



Ordinance

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

ORDINANCE NO. 271

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SAN LUIS, ARIZONA ADOPTING "SIGN REGULATIONS 2009"; REPEALING ORDINANCE NO. 97 AND ORDINANCE 114; PROVIDING FOR PENALTIES; REPEALING ANY CONFLICTING PROVISIONS; AND PROVIDING FOR SEVERABILITY

Whereas, the City of San Luis desires to amend and update its sign regulations; and

Whereas, it has adopted Resolution No. 813, said resolution having declared that certain document entitled "Sign Regulations 2009" a public record;

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the City of San Luis, State of Arizona, as follows:

Section 1: Those portions of the City Code previously regulating signs in the City of San Luis, including those adopted by Ordinance No. 97 and Ordinance No. 114, are hereby repealed, superseded, and replaced.

Section 2: The City Code is hereby amended to read as set forth in that certain document entitled "Sign Regulations 2009," three (3) copies of which are on file with the City Clerk, and which is hereby adopted by reference as though fully set forth again in full.

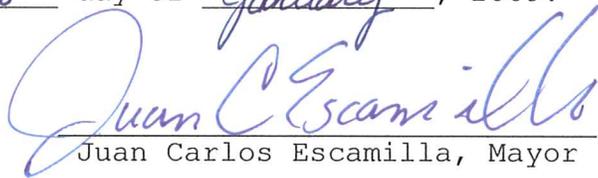
Section 3: Penalties. It shall be unlawful for any person, firm, or corporation to violate, or cause the violation of any provision of "Sign Regulations 2009" as adopted by this ordinance. Each separate day, or part thereof, that a violation continues is a separate offense. Any violation of or failure to do or perform any act required by this Ordinance or "Sign

Regulations 2009" constitutes a civil offense punishable pursuant to Article 1-8 of the City Code. Any third, or more, offense committed within one year of the date of the first offense shall be punishable as a class one misdemeanor pursuant to Article 1-8 of the City Code.

Section 4: In the event of a conflict between the provisions of this Ordinance and any other ordinance, resolution, regulation, or policy regarding the regulation of signs within the City of San Luis, the conflicting provisions are hereby repealed, superseded, and replaced, and the provisions of this Ordinance and the "Sign Regulations 2009" shall govern.

Section 5: If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or the "Sign Regulations 2009", is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or said referenced regulations.

PASSED AND ADOPTED by the Mayor and Council of the City of San Luis, Arizona, this 28th day of January, 2009.


Juan Carlos Escamilla, Mayor

ATTEST:



Sonia Cuello, City Clerk

APPROVED AS TO FORM:


Glenn J. Gimbut
City Attorney

SIGN REGULATIONS 2009

Article VII

(NOTE: will be numbered as Chapter 16 in the new Zoning Ordinance expected to be adopted in Spring 2009)

A. PURPOSE.

The principal purpose of the sign regulations is to establish basic design standards, administrative procedures, and other criteria pertaining to the time, manner, and placement of both on-site and off-site signing located within the City of San Luis. Such controls are established in the interests of public safety, community aesthetics, and the public need for clear visual communications. Visual distractions, impediments to traffic visibility, and competition with traffic control devices shall be prohibited. The standards and criteria of this chapter are intended to accommodate a certain limited amount of signing in order to be comprehensible, to promote traffic safety, and to maintain community aesthetics. As a result, visual clutter and competition between sign structures shall be avoided to allow approved signing to convey visual information to the public in a clear manner. It is also the intent of this chapter to secure the gradual and eventual elimination, rather than expansion, of nonconforming signs and nonconforming sign structures. Therefore, the number, size, height, location, spacing, the means of installing, and the manner of keeping signs and sign structures shall be regulated in order to achieve these purposes.

B. APPLICABILITY AND GENERAL REQUIREMENTS.

1. SCOPE: The regulations and provisions of this chapter shall be applicable to the construction, establishment, or addition of any new sign, sign structure, or sign face, whether on-site or off-site, as well as to the relocation, enlargement, extension, reconstruction, replacement, maintenance, or continuance of any existing sign, sign structure, or sign face. These regulations shall be applicable within any existing or new development area of the city, as well as within any area newly annexed to the city. Nothing herein shall require any change or modification to any signing lawfully established or constructed prior to the effective date of this section, except as provided in this Ordinance.
2. RESPONSIBILITY: The duty to erect and maintain signing in the manner specified herein shall be the responsibility of the owner and/or occupant(s) of the property upon which the signing is located.
3. NONCONFORMING SIGNING: Any sign or sign structure lawfully existing prior to the effective date of this chapter, whether on-site or off-site, and not meeting the standards and requirements specified herein, shall be considered nonconforming and be subject to the following provisions:

a. Continuance: The lawful use of any nonconforming sign or sign structure may be continued, provided, however, that any addition, enlargement, or other alteration which would increase the degree of nonconformity shall be prohibited. Any nonconforming sign or sign structure which is abandoned for a period exceeding two (2) years shall be subject to the requirements of this Ordinance pertaining to removal of abandoned signing.

