



Requesting Department:
Development Services

TO: Planning and Zoning Commission
THRU: Brett Burningham, Development Services Director
FROM: Erik Swanson, Principal Planner
RE: Public Hearing and Possible Action on P19-0046 ZONING ORDINANCE TEXT AMENDMENT, ARTICLE 7 SIGNAGE, a request for Zoning Ordinance Text Amendment to Article 7 Signage.
DATE: August 14, 2019

STAFF RECOMMENDATION

Staff recommends approval of P19-0046 ZONING ORDINANCE TEXT AMENDMENT, ARTICLE 7 SIGNAGE.

PROPOSED MOTION

Move to recommend approval of P19-0046 ZONING ORDINANCE TEXT AMENDMENTS, ARTICLE 7 SIGNAGE.

RELEVANT COUNCIL GOAL



Effective Government

SUMMARY

As presented at the March 13, 2019, Planning Commission Study Session, Planning Staff is proposing a series of Zoning Ordinance Text Amendments based on direction provided by the Town Council, changes in State law, and to make the Zoning Ordinance a more efficient tool for development in the Town. The amendments provided below specifically addresses Article 7 Signage, of the Zoning Ordinance.

DISCUSSION

Modifications to Article 7 Signage of the Zoning Ordinance are proposed as a direct result of the 2015 Reed v. Town of Gilbert Supreme Court decision, and to provide a more cohesive and clear tool for residents and the development community to use.

As was the practice of municipalities across the nation, regulation of signs was largely based on the content of the sign. Following the Supreme Court decision, municipalities have had to update Sign Codes to ensure that any regulations that were based on content were updated to ensure that regulations were content neutral. The primary goal of the proposed Sign Code amendment is to replace areas where regulations are content based, with content neutral standards. The update additionally consists of addressing scrivener’s errors, reorganization, and updates to common practices.

The majority of the modifications proposed are contained within Section 7.5 Temporary Signs, as this section of the code largely regulates signs based on their content. While the entire Code has been reviewed and updated, three components have received significant modification due to the content typically provided on the signs: banner signs, open-house signs, and homebuilding/contractor/real-estate signage.

The following table provides the current type and standards of the Sign Code and the proposed modifications.

Sign Type	Existing Code	Proposed Code
Banner Signs	<ul style="list-style-type: none"> • Current code distinguishes between Grand Opening Signs, Special Event Signs, Open During Construction Signs, and Contractor/Construction Signs. • Varying sizes per sign are allowed. • Various timeframes are allowed depending on the sign type 	<ul style="list-style-type: none"> • Does not distinguish the sign based on the content. • Expands the total amount of days that all temporary signs may be hung to 90 cumulative days. • Total square footage of signage is consistent at 48 sq. ft.
Open House Signs	<ul style="list-style-type: none"> • Open House sign must contain the words "open house" or similar wording. • A-frame signs are prohibited. • Cannot be located in the public right-of-way. • Maximum of 5 signs allowed per home or group of homes. • Model home complexes are limited to 2 directional signs. 	<ul style="list-style-type: none"> • Redefine as "Residential Yard Sign", allowing for "for sale" "for rent" "garage sale", etc. uses. • A-frame signs allowed • Can be located in the right-of-way so long as adjacent to the outside edge of the sidewalk, or where no sidewalk exists at least a minimum of 4 feet from the edge of curb. • No limitation on the amount, but rather can locate 1 at every turning movement within a radius of the site.

<p>Development Signs</p> <ul style="list-style-type: none"> • Homebuilder • Development • Real Estate Signs 	<ul style="list-style-type: none"> • Different standards based on the content of the sign including, square footage, height, duration, and location. 	<ul style="list-style-type: none"> • Redefine the signs as Temporary Freestanding Signs. • Standards based on square footage of proposed sign.
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PUBLIC NOTIFICATION

Notification of the proposed Sign Code Text Amendment was sent electronically to 23 individuals representing land use attorneys, developers (commercial and residential), the Home Builders Association of Central Arizona (HBACA), consultants, sign companies, the Southeast Valley Regional Association of Realtors (SEVRAR), and the Queen Creek Chamber of Commerce. Staff received comments from Patrick Adler of Project Advancement, Jackson Moll of the HBACA, Matt Ortega of SEVRAR, Fast Signs, and the Queen Creek Chamber of Commerce. Planning Staff received a significant amount of support for the proposed amendments, and made adjustments to language based on received comments.

ATTACHMENTS

1. Zoning Code Text Amendment Article 7, Signage - *redlines*
2. Zoning Code Text Amendment Article 7, Signage - *proposed*

Zoning Ordinance

Article 7.0

Sign Regulations

7.0 Sign Regulations

ARTICLE 7 – SIGN REGULATIONS

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7.1 Purpose and Enforcement

- A. The purpose of the sign regulations is to establish reasonable regulations to promote economic vitality, a visually attractive environment, and vehicular and pedestrian safety, and to protect the public health and safety. The purpose is addressed through the following guiding principles:
1. To preserve and protect the public health, safety and general welfare by ensuring properly designed and located signs within the Town of Queen Creek;
 2. To promote and aid the public and private sectors in the identification, location, and advertisement of goods and services throughout the Town;
 3. To enhance the beauty, unique character, and quality of the Town of Queen Creek that will attract commerce, businesses, residents, and visitors;
 4. To promote economic development and the value of commercial properties, be sensitive to surrounding land uses and maintain an attractive community appearance;
 5. To encourage development of private property in harmony with the desired character of the town while providing due regard for the public and private interests involved;
 6. To promote the effectiveness of signs by encouraging signs that are clear and legible and by preventing over- concentration, improper placement, and excessive size.
- B. *Enforcement.* The Planning Administrator is hereby authorized and delegated the authority to commence an action to enforce the provisions of this Ordinance, pursuant to A.R.S. §9-462.05.A, §9-462.05.B, and Section 2.5 of this Ordinance.
- C. *Removal.* The Planning Administrator or designee may confiscate or cause to be confiscated any signs in violation of this article. Such signs shall be deemed a nuisance and subject to be impounded as evidence or to be disposed of without prior notice.

~~C.D.~~ The Planning Administrator may permit minor deviations to the requirements herein if found that strict application of the standards prohibits the reasonable allowance of signage that is in general conformance with the standards provided herein.

7.2 General Regulations

- A. *Permitted Signs in Each District.* Table 7.2.A-1 shows which types of signs are allowed in each zoning district.
1. *Signs Permitted in Residential Zoning Districts.* The following signs are permitted in Residential Zoning Districts, excluding the MDR and HDR districts: R-2, R-3, and R-4:
 - a. Address Signs. Address signs shall not exceed two (2) square feet in area. Address signs which are readily visible from the street are required on all new construction prior to

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issuance of a certificate of occupancy.

- b. Temporary Signs. Temporary ~~real estate and miscellaneous~~ signs as described in section 7.5.
- c. On-Site Directional Signs. On-site directional signs are allowed pursuant to subsection 7.2.I
- d. Other Signs Allowed.

