



Staff Report

Agenda Item: AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF CLARKDALE, YAVAPAI COUNTY, ARIZONA, AMENDING SECTION 7-5 (D), PROHIBITED SIGNS, SECTION 7-6(H) PERMITTED SIGNS – POLITICAL, THE PERMITTED SIGNS BY TYPE AND ZONE DISTRICT CHART, AND THE POLITICAL SIGN FREE ZONING MAPS OF THE TOWN ZONING CODE OF THE TOWN OF CLARKDALE; REPEALING CONFLICTING ORDINANCES AND PROVIDING FOR SEVERABILITY – Discussion and consideration of Ordinance #339, an ordinance amending the political sign section of the Clarkdale Zoning Code.

Staff Contact: Jodie Filardo, Economic and Community Development Director

Meeting Date: December 19, 2011

Background: During the last regular session of the State Legislature, HB 2500 was approved. This bill amended ARS § 16-1019 *Political signs: printed materials: tampering; classification*. This State mandated law substantially changed the regulations regarding political signs. The largest changes were to allow placement of political signs within public rights of way except those within the jurisdiction of the State of Arizona (ADOT) and increased their overall size. The Town being a political subdivision of the State of Arizona must comply with all Statutory amendments as they relate to or impact the Town's Zoning Code.

Council approval must also include the "sign free zone" map. Subsection C of ARS 16-1019 does not apply to commercial tourism, commercial resort and hotel sign free zones as those zones are designated by municipalities. The total area of those zones shall not be larger than three square miles, and each zone shall be identified as a specific contiguous area where, by resolution of the municipal governing body, the municipality has determined that based on a predominance of commercial tourism, resort and hotel uses within the zone the placement of political signs within the rights-of-way in the zone will detract from the scenic and aesthetic appeal of the area within the zone and deter its appeal to tourists. Not more than two zones may be identified within a municipality.

This ordinance adopts the document made a public record by Resolution #1386.

Recommendation: Adopt Ordinance #339, AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF CLARKDALE, YAVAPAI COUNTY, ARIZONA, AMENDING SECTION 7-5 (D), PROHIBITED SIGNS, SECTION 7-6(H) PERMITTED SIGNS – POLITICAL, THE PERMITTED SIGNS BY TYPE AND ZONE DISTRICT CHART, AND THE POLITICAL SIGN FREE ZONING MAPS OF THE TOWN ZONING CODE OF THE TOWN OF CLARKDALE; REPEALING CONFLICTING ORDINANCES AND PROVIDING FOR SEVERABILITY.

ORDINANCE NO. 339

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF CLARKDALE, YAVAPAI COUNTY, ARIZONA, AMENDING SECTION 7-5 (D), PROHIBITED SIGNS, SECTION 7-6(H) PERMITTED SIGNS – POLITICAL, THE PERMITTED SIGNS BY TYPE AND ZONE DISTRICT CHART, AND THE POLITICAL SIGN FREE ZONING MAPS OF THE TOWN ZONING CODE OF THE TOWN OF CLARKDALE; REPEALING CONFLICTING ORDINANCES AND PROVIDING FOR SEVERABILITY.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF CLARKDALE, ARIZONA:

Section 1: That certain document known as " AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF CLARKDALE, YAVAPAI COUNTY, ARIZONA, AMENDING SECTION 7-5 (D), PROHIBITED SIGNS, SECTION 7-6(H) PERMITTED SIGNS – POLITICAL, THE PERMITTED SIGNS BY TYPE AND ZONE DISTRICT CHART, AND THE POLITICAL SIGN FREE ZONING MAPS OF THE TOWN ZONING CODE OF THE TOWN OF CLARKDALE; REPEALING CONFLICTING ORDINANCES AND PROVIDING FOR SEVERABILITY," three copies of which are on file in the office of the town clerk of the Town of Clarkdale, Arizona, which document was made a public record by Resolution No.1386 of the Town of Clarkdale, Arizona, is hereby referred to, adopted and made a part hereof as if fully set out in this ordinance.