b. Repairs and Alterations: Repairs and alterations which do not increase the degree of nonconformity shall be permitted, except that if any sign or structure is damaged or has deteriorated to an extent that the cost of repair equals fifty percent (50%) of its replacement value if sound, or if the cost of alteration exceeds fifty percent (50%) of the replacement value, it shall either be rebuilt or replaced in conformance with the standards and requirements of this chapter, or be removed altogether.

c. Replacement of On-Site Signing: At such time as the name of an activity changes, any nonconforming on-site signing related to such activity shall either be replaced or modified to meet the requirements of this Ordinance, unless such signing was previously constructed with interchangeable panels, letters, or copy. An act of maintenance or repair or repainting a previously painted sign face, or repapering a previously papered sign, or other similar manner of changing a sign face, none of which would increase the degree of nonconformity, shall not be deemed as replacement hereunder and shall be permitted.

4. PROHIBITED SIGNING: The following types of signing shall be prohibited:

- a. Portable signs as defined by this chapter;
- b. Balloons exceeding four (4) feet in diameter;
- c. Swinging signs;
- d. Signs which rotate more than six (6) revolutions per minute;
- e. Banners, other than for identifying a special event as set forth in Temporary Signs-
- f. Any sign attached to a stand pipe or fire escape;
- g. Any sign which impedes access to any door, window, or fire escape;
- h. Unauthorized signs on public property;
- i. Any sign which facsimilates traffic control devices or emergency vehicles by reason of shape, color, or other feature;
- j. Any on-site sign attached to an off-site installation which increases the existing sign face area;
- k. Any off-site sign attached to an on-site sign installation;
- l. Any other type of signing which does not comply with the regulations and provisions of this Ordinance.

5. LOCATIONS WITHIN THE RIGHT-OF-WAY: No sign shall be located within any existing or prospective public street right-of-way as classified by the Transportation/Circulation Element of the City of San Luis General Plan, and its successors, nor shall any portion of a sign or sign structure overhang such right-of-way, except as provided in the San Luis City Code.

6. SIGNING 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:

- a. Changing the copy of a sign previously designed with interchangeable panels, letters, or other graphics.
- b. Cleaning, repair, repapering, repainting a previously painted sign, or other maintenance, including replacement of a sign face necessitated by damage or deterioration, none of which increases the existing sign face area. No activity shall be contrary to the requirements of Sections B-3 (Nonconforming Signage) and G-4-(d) (Damaged or Deteriorated Signage) of this Ordinance.
- c. The painting of any on-site signing, whether permanent or temporary, within a window of any building wall, or the installation or modification, of any merchandise display within an existing window.
- d. Temporary signing not exceeding thirty-two (32) square feet in area, or six (6) feet in height.

7. EXEMPT SIGNING: The following types of sign installations shall be exempt from the requirements of this chapter:

- a. Flags of a nation, state, or other governmental entity.
- b. Government signs for street names, traffic control, or other regulatory purpose of the government.
- c. Holiday decorations.
- d. Signing located within the interior of any building or other enclosure, and not visible from any public right-of-way or adjoining property, provided, however, this provision shall not exempt such installations from the requirement for any electrical permit, such as an illuminated sign within an enclosed mall, any structural permit, or other requirement of an applicable building code or other regulation adopted by the City of San Luis.

C. DEFINITIONS.

For the purpose of this Ordinance, certain words and terms are defined as follows:

1. Abandoned Signing: A sign which no longer identifies or advertises bona fide business, lessor, service, owner, product or activity, and/or for which no legal sign owner can be found.
2. Animated Signs: Any sign which displays or employs action or movement, whether driven by mechanical means or wind actuated; signs which only rotate shall not be included in this category.

