SIGNS

§ 154-05-001 INTENT AND PURPOSE.

(A) The purpose of the subchapter is to:

(1) Provide for adequate and appropriate signs to effectively identify businesses by location and type,

(2) Not allow unsafe, oversize or excessive signs which obscure the buildings, trees and the natural beauty of the town, and

(3) Protect the public from injury and damage as a result of distraction or obstruction of vision attributable to faulty construction or improper location of signs.

(B) The intent of this subchapter is to assure that the public welfare and public amenities are protected by exercising reasonable controls over the character, location and design of signs.

(Ord. 466, passed 2-22-96)

§ 154-05-002 APPLICABILITY.

(A) The provisions of this subchapter shall apply to the erection, placement, construction, alteration, size, location and maintenance of all signs within the town, except as otherwise specified.

(B) The provisions of this subchapter shall not apply to:

(1) Flags, pennants, or insignias of any nation, state, city, or other political entity on private property.

(2) Tablets, grave markers, headstone, statuary, or remembrances of persons or events noncommercial in nature on private property.

(3) Temporary decorations or displays celebrating the occasion of traditionally accepted patriotic, religious or local holiday or event on private property.

(4) Temporary signs on any property for events of a general town-wide civic or public benefit, community events, or town sponsored events so long as:

(a) Prior to placing the signs, notice is given to the town's Community Development Department;

(b) The total signage area does not exceed 64 square feet unless a larger amount of signage is allowed by the Community Development Director;

(c) The sign(s) do not:

1. Block or impede roadways, bike paths, trails, sidewalks or any other right-of-way designated for travel by the public; or

2. Create a traffic hazard; and

(d) The signs are removed within three days after the event.

(5) Signs on private property not visible beyond the boundaries of the lot or parcel upon which they are located, or from any public right-of-way or thoroughfare, providing that such sign does not constitute a traffic hazard.

(6) The erection, construction, and maintenance of official traffic, fire, and police signs, signals, devices and markings of the State of Arizona, the Town of Payson, or other authorized public agency, or the posting of notices as required by law, providing that such sign does not constitute a traffic hazard.

(7) Banners over the town's right-of-way, the town's roadway easements, or the Arizona Department of Transportation's Right-of-Way if such banners are otherwise regulated or placed by a state or local government entity.

(8) Window signs on private property which are only for the purpose of temporary signage to advertise the sale of goods or services.

(Ord. 466, passed 2-22-96)

§ 154-05-003 GENERAL REQUIREMENTS.

(A) *Prohibited signs.*

(1) Signs that are not specifically authorized are prohibited, including, but not limited to:

(a) Vehicle signs not in compliance with division (D) of this section.

(b) Fixed aerial advertising and displays.

(c) Off premise signs except as provided in § 154-05-005(C).

(d) Roof mounted signs which project above the highest point of the roof line, parapet or facade of the building.

(e) Any sign or device emitting a sound or substance.

(f) Any sign or device with intermittent or flashing illumination, animations or moving copy, but not including EMCs.

(2) Except as specifically allowed in § 154-05-005(C), signs or notices of any kind placed or displayed on sidewalks, posts, utility poles, lamp posts, hydrants, trees, bridges, rocks, boulders, the ground, or other surfaces located in a town's right-of-way, town roadway easement, or on public property are prohibited.

(3) Except as provided in § 154-05-005(C), temporary signs are prohibited.

(B) *Non-conforming sign/on premise.*

(1) A nonconforming sign shall be removed per this Code if it is determined to be a public nuisance or at least 50% destroyed or it is abandoned or it is structurally unsound, as determined by the Zoning Administrator.

(2) Non-conforming signs with GRANDFATHERED rights shall be limited to signs which lawfully existed as of the adoption date of this Code. Any sign which was erected without a proper permit from the town shall remain a non-conforming and non-GRANDFATHERED sign and shall be subject to immediate removal or modification as determined by the Community Development Director in accordance with this Code.

(C) In addition to any other remedy or enforcement action, the following signs may be immediately removed by any employee or person under the direction of the Town Engineering or Community Development Departments:

(1) Signs placed on public property or in town right-of-way in violation of any section of this subchapter; and

(2) Signs placed on any property in violation of § 154-05-005(C).

All signs removed pursuant to this division (C) shall be retained for a period of 15 days. All such signs not claimed within 15 days may be disposed of.