1) Institutional and civic uses in a residential zone are allowed a total sign area based on the following street frontages:

Street Frontage (in feet)	Total Sign Area (in square feet)
0-50	16
51-100	24
101-250	32
251-500	40
500+	48

2) Residential Subdivision entry monument signs/features. Signage may be wall-mounted or freestanding, but shall not exceed ~~ten~~ twenty feet (~~±20'~~) in height and thirty- two (32) square feet in area. If freestanding, the height is measured from the top of the adjacent curb or crown of roadway, whichever is higher. Entry monument signs/features shall be decorative and designed to match the predominant architectural character and materials of the neighborhood. A sign may be displayed on one (1) or both sides of a street providing direct access to the subdivision and serving as a major entry.

3) Residential subdivision entry monument signs/features twenty (20') feet in height taller than ten feet (10') in height and up to Twenty feet (20') in height or greater than thirty-two (32') square feet in sign copy may be considered by the Planning Administrator if the following enhanced design features are provided:

a) Enhanced materials/finishes (i.e. stone, brick, tile roof, laser cut metal, etc.)

~~a)~~ b) Unique monumentation in the form of towers, porte cocheres, etc.,

~~b)~~ c) Unique design features (i.e. tower elements, trellises, ramadas, archways, fountains/water features, seating areas, etc.)

c) d) Increased landscaping and specialty lighting.

2. Signs Permitted ~~I~~n ~~T~~he MDR and HDR R-2, R-3, and R-4 Residential Zoning Districts:

- a. Any sign permitted by subsection A.1 of this section, subject to all sign regulations for the aforementioned districts;
- b. Signs for a permitted use or building shall be limited to one (1) on the premises, subject to the following conditions:
 - 1) Maximum Size: Twenty-four (24) square feet in area;
 - 2) Located in the front yard;
 - 3) If attached to a building, no part of such sign shall project more than one foot (1') from the building, nor shall it extend above the top of a parapet wall, or the eave line of gable, gambrel, mansard or similar type roof;

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- 4) If such sign is ground-mounted, it shall include a minimum two foot (2') architectural planter or base. If an inorganic base is used, it shall be designed to match the predominant architectural character of the main building. Ground-mounted freestanding signs shall be located at least ten feet (10') from any lot line and it shall not exceed six feet (6') in height; and,
 - 5) If such sign is illuminated, the source of illumination shall not be visible and no flashing, rolling, scrolling or intermittent illumination shall be employed.
3. Signs Permitted In Commercial Centers or Complexes (NC, AT, TC, C-1, C-2, C-3, EMP-A and EMP-B) with three (3) or more stand-along buildings, regardless of the number of businesses:
- a. Prior to issuance of Sign Permits for any business or occupancy in a center or complex, a Comprehensive Sign Plan detailing the size, type, location, and color of all signage within the center/complex shall be submitted to the Planning Administrator along with the Major or Minor site plan for review and approval;
 - b. A Comprehensive Sign Plan that proposes a deviation from any of the requirements provided in this subsection shall be reviewed and approved by the Planning and Zoning Commission in accordance with subsection 7.2.A.8 of this Section;
 - c. The following signs are allowed in centers and complexes in the ~~B-1~~, AT, TC, C-1, C-2, C-3, EMP-A and EMP-B districts as part of the Comprehensive Sign Plan submittal:
 - 1) Building mounted identification signage for each permitted use or principal building, subject to the following conditions:
 - a) Building front wall signage shall not exceed one and a half (1 1/2) square feet of sign area per lineal foot of building occupancy frontage;
 - b) Side wall signage shall not exceed one-half (1/2) square feet of sign area per lineal foot of side wall;
 - c) Rear wall signage shall not exceed one-half (1/2) square feet of sign area per lineal foot of rear wall.
 - d) No part of such sign shall project more than one foot (1') nor extend above the height of the building;
 - e) Such sign may be illuminated the source of illumination shall not be visible and no flashing, rolling, scrolling or intermittent illumination shall be employed; and,
 - f) Total wall signage shall not exceed two-hundred fifty (250) square feet.
 - 2) One (1) Identification ground- mounted freestanding sign containing the name of the center and the tenants subject to the following conditions:
 - a) Freestanding signs shall be decorative using a minimum two foot (2') architectural planter or base. If an inorganic base is used, it shall be designed to match the predominant architectural character of the main building.
 - b) Such ground sign shall not exceed forty-eight (48) square feet in sign area, nor shall it exceed eight feet (8') in height above grade nor shall it extend or project over any street or alley line;

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- c) Parcels with six-hundred feet (600') are permitted two (2) ground- mounted signs per street frontage as determined by the Planning Administrator, and shall be separated by a minimum of three-hundred (300) feet; and,
 - d) One (1) additional sign is permitted for each additional three-hundred feet (300') of street frontage as determined by the Planning Administrator.
- 3) Any directional signs as needed and located internal to the site not exceeding two (2) square feet in area per sign;
 - 4) One (1) parking lot wall or ground sign per parking lot entry or exit not exceeding six (6) square feet in area and limited to off-street parking instructions and direction. Such sign may have interior illumination;
 - 5) Any lighting shall be placed to reflect the light away from Residential Districts or Residences; and,
 - 6) Temporary ~~real estate, construction, and subdivision~~ signs, pursuant to subsection 7.5.C.2.
4. Signs Permitted in ~~T~~the NC, TC, and C-1 Commercial Districts for ~~I~~individual ~~B~~buildings ~~N~~not ~~P~~part of a ~~C~~center or ~~C~~complex:
- a. Any sign allowed by this Ordinance in the Residential Zoning District is subject to the sign regulations of the respective district. When any use allowed in the foregoing residential districts is established in any commercial zoning district, the sign limitations of the district in which the use is first allowed shall apply, regardless of the zone in which the use is located;
 - b. Address signs which are readily visible from the street are required on all new commercial construction regardless of the zoning district prior to issuance of a Certificate of Occupancy;
 - c. On-site directional signs pursuant to Section 7.2.I;
 - d. One freestanding sign per street frontage, not exceeding twenty-four (24) square feet in area and six feet (6') in height, subject to the following conditions:
 - 1) Parcels with six-hundred feet (600') of street frontage per street are permitted two (2) freestanding signs per street frontage as determined by the Planning Administrator, and shall be separated by a minimum o fthree-hundred (300) feet; and,
 - 2) One (1) additional sign is permitted for each additional three-hundred feet (300') of street frontage as determined by the Planning Administrator.
 - 3) Freestanding signs shall be decorative using a minimum two foot (2') architectural planter or base. If an inorganic base is used, it shall be designed to match the predominant

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architectural character of the main building.

- e. Building front wall signage shall not exceed one and a half (1 1/2) square foot of sign area per lineal foot of building occupancy frontage;
- f. Side wall signage shall not exceed one-half (1/2) square feet of sign area per lineal foot of side wall;
- g. Rear wall signage shall not exceed one-half (1/2) square feet of sign area per lineal foot of rear wall;
- h. No part of such sign shall project more than one foot (1') nor extend above the height of the building;
- i. Such sign may be illuminated provided the source of illumination shall not be visible and no flashing, rolling, scrolling or intermittent illumination shall be employed;
- j. Total wall signage shall not exceed one-hundred fifty (150) square feet per business; and,
- k. Temporary ~~real-estate, construction, and subdivision~~ signs pursuant to Section subsection 7.5.C.2.