Section 2: All Ordinances and part of Ordinances in conflict with the provisions of this Ordinance or any part of this document adopted herein by reference are hereby repealed.

Section 3: Any portion of the Town Zoning Code repealed by this Ordinance does not affect rights and duties that matured or penalties that were incurred, and proceedings that were begun before the effective date of the repeal.

Section 4: If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of this document adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the Mayor and Council of the Town of Clarkdale, Arizona, this _____ day of _____, 2011.

ATTEST:

Mayor Doug Von Gausig

Kathy Bainbridge, Town Clerk

APPROVED AS TO FORM:

Town Attorney

CHAPTER SEVEN – SIGN CODE

Section 7-5 Prohibited Signs of the Town Zoning Code is amended by adding the following:

Section 7-5 (D) Prohibited Signs

D. Private signs in public right-of-way except political signs

Section 7-6 Permitted Signs of the Town Zoning Code is amended by adding the following:

Section 7-6 (H) Permitted Signs – Political

H. Political – In accordance with Arizona Revised Statute 16-1019

1. Maximum size equals ~~six (6) square feet~~ sixteen (16) square feet, if the sign is located in an area zoned for residential use, or a maximum area of thirty-two (32) square feet if the sign is located in any other area.
2. Signs ~~must~~ may be located on private property or in public right-of-way except state highways or routes subject to the following conditions:
 - a. The sign is not placed in a location that is hazardous to public safety, obstructs clear vision in the area or interferes with the requirements of the Americans with Disabilities Act;
 - a. The sign contains the name and telephone number of the candidate or campaign committee contact person;
 - b. Installation of a sign on any structure owned by the Town is prohibited.
3. Said signs shall not be erected earlier than sixty (60) days prior to an election nor removed later than ~~ten (10)~~ fifteen (15) days after an election.
4. No political signs will be permitted in public right of way in “sign free zones” as adopted by the Town Council in accordance with Arizona Revised Statute (ARS 16-1019).

Section 3: Chapter 7 Sign Code The Permitted Signs by Type and Zone District Chart of the Town Zoning Code is amended to read as follows:

Permitted Signs by Type and Zone District Chart

Sign Type	R1A	R1	R1L	RS3	R2	R3	R4	R4A	CB	C	I
Animated	N	N	N	N	N	N	N	N	P	P	P
Freestanding	P	P	P	P	P	P	P	P	P	p	P
Ideological (1)	P	P	P	P	P	P	P	P	P	P	P
Illuminated (2)	N	N	N	N	N	N	N	N	P	P	P
Off-premise	N	N	N	N	N	N	N	N	P	P	P
On site info	P	P	P	P	P	P	P	P	P	P	P
Projecting	N	N	N	N	P	P	N	N	P	P	P
Political I (4)	P	P	P	P	P	P	P	P	P	P	P
Public info.	P	P	P	P	P	P	P	P	P	P	P
Real estate (3)	P	P	P	P	P	P	P	P	P	P	P
Subdivision Adv. & Directional	P	P	P	P	P	P	P	P	P	P	P
Subdivision ID	P	P	P	P	P	P	P	P	P	P	P
Temporary	P	P	P	P	P	P	P	P	P	P	P
Wall	P	P	P	P	P	P	P	P	P	P	P
Window (4)	P	P	P	P	P	P	P	P	P	P	P
Wind (5) Banners Pennants Streamers	P	P	P	P	P	P	P	P	P	P	P

P= Permitted

N= Not Permitted

(1) Not to exceed 6 square feet.

(2) Not permitted within 75 feet a residential district for PUD or PAD development.

(3) For sale, for lease signs not to exceed 5 square feet in residential districts.

