

## ORDINANCE NO. O2017-014

### AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, AMENDING CHAPTER 154 OF THE YUMA CITY CODE, AS AMENDED, RELATING TO ZONING REGULATIONS, PROVIDING FOR CHANGES TO THE ZONING CODE TO PROVIDE DEFINITIONS RELATED TO SIGNAGE AND TO AMEND REGULATIONS REGARDING ON-SITE SIGNAGE THEREOF

WHEREAS, from time to time it may be desirable to modify the zoning code keeping within the context of a dynamic and growing community; and,

WHEREAS, the City of Yuma Planning and Zoning Commission held a public hearing on March 13, 2017 in Zoning Case no: ZONE-16627-2017 in the manner prescribed by law for the purpose of amending the City of Yuma Zoning Code; and,

WHEREAS, due and proper notice of the public hearing was given in the time, form, substance and manner provided by law, including publication of notice of the hearing in the Yuma Sun on February 17, 2017; and,

WHEREAS, the City Council has considered the recommendation of the Planning and Zoning Commission to approve the rezoning in Case No: ZONE-16627-2017 and finds that the zoning code text amendment supports the goals and objectives of the Yuma General Plan, and is in basic harmony with the goals and objectives of the City of Yuma Zoning Code.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Yuma as follows:

SECTION 1: That the Yuma City Code, Title 15, Chapter 154, Section: 01.07 Definitions be amended to insert the underlined text in subsection (B) thereof:

(B) ***SIGN.***

(l) ***FLAG.*** A device generally made of flexible material, usually cloth, paper or plastic, used as a symbol of a government, school, or religion, and not containing a commercial message. Flags shall not be considered a sign.

SECTION 2: That the Yuma City Code, Title 15, Chapter 154, Section: 17.01 Sign Regulations be amended insert the underlined text as subsection (E) thereof:

(E) This sign code shall help further achieve the following Goals and Objectives of the General Plan:

(1) Objective 3.2 of the Land Use Element: Achieve a high standard of physical appearance and maintenance of land and buildings;

- (2) Goal 2.0 of the Transportation Element: Develop transportation corridors that are attractive and maintained to the highest standards.
- (3) Objective 2.1 of the Transportation Element: Protect roadways designated as Gateway and Scenic/Historic routes from nearby incompatible land uses, visual clutter and traffic congestion.
- (4) Objective 2.3 of the Transportation Element: Enhance roadways by reducing and minimizing visual clutter and obstructions.

SECTION 3: That the Yuma City Code, Title 15, Chapter 154, Section: 17.03 On-Site Signage be amended to insert the underlined text and delete the strikethrough in Table No. 5 thereof:

<i>Table No. 5 – Standards and Criteria for Permanent On-Site Signage</i>						
<i>Zoning District</i>	<i>Type of Sign/Installation</i>	<i>Max. Total Area of All Sign Face(s)</i>	<i>Max. Area of Any Sign Face</i>	<i>Max. Number of Signs</i>	<i>Maximum Height</i>	
					<i>Within Street Setback</i>	<i>Outside of Street Setback</i>
AG	F-S and W-M	24 sq. ft.	12 sq. ft.	1 each of each sign type per street frontage	F-S: 6 ft. W-M: n/a	F-S: 12 ft. W-M: <u>(1)</u>
SR, RE, R-1, R-2, R-3, MH, R-MH	F-S and W-M	2 sq. ft. per dwelling unit	2 sq. ft.	1 per dwelling unit	F-S: 4 ft. W-M: n/a	F-S: 6 ft. <sup>(*)</sup> W-M: <sup>(*)</sup> <u>(1)</u>
		50 sq. ft. per development <sup>(*)</sup>	50 sq. ft. <sup>(*)</sup>	2 per entrance <sup>(*)</sup>		
		24 sq. ft. for each non-residential use	24 sq. ft.	1 of each sign per street frontage		
TR	F-S	24 sq. ft.	24 sq. ft.	1 per street frontage	4 ft.	8 ft.
	<del>W-M and R-M</del>	24 sq. ft. per building	24 sq. ft.	1 per tenant	n/a	<del>(*)</del> <u>(1)</u>
	U-C	2 sq. ft. per door entrance	2 sq. ft.	1 per door	n/a	<del>(**)</del> <u>(2)</u>
PSC, B-1, H-I	F-S	1 sq. ft. per 1 linear ft. of street frontage	300 sq. ft.	1 per street frontage	<del>(d)</del> <sup>(e)</sup> <u>(c)</u> <del>(d)</del>	
B-2, L-I, H-I	F-S	1 sq. ft. per 1 linear ft. of street frontage	300 sq. ft.	1 per street frontage	<del>(d)</del> <sup>(e)</sup> <u>(c)</u> <del>(d)</del>	