5. Signs Permitted in The AT ~~Agritainment~~ and C-2, ~~General-Commercial~~ Districts for ~~I~~individual ~~B~~buildings ~~N~~not ~~P~~part of a Center or Complex:

- a. One freestanding sign per street frontage.
- b. Ground-mounted freestanding signs shall use a minimum two foot (2') architectural planter or base. If an inorganic base is used, it shall be designed to match the predominant architectural character of the main building. Ground-mounted signs shall not exceed eight feet (8') in height. Maximum sign area shall not exceed forty-eight (48) square feet;
- c. Parcels with six-hundred feet (600') of street frontage per street are permitted two (2) freestanding signs per street frontage as determined by the Planning Administrator, and shall be separated by a minimum of three-hundred (300) feet;
- d. One (1) additional sign is permitted for each additional three-hundred feet (300') of street frontage as determined by the Planning Administrator.
- e. Building front wall signage shall not exceed one and a half (1 1/2) square foot of sign area per lineal foot of building occupancy frontage;
- f. Side wall signage shall not exceed one-half (1/2) square feet of sign area per lineal foot of side wall;
- g. Rear wall signage shall not exceed one-half (1/2) square feet of sign area per lineal foot of rear wall;
- h. No part of such sign shall project more than one foot (1') nor extend above the height of the building;
- i. Such sign may be illuminated provided the source of illumination shall not be visible and no flashing, rolling, scrolling or intermittent illumination shall be employed; and,
- j. Total wall signage shall not exceed one-hundred fifty (150) square feet.

6. Signs Permitted in ~~T~~the EMP-A and EMP-B ~~Light-Industrial~~ Districts for ~~I~~individual

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~~B~~uildings ~~N~~ot ~~P~~art of a Center or Complex:

- a. Ground--mounted freestanding identification signs for single tenant sites, subject to the following conditions:
 - 1) One sign per street frontage; and,
 - 2) Maximum height of a ground sign shall not exceed eight feet (8') in height and forty-eight (48) square feet in area.
 - 3) Parcels with six-hundred feet (600') of street frontage per street are permitted two (2) freestanding signs per street frontage as determined by the Planning Administrator, signs shall be separated by a minimum of three-hundred (300) feet;
 - 2)4) One (1) additional sign is permitted for each additional three-hundred feet (300') of street frontage as determined by the Planning Administrator.
 - b. Building wall signage pursuant to subsection 7.2.A.5.e - j. above.
 - c. Identification wall-mounted and freestanding signs for multi-tenant industrial projects shall comply with the regulations in subsection 7.3.B.
7. *Signs Permitted in the PCD, Mixed Use (MU), and C-3, Regional Commercial Districts:* Sign standards for developments in these districts shall be established as part of a Comprehensive Sign Plan as provided in subsection 7.2.A.8.
8. *Comprehensive Sign Plan (CSP):* A Comprehensive Sign Plan is intended to provide flexibility for standards that may not meet the specific requirements set forth in this Article. The purpose of the Comprehensive Sign Plan is to form signage criteria for a development that promotes superior design, however maintains general conformance with the underlying zoning district requirements as provided in this code.
- ~~a. Applicability. Comprehensive Sign Plan applications shall be limited to the allowances set forth in Table 7.2.A-1.~~
- ~~b.a. Design Criteria. All proposed signage shall:~~
- 1) Integrate with the proposed architectural elements of the site and buildings;
 - 2) Locate and orientate with respect to the surrounding developed and undeveloped land;
 - 3) Not be larger than necessary for sufficient visibility and legibility; and,
 - 4) Not include any sign type otherwise prohibited by this Article.
- ~~e.b. Approval. A Comprehensive Sign Plan that proposes a deviation from any of the requirements provided in this Article or proposes electronic signage shall be reviewed and approved by the Planning and Zoning Commission.~~
- ~~d. Permit. A building permit shall be required for a Comprehensive Sign Plan application as set forth in Section 7.4 of this Ordinance.~~
- ~~e.c. Amendments. Amendments to an approved Comprehensive Sign Plan shall be processed in accordance with the following procedures:~~
- 1) *Minor Amendments.* Minor Amendments shall include any change up to ten percent (10%) which does not increase the overall number of signsage within the originally approved Comprehensive Sign Plan. All changes processed under the Minor Amendment procedures shall comply with all provisions of this Section Article. Minor

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amendments may be requested in writing and may be approved administratively by the ~~Development Services Director~~ Planning Administrator; and,

- 2) *Major Amendments*. Major Amendments shall be defined as those amendments not meeting the criteria set forth above to qualify as a Minor Comprehensive Sign Plan Amendment. Major Amendments shall be requested, processed, and approved or denied in the same manner as the initial Comprehensive Sign Plan submittal.

9. Operational Signs

- a. In non-residential zoning districts, businesses may display one (1) electronic or neon ~~Open/Closed~~ sign in window areas only. Such sign shall only be displayed on the interior of a window and shall not count towards the maximum allowed signage, provided the following conditions are met:
 - 1) Maximum area shall not exceed two (2) square feet;
 - 2) Sign shall not be placed higher than six (6) feet from finished grade;
 - 3) This provision does not pertain to nor include electronic or static message or reader boards;
 - 4) A sign permit is not required; and,
 - 5) Architectural accent lighting may be considered during the Site Plan/Design Review application process if the proposed concept is complimentary to the building architecture. If related to signage, such elements may count towards the maximum allowed signage.

~~10. Fuel Service Station Electronic Message Signs.~~

- a) ~~Fuel service stations may use up to one-half (1/2) of the allowed freestanding sign area for electronic display to identify the current price of fuel being sold. The maximum sign area used for the electronic display shall be twenty four (24) square feet. No animation or flashing shall be allowed. All other requirements shall be in accordance with the freestanding sign regulations as outlined in the corresponding zoning district.~~

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Table 7.2.A-1: Permitted Signs Per Zoning District.