(D) *Vehicle signs.* Signs on vehicles, shall be subject to the following conditions:

(1) The primary purpose of the vehicle is not the display of signs.

(2) Such signs are magnetic, decals or painted upon an integral part of the vehicle as originally designed by the manufacturer. Signs that break the silhouette of the vehicle shall not exceed three square feet.

(3) The vehicle is in operating condition, currently registered and licensed to operate on public streets when applicable, and actively used in the daily function of the business to which signs relate.

(4) The vehicle is not used primarily as a static display, nor utilized as storage or shelter.

(Ord. 466, passed 2-22-96; Am. Res. 2706, passed 4-4-13; Am. Ord. 829, passed 4-4-13)

§ 154-05-004 RESERVED.

§ 154-05-005 PERMITTED SIGNS.

(A) *Free standing signs.* Each business or complex is entitled to one of the following:

(1) *High profile sign.* The following regulations apply to high profile signs for individual businesses and not to plazas, complexes or shopping centers.

(a) There shall be no more than one such sign per subdivided lot or contiguous lots or parcel under the same ownership where parking facilities and structures are shared.

(b) A free standing sign located on the main entrance frontage of a lot as determined by the street address, shall be no larger than one square foot for each lineal foot of a building frontage, and shall pertain only to the business(es) therein.

(c) No portion of any such sign may extend onto an existing right-of-way or easement.

(d) The maximum size of each sign shall not exceed 32 square feet, with a maximum length of eight feet.

(2) *Low profile sign.*

(a) The following regulations apply to individual businesses and not to businesses located in plazas, complexes and shopping centers.

(b) Notwithstanding the regulation found above, a permanent freestanding sign may be placed according to the following dimensions.

(c) Such signs shall have a total maximum height of no more than five feet, as measured from the nearest ground level.

(d) No portion of any such sign may extend onto an existing right-of-way or easement.

(e) The maximum size of each sign shall not exceed 32 square feet, with a maximum length of eight feet.

(3) *Multi-tenant sign.*

(a) Shopping center. A group of commercial establishments, planned, constructed, and managed as a total entity with customer and employee parking provided on-site. Any shopping center consisting of ten or more units shall have no more than a 100 square foot sign for each driveway on each arterial roadway, with a maximum length of 12 feet per sign, provided each sign is separated by 150 feet as measured along the frontage of the center.

(b) Plaza mall/office complex. A group of individual commercial shops/or offices with a common parking lot consisting of six through nine units shall have no more than a single sign on each thoroughfare not to exceed 50 square feet with a maximum length of 12 feet.

(c) Mini plaza/mall. A group of individual commercial shops with a common parking lot consisting of two thru five units shall have no more than a single directory sign not to exceed 32 square feet with a maximum length of 12 feet.

(d) Subdivided shopping centers/plazas with shared or common parking areas. The commercial shops which are a part of a subdivided center shall have no more than a single sign which shall not exceed 100 square feet for a center with ten or more units provided each sign is separated by 150 feet as measured along the frontage of the center. Centers with six to nine units shall have no more than a single sign on each thoroughfare not to exceed 50 square feet with a maximum length of 12 feet. Centers with five or less business establishments shall have a maximum of 32 square feet of freestanding signage.

(4) Spherical, free-form, sculptural, other non-planar signs. Sign area will be the sum of the area of the sides of the smallest four-sided, polyhedron that will encompass the sign structure.

(5) Subdivision signs.

(a) Residential subdivisions are permitted low profile signs not to exceed 24 square feet.

(b) Commercial and industrial subdivisions are permitted free standing signs in conformance with the ratio of tenants to sign area, which is defined in division (A)(3)(d) of this section.

(c) Approval of subdivision signs will be processed at the time of preliminary plat review through the submittal of a Master Sign Plan. The subdivider shall submit a Master Sign Plan showing the location, size and design for all subdivision identification signs to be included with the preliminary plat approval. If a subdivision does not have a Master Sign Plan or wishes to amend the existing Master Sign Plan; a sign application showing the location, size and design for all subdivision identification signs, shall be submitted to the Community Development Department for issuance of a sign permit.

(B) *Wall or building signs.* None of the dimensions set forth in this division shall be construed to be cumulative.

(1) *Signs on or attached to buildings as wall, soffit and facade signs.*

(a) Notwithstanding the regulations found within this Code, relating to free standing signs, signs may be placed upon, attached to, or painted upon buildings, subject to the following provisions.