		upon which the sign is located (b)(e)-(a)(b)				
PSC, B-1, I-P, L-I, H-I	W-M and R-M	15% of primary building façade	300 sq. ft.	(e)	n/a	(1)
	U-C	4 sq. ft. per front entrance	4 sq. ft.	1 per street frontage	n/a	(1)
Public Overlay	F-S and W-M	150 sq. ft.	F-S: 50 sq. ft. W-M: 100 sq. ft.	F-S: 1 per street frontage W-M: 1 per street frontage	4 ft.	19 ft. Minimum Street Yard Setback – 12'
R-3, MH, RVS	Development which adjoins an interstate highway or prime arterial, one additional freestanding on site sign shall be permitted outside of the minimum required street yard setback, with a maximum sign face area of one square foot per one linear foot of interstate or area frontage, up to a maximum of 300 square feet, and with a maximum 35 foot sign height.					

**Table No. 5 – Legend:**

(1)	A minimum distance below the top of the building's wall equal to 10% of the height of the wall, or a distance equal to 25% of the narrow dimension of the sign, whichever is less restrictive; signs on a pitched roof must be located a minimum distance below the roofline equal to 20% of the building's height.
(2)	Maximum height not applicable; however, a minimum 7 ft. vertical clearance shall be required from walking grade to the bottom of the sign.
F-S	Freestanding sign
W-M	Wall-mounted sign
U-C	Under-canopy sign
n/a	Not applicable
sq. ft.	Square foot
<b>Footnotes: Table No. 5 and Table No. 6</b>	
(a)	<del>For either an RV Park developed within the (MH) District, or a motel developed within the High Density Residential (R-3) District, which adjoins an interstate highway or prime arterial, one additional freestanding on site sign shall be permitted outside of the minimum required street yard setback, with a maximum sign face area of one square foot per one linear foot of interstate or area frontage, up to a maximum of 300 square feet, and with a maximum 35 foot sign height.</del>
(b) (a)	In the event that more than one sign is erected on a parcel with more than one street frontage as permitted herein, a minimum space shall be required between signs equal to one-half the length of the total street frontage. The spacing shall be measured along the street lines. In no event shall more than one permanent freestanding on-site sign be erected on any street frontage, except as provided herein.
(e) (b)	A freestanding, on-site sign structure may be erected at the corner of any lot or parcel under one of the following options: 1. One corner sign with a maximum sign face area equal to the sum of the two intersection street frontages, up to 300 square feet maximum, provided, however, that no other

	<p>freestanding on-site sign shall be erected along either of the two intersecting frontages; or,</p> <p>2. One corner sign with a maximum sign face area equal to either of the two intersecting frontages, up to 300 square feet maximum, provided, however, that no other freestanding on-site sign shall be erected along whichever frontage is used for calculation purposed.</p> <p>In the event that a lot or parcel has more than two street frontages, a freestanding, on-site sign may be erected on each resultant corner, provided that the total number of such signs shall not exceed the total number of street frontages, and in no event shall any street frontage be counted more than once for the purpose of calculating the maximum allowable sign face area. Corner signs shall also be subject to all other design standards and requirements of this chapter, such as height, setback, spacing between on-site signs on the same parcel, shared premises, and the like, as may be applicable.</p>
(d) (e)	<p>The support structure for any signage shall be set back a minimum of 12 feet from any street right-of-way line, except that for any sign not exceeding three feet maximum height, a minimum two-foot setback from the street right-of-way line shall be required. The minimum setback from the street right-of-way line to the leading edge of the sign face shall be determined by the vertical clearance of the sign face as specified in <u>Illustrative Example 2 - Graph No. 1 below</u>; provided, however, that no sign face shall be set back less than two feet from the street right-of-way line, and no vertical clearance shall be less than eight feet.</p>
(e) (d)	<p>The maximum allowable sign height shall be determined according to the sliding scale indicated in Table No. 7, which specifies a maximum 20 foot height for a 50 square foot sign face area, up to a maximum 35 foot height for a 300 square foot sign face area. Within this range, sign height may be increased by six-hundredths (.06) foot for each square foot of additional sign face area permitted by this chapter. The scale in Table No. 7 <del>below</del> is calculated according to the following formula:</p>
	<p>Sign Height = (X-50) x (.06) + 20, where X = the proposed sign face area</p>
(f) (e)	<p>The maximum total sign face area as specified for this category may be distributed among each building façade. <del>or roof section.</del></p>

