

ORDINANCE NO. 727

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTION 15-05 OF CHAPTER 154 (THE UNIFIED DEVELOPMENT CODE) OF THE CODE OF THE TOWN OF PAYSON. (REGULATING TEMPORARY SIGNS)

WHEREAS, the Town of Payson regulates the type and placement of temporary signs to assure safety on its roadways and to protect the public's health and safety; and

WHEREAS, the Town additionally regulates the type and placement of temporary signs to maintain the aesthetic quality of the Town and to maintain and increase property values of the citizens of the Town; and

WHEREAS, the Town is permitted to place reasonable time, place, manner restrictions on temporary signs; and

WHEREAS, the Town has an interest in the type of signs placed upon its right of way and on any property owned by the Town; and

WHEREAS, Sections 15-05 of the Town's Unified Development Code regulate temporary signs within the Town of Payson; and

WHEREAS, the Town desires to amend its temporary sign regulations in order to assure roadway safety, protect the public's health and safety, to ensure an aesthetically pleasing Town, and to maintain and increase property values; and

WHEREAS, the Town finds that the regulations adopted by this Ordinance 727 are reasonable time, place, and manner regulations and do not regulate the content of any sign,

NOW, THEREFORE, THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, DO HEREBY ORDAIN AS FOLLOWS:

Section 1. That the Amendments to Section 15.05 (Signs) of Chapter 154 (the Unified Development Code) of the Code of the Town of Payson set forth in Resolution 2333 were heretofore declared to be a public record by such Resolution, and all the Amendments and provisions thereof are hereby referred to and adopted by this reference as though all the provisions thereof were set forth in full in this Ordinance Number 727.

Section 2. That at least three copies of the Amendments to Section 15.05 of Chapter 154, as adopted by this Ordinance Number 727 shall be filed in the Office of the Town Clerk of the Town of Payson and the same shall be maintained and kept available for public use and inspection.

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2nd Reading & Public Hearing NOV 01 2007 G.S.

- Section 3. By January 1, 2008, the Design Review Board, in coordination with the Community Development Director or his/her designee shall establish Design Review Criteria for Temporary Portable Signs and Temporary Directional Signs.
- Section 4. Between the effective date of this Ordinance and the establishment of the Design Review Criteria for Temporary Portable Signs and Temporary Directional Signs, any design review applications shall be reviewed in accordance with as many of the Development Standards as may be applicable as listed in Section 15-02-014 of the Unified Development Code.
- Section 5. Section 15-02-013(F)(7)(f)(8)(d) of the Unified Development Code (temporary signs within the Green Valley Redevelopment Area) is deleted.
- Section 6. All ordinances and parts of ordinances in conflict with the provisions of this Ordinance Number 727 are hereby repealed to the extent of such conflict.
- Section 7. If any section, subsection, sentence, clause, phrase or portion of this Ordinance Number 727 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 of this Ordinance Number 727. The Mayor and Common Council of the Town of Payson declares that it would have adopted this Ordinance Number 277 and each section, subsection, sentence, clause, phrase or portion thereof despite the fact that any one or more sections, subsections, sentences, clauses, phrases or portions would be declared invalid or unconstitutional.

PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON this ____ day of _____, 2007, by the following vote:

AYES _____ NOES _____ ABSTENTIONS _____ ABSENT _____

F. Robert Edwards, Mayor

ATTEST:

APPROVED AS TO FORM:

Silvia Smith, Town Clerk

Samuel I. Streichman, Town Attorney

SUMMARY OF AGENDA ITEM

DATE: October 18, 2007
TO: Mayor and Council
FROM: Legal Department and Community Development
SUBJECT: Amendments to Sign Code Addressing Temporary Signs

PURPOSE: Ordinance 727 (Resolution 2333) would amend the Sign Code, primarily as it relates to Temporary Signs. The changes are noted in a underline/strikeout format.

SUMMARY OF CHANGES:

- 1) Temporary Portable Signs (Section 15-05-005(C)(7)) are allowed with the following restrictions:
 - a. only in commercially zoned areas.
 - b. only one per establishment or person
 - c. only Wednesday through Monday.
 - d. not exceed 6 square feet.
 - e. must have an approved sign permit and comply with design review requirements.

Additionally, Section 15-02-013(F)(7)(f)(8)(d) (Temporary Signs within GVRA) is deleted. With the addition of Section 15-05-005(C)(7) (Temporary Portable Signs) there is now one Town wide standard.

- 2) Temporary Directional Signs - Signs that direct a person to a specific location or address are permitted with restrictions including that they must receive design review approval. See Section 15-05-005(C)(8).
- 3) The Design Review Board, in coordination with the Community Development Department, is charged with establishing Design Review Standards for Temporary Portable and Temporary Directional Signs by January 1, 2008.
- 4) Section 15-05-002(B)(4), addressing Temporary Signs for events of a Town-wide civic or public benefit, community events, or Town sponsored events, has been clarified and a provision allowing the Community Development Director to approve signs over 64 square feet has been added.
- 5) Additional Temporary Sign provision changes:
 - a. Clarifying that unless specifically authorized, Temporary Signs may not be placed in the Town's Right of Way
 - b. Allowing the Town to take immediate enforcement action (i.e. removal) against any illegal signs placed on public property or in the Town's Right of Way or any illegal Temporary Signs no matter where they are placed.
 - c. Assuring no Temporary Sign may create a traffic hazard or block or impede roadways, sidewalks, bike paths, etc.

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- 6) Additional clarifications
 - a. Banners over the Highway or the Town's right of way are exempted if they are regulated or placed by a state or local government. See Section 15-05-002(B)(7).
 - b. It is clarified that Sale, Lease or Rent Signs may be placed in the Town's unimproved Right of Way in residential areas. See Section 15-05-005(C)(3).
 - c. Political Signs signs may be placed on private property in all zoning districts and may be up to 3 square feet in residential areas and 32 square feet in non-residential areas. In residentially zoned areas, the signs may also be placed in the unimproved portion of the Town's Right of Way with the permission of the adjacent property owner, but Political Signs may not be placed in the Town's Right of Way in nonresidential areas. See Section 15-05-005(C)(5).

- 7) Home Based Business Signs - A name plate sign (not exceeding 2 square feet) is permitted upon review that the sign does not detract from the neighborhood. See Section 15-05-005(B)(5).

- 8) Section 15-05-004 'Exemptions' has been renumbered as Section 15-04-002(B).