(b) A sign located on the main entrance frontage of a building shall be no larger than one square foot for each lineal foot of building frontage. Such signs shall pertain only to the business(es) therein.

(c) Such signs may be placed on the main entrance frontage of the building and on one or more sides of the same building; provided that the signs do not exceed two square feet for each lineal foot of the shorter of the main entrance frontage or side frontage where the sign is placed, with a maximum of 16 square feet per side.

(d) The source of illumination for signs shall be so oriented or shielded as to not be visible from any residential zone or public thoroughfare.

(e) Number of sign faces:

1. One - Area of the single face only.

2. Two - If the interior angle between the two connected sign faces is 45 degrees or less, the area will be the area of one face only; if the angle between the two sign faces is greater than 45 degrees the sign area will be the sum of the areas of the two faces.

(f) Sign area is measured as that area contained within the outside dimensions of the background panel or surface.

(g) Sign copy mounted as individual letters and/or graphics against a wall or fascia of a building or other structure that has not been painted, textured or otherwise altered to provide a distinctive background for the sign copy.

(h) Sign area is measured as the total sum of the area enclosed by the smallest rectangles that will enclose each word in the total sign copy; i.e., one rectangle per word.

(i) Three or more. The sign area will be the sum of the areas of the three or more faces.

(2) *Canopy (awning) signs.* Canopy signs shall not project above the canopy. Signs may be attached flat against canopies made of rigid materials; canopies made of nonrigid materials (e.g. canvas) shall only have signs composed of nonrigid materials (e.g. paint, stitching). Awning/canopy signs shall not exceed 12 square feet or 50% of awning.

(3) *Roof signs.* Any sign placed upon the roof that does not extend above the roof line shall be considered a wall sign for the purpose of this code and shall abide by division (B)(1) above. Roof signs that extend above the roof line are forbidden.

(4) *Window signs.* Permanent signs on or inside windows of commercial establishments are permitted if no more than 25% of the area of the window space is used. Window signs must be placed behind a glass surface, not in unglazed openings.

(5) *Home based business signs.* A home based business that is licensed and in compliance with all of the requirements of this Unified Development Code shall be allowed one name plate sign subject to the following restrictions:

(a) The name plate sign shall not exceed two square feet, and

(b) The Community Development Director shall review and approve all name plate signs to ensure that they complement the home's architecture and color and do not detract from the neighborhood.

(C) *Temporary signs.*

(1) *Requirements for all temporary signs.*

(a) Unless specifically authorized in this section, no temporary sign may be placed on public property or in the town's right-of-way or roadway easements;

(b) Temporary signs shall not block, impede, or be placed in roadways, bike paths, trails, sidewalks or any other part of the right-of-way designed for travel by the public;

(c) Temporary signs shall not create a traffic hazard; and

(d) Temporary signs allowed under divisions (C)(2), (C)(3), (C)(4), (C)(5), and (C)(9) of this section shall not require a permit.

(2) *Coming soon signs.* Signs announcing the proposed development of property after the issuance of a building permit by the Building Inspections Division for the proposed development.

(a) Sign can be displayed only with a valid permit for construction and must be removed within ten days of final inspection.

(b) Maximum size of signage allowed shall be 32 square feet with a maximum length of eight feet.

(c) All coming soon signs must be on the site of the proposed development.

(3) *Sale, lease or rent signs, temporary signs to announce real property availability.*

(a) There shall be no more than one such sign per subdivided lot.

(b) Such signs shall not exceed six square feet for parcels of one acre or less and 16 square feet for parcels which are more than one acre in size.

(c) In residentially zoned areas, sale, lease, or rent signs may be placed in the unimproved town right-of-way adjacent to the property.

(4) *Contractors and subcontractors signs.* Signs designating the contractor or subcontractor engaged in the construction or repair of the building(s) on each lot or parcel of property shall be allowed in all zoning areas.

(a) One non-illuminated sign is allowed per contractor or subcontractor. Signs shall not exceed four square feet in area for subcontractors and 32 square feet for general contractors.

(b) Sign shall be removed within ten days after final inspection is completed.

(5) *Political signs.* Signs that would otherwise be prohibited that support a candidate for public office, or urge action on any other matter, on the ballot of primary, general or special elections are allowed with the following restrictions:

(a) Political signs may be displayed on private property in all zoning districts or in the unimproved area of the town's right-of-way adjacent to residentially zoned property. If a political sign is on private property, prior to placing such sign, the permission of the property owner, lessee, or other person lawfully in control of the property must be obtained. If a political sign is on the town's right-of-way, prior to placing such sign, the permission of the property owner, lessee, or other person lawfully in control of the adjacent property must be obtained.