Signs	Zoning District						
	Residential Zoning except R-2, R-3 and R-4	R-2, R-3 and R-4	Commercial Centers or Complexes: NC, AT, TC, C-1, C-2, C-3, EMP-A and EMP-B	NC, TC, and C-1 *	C-2 and AT *	EMP-A and EMP-B *	PCD, MU and C-3 ○
Zoning Section	7.2.A.1	7.2.A.2	7.2.A.3	7.2.A.4	7.2.A.5	7.2.A.6	7.2.A.
Address	●	●	●	●	●	●	●
Name Plate	●	--	--	--	--	--	--
Menu Board	●	●	●	●	●	●	○
Height	6FT /8 FT @		6FT /8 FT @	6FT /8 FT @	6FT /8 FT @	6FT /8 FT @	○
Total SF	12 SF		24 SF	24 SF	24 SF	24 SF	○
Freestanding	--	●	●	●	●	●	●
Number	--	1	1/frontage	1/frontage	1/frontage	1/frontage	○
Height	10/20 **	6 FT	8 FT	6 FT	8 FT	8 FT	○
Total SF	24 SF	24 SF	48 SF	24 SF	48 SF	24 SF	○
Wall	--	--	●	●	●	●	●
Building Front	--	--	1 1/2 SF / 1 LF	1 1/2 SF / 1 LF	1 1/2 SF / 1 LF	1 1/2 SF / 1 LF	○
Side/Rear	--	--	1/2 SF / 1 LF	1/2 SF / 1 LF	1/2 SF / 1 LF	1/2 SF / 1 LF	○
Max. Wall	--	--	250 SF	150 SF	150 SF	150 SF	○
On-Site Directory	--	●	●	●	●	●	●
Tenant Directory	--	●	●	●	●	●	●
Comp. Sign Plan %	--	--	●	●	●	●	○
Temporary Signs ^	--	●	●	●	●	●	●

- Allowed
- Prohibited
- * For Individual Buildings Not Part of a Center or Complex
- Comprehensive Sign Plan Required (Section 7.2.A.8) @ 6' high for freestanding or 8' high for wall mounted
- % Comprehensive Sign Plan permitted subject to Section 7.2.A.8
- ^ Temporary signs permitted subject to Section 7.5
- ** Entry monument signs/features greater than 10 feet in height are only permitted subject to Article 7, Section 7.2.A.1.d.

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~~11.~~ 10. Specialty Signage: Awning, Canopy, Neon, and other similar specialty signage may be permitted subject to permit and design review. Such signage shall count towards the applicable wall or ground mounted freestanding signage allowance.

- B. *Prohibited Signs.* Signs not specifically authorized are prohibited, including but not limited to the following:
1. *Animated Signs.* Animated signs are not allowed, except for approved pennants, banner, flags, revolving barber poles and clocks including those which alternately display time and temperature having a maximum face area not exceeding three (2) square feet;
 2. *Flashing Signs.* Flashing signs other than those which alternately display time and temperature, and are a maximum of three (3) square feet in area;
 3. *Sound Signs.* Signs emitting sound or any substance are not allowed;
 4. ~~*Obscene Signs.* No person, as principal, agent or otherwise, shall exhibit, post or display or cause or permit to be exhibited, posted or displayed, upon any advertising structure, any obscene statements, symbol or sign. A statement, symbol or sign is obscene within the meaning of this Section when:~~
 - a. ~~The average person, applying contemporary state standards would find that the item, taken as a whole, appeals to the prudent interest;~~
 - b. ~~The item depicts or describes, in a patently offensive way, sexual activity; and,~~
 - c. ~~The item taken as a whole lacks serious literary, artistic, political, or scientific value.~~
 5. *Signs Affixed to Objects.* The tacking, painting, pasting or otherwise affixing of signs or posters visible from a public way, to any trees, fences, utility poles or other structures, or upon vehicles where such vehicles are used primarily as support for such signs, is prohibited;
 6. *Permanent Off-site Sign.* Any form of remote signage, such as off-premises advertising signs or billboards, are prohibited;
 7. *Signs with Exposed Raceways.* Except where it is determined by the Planning Administrator that it is not structurally feasible to install a sign without using an exposed raceway;
 8. *Pole Signs and / or Roof Signs.* Pole signs and / or roof signs except as specifically approved when it is determined that a ground or wall sign is not feasible due to site limitations and / or line of sight interruptions for vehicular traffic;
 9. Wall-mounted cabinet signs are prohibited, unless such sign:
 - a. Utilizes a cabinet that is stylized in shape, rather than rectangular, to reflect the shape of the image printed on the sign face;
 - b. Utilizes a molded sign face, with embossed copy or sign copy or sign copy in relief; or,
 - c. ~~Utilizes a nationally registered trademark~~
 10. *Projecting Signs.* Projecting Signs may be permitted in the TC and AT Districts or as part of an approved Comprehensive Sign Plan. Projecting Sign standards:
 - a. Maximum sign area of twelve (12) square feet;

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- b. Minimum/maximum spacing from building of six inches/twelve inches (6"/12");
- c. The bottom of the sign shall not be less than eight feet (8') from the base of the building;
- d. No sign shall project into the public right-of-way, except as follows:
- e. Upon administrative approval, wall signs attached to the front face of building may extend a maximum of twelve inches (12") into the public right-of-way.

11. *Signs Facing Residential Districts.* Signs identifying a business in a non-residential zoning district are not permitted on building façade adjacent to a shared zoning district boundary with a residential zoning district. Not applicable when the zoning district boundary is a public right-of-way ~~and,~~

12. *Vehicle Signs.* Signs attached to a vehicle primarily for the purposes of advertising, with such vehicle placed adjacent to a roadway and not used for the typical conduct of the business so advertised.

C. *Nonconforming Signs.*

1. ~~Definition of Legal Nonconforming Signs.~~ Legal nonconforming signs shall mean a sign (or signs) which lawfully exist at the time of the enactment of this Ordinance, and which does not conform to the regulations as specified herein for the zone in which said sign is located. A legal nonconforming sign may not be altered in any manner not in conformance with this Ordinance; however, such sign(s) shall be maintained as required by this Section and may be reasonably repaired as determined by the Planning Administrator.
2. Notwithstanding any provisions to the contrary contained herein, a legal nonconforming sign may be utilized in perpetuity as noted herein.
3. Whenever the use of given building or premises changes to another use allowed in the respective zoning district, all nonconforming signs on the building and / or premises shall be modified to bring them into conformance with these regulations.
4. *Removal of Nonconforming Signs.* Upon adoption of this Ordinance, any signs not enjoying legal nonconforming status shall be removed from display within six (6) months.

D. *Location and Placement of Signs.*

1. Temporary signs, as defined in this Ordinance, may be permitted in the public right-of-way provided they are fifteen feet (15') from the pavement edge of any roadway, or two feet (2') behind the sidewalk, where a sidewalk is present, or as provided elsewhere in this Article.
2. No sign shall be erected, relocated, or maintained so as to prevent free ingress to, or egress from, any door, window or fire escape nor shall any sign be attached to a standpipe or fire escape.
3. No signs (temporary or permanent) shall be erected or maintained within the sight visibility triangle as defined in the Town of Queen Creek Design Standards and Procedures Manual, or at any location where, by reason of its position, shape, color or illumination, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device, or with any device mounted on a police or fire protection vehicle; or which makes use of such words as, "Stop", or "Look", in such a manner as to interfere with, mislead, or confuse drivers.
4. No sign shall be erected or painted upon or attached to any tree, rock or other natural

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feature, or to any fence post, or utility pole or structure.

5. Every illuminated sign shall be so placed as to prevent any light or reflection from being cast directly on any adjoining Residential district.
6. The lowest portion of any sign, which extends over an area intended for pedestrian use, shall not be less than eight feet (8') above the finished grade below the sign. The lowest point of any sign, which extends over an area intended for vehicular use, shall not be less than fourteen feet (14') above the finished grade below the sign.

