

**STAFF REPORT TO THE PLANNING AND ZONING COMMISSION  
DEPARTMENT OF COMMUNITY DEVELOPMENT  
COMMUNITY PLANNING DIVISION  
CASE TYPE – TEXT AMENDMENT**

**Hearing Date** March 28, 2016

**Case Number:** ZONE-13006-2016

**Project Description:** Amend Title 15, Chapter 154, Sections: 01.07 and 17.04 to provide definitions and add regulations regarding off-site signage.

**Staff recommendation:** Staff recommends **APPROVAL** of the request to amend Title 15, Chapter 154, Sections: 01.07 and 17.04 to provide definitions and add regulations regarding off-site signage.

**Suggested Motion:** Move to **APPROVE** the request to amend Title 15, Chapter 154, Sections: 01.07 and 17.04 to provide definitions and add regulations regarding off-site signage.

**Staff Analysis:** This text amendment would update the existing portion of the code which addresses off-site signage and adds definitions related to digital billboards. Presently, the off-site sign regulations address sign face area, sign height, setbacks, spacing, method of installation, and prohibited locations. The proposed text amendment would amend the existing regulations and provide additional requirements regarding number of signs, orientation of signs, lighting, digital billboards, and the replacement of non-conforming signs.

Currently, within the City of Yuma limits, there are approximately 165 off-site signs. These signs are located within the Light Industrial (L-I) District, Heavy Industrial (H-I) District, and the General Commercial (B-2) District. In 2015, City Council approved a text amendment eliminating the General Commercial (B-2) District as a permitted zoning district for off-site signs. With the approval of that text amendment, a number of off-site signs became non-conforming. Therefore, in addition to updating the development standards of off-site signs, staff has worked to address the replacement of non-conforming off-site signs within this proposed text amendment.

**1. Does the proposed amendment implement the goals, objectives and policies of the General Plan?**

Yes The proposed amendment implements the goals, objectives and policies of the General Plan.

**2. Does the proposed amendment fit the overall purpose and intent of the zoning ordinance?**

Yes The amendment fits the overall purpose and intent of the zoning ordinance.

**3. Will the proposed amendment change the range of uses identified in the zoning code? If so, how?**

Yes The proposed amendment will allow for the replacement of some non-conforming billboards located within the General Commercial (B-2) District. Currently, the code does not allow for the replacement of any billboard located within the General Commercial (B-2) District.

**4. Will the proposed text amendment change the development standards of the zoning or subdivision ordinances? If so, how?**

Yes The amendment does change the development standards identified in the Zoning Code in that it will provide additional requirements for the installation and/or replacement of off-site signs.

**5. What are the potential impacts of the proposed amendment?**

There are no potential negative impacts identified with the proposed text amendment. However, there are a couple of positive impacts that would arise with the adoption of this text amendment. The first impact would be the reduction of visual clutter in the form of off-street signage along major thoroughfares. Secondly, the text amendment would address the existing issue of replacing non-conforming signage.

**6. Does the proposed amendment fit the overall purpose and intent of the subdivision ordinance?**

N/A

**7. Does the proposed amendment conform to prior City Council actions regarding this issue?**

Yes

**Public Comments Received:** None Received

**External Agency Comments:** None Received

**Neighborhood Meeting Comments:** No Meeting Required

**Proposed conditions delivered to applicant on:** N/A

**Final staff report delivered to applicant on:** N/A

- ☒ No Conditions of Approval  
☐ Applicant did not agree with the following conditions of approval: (list #'s)  
☐ If the Planner is unable to make contact with the applicant – describe the situation and attempts to contact.


**Attachments:**


|            |
|------------|
| <b>A</b>   |
| Draft Text |

**Project Planner:** Alyssa Linville, (928) 373-5000, [Alyssa.Linville@YumaAz.gov](mailto:Alyssa.Linville@YumaAz.gov)  
Senior Planner ext. 3037

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**Prepared By:**  **Date:** 03/04/16  
Alyssa Linville, Senior Planner

**Reviewed By:**  **Date:** 3/4/16  
Robert Blevins, Principal Planner

**Approved By:**  **Date:** 3-7-16  
Laurie L. Lineberry, AICP,  
Community Development Director

**ATTACHMENT A**  
**DRAFT TEXT**

That the Yuma City Code, Title 15, Chapter 154, Section: 01.07 Definitions be amended to insert the bold text in subsection (B) thereof:

***NIT.* In lighting, the nit is a unit of visible-light intensity, commonly used to specify the brightness of a cathode ray tube or liquid crystal display computer display. One nit is equivalent to one candela per square meter.**

*SIGN.* Any identification, description, illustration, symbol or device, which is affixed directly or indirectly upon a building, vehicle, structure or land and which identifies or directs attention to a product, place, activity, person, institution or business.