3. Balloons/Inflatable Devices. One or more balloons or inflatable devices used as a permanent or temporary sign or as a means of directing attention to: any business or profession; a commodity or service sold, offered, or manufactured; or to any entertainment.
4. Banner: Any sign consisting of paper, fabric, canvass, rubber, plastic, or the like, with no other material for rigid structural support.
5. Building Façade: An exterior elevation of a building, extending from the average grade level of the adjoining ground within five (5) feet of the building wall to the top line of the roof or parapet wall, and also extending the entire width of the building elevation.
6. Business Purposes: Pertaining to economic dealings or mercantile activity, which are engaged in as a means of livelihood.
7. Canopy: An architectural projection beyond the external wall of a building forming part of the building facade.
8. Commercial Message: A message displayed or caused to be displayed before the public for business purposes involving or pertaining to the manufacture or sale of products, property, accommodations, services, attractions, or activities, which:
 - a. refers to the offer for sale or existence for sale of products, property, accommodations, services, attractions, or activities or
 - b. attracts attention to a business or to products, property, accommodations, services, attractions, or activities, that are offered or exist for sale or for hire.
9. Construction Sign: A temporary sign identifying an architect, contractor, subcontractor, lender and/or material supplier participating in construction on the property on which the sign is located.
10. Copy: The words, letters, symbols, illustrations, or other graphic characters used to convey the message of a sign.
11. Degree Of Nonconformity: The extent to which any sign or sign structure does not conform to the standards and requirements of this Ordinance, such as the height, sign face area, setback, vertical clearance, number of signs, or manner of keeping.
12. Development Sign: An on-site sign at the entry of a development indicating the name of a park, subdivision, complex or center.
13. Digital Display: Computer controlled electronic off-site signs that transmit light through the use of Light Emitting Diode Display (LED) technology.
14. Expressway - Expressway (150' ROW; access at ½ mile intersections)
15. Festoons: A sign where incandescent light bulbs, banners, balloons, pennants or other such features are hung, strung overhead or tied together and which are not an integral, physical part of the building or structure they are intended to serve.
16. Flag: a piece of cloth, varying in size, shape, color, and design, usually attached at one edge to a staff or cord, and used as the symbol of a nation, state, or organization, as a means of signaling, etc.; ensign; standard; banner; pennant.
17. Flashing Sign: Any sign which contains a source of light, internal or external, that intermittently cuts on and off, or which creates the illusion of flashing or intermittent light through animation or other means.

18. Free-Standing Sign: Any sign permanently anchored to the ground which stands alone on its own foundation and structural supports, and free of support from any building. Any signing mounted on the roof of any building shall not be considered as a free-standing sign.
19. Height Of Building: For the purpose of regulating sign locations, when a building facade has various elevations the height of the predominant elevation shall be the building height. Where a predominant elevation cannot be determined, the lowest height shall govern. In all situations, a sign shall not extend outside the silhouette of the wall/roof to which it is attached.
20. Indexing Sign: Any sign designed with multi-sided sign faces which is operated by some mechanical device, thereby causing the faces to alternately turn and stop.
21. Major Arterial Street: Those streets defined and classified as such by the Transportation/Circulation Element of the City of San Luis General Plan, and its successors.
22. Maximum Height: The vertical distance measured from the uppermost point of the sign face or sign structure, whichever is higher, to the street grade of the nearest driving lane.
23. Minor Arterial Street: Those streets defined and classified as such by the Transportation/Circulation Element of the City of San Luis General Plan, and its successors.
24. Monument Sign: A freestanding sign, where the entire bottom of the sign is affixed to the ground and provides a solid and continuous background for the sign face from the ground to the top of the sign, which is detached from a building, and the support structure is a base constructed of a permanent material. The height of any monument base or other structure erected to support or ornament the sign shall be measured as part of the sign height. The sign shall be clad to the ground with a base not less than 75% of the total sign width. The height of the structure erected to support or ornament the sign shall be measured as part of the sign height.
25. Noncommercial Message: A message that is not a commercial message.
26. Off-Site Sign: Any sign that may display a message, whether commercial or noncommercial, that does not necessarily relate to the premises upon which such sign is located.
27. On-Site Sign: Any sign which pertains to the business operated, activity conducted, or products sold or manufactured, on the premises upon which such sign is located, or which displays a noncommercial message installed or caused to be installed only by the property owner and/or lessee of the property upon which the sign is located.
28. Parapet: A wall extending above the plateline of the building.
29. Pedestal Sign: A freestanding, ground mounted sign, detached from a building, and where the support structure is a base constructed of a permanent material. The support structure of a pedestal sign and sign face shall be designed as one architecturally unified and proportional element. The sign shall be clad to the ground with a base not less than 65% of the total sign width. The height of the structure erected to support or ornament the sign shall be measured as part of the sign height.