E. *Permanent Sign Design Criteria.*

1. Signs are regarded as an integral and complementary element of the overall architectural character of the Town and shall be integrated with the building and landscape design.
2. All freestanding signs shall have a substantial base or planter with a minimum height of two feet (2').
3. All signs, except those consisting of individual letters mounted against a non- differentiated surface, shall have edge treatment or borders.
4. Signs which are designed to be compatible with Queen Creek's Western/Southwestern character and agricultural heritage are encouraged.

~~F. *Non-Commercial Speech.* Signs authorized in this section may contain non-commercial copy in lieu of any other copy.~~

G.F. *Historic Signs.* Signs which have been accepted and certified as historic by the Town Council may be utilized in all zoning districts, subject to the following:

1. All such signs shall be restored or recreated in the same precise location for which certification was granted by the Town Council.
2. The restoration or recreation of certified historic signs shall be consistent with the details of color, copy, and artwork approved by the Town Council.
3. Any such sign may not be utilized to increase the allowed sign area for a business product or service which is located on or sold on the premises for which the historic sign was approved; however, the historic sign may be utilized in place of non-historic signs regardless of the square footage of the certified historic sign.
4. The Town Council may grant historic certification to a sign which is more than fifty (50) years old, whether or not the sign has been in continuous use, upon making the following findings as based on the evidence presented:
 - a. That the sign in question is typical of signs which were utilized during the time period when the sign was erected painted or installed.

H.G. *Window Signs.* Up to one-hundred- percent (100%), of aggregate window area, providing that the following criteria are complied with:

1. Window signage shall be placed on the street level of the building;
2. No window signage is permitted above the first story of the building; and,
3. No sign permit required.

I.H. *On-Site Directional Signs.* Directional signs, as defined herein, are permitted in any

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district, subject to the following requirements:

1. Such signs are limited in area to three (3) square feet;
2. When freestanding, no such sign shall exceed four feet (4') in height; and,
3. Unless indicated otherwise, directional signs do not count against the total allowed sign area for a given site, building or occupancy.

~~J. Signs for Religious Institutions.~~

~~1. Signs are allowed as follows:~~

~~a. Freestanding signs are allowed as follows:~~

- ~~1) Maximum of twenty four (24) square feet in area and six feet (6') in height;~~
- ~~2) Maximum of twelve (12) square feet in area for display of the date, time of services, etc.; and,~~
- ~~3) One (1) Freestanding sign per street frontage.~~
- ~~4) Freestanding signs shall be decorative using a minimum two foot (2') architectural planter or base. If an inorganic base is used, it shall be designed to match the predominant architectural character of the main building.~~

~~b. Wall mounted signs are allowed as listed in subsection 8.2.A.5~~

~~K.I.~~ I. *Menu Boards.* Menu boards are permitted, as described below:

1. For drive-thru and / or drive-up restaurants;
2. May be freestanding and / or building- mounted;
3. Each qualified restaurant may have a maximum of two (2) total menu boards permitted, one (1) of which may be a preview menu board;
4. Each shall not exceed twenty-four (24) square feet in area;
5. Shall not exceed six feet (6') in height when building-mounted or eight feet (8') in height when freestanding; and,
6. Freestanding drive-through menu boards shall have:
 - a. A monument base with an aggregate width of at least fifty percent (50%) the width of the sign of masonry construction
 - b. A landscape area at the base of the sign(s) equal to at least two (2) square feet for each square foot of sign area.
 - c. Match the architectural style, material, and color of the principal structure.
 - d. Shall not be placed adjacent to a public right-of-way; and,
 - e. Shall require a permit prior to installation.

~~L.J.~~ J. *Obsolete Signs.* Any obsolete sign and its supporting structures and frames shall be removed by the owner of the property, his agent or person having beneficial use of the building or

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structure upon which such sign structure is erected within six (6) months of the date of receipt of notification from the Town that the sign is obsolete.

M.K. *Maintenance of Signs.* All signs shall be maintained in order to prevent and eliminate any peeling, cracking, discoloration, covering with dirt, or other material and other similar problems caused by common weather conditions. All cracked or broken sign faces and non-functioning interior lamps shall be repaired or replaced within forty-five (45) working days following receipt of notification from the Town that the sign requires repair or maintenance.

7.3 Sign Measurement, Height, and Area

A. All sign areas shall be measured in accordance with the following:

1. The area of signs with all copy mounted on a single geometric plane shall consist of the entire area within a continuous exterior perimeter which bounds all portions of the sign including background panels except those which are entirely opaque and have the same color and texture as the building to which the sign is attached. Necessary structural supports are also excluded from the sign area calculation;
 2. Double-faced signs shall be counted as one (1) sign and the area shall be calculated as that which is visible from any single viewing position on or above the ground;
 3. Spherical, free form sculptured and other non-planar signs are counted as one (1) sign and the area shall be calculated as the sum of the two (2) largest of the four (3) vertical sides of the smallest polyhedron that will encompass the sign structure;
 4. For a sign having multiple components (e.g., a service station identification/price sign combination) and mounted on the same surface; the sign area will constitute the area defined by the smallest continuous exterior perimeter that will encompass that several components of the sign;
 5. Total sign area for a given site, building or occupancy shall include the aggregate area of all permitted signs, except on-site directional signs and window signs as allowed by this ~~Section~~Article;
 6. When calculating the allowed sign area for a given occupancy the following shall apply:
 - a) Allowed sign area ratios are indicated in those sections of this Ordinance which set forth the regulations for each respective zoning district;
- B. *Interior Occupancies.* Allowed sign area calculations shall be based on the linear distance of the width of single occupancy from which the building or occupancies' address is derived;
- C. *Corner Occupancies.* Each building face shall be allowed sign area based on the ratio of respective zoning district for each individual building face fronting on a public street, (see Table 7.2.A-1). However, in no case shall the aggregate sign area exceed the maximum allowed sign area for a single frontage or interior occupancy business as allowed in the respective zoning district; and,
- D. *Diagonal Cutoffs.* A corner occupancy which has a diagonal cutoff at the corner may calculate the allowed sign area as follows:
1. Project a line along the front and side exposures to the point of intersections;
 2. Select the resultant distance for either the front or side exposures projections;
 3. Add the distance of the selected projection into the linear measurement of the actual

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building exposure for the exposure selected;

4. The result may be utilized in conjunction with the appropriate ratio for the respective zoning district to establish the allowed sign area for the exposure so measured. The allowed sign area thereby calculated may be placed only: a) on the diagonal cutoff; b) the exposure for which the calculation was made; or, c) upon approval by the Planning Administrator a non-calculated exposure;
 5. The remaining exposure not calculated with the diagonal cutoff exposure (street of street side) shall be allowed sign area in accordance with the linear distance of the actual building exposure (non-projected) and the ratio allowed by the respective zoning district;
 6. In no case shall the total sign area exceed that allowed by the respective zoning district; and,
 7. All linear occupancy frontage distances shall be measured at sidewalk or grade level immediately adjacent to that portion of the structure being utilized for the occupancy in question.
- E. *Sign Height.* Sign height shall be measured as follows:
1. *Freestanding Sign.* The height of freestanding signs shall be measured as the vertical distance between the top of the curb, or crown of the roadway where no curb exists, to the top of the sign. The total sign height includes any monument base or other structure erected to support or ornaments the sign; and,
 2. *Wall-Mounted Sign.* The height of wall- mounted signs shall be measured as the vertical distance between the top of the curb, or crown of the roadway where no curb exists, to the top of the sign, including ornamentation.

