

ORDINANCE NO. 2011-01

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, AMENDING CHAPTER 14 OF THE PEORIA CITY CODE (1977 EDITION), BY AMENDING ARTICLE 14-34 "SIGNS"; OF THE PEORIA ZONING ORDINANCE; PROVIDING FOR SEPARABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Peoria, Maricopa County, Arizona, held a public hearing on November 4, 2010 to consider a proposed amendment to the Peoria City Code, after notice in the manner provided by law; and

WHEREAS, due and proper notice of such Public Hearing was given in the time, form, substance, and manner provided by law including publication of such in the Peoria Times on October 15, 2010; and

WHEREAS, the Planning and Zoning Commission of the City of Peoria, Arizona at its regularly convened meeting of November 4, 2010, voted to recommend to the Mayor and Council of the City of Peoria, Arizona, that amendments be made to the Peoria City Code (1977 edition) and Chapter 24 of the Peoria City Code; and

WHEREAS, the Mayor and Council of the City of Peoria, Arizona, have considered the recommendation of the Planning and Zoning Commission of the City of Peoria, Arizona, and deem it to be in the best interest of the public health, safety and welfare of the residents of the City of Peoria, Arizona to amend Articles 14-34 "Signs" of Chapter 14 of the Peoria City Code (1977 edition);

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

SECTION 1. of Chapter 14 of the Peoria City Code (1977 edition) shall be amended to read as indicated on Exhibit A.

SECTION 2. Effective Date. This Ordinance shall become effective on the date provided by law.

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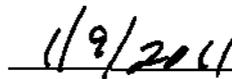
SECTION 3. SEPARABILITY. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

PASSED AND ADOPTED by the Mayor and Council of the City of Peoria, Maricopa County, Arizona this 4th day of January, 2011.



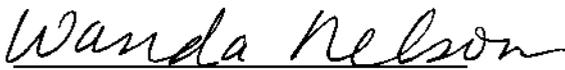
Bob Barrett, Mayor



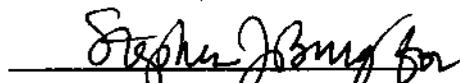


Date Signed

ATTEST:


City Clerk

APPROVED AS TO FORM:


Stephen M. Kemp, City Attorney

Published in: Peoria Times

Pub. Dates: January 7, 2010 and January 14, 2010

Effective Date: February 9, 2011

EXHIBIT A

ARTICLE 14-34

SIGNS

14-34-7 DEFINITIONS

LL. *Portable Sign.* Any sign which is not permanently affixed to any structure on a site or permanently ground mounted. Includes A-frame / sandwich board signs. ~~Frequently referenced to as "Sandwich Signs."~~

14-34-8 SIGN TYPES AND REQUIREMENTS

A. Permitted Signs. The following signs are permitted, subject to the criteria listed under each sign:

4. ~~Banner-Sign/Promotional-Display~~ Special Event Sign. A temporary sign which is ~~painted or displayed upon cloth or other flexible material,~~ used for the promotion of goods, ~~or services, or events~~ for a specified period of time. (Ord. No. 02-56, Ord. No. 2010-XX)

a. Special Events. ~~A-sign used for to promote a sale or special event a special sales event or product promotion.~~

1) For the purpose of this regulation, special event signs shall include sign banners, balloons, flags, streamers, and pennants. Vehicle mounted signs, flashing lights, search lights and portable signs are prohibited, except as may otherwise be provided in this Ordinance. (Ord. No. 03-01)

2) ~~Banner~~ Signs ~~used to promote special sales or product promotions~~ shall be limited to a maximum total square footage of ~~twenty-four (24)~~ thirty two (32) square feet.

3) Signs shall be allowed four (4) times per year for a maximum period of fourteen (14) consecutive days. A minimum of thirty (30) days shall pass between each such sale.

~~4)a)~~ For a period extending no later than June ~~April 1st-30th~~ 2011 2012 the following ~~timeframes~~ allowances for special event signage shall apply.

