPECTED PERFORMANCE IMPACT OF THIS AGENDA ITEM:

MOTION:

| History | Who | Approval |
|---------|-----|----------|
| Time | | |

| ATTACHMENTS: |
|--|
| Click to download |
| <input type="checkbox"/> bed_and_breakfast |

Pinal County Development Services Code: Accessory Dwelling Unit, Short-Term Rental, Bed and Breakfast

2.150.210. Bed and breakfast.

In addition to the requirements of a specific zone, a bed and breakfast is subject to the following additional requirements:

- A. Structures shall be altered or built in a way that maintains a residential appearance.
- B. For parking requirements, see PCDSC 2.140.020.
- C. No long-term rental of rooms shall be permitted; the maximum length of stay shall be 30 consecutive days.
- D. Other than registered guests, no meals shall be served to the general public.
- E. A specific ~~site plan~~Site Plan shall be submitted for review and approval, subject to ~~chapter~~Chapter 2.200 PCDSC.

(Ord. No. 011812-ZO-PZ-C-007-10 , § 11)

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 - ~~1. A detached accessory dwelling unit shall only be permitted in the RU, CAR, SR, SH, GR, R-43 or CR-1A zoning districts.~~
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 - ~~4c. Minimum distance from the main building shall be seven feet. No detached accessory dwelling unit shall be located within six (6) feet if fire rated and ten (10) feet if not fire rated of the site's main building.~~
 - 2. Shall be located only on a lot containing one single-family detached dwelling unit.
 - 3. Shall have a separate exterior entrance from the main building.
 - ~~B4.~~ Shall be no larger than 45 percent of the total under-roof footprint floor area of the main dwellingbuilding.

- ~~€5.~~ Only one guest house/casita accessory dwelling unit per lot shall be allowed.
- ~~Đ6.~~ Shall use the same street access which serves the main dwelling building and provide one additional off-street parking space as required in Section 2.140.020.
- ~~€7.~~ The guest house/casita accessory dwelling unit and the main dwelling building shall not be physically addressed separately ~~served by separate utility meters.~~
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- ~~F. A range, oven and stove are not permitted, unless associated with a permitted park model trailer.~~
- 11. If presented for rent, the accessory dwelling unit shall be rented in conjunction with the main dwelling unless occupancy of the accessory dwelling unit is offered for rent for individual periods of less than thirty consecutive days (i.e. short term rentals).
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