7.4 Permits, Approval and Registration

- A. *Building Permit Required.* A building permit is required for all signs, unless specifically exempted, which are intended to be erected, painted, or otherwise installed in the Town of Queen Creek. Building permits shall not be required for home occupation signs, temporary signs (~~unless specifically required~~), ~~real estate, construction, or subdivision signs~~, or for minor repair or for repainting of any permitted sign.
- B. *Application for Building Permit.* In addition to information required in accordance with the building code, application for building permit for signs shall include:
1. Site plan indicating the location of the sign in relation to nearby buildings, structures, right-of-way, easements and driveways;
 2. A scaled drawing indicating the dimensions of the sign, sign copy, all materials and the method of construction and attachment to the building;
 3. Name of person, firm or corporation erecting signs and any attendant structures;
 4. Written consent of the owner of the building, structure or premises on which sign is to be erected; and,
 5. Other information as may be required.
- C. *Issuance and Effect of Permit.*

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1. *Compliance with Ordinances.* If, upon examination of plans, specifications and the premises on which erection of the sign is proposed, the Planning Administrator finds that the proposed sign complies with all provisions of this Ordinance and with all other Ordinances of the Town, a building permit shall be issued.
 2. *Permit Revocable.* All rights and privileges acquired under a building permit are mere licenses revocable at any time by the Town of Queen Creek.
 3. *Liability.* The granting of a building permit shall not be deemed to be a permit for approval of any violation of this Ordinance, The provisions of this Ordinance shall not be constructed as relieving or limiting in any way the responsibility or liability of any person, firm or corporation, erecting or owning any sign, or resulting from the negligence or willful act of such person, firm or corporation, its agents, employees or workmen, in the construction, maintenance, repair or removal of any sign erected in accordance with a permit issued hereunder. Nor shall issuance of such permit be constructed as imposing on the Town or its officers or employees, any responsibility of liability by reasons of the approval of any signs, material, or devices under the provision of this Ordinance.
- D. *Registration of Signs.* Every sign subject to the issuance of a building permit shall have affixed so as to be visible from the adjacent grade thereto, in letters not less than one inch (1") in height: the date of installation, the permit number, and the voltage of any electrical apparatus.

7.5 Temporary Signs

- A. All temporary signs require a Temporary Sign Permit, unless specifically exempted herein.
- B. All temporary signs shall be properly anchored or weighted down to avoid being displaced in windy conditions, or otherwise be a safety hazard to the public. In addition, all signs shall be of high quality professional workmanship and constructed of durable and weather-resistant materials and shall be maintained in a professional manner free from chipping paint, cracks, gouges, loss of letters, and other maintenance issues.
- C. *Temporary Sign types and regulations:* Temporary signs may include but are not limited to banners, A-frame, T-frame, or other signs that may or may not be embedded into the ground and supported by one (1) or more posts.
 1. ~~*Grand Opening Signs Banner Signs.*~~ Banner signs may include but are not limited to Grand Opening, Open During Construction, and Special Event or similar signs used on a temporary basis for a specified cause.
 - a. ~~A grand opening sign is a temporary sign which calls attention to a new business or institutional use.~~ These signs are allowed in any zone in which the commercial, industrial, or institutional uses are permitted.
 - b. The sign(s) shall not be displayed for more than ninety (90) consecutive days in a calendar year, or for more than three (3) calendar days following the conclusion of a special event for which the sign was needed.
 - c. The maximum banner size for grand openings shall be forty-eight (48) square feet.
 - d. Sign placement and duration shall be approved through the Temporary Sign Permit application.
 - e. Only one (1) grand opening sign banner shall be allowed per use, except as provided herein.
 - f. ~~A Temporary Sign permit is required.~~

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g. For large single-users and/or other mitigating circumstances, the Planning Administrator may modify the size, number and/or placement provisions of this subsection.

2. A-frame and T-frame Signs.

a. A-frame and T-frame signs shall be constructed of durable materials, supported by a base of sufficient weight, and maintained in a professional manner free from fading, tearing, or tattering.

b. Shall be allowed without permit for businesses in the Commercial, Industrial, Downtown Core, Office, Employment, and Public Facility or Institutional zoning districts.

c. Shall be no greater than thirty-six inches (36”) in width and forty-eight inches (48”) in height.

d. Businesses are allowed up to two (2) signs per visible wall plane of the business, and located within the building envelope. The building envelope is that area directly adjacent to the business wall plane within twenty (20) feet of the building wall.

e. In no event shall the combined number of signs exceed eight (8) per business.

f. Signs shall maintain a minimum five (5) foot clearance to allow unobstructed pedestrian use of a sidewalk or walkway as part of a commercial center.

g. Signs shall only be displayed during business hours and shall be separated a minimum of ten (10) feet from any similar sign.

h. Illumination is prohibited.

i. Shall not be located on fences, boulders, planters, other signs, vehicles, utility facilities, any structure, in raised or painted medians, across any street or drive aisle from the business being advertised, in driving lanes, parking aisles, or parking stalls, on equestrian or multi-use trails, or within the building envelope of another business.

g-Right-of-Way Placement. Signs may not be placed in the right-of-way except as provided elsewhere in this code and except that such signs may be placed on the sidewalk within the TC zoning district provided placement is in compliance with the American with Disabilities Act.

3. Residential Yard Signs. A residential yard signs is a portable, temporary sign to direct traffic to a home.

a. Shall be made of solid, non-flexible material.

b. The sign shall not exceed a maximum height of three (3) feet and a maximum area of six (6) square feet.

c. The sign may be double-faced.

d. Illumination is prohibited.

e. Signs may only be displayed during the generally accepted hours of business operation.

f. Each single-family lot or model home may place one (1) sign anywhere on the property and each single-family lot or model home cluster may place one (1) additional sign at each turning movement beginning at the subject property and extending for a maximum of one (1) mile distance from said property. Said signs shall be placed away from the street, however, may be located adjacent to a public sidewalk within the public right-of-

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way. Where no sidewalk is provided, signs shall be placed a minimum of four (4) feet from the edge of curb. Signs shall not be placed on any sign, tree, light pole, traffic signal or controller, utility box or other structure within the right-of-way. Signs are prohibited within roadway medians.

- g. Written authorization for such installation shall be provided by the property owner prior to posting such signs on private property.
- h. The Planning Administrator, or designee, may confiscate or cause to be confiscated any signs in violation of this article. Such signs shall be deemed a nuisance and subject to be impounded as evidence. The Code Enforcement Officer will make a good faith effort to contact the owner of the sign prior to its disposal. The Town retains the right to dispose of the signage one (1) week after a good faith effort to reach its owner.
- i. No sign permit is required.