30. Permanent Sign: Any sign set in the ground with its own foundation, or which is painted on or otherwise anchored to a building, wall, or other permanent structure, and any of which are installed to achieve a lasting and enduring condition and location.
31. Plateline: The point where the roof structure first touches an external wall.
32. Pole Sign: A free standing sign which is supported by one or more structural elements that are either (a) architecturally dissimilar to the design of the sign or (b) which is less than one-fourth of the width of the sign face. The bottom edge of the sign face is eight feet or more above finished grade.
33. Portable Signing: Any signing which is designed to be placed upon the ground, rather than anchored to the ground or to any structure, and which may be moved without disassembly or excavation of the sign or sign structure.
34. Premises: Any property or properties developed as a unit, including all building(s), off-street parking, points of access, common area, and any other appurtenances, all of which allows the parcel to function as a whole.
35. Primary Building Façade: The particular facade of a building which faces the street to which the address of the building pertains.
36. Roof: The protective cover of a building.
37. Roofline: The highest point of the main roof structure or parapet wall, not including cupolas, pylons, projections, or minor raised portions of the roof.
38. Sign: Any identification, description, illustration, symbol, statue or device, which is affixed directly or indirectly upon a parcel, building, structure, or other surface, and used or intended to attract the attention of the public when visible from any position on or off the premises upon which displayed.
39. Sign Face Area: The area of the smallest single geometric figure or figures which entirely encloses both the copy and facing of the sign. The spaces between letters, symbols, and numerals, which make words or elements of the sign, and contrasting backgrounds, illustrations, borders, or other devices shall be included.
 - a. where a sign has two (2) or more faces, the area of all faces shall be included in determining the sign area, except that only one (1) face of a double-faced sign shall be considered where the angle between faces does not exceed thirty (30) degrees and the distance between faces does not exceed five (5) feet.
 - b. where the sign is a statue or similar three-dimensional figure, the sign area shall be the sum of the four (4) vertical rectangular faces of the smallest polyhedron that entirely encloses such statue or figure.
40. Sign Height: the height of a sign is the vertical distance measured from the top of the sign and supporting frame or trim, if any, to the ground at the base of the sign or street grade level, whichever may be the lower.
41. Street Address Frontage: The total linear dimension of the property line which coincides with the edge of the adjoining street right-of-way to which the address of the property pertains.
42. Street Frontage: The total linear dimension of all property lines which coincide with the edge of an adjoining street right-of-way.

43. Swinging Sign: Any sign face which is suspended at one (1) or more points, but is not rigidly and permanently anchored to a building, wall, post, or other support structure.
44. Temporary Signing: Any signing which is set in the ground but not permanently set in its own footing or foundation, nor permanently anchored to a building, wall, or other structure.
45. Transit Bench Sign: A sign located on a bench at a designated public stop, in a City of San Luis public right-of-way.
46. Transit Shelter Sign: A sign located on a transit shelter at a designated public transit stop in a City of San Luis public right-of-way.
47. Tri-vision sign: A sign that uses vertical venetian type triangular panels to display one or more messages on an existing or proposed off-site sign. Such signs shall change at intervals of three seconds or more. This type of technology shall not be permitted on any other type of sign.
48. Unauthorized Signing: Any signing, irrespective of the method of installation, which is erected on property without the permission of the property owner.
49. Under-Canopy Sign: Any sign suspended from the underside of a canopy, roof, covered walkway, porch, or cantilever projection from a building.
50. Vertical Clearance: The vertical distance measured from the bottom edge of a sign face to the street grade of the nearest driving lane.
51. Wall-Mounted Sign: Any sign attached to a wall of a building, whether or not parallel to the wall surface, including any sign painted on a wall surface.

D. ON-SITE SIGNING.

On-site signing shall be permitted within any zoning district, subject to the general requirements of this Ordinance and the design standards as specified in this section.

1. Address/Nameplates: One (1) address and nameplate not exceeding one (1) square foot in area shall be allowed as a matter of right for any building within any zoning district, and shall be in addition to the maximum sign areas specified herein.
2. Free-Standing Signing On Shared Premises: Where more than one (1) user shares the same premises, not more than one (1) permanent free-standing, on-site sign shall be allowed for each street upon which the premises front, in accordance with the design standards as specified herein.
3. Standards And Criteria For Permanent On-Site Signing: Any permanent on-site signing proposed for installation shall conform with the standards and criteria indicated in the chart below. The number of any permanent on-site sign structures and the amount of any permanent on-site sign face area which already exists on any given premises shall be counted in accordance with these standards and criteria when determining the amount of permanent signing which may be added:

Zoning District	Type of Installation	Max. Total Area of All Sign Face(s)	Max. Area of Any Sign Face	Max. # of Signs	Max. Height	
					Within St. Setback	Outside of St. Setback
Agricultural Districts	F-S	24 sq. ft.	12 sq. ft.	1 of each installation type per street frontage	F-S: 6'	F-S: 12'
	W-M				W-M: n/a	W-M: (*)
Residential Districts	F-S W-M	2 sq. ft. for each dwelling	2 sq. ft.	1 per dwelling unit	F-S: 4' W-M: n/a	F-S: 6' W-M: (*)
		50 sq. ft. per development	50 sq. ft.	2 per entrance		
		24 sq. ft. for each non-residential use	24 sq. ft.	1 of each installation per street frontage		
Commercial / Industrial Districts	F-S	1 sq. ft. per 1 lin. ft. of street frontage upon which the sign is located ^{(a)(b)}	300 sq.ft	1 per street frontage	35'	
Commercial / Industrial Districts	W-M	15% of primary building facade	300 sq. ft.	n/a	n/a	(*)
	R-M					
	U-C	4 sq. ft. per front entrance	4 sq. ft.	1 per front entrance	n/a	(**)