- (e) ***BILLBOARD, DIGITAL.* Any permanent off-site sign, utilizing digital message technology that directs attention to a business, community service or entertainment not exclusively related to the premises where such sign is located.**

That the Yuma City Code, Title 15, Chapter 154, Section: 17.04 Sign Regulations be amended to delete the strikethrough text and to insert the bold text in subsection (B) Standards and criteria for off-site signage thereof:

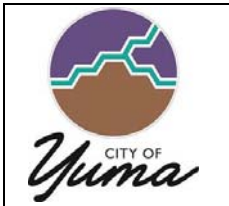
- (B) *Standards and criteria for off-site signage.* Any off-site signage proposed for installation shall conform with the standards and criteria set forth in the following. The size and location of any off-site signage-which already exists shall be considered when determining the amount and location of a new signage proposed for installation under these standards.
- (1) *Sign face area.* The maximum sign face area shall not exceed 300 square feet, except that such area may be increased to a maximum of 400 square feet if located on a parcel which fronts along an interstate highway.
  - (2) *Sign height and vertical clearance.* The maximum sign height shall ~~not exceed 35 feet~~ **be no taller than the tallest building on the site or 27', whichever is less; however, off-site signs located on a property adjacent to an interstate highway may have a maximum height of 35'.** In all cases, a minimum ~~ten~~ **fifteen** foot vertical clearance measured from street grade of the nearest driving lane to the lowest line of the sign face shall be required.
  - (3) *Setback.* The minimum setback from any portion of the sign face or sign structure shall be either 55 feet from the centerline of the arterial street right-of-way or 15 from the right-of-way line, whichever produces the greater setback.
  - (4) *Spacing.* A minimum 600 foot distance, measured as a radius, shall be required between off-site sign installations. In addition, no more than four off-site sign installations shall be located within a linear mile measured along the same street, wherein the beginning point and ending point of such mile coincide with a section line.
  - (5) *Method of installation.* Each off-site sign shall be erected as a freestanding sign installation as defined by this chapter. No off-site sign shall be erected on the wall or roof of any building.
  - (6) ***Number of sign face(s).* An off-site sign shall be permitted no more than two sign faces.**

- (7) **Orientation of sign face(s).** Sign faces shall be oriented perpendicular to the roadway on which they are located.
- (8) **Exterior Sign Lighting.** Lighting fixtures used to illuminate any off-site sign, shall be mounted on the top of the sign structure. All such fixtures shall comply with the shielding requirements set forth in section § 154-18 of this code.
- (9) **Hours of illumination.** The electrical illumination of outdoor off-site signs including those internally illuminated, is prohibited between the hours of 12:00 a.m. and sunrise.
- (10) **Digital billboards.** In addition to the off-site sign regulations, the following requirements will apply to all digital billboards.
  - (a) All digital billboard signs shall be limited to a surface luminosity limit of 5,000 nits during daytime hours and a surface luminosity limit of 150 nits after sunset until 12:00 a.m.
  - (b) All digital billboard signs shall provide for automatic dimming based upon ambient lighting conditions, including evening and overcast weather.
  - (c) It shall be prohibited for any digital billboard sign to have an illuminance greater than 1.0 foot candle at the property line of any adjacent property.
  - (d) The message or image of the digital billboard may be static or change at specific or programmed time intervals. The change in message or images shall occur no more frequently than once every eight (8) seconds and shall not have fade or dissolve transitions, or full animation or video, or similar subtle transitions or frame effect that have the appearance of moving text or images. The transition from one message to the next shall be completed with one (1) second.
  - (e) Message sequencing, the use of multiple digital billboards in a row to convey a message, shall be prohibited.
- (11) **Replacement of non-conforming billboards.** The lawful use of any nonconforming sign or sign structure may be continued indefinitely, provided, however, than any addition, enlargement or other alteration which would increase the degree of nonconformity shall be prohibited.
  - (a) Replacement shall not be permitted if the billboard is considered non-conforming due to a spacing and/or concentration issue. The sign must be removed if repairs and/or replacement of sign or sign portions equal 50% of its replacement value if sound, or if the cost of alteration exceeds 50% of the replacement value, it shall be removed altogether. Repairs that cumulatively reach the 50% point in any consecutive 10-year period are not allowed.
  - (b) Replacement may be allowed if the billboard is considered non-conforming due to its location within the General Commercial (B-2) District. Non-conforming billboards eligible for replacement must be