4. Political Signs.

- a. All political signs shall comply with Arizona Revised Statutes.
- b. Political and campaign signs on behalf of candidates for public office or urging action on primary, general or special election ballots are permitted in all zoning districts.
- c. Political/campaign signs do not require a sign permit.
- d. The person, party, or parties responsible for the erection or distribution of any such signs shall be jointly and individually liable for their removal within 'X' amount of days of the election if there is not a subsequent election within 'Y' days.
- e. Nothing contained herein shall prevent the erection, construction, and maintenance of signs authorized and/or protected by Arizona Revised Statutes.
- f. All political signs placed in the right-of-way shall include the name and telephone number or website address of the candidate or campaign committee contact person.
- g. Political signs may be placed on private property with the property owner's permission.

5. Temporary Signs – Other

a. Temporary Freestanding Signs (7-16 square feet)

- 1) Each parcel may display one temporary freestanding sign, with the exception that corner lots may display two (2) signs; one (1) per street frontage.
- 2) One (1) additional sign is permitted for each additional three-hundred feet (300') of street frontage as determined by the Planning Administrator.
- 3) The sign face shall not exceed sixteen (16) square feet in area.
- 4) Signs displayed on residential properties shall not exceed six (6) feet in height.
- 5) Signs displayed on non-residential properties shall not exceed eight (8) feet in height.
- 6) No setback is required for signs displayed on private property, however in no instance shall a sign be closer than two (2) feet from a public or private sidewalk.

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- 7) Signs shall be constructed of durable materials to withstand the elements, and shall be maintained in a professional manner.
- 8) Signs greater than six (6) feet in height shall require a sign permit. Said permit shall be valid for two (2) years and shall be renewable on an annual basis thereafter.
- 9) Illumination of said sign is prohibited.
- 10) Signs or notices required or posted by a government agency shall not be counted towards the number of signs permitted herein, and shall not require a building permit.

b. Temporary Freestanding Signs (17-32 square feet)

- 1) Each unsubdivided or nonresidential development or center may display one temporary freestanding sign, with the exception that corner lots may display two (2) signs; one (1) per street frontage.
- 2) One (1) additional sign is permitted for each additional three-hundred feet (300') of street frontage as determined by the Planning Administrator.
- 3) The sign face shall not exceed thirty-two (32) square feet in area.
- 4) Signs displayed on properties shall not exceed eight (8) feet in height.
- 5) No setback is required for signs displayed on private property, however in no instance shall a sign be closer than two (2) feet from a public or private sidewalk.
- 6) Signs shall be constructed of durable materials to withstand the elements, and shall be maintained in a professional manner.
- 7) Signs greater than six (6) feet in height shall require a sign permit. Said permit shall be valid for two (2) years and shall be renewable on an annual basis thereafter.
- 8) Illumination of said sign is prohibited.

c. Temporary freestanding Signs (33-96 square feet)

- 1) Each parcel may display one temporary freestanding sign, with the exception that corner lots may display two (2) signs; one (1) per street frontage.
- 2) One (1) additional sign is permitted for each additional three-hundred feet (300') of street frontage as determined by the Planning Administrator.
- 3) Signs displayed on property that has been recorded for a residential subdivision shall not exceed fifteen (15) feet in height.
 - a) The sign face shall not exceed ninety-six (96) square feet in area.
 - b) No setback is required for signs displayed on private property, however in no instance shall a sign be closer than two (2) feet from a public or private sidewalk.
 - c) Signs shall be constructed of durable materials to withstand the elements, and shall be maintained in a professional manner.
 - d) Signs greater than six (6) feet in height shall require a sign permit. Said permit shall be valid for two (2) years and shall be renewable on an annual basis thereafter.

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- e) Signs shall be located at least twenty-five (25) feet from any property line of an existing residence.
- f) Illumination of said sign is prohibited.
- g) Signs or notices required or posted by a government agency shall not be counted towards the number of signs permitted herein, and shall not require a building permit.
- 4) Signs displayed on non-residentially zoned property shall not exceed fifteen (15) feet in height.
 - a) The face area of said sign shall not exceed thirty-two (32) square feet for the first acre or portion thereof. When the proposed parcel for development exceeds one (1) acre in size, the sign area may be increased four (4) square feet for each additional acre or portion thereof, not to exceed ninety-six (96) square feet.
 - b) No setback is required for signs displayed on private property, however in no instance shall a sign be closer than two (2) feet from a public or private sidewalk.
 - c) Signs shall be constructed of durable materials to withstand the elements, and shall be maintained in a professional manner.
 - d) Signs greater than six (6) feet in height shall require a sign permit. Said permit shall be valid for two (2) years and shall be renewable on an annual basis thereafter.
 - e) Illumination of said sign is prohibited.
 - f) Signs shall be located at least twenty-five (25) feet from any property line of an existing residence.
 - g) Signs or notices required or posted by a government agency shall not be counted towards the number of signs permitted herein, and shall not require a building permit.

6. Flags

- a) For residentially zoned developments A maximum of six (6) attention flags shall be permitted per development.
- b) Flagpoles shall maintain a minimum spacing of twenty feet (20') between attention flags.
- c) Flagpoles must have a minimum setback of five feet (5') behind the right of way line.
- d) A building permit shall be required for the flag pole construction.
- a)e) Flagpoles shall not exceed fifteen (15) square feet in area or fifteen feet (15') in height.

~~2. Special Event Signs.~~

- ~~a. A business special event sign(s) is a temporary sign(s) displayed on property used or zoned for any use other than a single family residence and which displays any type of event that is unique or significant to the business located upon the property. Such events include, but are not limited to, an anniversary, special sale, change in ownership or management, or similar~~

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~~event.~~

~~b. A Temporary Sign permit is required.~~

~~c. Special event signs are subject to all of the following requirements:~~

- ~~1) Use of such sign(s) shall be limited to no more than fifty two (52) cumulative days within each calendar year;~~
- ~~2) An annual sign permit through the Temporary Sign Permit process is required and must be displayed to be visible to the public during the allowed time of the permit;~~
- ~~3) The maximum banner size for special event signage shall be forty eight (48) square feet;~~
- ~~4) Sign placement and duration shall be approved through the Temporary Sign Permit application; and,~~
- ~~5) Only one (1) special event sign shall be allowed per event.~~