(b) The total sign area permitted on any lot or parcel in a non residentially zoned area shall not exceed 32 square feet. The total sign area permitted on or adjacent to any lot or parcel in a residentially zoned area shall not exceed three square feet.

(c) The person, party or parties responsible for placing or distributing any such signs shall be jointly and severally liable for removal of them within ten days after the primary, general or special election to which they refer.

(6) *Banners.*

(a) Permit requirements.

1. Prior to the erection of any banner, a permit shall be obtained from the Community Development Department.

2. Reserved.

3. Only one banner permit shall be issued per business per calendar month.

4. The banner may be manually changed during the display period, i.e., a permitted banner may read "good morning" during the morning hours and be replaced with a banner reading "good afternoon" during the afternoon hours.

(b) Banner requirements.

1. A banner shall be a maximum of 24 square feet, with a maximum length or overall height of eight feet.

2. A banner shall be made of fabric, pliable plastic, paper, or other light material not enclosed in a rigid frame. A banner may be printed with a message on two sides if integrally displayed on the front and reverse.

3. A banner shall not include appurtenances (balloons, streamers, etc).

4. A banner not attached to a building or structure shall include wind cuts.

(c) Banner placement.

1. A banner may be affixed to a building wall or may be freestanding.

2. A banner may be placed in the unimproved portion of the town's right-of-way in commercially zoned areas so long as the banner advertises a business or establishment immediately adjacent to the right-of-way where the banner is being placed.

3. Any banner erected upon the unimproved portion of the town's right-of-way shall be located a minimum of 15 feet back of or behind adjacent public roadway improvements.

4. Any banner erected upon private property shall be located a minimum of three feet back of or behind adjacent public road improvements. During the permitting process, if required for pedestrian or vehicle traffic safety, the minimum setback may be increased up to a total of 15 feet.

5. The set back requirements under divisions 3. and 4. above shall be measured from the closest point of the banner to the nearest edge of public road improvements, either curb, sidewalk or pavement edge whichever is the closest improvement adjoining the private property.

6. Anchors, supports or other means of erecting a freestanding banner shall be removed when the banner is not being displayed.

(7) *Temporary portable signs.*

(a) Temporary portable signs may be placed in the unimproved portion of the town's right- of-way or on private property with the permission of the property owner, lessee, or other person lawfully in control of the property with the following restrictions:

1. Only one such sign per person or establishment is allowed,

2. Such signs may be placed only in commercially zoned areas, and

3. Such signs shall not exceed six square feet in size.

(b) All temporary portable signs require a sign permit and shall comply with all applicable design review requirements prior to placement.

(8) *Temporary directional signs.* Temporary signs that direct a person to a specific location or address are permitted with the following restriction:

(a) All such signs shall be placed within one mile of the address or location being directed to,

(b) Only one such sign is allowed per change in direction,

(c) Such signs may only be displayed for 60 days in a calendar year,

(d) Such signs shall not exceed three square feet in size,

(e) Such signs require a sign permit and shall comply with all applicable design review requirements prior to placement,

(f) Temporary directional signs may be placed on private property with the permission of the property owner, lessee, or other person lawfully in control of the property or in the unimproved portion of the town's right-of-way.

(9) Temporary signs placed by the town are allowed with the approval of the Town Engineer.

(D) *Electronic message center signage/EMCs.* EMCs may be utilized as a component of signs allowed by divisions (A) or (B) of this section subject to the following regulations:

(1) *Brightness levels.*

(a) The brightness for EMCs shall be no greater than 0.3 foot candles above ambient light conditions.

(b) EMCs shall utilize an automatic dimming feature.

(2) *Transition method.*

(a) The transition method between images or messages must be a static or instant change.

(b) All types of animation, including but not limited to, fade, scroll, travel, wipe left/right, dissolve, and full animation are prohibited.

(c) The transition method duration shall be one second or less.

(3) *Message hold time.* Message hold times shall be a minimum of eight seconds.

(4) *Area of sign allowable as electronic message center.* No EMC shall exceed 50% of the legal maximum allowable area of a sign. The legal maximum allowable area of a sign shall be determined as of the date of the EMC installation.