Footnotes:

F-S:	Free-standing
W-M:	Wall-mounted
U-C:	Under-canopy
R-M:	Room-mounted
n/a:	not applicable

(*) A minimum distance below the top of the building's wall equal to ten (10) per cent of the height of the wall, or a distance equal to 25% 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 twenty (20) per cent of the building's height.

(**) Maximum height not applicable; however, a minimum 7' vertical clearance shall be required from walking grade to the bottom of the sign.

(a) In the event that more than one (1) sign is erected on a parcel with more than one (1) street frontage as permitted herein, a minimum space shall be required between signs equal to one-half (1/2) the length of the total street frontage. Such spacing shall be measured along the street lines. In no event shall more than one (1) permanent free-standing, on-site sign be erected on any street frontage, except as provided herein.

(b) A free-standing on-site sign structure may be erected at the corner of any lot or parcel under one of the following options:

- One (1) corner sign with a maximum sign face area equal to the sum of the two intersecting street frontages, up to three-hundred (300) square feet maximum, provided, however, that no other free-standing on-site sign shall be erected along either of the two intersecting frontages, or
- One (1) corner sign with a maximum sign face area equal to either of the two intersecting frontages, up to three-hundred (300) square feet maximum, provided however, that no other free-standing on-site sign shall be erected along whichever frontage is used for calculation purposes.

In the event that a lot or parcel has more than two street frontages, a free-standing 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 Ordinance, such as height, setback, spacing between on-site signs on the same parcel, shared premises, and the like, as may be applicable.

4. The support structure for any sign shall be set back a minimum of twelve (12) feet from any street right-of-way line and no vertical clearance shall be less than eight (8) feet. The minimum setback from the street right-of-way line to the leading edge of the sign face shall be a minimum of three (3) feet from the street right-of-way line.

5. If the sign (including support structure) does not exceed three (3) feet maximum height, a minimum three (3) foot setback from the street right-of-way line shall be required.

6. The maximum allowable sign height shall be thirty-five (35) feet

7. The maximum total sign face area as specified for this category may be distributed among each building facade or roof section.

8. Monument Sign: The height of any monument base or other structure erected to support or ornament the sign shall be measured as part of the sign height. The sign shall be clad to the ground with a base not less than 75% of the total sign width. The height of the structure erected to support or ornament the sign shall be measured as part of the sign height. To encourage design flexibility, the maximum height of the sign may be lowered in order to decrease required

setback from the street. No signs shall be permitted within visibility sight triangles. Low profile signs shall be setback, at a minimum, from the property line as follows:

Over 6' in height	12 ft. setback
4' to 6' in height	6 ft. setback
4' or less in height	3 ft. setback

9. Directional Signing: Signing provided for the sole purpose of traffic circulation and direction on the premises shall be permitted within any zoning district in the amount of ten (10) square feet per street entrance, and shall be permitted in addition to the maximum on-site sign areas specified herein.

10. Public Facilities and Religious Institutions. All signs for public facilities and religious institutions, in any zoning district, shall comply with the following criteria:

- (1) Maximum total sign face area of all signs = 150 sq. ft.
- (2) Maximum sign face area per sign (freestanding) = 50 sq. ft.
- (3) Maximum sign face area per sign (wall-mounted) = 100 sq. ft.
- (4) Maximum number of signs = one of each installation type per street frontage.
- (5) Maximum height outside streetyard setback = 19 feet.
- (6) Maximum height inside streetyard setback = 4 feet (subject to visibility and clearance requirements).
- (7) Minimum streetyard setback = 12 feet.

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D. Temporary Signing:

Any temporary signing proposed for installation shall conform with the standards and criteria indicated in the following chart, except that the number of signs displaying only a noncommercial message may exceed the maximum number of signs on any given lot or parcel:

Zoning District	Type of Installation	Max. Area of Any Sign Face	Max. # of Signs	Max. Height	
				Within St. Setback	Outside of St. Setback
Agricultural Districts	Free-standing	32 sq. ft.	1 per street frontage	6'	12'
	Wall-mounted				
Residential Districts	Free-standing Wall-mounted	10 sq. ft. (less than 1 ac.)	1 per lot or parcel	6'	6'
		32 sq. ft. (1 ac. or more)	1 per street frontage	6'	8'
Commercial / Industrial Districts	Free-standing	100 sq. ft.	1 per street frontage	6'	12'
	Wall-mounted	32 sq. ft.	1 per building facade	A distance below the uppermost line of the wall upon which mounted, equal to ½ the vertical dimension of sign	