~~a)1)~~ ~~Signs shall be allowed two (2) times per year for a maximum period of sixty (60) consecutive days. A minimum of sixty (60) consecutive days shall pass between each such sale. Signs shall be allowed four (4) times per year for a maximum period of thirty (30) consecutive days for each occurrence.~~

b) Advertising Flags

In addition to allowable banner, streamer, and pennant signage, establishments may have two (2) pole-mounted advertising flag signs.

such as the types of signs commonly referred to as a "swooper flag", "feather flag," or "teardrop flag". Each sign shall not exceed a total of fifteen (15) feet in height including mounting hardware, three (3) feet in width, nor thirty-two (32) square feet in sign area. All such signs shall be securely fastened to resist displacement by wind or similar disturbances and shall only be displayed during the hours the business/establishment is open. For establishments located in multi-tenant buildings or complexes, such signs may be placed at the perimeter of the complex with the property owner's consent.

c) Portable A-frame signs

Establishments may also have one (1) portable "A-frame" (or similar) sign, provided that the sign shall not exceed thirty six (36) inches in height nor a total of six (6) square feet in area. Such signs shall be weighted to resist displacement by wind or similar disturbances and shall only be displayed during the hours the business/establishment is open. For establishments located in multi-tenant buildings or complexes, such signs may be placed at the perimeter of the complex with the property owner's consent.

d) All such signs shall be placed on private property and shall not impede pedestrian or vehicular visibility or traffic.

5)4) All such signs shall include wind cuts as necessary to reduce sign billowing or sailing and shall be securely fastened to the building or other permanent structure attached to the building containing the subject establishment. Such signs and/or banners shall not be mounted to trees or other landscaping elements.

6)5) Individual balloons and balloon arches/clusters shall be allowed provided they are securely fastened to permanent structures and setback from all streets and driveways a distance equal to the tether of the balloon. Individual balloons shall not exceed twenty four (24) inches in diameter. Balloons and balloon arches/clusters shall be tethered at a height that does not exceed the height of the building containing the subject establishment. Balloons exceeding twenty four (24) inches in diameter shall be considered inflatable structures and shall require a separate permit.

7) Torn, faded, or soiled signs shall be prohibited.

8)6) Sign permit required for each display period.

b. Exterior Sales. A sign for the sale of merchandise where most of the business is conducted, or items are displayed, in an open exterior area in compliance with all City Codes. (Ord. No. 03-09)

1) Exterior sales promotions are allowed however shall be restricted to Friday, Saturday, and Sunday or Federally recognized holidays.

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- 2) For the purpose of this regulation, exterior sales signs shall include sign banners, balloons, flags, streamers, pennants or merchandise. Vehicle mounted signs, flashing lights, search lights, and portable signs are prohibited.
 - 3) Streamers, pennants and flags shall contain no advertising copy, but may include a symbol, logo or replica of a flag on a pennant. (Ord. No. 03-09)
 - 4) Inflatable structures are allowed by separate permit. Such structures shall be permitted only twice per year at three-day intervals. Inflatable structures shall not be roof-mounted and shall be securely fastened to permanent structures and/or proper ground staking. Inflatable structures shall be placed on private property and shall not impede pedestrian or vehicular visibility or traffic.
 - 5) Individual balloons and balloon arches/clusters shall be allowed provided they are securely fastened to permanent structures and setback from all streets and driveways a distance equal to the tether of the balloon. Individual balloons shall not exceed twenty four (24) inches in diameter. Balloons and balloon arches/clusters shall be tethered at a height that does not exceed the height of the building containing the subject establishment. Balloons exceeding twenty four (24) inches in diameter shall be considered inflatable structures and shall require a separate permit.
 - 6) All banner signs shall include wind cuts as necessary to reduce sign billowing or sailing and shall be securely fastened to a building, private light standard or other permanent structure. Such banners shall not be mounted to trees or other landscaping elements. The total allowable square footage of all banner signs shall not exceed one hundred fifty (150) square feet.
 - 7) Uses eligible for exterior sales signs shall not be eligible for special event signs.
 - 8) Torn, faded or soiled exterior sales signs shall be prohibited.
 - 9) No permit required, except for inflatable structures.
- c. Civic Events. Signs used to advertise, promote public entertainment uses including carnivals, circuses, street fairs, concerts, cultural events, home and garden shows, parades, community events and similar uses.
- 1) For the purpose of this regulation, civic event signs shall include sign banners, balloons, flags, streamers, and pennants. Vehicle mounted signs, flashing lights, search lights and portable signs are prohibited, except as may otherwise be provided in this Ordinance. (Ord. No. 03-01)
 - 2) No off premise signs, strobe lights or search lights are permitted, except as may otherwise be provided in this Ordinance. (Ord. No. 03-01)