(5) *Text specifications.* Text height should not be less than six inches nor more than 24 inches.

(6) *Residential districts.* (This section applies to uses that are permitted or conditional in R-1, R-2, or R-3, exclusive of home occupations. For home occupation sign standards, see home occupation signs division (E) below).

(a) EMCs may be utilized on properties in residentially zoned districts if the EMC has been approved as part of a conditional use permit application for the property upon which it is located and the EMC is not within 300 feet of the boundary of a property zoned for or used for residential purposes.

(b) An EMC located on property adjacent to property zoned or used for residential purposes shall not face the residential use.

(7) *View protection.* EMCs may be prohibited or subject to additional requirements (i.e., reduced height, etc.) if any portion of the EMC structure or display impacts existing views of the Mogollon Rim, Mazatzal Mountains, Stewart (Gibson) Ridge or other significant natural features. Where uncertainty exists, town staff and/or the Design Review Board shall make the determination if a view is impacted and if a prohibition or additional requirements are necessary.

(E) *Home occupation signage.* A home occupation that is licensed and in compliance with all of the requirements of the Unified Development Code shall be allowed on a name plate sign subject to the following:

(1) The sign shall not exceed two square feet,

(2) The sign shall not include an EMC, and

(3) The Community Development Director shall review and approve the sign to ensure that such sign complements the home's architecture and color and does not detract from the residential character of the neighborhood.

(F) *Design specifications.*

(1) All signs shall comply with the provisions of the currently adopted Building Code relating to the design, structural members and connections.

(2) Visibility requirements. Any freestanding sign which creates a visibility problem along adjacent streets or driveways is prohibited. The visibility shall be measured for both the existing street width and the ultimate design width if the street is not fully constructed.

(G) *Maintenance.*

(1) *Sign maintenance.* Maintenance and repair: All signs shall be maintained to a safe, presentable and good condition, including replacement of defective parts, painting, repainting, cleaning and other acts required for the maintenance. The Building Inspector shall require compliance or removal of any sign determined by the Zoning Administrator to be in violation of this Code.

(2) *Nonconforming signs.* Existing, nonconforming signs are not affected by this Code until one of the following changes occurs: (§ 154-01-004 also applies)

(a) Nothing in this Code shall affect non-conforming signs or the right to their continued use for the purpose used at the time the ordinance takes effect, nor for any reasonable repairs or alterations in the signs used for such existing purposes.

(b) Whenever the name of a business or the nature of the business conducted on the premises changes, and the sign is changed, whether it be location, size or shape, the signs on the premises shall be modified to conform with this Code. This section shall

not prevent repairing or restoring an existing sign to a safe condition or maintenance performed.

(c) Signs damaged by fire or other cause to the extent of more than 50% of its reproduction value shall be repaired or rebuilt in conformity with this Code.

(3) *Abandoned signs.* Any sign located on property which becomes vacant and unoccupied for a period of three months or more, or which was erected for an occupant or business unrelated to the present occupant or his business or a sign which pertains to a time, event or purpose which no longer applies, shall be deemed to have been abandoned. Permanent signs applicable to a business temporarily suspended because of a change of ownership or management of such business shall not be deemed abandoned unless the property remains vacant for a period of three months or more. Seasonal businesses are not effected by this section unless they remain closed for one business season.

(H) *Permits.*

(1) *Permits required.* It shall be unlawful for any person to install, alter, or replace any sign without first obtaining a permit to do such work, unless it is specifically stated in this Code that a sign permit is not required.

(2) *Permit fees.* Fees to be charged according to the current fee schedule.

(3) *Double fees.* If any person, firm or corporation begins any work for which a permit is required by this section, without first taking out a permit, he shall pay an additional fee equal to 100% of the fees and shall be subject to the penalty provisions of this section.

(4) Applications for permit shall be made by the owner, tenant, or lessee of the property on which the sign is located, or his/her authorized agent or a contractor licensed by the State of Arizona, or by a registered architect or engineer. Applications shall be made in writing on forms furnished by the Community Development Department. The application shall state the address, owner of the sign, owner of the property, plot plan, sign copy and the estimated cost of the work.

(5) A permit shall be required to display, erect, relocate, or alter any sign, except for copy changes on reader panels.

(6) An approval insignia shall be placed on all signs at the time of final inspection.

(Ord. 466, passed 2-22-96; Am. Res. 2706, passed 4-4-13; Am. Ord. 829, passed 4-4-13)