1. In no event shall any temporary signing be erected more than sixty (60) days prior to, nor be allowed to remain more than ten (10) days after, the date of the activity, event, or other temporary condition to which the sign relates. For the purposes of this subsection, the measurement of time shall not include such date or period of the activity, event, or other temporary condition.
2. Lighting for temporary sign installations shall be prohibited.
3. Balloons and inflatable devices; Festoons. The following applies to the use of balloons, other inflatable devices, or festoons used as signs:
 - a. Individual balloons, other inflatable devices, strings of balloons, or festoons shall not be higher than the building located on the site.

- b. Individual balloons, other inflatable devices, strings of balloons, or festoons shall be tethered to the ground a distance from the property line equal to the balloon height.
- c. Individual balloons, other inflatable devices, strings of balloons, or festoons are required to be maintained solely on the property of the business for which it is advertising.
- d. Individual balloons, other inflatable devices, strings of balloons, or festoons are not allowed to cross into the right-of-way, whether in the air or on the ground.
- e. Individual balloons, other inflatable devices, strings of balloons, or festoons are not allowed to be cut loose or to blow away. The maintenance and disposal of the balloons is the responsibility of the business that they are advertising. Balloons must be removed and disposed of properly.

F. OFF-SITE SIGNING.

Off-site signing shall be permitted in accordance with the specific standards and criteria set forth in this section, as well as with the additional requirements and provisions of this Ordinance pertaining to all signing:

1. Required Zoning Districts And Frontages: Off-site signing shall be permitted only on parcels zoned with a General Commercial (C-2) or Light Industrial (L-I) zoning classification which front along a major arterial street or minor arterial street, as classified by the Transportation/Circulation Element of the City of San Luis General Plan, and its successors.
2. Standards And Criteria For Off-Site Signing: Any off-site signing proposed for installation shall conform with the standards and criteria set forth in the following. The size and location of any off-site signing which already exists shall be considered when determining the amount and location of any new signing proposed for installation under these standards:
 - a. Sign Face Area: The maximum sign face area shall not exceed three-hundred (300) square feet.
 - b. Sign Height And Vertical Clearance: The maximum sign height shall not exceed thirty-five (35) feet. In all cases, a minimum ten (10) foot vertical clearance measured from street grade of the nearest driving lane to the lowest line of the sign face shall be required.
 - c. Setback: The minimum setback from any portion of the sign face or sign structure shall be either fifty-five (55) feet from the center line of the arterial street right-of-way or fifteen (15) feet from the right-of-way line, whichever produces the greater setback
 - d. 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.

- e. Method of installation: Each off-site sign shall be erected as a free-standing sign installation as defined by this chapter. No off-site sign shall be erected on the wall or roof of any building.

3. Prohibited locations: Off-site signing shall be prohibited at any of the following locations:

- a. Less than 150 feet from the nearest property line of any residential zoning district.
- b. In any block where the front one-third of any lot or parcels used for residential purposes comprises 50% or more of the block frontage.
- c. Less than 1,500 feet from the exterior boundary of any federal, state, county, or municipal historic park, monument, or district.
- d. Main Street south of Co. 22nd Street.

G. ADMINISTRATION.

The following requirements and provisions shall be applicable to all sign installations as regulated by this chapter, both on-site and off-site, whether permanent or temporary:

1. Responsibilities: The administration and enforcement of these regulations shall be the responsibility of the City of San Luis Zoning Administrator and the Building Official, in accordance with the customary duties and responsibilities of each official, respectively, and as further provided by this Section and by Section _____ of the Zoning Ordinance.

2. Issuance of Building Permits:

a. Permits Required: A permit issued by the City of San Luis Building Safety Division shall be required for the installation, construction, reconstruction, alteration, or replacement of all signs and sign structures as specified in the following; failure to obtain such permit shall be considered a violation of this Ordinance. Approval of such permit by the City of San Luis shall not eliminate any requirement to secure a permit from the State of Arizona pursuant to state law where applicable.

(1) *Application.* All permit applications shall be in the form prescribed by the Building Safety Division, and shall further include the information required by this Section.

(2) *Permanent signing.* A permit shall be required for all permanent sign installations as regulated by this Ordinance, including the painting or other attachment of any signing on the exterior of any building, wall, roof, fence, or other outdoor surface as a new sign installation. In applying for such permit, the sign owner shall indicate in writing whether the sign is to be an on-site or an off-site sign installation.