- 3) All banner signs shall include wind cuts as necessary to reduce sign billowing or sailing and shall be securely fastened to a building, private light standard or other permanent structure. Such banners shall not be mounted to trees or other landscaping elements.
- 4) Size and quantity of signs are not regulated, however signs shall not be displayed for more than seven (7) days prior to the event and shall be removed within forty-eight (48) hours after the event.
- 5) Inflatable structures are allowed by separate permit. Inflatable structures shall not be roof-mounted and shall be securely fastened to permanent structures and/or proper ground staking. Inflatable structures shall be placed on private property and shall not impede pedestrian or vehicular visibility or traffic.
- 6) Torn, faded, or soiled civic event ~~exterior sales~~ signs shall be prohibited.
- 7) Light standard banner advertisement is allowed within one mile of the event as approved by the Public Works Director.
- 8) No permit required, except for inflatable structures.

10. Flags. (Ord. No. 03-09)

- a. Flag poles shall not exceed thirty-five (35) feet in height, except for those displaying the flags of the United States of America or the State of Arizona which may be erected to a height not to exceed one hundred (100) feet; (Ord. No. 03-09)
- b. Any flag flown in conjunction with the United States and/or State of Arizona Flag shall be flown beneath them and shall not exceed them in size;
- c. No more than three (3) flagpoles shall be placed on any one (1) site, unless a request is approved in the same manner as a comprehensive sign plan pursuant to this Article. No more than (2) flags shall be flown on any one flagpole. (Ord. No. 03-09)
 - 1) On officially recognized United States and Arizona Holidays, there shall be no maximum flag size or number or other limitations on display, however, flag displays on officially recognized United States and Arizona Holidays shall meet all other requirements of this Article. (Ord. No. 03-09)
- d. Flags of corporate entities shall only be permitted in the Commercial and Industrial Zoning Districts, unless a request is approved in the same manner as a comprehensive sign plan pursuant to this Article. The maximum size of any corporate entity flag shall not exceed fifteen (15) square feet, with no one dimension to exceed six (6) feet in any direction; (Ord. No. 03-09)
- e. Residential developments ~~Recorded subdivisions having a valid subdivision advertising sign permit~~ may display a maximum of six (6) ~~festive advertising~~

flags which do not include copy or logos along the street frontage containing the development's main entry. The maximum size of such flags shall not exceed fifteen (15) square feet, with no one dimension to exceed six (6) feet in any direction. For residential subdivisions, such signs may be maintained for a period of three (3) years, or until all the lots in the subdivision are sold, whichever occurs first. Extensions to the three (3) year time limit may be requested from the Planning Manager.; (Ord. No. 00-30, Ord. No. 10-XX)

- f. All such flag poles shall be located a minimum of one (1) foot from the edge of street right-of-way.(Ord. No. 03-09)
- g. Except as otherwise provided by this Article or the United States Flag Code, all flags shall be displayed on flagpoles. Display of the American Flag shall be in accordance with the United States Flag Code. (Ord. No. 03-09)
- h. Torn, faded, or soiled flags shall be prohibited.
- i. No sign permits required unless otherwise noted. (Ord. No. 03-09)

17. Grand Opening Signs. A sign used for the introduction or promotion of a new business, store, shopping center, office or the announcement of an established business changing ownership. (Ord. No. 98-07)

- a. All businesses shall be permitted to display Grand Opening Signs, on a one time basis, for a maximum of thirty (30) consecutive days;
 - 1) For a period extending no later than ~~April 1st~~ June 30th 2014, 2012, the following ~~time frames~~ regulations for grand opening signage shall apply.
 - a) All businesses shall be permitted to display Grand Opening Signs on a one time basis for a maximum of sixty (60) consecutive days within the first six (6) months upon receipt of a valid business license.
 - b) Portable A-frame (or similar design) signs shall be permitted, provided that each sign shall be placed on private property, shall not impede pedestrian or vehicular traffic, and shall not exceed thirty six (36) inches in height or a total of six (6) square feet in area.
- b. For the purposes of this regulation, Grand Opening Signs shall include sign banners, balloons, streamers, search lights, flags, pennants, inflatable structures, merchandise or other attention attracting media and devices. Vehicle mounted signs, flashing lights and portable signs are prohibited except as may otherwise be provided in this Ordinance. ;
- c. No sign permit required.