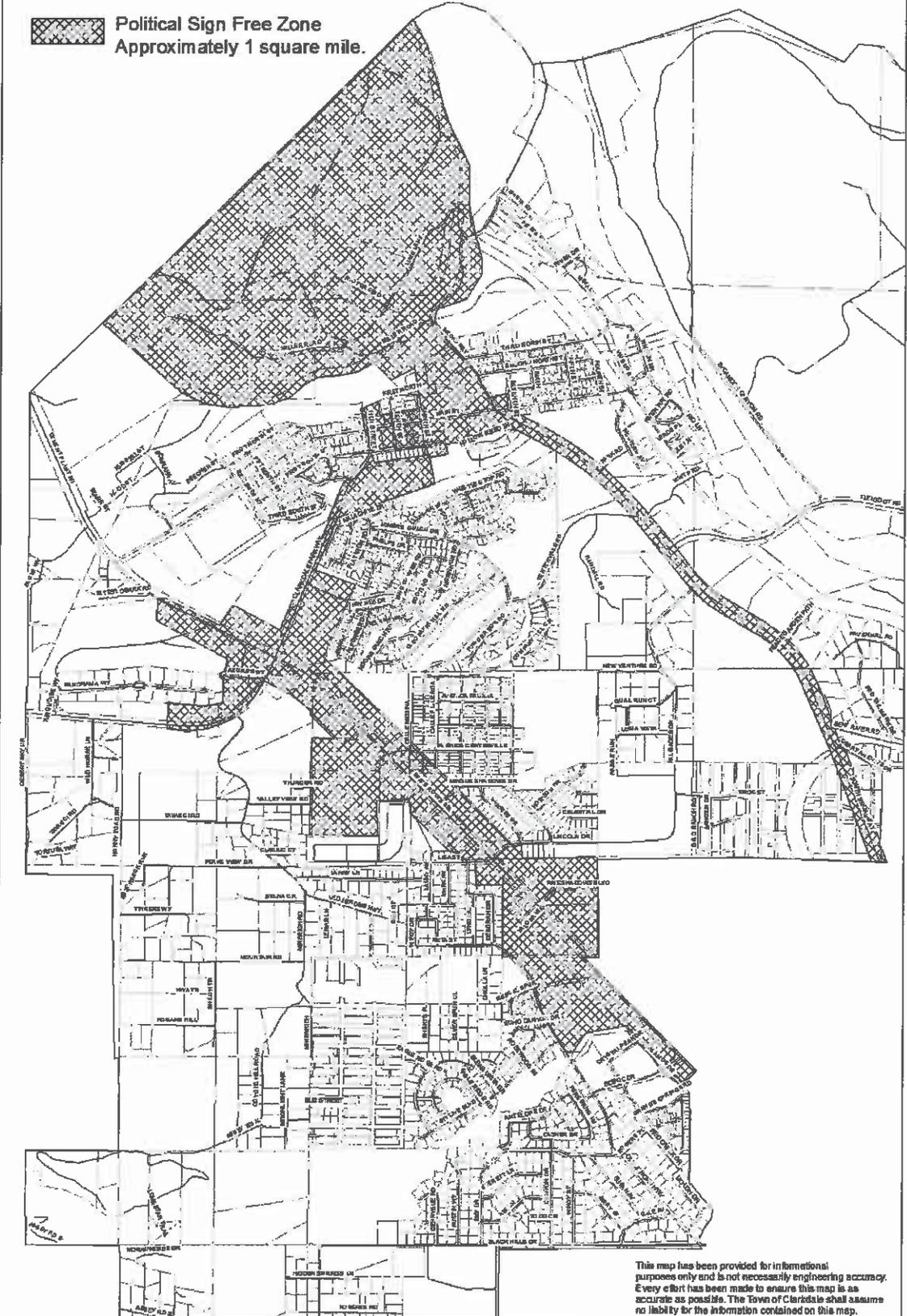
(4) Home occupation only signs permitted in residential districts.

(5) Permitted for a maximum of 5 days for bona fide Grand Openings, Going Out of Business Sales, Open House, or similar short term events.

Section 4: Chapter 7 Sign Code The “Sign Free Zones” Maps of the Town Zoning Code is created to read as follows:



Political Sign Free Zone
Approximately 1 square mile.



This map has been provided for informational purposes only and is not necessarily engineering accuracy. Every effort has been made to ensure this map is as accurate as possible. The Town of Clarkdale shall assume no liability for the information contained on this map.