**replaced with a billboard which is smaller in size; except non-conforming billboards measuring 5' by 11' may be replaced in-kind. If the billboard being proposed is to be digital, the company proposing the digital billboard must remove two non-conforming billboards and must comply with all billboard regulations.**

That the Yuma City Code, Title 15, Chapter 154, Section: 17.04 Sign Regulations be amended to insert the bold text in subsection (D) thereof:

- (D) The above requirements do not apply to sign programs installed within or as part of a development project.**



## STAFF RESEARCH – TEXT AMENDMENT

**CASE #: ZONE-13006-2016**  
**CASE PLANNER: ALYSSA LINVILLE**

### I. PROJECT DATA

|                                 |                         |
|---------------------------------|-------------------------|
| Project Location:               | City Wide               |
| Applicant:                      | Del Outdoor Advertising |
| Applicant's Agent:              | N/A                     |
| Prior Cases or Related Actions: | N/A                     |

| Type                     | Conforms |  |    | Cases, Actions or Agreements |
|--------------------------|----------|--|----|------------------------------|
| Pre-Annexation Agreement | Yes      |  | No | N/A                          |
| Annexation               | Yes      |  | No | N/A                          |
| General Plan Amendment   | Yes      |  | No | N/A                          |
| Development Agreement    | Yes      |  | No | N/A                          |
| Rezone                   | Yes      |  | No | N/A                          |
| Subdivision              | Yes      |  | No | N/A                          |
| Conditional Use Permit   | Yes      |  | No | N/A                          |
| Pre-Development Meeting  | Yes      |  | No | Date: N/A                    |
| Enforcement Actions      | Yes      |  | No | N/A                          |

### PROPOSED TEXT CHANGE

|                  |   |                |       |  |            |
|------------------|---|----------------|-------|--|------------|
| City Wide?       | Yes   | X              | No    |  |            |
| Zoning District: | Light Industrial District (L-I), Heavy Industrial District (H-I), and General Commercial District (B-2) |                |       |  |            |
| Zoning Overlay:  | Public  |                | AO    |  | Auto       |
|                  |   |                |       |  | B&B        |
|                  |   |                |       |  | Historic   |
|                  |   |                |       |  | None       |
|                  | Airport   | Noise Contours | 65-70 |  | 70-75      |
|                  |   |                |       |  | 75+        |
|                  |   |                |       |  | APZ1       |
|                  |   |                |       |  | APZ2       |
|                  |   |                |       |  | CLEAR ZONE |
| Other:           |   |                |       |  |            |

### II. TEXT AMENDMENT

**Staff Analysis:** This text amendment would update the existing portion of the code which addresses off-site signage and adds definitions related to digital billboards. Presently, the off-site sign regulations address sign face area, sign height, setbacks, spacing, method of installation, and prohibited locations. The proposed text amendment would amend the existing regulations and provide additional requirements regarding number of signs, orientation of signs, lighting, digital billboards, and the replacement of non-conforming signs.

Currently, within the City of Yuma limits, there are approximately 165 off-site signs. These signs are located within the Light Industrial (L-I) District, Heavy Industrial (H-I) District, and the General Commercial (B-2) District. In 2015, City Council approved a text amendment eliminating the General Commercial (B-2) District as a permitted zoning district for off-site signs. With the approval of that text amendment, a number of off-site signs became non-conforming. Therefore, in addition to updating the development standards of off-site signs, staff has worked to address the replacement of non-conforming off-site signs within this proposed text amendment. The proposed text amendment to the Zoning Code is listed below.

That the Yuma City Code, Title 15, Chapter 154, Section: 01.07 Definitions be amended to insert the bold text in subsection (B) thereof:

**NIT.** In lighting, the nit is a unit of visible-light intensity, commonly used to specify the brightness of a cathode ray tube or liquid crystal display computer display. One nit is equivalent to one candela per square meter.

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That the Yuma City Code, Title 15, Chapter 154, Section: 17.04 Sign Regulations be amended to insert the bold text in subsection (D) thereof:

- (D) The above requirements do not apply to sign programs installed within or as part of a development project.**

**1) Will the proposed amendment change the range of uses identified in the zoning code? If so, how?**

Yes. The proposed amendment will allow for the replacement of some non-conforming billboards located within the General Commercial (B-2) District. Currently, the code does not allow for the replacement of any billboard located within the General Commercial (B-2) District.