**SECTION 4:** That the Yuma City Code, Title 15, Chapter 154, Section: 17.03 On-Site Signage be amended to delete the strikethrough text in subsection (D) thereof:

*Temporary signage.* Any temporary signage proposed for installation shall conform to the standards and criteria indicated in Table No. 6 and the footnotes ~~except that the number of signs displaying only a noncommercial message may exceed the maximum number of signs on any given lot or parcel.~~

**SECTION 5:** That the Yuma City Code, Title 15, Chapter 154, Section: 17.03 On-Site Signage be amended to delete the strikethrough text in subsection (F) thereof:

(F) ~~Schools. All signs for schools, in any zoning district, shall comply with the following criteria:~~

- 1) ~~Maximum total sign face area of all signs = 150 square feet;~~
- 2) ~~Maximum sign face area per sign (freestanding) = 50 square feet;~~
- 3) ~~Maximum sign face area per sign (wall-mounted) = 100 square feet;~~

- 4) ~~Maximum number of signs = one of each installation type per street frontage;~~
- 5) ~~Maximum height outside street yard setback = 19 feet;~~
- 6) ~~Maximum height inside street yard setback = four feet (subject to visibility and clearance requirements); and~~
- 7) ~~Minimum street yard setback = 12 feet.~~

SECTION 6: That the Yuma City Code, Title 15, Chapter 154, Section: 17.06 Prohibited and Exempt Signs and Restrictions be amended to insert the underlined text and delete the strikethrough text in subsection (A) thereof:

(A) *Prohibited signs.* The following signs shall be prohibited:

- (4) Animated, flashing or indexing signs. ~~This category shall not include signage whose only function is to display time, temperature or other message by such electronic means;~~
- (10) Signs on public property, unless ~~approved through a development agreement. Any signs allowed with an approved development agreement and located within the Aesthetic Overlay (AO) District or the Historic (H) District shall also be required to be reviewed and approved by the Design and Historic Review Commission (DHRC) prior to installation otherwise~~ allowed by law.

SECTION 7: That the Yuma City Code, Title 15, Chapter 154, Section: 17.06 Prohibited and Exempt Signs and Restrictions be amended to delete the strikethrough text in subsection (C) thereof:

(C) *Signage for which no permits are required.* Permits shall not be required for any of the following sign installations, provided, however, that such installations shall meet all other requirements of this chapter as may be applicable;

- (5) ~~Off site open house real estate signs, subject to the following criteria:~~
  - ~~(a) Off site open house signs may be used on a temporary basis for the purpose of directing traffic to a home for sale;~~
  - ~~(b) The signs shall not be placed in any public right of way;~~
  - ~~(c) The signs shall not exceed an area of four square feet;~~

~~(d) — The signs shall be used only when sales personnel are at the home being advertised for sale and removed when sales personnel leave the home;~~

~~(e) — A maximum of three signs for each home or group of homes in the subdivision shall be allowed; and~~

~~(f) — Sign shall not be erected without the consent of the property owners on whose property the signs are erected.~~

SECTION 8: It shall be unlawful for any person, firm or corporation to violate, or cause the violation of, any provision of this ordinance. Any person, firm or corporation violating any of the provisions in this ordinance shall be guilty of a class 1 misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed \$1,000 or by imprisonment for not more than ten days or both fine and imprisonment. Each separate day or part thereof during which any violation of this ordinance occurs or continues shall be deemed to constitute a separate offense, and upon conviction thereof shall be punishable as herein provided.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

APPROVED:

\_\_\_\_\_  
Douglas J. Nicholls  
Mayor

ATTESTED:

\_\_\_\_\_  
Lynda L. Bushong  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Richard W. Files  
City Attorney