(3) *Temporary signing.* A permit shall be required for any temporary sign installation exceeding thirty-two (32) square feet in sign face area, or exceeding six (6) feet in height,

provided, however, that the installer of any temporary sign exceeding ten (10) square feet in sign face area shall register its location, as permitted by this chapter, with the City of San Luis Department of Planning and Zoning. In applying for such a permit for temporary signing as required herein, the applicant shall indicate in writing the date by which such signing shall be removed.

(4) *Electrical permits.* If the sign or sign structure is to be illuminated by electrical means, a separate electrical permit shall be required in accordance with the standards and requirements of the Electrical Code as adopted by the City of San Luis.

b. Requirements For Permit Applications. Each application for a sign permit shall be accompanied by a plan or plan(s) drawn to scale which indicate the following:

(1) Complete dimensions to illustrate the sign face area, the height of the sign structure if freestanding, or the dimensions of the wall, roof, or canopy upon which mounted or painted.

(2) The total amount of sign face area already existing on the property, whether permanent or temporary, on-site and off-site, and their locations.

(3) The location of the sign installation on the property, as well as the location of all property lines, curb lines, curb cuts, and sidewalks pertinent to the sign location.

(4) The method of attachment, illumination, and structural support; any calculations as may be required by the Building Official shall also be included.

(5) The exact location of the property upon which the signing is to be installed, either by address or legal description.

3. Fees:

a. Permit fee: Prior to the issuance of any permit for a sign installation, the Building Safety Division shall collect a permit fee in the amount specified by Table No. 3A of the Uniform Building Code, current edition, and any successors or amendments, as adopted by the City of San Luis.

(1) Such fee shall be based on the total valuation of the sign and sign structure, whether or not made locally, as calculated according to the Building Valuation Data maintained by the Building Safety Division. The Building Valuation Data includes the unit cost per square foot sign face area for illuminated and non-illuminated signing.

(2) For any addition to an existing sign or sign structure, the valuation shall be based upon the square footage of the sign face area to be added.

b. Plan Check Fee: In addition to the permit fee, a plan check fee shall be collected by the Building Safety Division in the amount of sixty-five percent (65%) of the permit fee. The plan check fee shall be required at the time that a permit is applied for and plans are submitted, and shall be paid whether or not a permit is issued.

c. Investigation Fees: Should there begin any work for which a permit is required by this Ordinance, and no permit has been issued, the Building Safety Division shall conduct a special investigation prior to issuing any permit for such work. The investigation fee shall equal, and be in addition to, the permit fee.

(1) In addition, the party performing work shall be subject to the penal provisions of this chapter, well as the applicable provisions of any other code or ordinance adopted by the City of San Luis.

(2) A re-inspection fee shall be assessed when the work for which the inspection is called is not complete, or when corrections previously noted have not been made. Such fee shall be as set forth in the current Building Code and its successors, and shall be collected by the Building Safety Division prior to conducting any further re-inspections.

4. Construction and installation standards:

a. Codes and Ordinances: All signs, sign structures, and other components including electrical features, shall be designed, constructed, and installed in accordance with the requirements of all applicable codes, ordinances, and regulations previously adopted, or subsequently adopted, by the city. Those codes and ordinances shall dictate such standards as the means of structural support, allowable stresses, construction materials, wind loads, vibration resistance, seismic loads, electrical wiring, and the like.

b. Sign Label: The building permit number as required by the City of San Luis Building Safety Division shall be permanently affixed to each sign installation, whether permanent or temporary, for which a building permit is required under this Ordinance. Any temporary signing for which no permit is required under this Ordinance shall be affixed with the telephone number of the sign owner. Such information shall be affixed by a weatherproof label, inscription, or other permanent means, in a manner legible upon close inspection.

c. Maintenance. Every sign shall be maintained in a safe, presentable, and good structural condition at all times, including the replacement of defective parts, repainting, cleaning, and other acts necessary for the maintenance of said sign. If the sign is not made to comply with adequate safety standards, the City Building Official may require its removal in accordance with the provisions of this Ordinance.

d. Damaged Or Deteriorated Signing. Any sign or structure which is damaged or has deteriorated to an extent that the cost of repair equals fifty percent (50%) or more of the replacement value of the sign if sound, shall either be rebuilt or replaced in conformance with the standards and requirements of this chapter, or be removed altogether.