**2) Will the proposed text amendment change the development standards of the zoning or subdivision ordinances? If so, how?**

Yes. The amendment does change the development standards identified in the Zoning Code in that it will provide additional requirements for the installation and/or replacement of off-site signs.

**3) What are the potential impacts of the proposed amendment?**

There are a couple of positive impacts that would arise with the adoption of this text amendment. The first impact would be the reduction of visual clutter in the form of off-street signage along major thoroughfares. Secondly, the text amendment would address the existing issue of replacing non-conforming signage.



## NOTIFICATION

- **Legal Ad Published: The Sun** (03/04/2016)
- **34 Commenting/Reviewing Agencies noticed:** (02/11/2016)
- **Neighborhood Meeting:** (N/A)
- **Hearing Date:** (03/28/2016)
- **Comments due:** (02/22/2016)

| <b>External List (Comments)</b>                | <b>Response Received</b> | <b>Date Received</b> | <b>“No Comment”</b>    | <b>Written Comments</b>   | <b>Comments Attached</b> |
|--|--------------------------|----------------------|------------------------|---------------------------|--------------------------|
| Yuma County Airport Authority                  | Yes                      | 02/11/16             | X                      |                           |                          |
| Yuma County Engineering                        | NR                       |                      |                        |                           |                          |
| Yuma County Public Works                       | NR                       |                      |                        |                           |                          |
| Yuma County Water Users                        | Yes                      | 02/16/16             | X                      |                           |                          |
| Yuma County Planning & Zoning                  | NR                       |                      |                        |                           |                          |
| Arizona Public Service                         | NR                       |                      |                        |                           |                          |
| Time Warner Cable                              | NR                       |                      |                        |                           |                          |
| Southwest Gas                                  | NR                       |                      |                        |                           |                          |
| Qwest Communications                           | NR                       |                      |                        |                           |                          |
| Bureau of Land Management                      | NR                       |                      |                        |                           |                          |
| YUHS District #70                              | NR                       |                      |                        |                           |                          |
| Yuma Elem. School District #1                  | NR                       |                      |                        |                           |                          |
| Crane School District #13                      | NR                       |                      |                        |                           |                          |
| A.D.O.T.                                       | Yes                      | 02/11/16             | X                      |                           |                          |
| Yuma Irrigation District                       | NR                       |                      |                        |                           |                          |
| Arizona Fish and Game                          | NR                       |                      |                        |                           |                          |
| USDA – NRCS                                    | NR                       |                      |                        |                           |                          |
| United States Postal Service                   | NR                       |                      |                        |                           |                          |
| Yuma Metropolitan Planning Org.                | NR                       |                      |                        |                           |                          |
| El Paso Natural Gas Co.                        | NR                       |                      |                        |                           |                          |
| Western Area Power Administration              | NR                       |                      |                        |                           |                          |
| <b>City of Yuma Internal List (Conditions)</b> | <b>Response Received</b> | <b>Date Received</b> | <b>“No Conditions”</b> | <b>Written Conditions</b> | <b>Comments Attached</b> |
| Rod Hamilton, Police                           | NR                       |                      |                        |                           |                          |
| Ron Ramirez, Parks                             | Yes                      | 02/11/16             | X                      |                           |                          |
| Damon Chango, Parks                            | NR                       |                      |                        |                           |                          |
| Andrew McGarvie, Engineering                   | NR                       |                      |                        |                           |                          |
| Kayla Holiman, Fire                            | Yes                      | 02/11/16             | X                      |                           |                          |
| Kerry Beecher, Building Safety                 | NR                       |                      |                        |                           |                          |
| Alan Kircher, Building Safety                  | Yes                      | 02/16/16             | X                      |                           |                          |
| Jim Hamersley, ITS                             | NR                       |                      |                        |                           |                          |
| Josh Scott, Engineering                        | NR                       |                      |                        |                           |                          |
| Jonathan Fell, Traffic Engineering             | Yes                      | 02/12/16             | X                      |                           |                          |
| MCAS / C P & L Office                          | Yes                      | 02/11/16             | X                      |                           |                          |
| Jay Simonton, Utilities                        | NR                       |                      |                        |                           |                          |
| Joel Olea, Public Works                        | NR                       |                      |                        |                           |                          |
| Joel Olea, Streets                             | NR                       |                      |                        |                           |                          |

| <b>Neighborhood Meeting</b> | <b>Comments Available</b> |
|-----------------------------|---------------------------|
| (None Required)             | N/A                       |

**PUBLIC COMMENTS RECEIVED:** NONE RECEIVED