- e. Sign Removal. The Building Official shall cause the repair or removal of any sign that endangers the public safety, such as materially dangerous, electrically or structurally defective sign, or an abandoned sign, according to the following provisions. The following provisions pertaining to notice, appeal, and reoccurrence shall also apply to all signing which is temporary signing extending beyond the permitted time limits according to the criteria specified by this Ordinance.
- (1) Notice: Written notice shall be sent to the owner of the sign if it is an off-site sign, or to the owner of the premises upon which an on-site sign is situated. Such notice shall identify any hazards, defects, and deficiencies of the sign or sign structure, and the specific section(s) of this Ordinance or other applicable building code or ordinance adopted by the city to which the violations pertain. Said notice shall further indicate what repairs or other action, if any, would correct the violation(s) as noted, and shall specify a period of thirty (30) days for either the repair or removal to be accomplished.
 - (2) Appeal: The owner of the sign, or the owner of the building or property, upon which it is situated, may appeal the order of the Building Official for removal or repair, by filing a written notice with the Building Official within ten (10) days after receipt of the notice, for final consideration by the appropriate City Board. The Board of Adjustment shall consider appeals pertaining to removal of abandoned signing, as well as any appeals from any interpretation made by the Zoning Administrator.
 - (3) Emergency: Should the Building Official determine that the sign or sign structure causes imminent danger to the public safety, contact shall be made with the owner to require immediate removal or correction. In the event that contact cannot be made with the owner, or the owner fails to correct the danger, the Building Official shall correct the danger by ordering the sign removal. Any sign removed by the Building Official pursuant to such emergency shall be disposed of in the manner deemed appropriate by City Council, upon recommendation by the Building Official. All costs associated with removal of such sign by the City, including all incidental costs, shall be considered a debt owed to the City by the owner of the sign if it is an off-site sign, or the owner of the property if it is an on-site sign, and shall be recovered in the following manner:
 - (4) The Building Official shall submit a report to the City Clerk for public hearing by the City Council. Such report shall include a description of the work done, an itemized account of all expenses incurred, a legal description of the property upon which the signing is or was located, and the name(s) and address(es) of the property owner and/or sign owner, if reasonably ascertainable.
 - (5) The City Clerk shall cause notice of the public hearing to be posted on the property involved, published once in a newspaper of general circulation within the city, and served by certified mail to the owner of the property if it is an on-site sign, according to the names and addresses shown on the City of San Luis assessment roll, and to the owner of the sign if it is an off-site sign if such name and address are reasonably ascertainable. Such notice as specified herein shall be

given at least ten (10) days prior to the hearing, and shall further specify the day, hour, and place for the hearing.

- (6) At the conclusion of the public hearing, the City Council shall confirm or deny the report, with or without any modifications as it deems appropriate, and shall determine whether the charges are to be recovered by personal obligation of the property owner. Should Council order that the charges shall be a personal obligation of the property owner and/or the sign owner, the City Attorney shall be authorized to collect the same by use of all appropriate legal remedies.

4. Variances: Variances may be granted by the appropriate City Board as specified herein, to allow relief from the design standards specified by this chapter. However, no relief shall be granted to permit the erection of signs which are prohibited by Section 1.1/F/6 of this Ordinance.

- a. Requests for variances from the design criteria of this Ordinance, such as, but not limited to, the setback, size, height, location, spacing, and number of signs, as well as the requirements pertaining to the manner of keeping, shall be considered by the City of San Luis Board of Adjustment. Such variance requests, as well as any appeal from an interpretation made by the Zoning Administrator, shall be considered in accordance with the requirements and criteria of the Zoning Ordinance. However, since it is the intent of this chapter to secure the gradual and eventual elimination, rather than expansion, of nonconforming signs and sign structures, the Board of Adjustment shall not grant any variance to increase the degree of nonconformity for any existing signing.

- b. Requests for variances from the structural or mechanical requirements of any building code as may be adopted by the City of San Luis, or any appeal from an interpretation made by the Building Official, shall be considered by the appropriate board, such as the Board of Appeals or the Planning & Zoning Commission in accordance with their adopted procedures.

5. Penalties: It shall be unlawful for any person, firm, or corporation to violate, or cause the violation of any provision of this Ordinance. Each separate day, or part thereof, that a violation continues is a separate offense. Any violation of or failure to do or perform any act required by this Ordinance constitutes a civil offense punishable pursuant to Article 1-8 of the City Code. Any third, or more, offense committed within one year of the date of the first offense shall be punishable as a class one misdemeanor pursuant to Article 1-8 of the City Code.

4. CONFLICT AND SEVERABILITY:

- a. Where an action or requirement pertaining to signing is specified by more than one section of the Zoning Ordinance, or by another ordinance or regulation as may be adopted by the city or by another state or federal law or regulation where applicable, such action or requirement shall be dictated by the applicable provisions of such regulations. In cases of overlap between ordinances, regulations, or laws, the more restrictive provisions shall control.

b. If any section, sentence, phrase, or other portion of this Ordinance is held by a court of competent jurisdiction to be invalid or unconstitutional for any reason, such portions shall be deemed as separate, distinct, and independent provisions, and such holdings shall not affect the validity of the remaining portions of this Ordinance.