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- ~~6) For large single users and/or other mitigating circumstances, the Planning Administrator may modify the size, number and/or placement provisions of this subsection.~~
- ~~7) An application fee established by Council resolution shall be charged for each sign permit issued under this subsection.~~
- ~~3) *Open During Construction Signs.* An "open during construction sign" is a temporary sign displayed on property used or zoned for any use other than a single family residence and which calls attention to an existing business or institutional use located on property adjacent to or otherwise affected by a Town funded or designated construction project.~~
- ~~a. No sign permit is required.~~
- ~~b. The Planning Administrator shall verify a property's eligibility.~~
- ~~c. Open during construction signs are subject to all of the following requirements:~~
- ~~1) Only one (1) single or double faced open during construction sign shall be allowed per use;~~
 - ~~2) Such sign may include a banner, pennant, or tear drop banner;~~
 - ~~3) The face area of said sign shall not exceed sixteen (16) square feet; and,~~
 - ~~4) The sign shall be removed promptly following the completion of the Town funded or designated construction project.~~
- ~~4.7. *Contractor/Construction Signs.* Contractor signs designating the contractor or subcontractor engaged in the construction or repair of a building or buildings on each parcel of land shall be allowed one (1) non illuminated sign without a permit if in compliance with the following requirements:~~
- ~~a. The area of any single sign shall not exceed thirty two (32) square feet in area nor exceed eight feet (8') in height;~~
 - ~~b. The sign shall be removed within ten (10) days of completion of the work by the contractor or subcontractor on the property; and,~~
 - ~~c. All contractors or subcontractor's signs may be consolidated on one (1) sign. The area of a consolidated sign is calculated at six (6) square feet per contractor or subcontractor listed with a maximum sign area of one hundred (100) square feet for six (6) or more contractors. Said sign shall not exceed eight feet (8') in height or be located closer than ten feet (10') to a public right of way.~~
- ~~5) *Real Estate Signs.* Real estate signs for properties for sale, rent or lease within the incorporated boundaries of the Town of Queen Creek are allowed in any district, subject to the following requirements:~~
- ~~a. Real estate signs of six (6) square feet in area and less than six feet (6') in height do not require a permit. Written permission must be obtained from the property owner prior to installing such signs on private property. Except as provided herein, posting such signs on public property is prohibited and subject to immediate removal. These signs shall be made of solid, non flexible material. Off premises portable signs or "A frame" signs are not allowed.~~
 - ~~b. Residential real estate open house signs are allowed and do not require a permit, subject to the provisions of Section 7.5.B.9;~~
 - ~~c. Unsubdivided and non residential properties are allowed one (1) on site sign per street~~

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~~frontage. Said sign shall be no larger than thirty two (32) square feet in area. The highest portion of the sign shall be no greater than eight feet (8') above the finished grade. A setback of ten feet (10') behind the right of way line is required; and,~~

~~d. A Model Home Complex may include some or all of the following signage options. All signs must be approved as part of a home builder sign plan and shall be removed upon termination of the Temporary Use Permit:~~

~~1) Residential subdivision off-site directional signs of six (6) square feet in area and less than six (6) feet in height do not require a permit. A total of two (2) residential subdivision off-site directional signs are permitted. A setback of ten (10) feet behind the right of way line is required. Written permission must be obtained from the property owner prior to installing such signs on private property. Except as provided herein, posting such signs on public property is prohibited and are subject to immediate removal.~~

~~2) Residential subdivisions are allowed one (1) on-site sign per arterial street frontage. Said sign shall be no larger than forty eight (48) square feet in area. Sign rider panels are not permitted. The highest position of the sign shall be no greater than twelve feet (12') above the finished grade. A setback of ten feet (10') behind the right of way line is required.~~

~~3) Model complex location signs, are limited to one (1) and shall not exceed forty eight (48) total square feet of sign area or twelve feet (12') in height above the finished grade. Sign rider panels are not permitted. In the event more than one (1) model home complex is provided within the subdivision, each model home complex location shall be allowed one~~

~~a) model complex location sign.~~

~~4) Model home complex directional signs used to identify the location of parking and the location of another model home complex within the project, etc. shall not exceed six (6) square feet in area or four feet (4') in height above finished grade. A maximum of two (2) directional signs are permitted per model home complex. Two (2) directional signs may be co-located on the same structure, provided the structure does not exceed eight feet (8') in height.~~

~~5) One (1) flag pole for the flags of the United States of America and / or the State of Arizona with a maximum height of sixty feet (60') at each model home complex. A building permit shall be required for the flag pole construction. Corporate flags shall be placed below both flags of the United States of America and the state of Arizona.~~

~~6) Builder attention flags, at the model home complex not to exceed fifteen (15) square feet in area or fifteen feet (15') in height. A maximum of six (6) attention flags shall be permitted per model home within the model home complex and shall maintain a minimum spacing of twenty feet (20') between attention flags. Flagpoles must have a minimum setback of five feet (5') behind the right of way line.~~

~~7) One (1) on-site future development sign per arterial street frontage providing the name and contract information for the future home builder. Said sign shall be no larger than thirty two (32) square feet in area. The highest portion of the sign shall be no greater than eight feet (8') above the finished grade. A setback of ten feet (10') behind the right of way line is required. Future development signs may be approved in advance of submission of a home builders sign plan provided sufficient documentation is presented to indicate the applicant is the property owner of record. Future development signs are permitted for one (1) year, or until approval of a home builder sign plan, whichever occurs first.~~

~~6. Off-Site Real Estate Signs. Temporary off-site directional real estate signs may be placed on an approved kiosk sign located in the right of way.~~

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~~7. Residential Subdivision Signs. A sign used in connection with the development and location of a recorded residential subdivision for the sale of homes or lots therein:~~

- ~~a. One (1) single or double faced freestanding sign is allowed upon the parcel of property to be developed unless it is a corner lot, in which case one (1) such sign per street front may be allowed. Such sign(s) shall have a maximum sign area not to exceed ninety six (96) square feet.~~
- ~~b. The sign shall not exceed fifteen feet (15') in height or be located closer than ten feet (10') from a public right of way.~~
- ~~c. The sign shall be located at least one hundred (100) feet away from any property line of an existing residence.~~
- ~~d.a. _____ Signs shall be removed when 90 percent completion of each phase to which the sign is a part of is developed.~~

~~8. Development Signs. Signs used to indicate or identify a proposed future development upon real property:~~

- ~~a. A sign permit shall be required for the erection of a development sign and is valid for a period of one (1) year.~~
- ~~b. One (1) single or double faced freestanding sign is allowed upon the parcel of property to be developed unless it is a corner lot, in which case one (1) such sign per street front.~~
- ~~c. The face area of said sign shall not exceed thirty two (32) square feet for the first acre or portion thereof. When the proposed parcel for development exceeds one (1) acre in size, the sign area may be increased four (4) square feet for each additional acre or portion thereof, not to exceed ninety six (96) square feet.~~
- ~~d. These signs shall not exceed fifteen feet (15') in height or be located closer than ten feet (10') to a public right of way.~~
- ~~e. Such sign or signs shall be removed within ten (10) days after completion of the announced development of one (1) year, whichever is first.~~

~~9. Open House Signs. An open house sign is a portable, temporary sign to direct traffic to a home for sale:~~

- ~~a. The sign must contain the words "open house" or similar wording.~~
- ~~b. The sign shall not exceed a maximum height of three feet (3') and a maximum area of six (6) square feet and may be freestanding.~~
- ~~c. The sign may be double faced but shall not be illuminated.~~
- ~~d. These signs shall be made of solid, non flexible material. Off premises portable signs or "A-frame" signs are allowed.~~
- ~~e. Signs shall not be located on public property, including rights of way;~~

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- ~~f. Signs may only be displayed during the hours a real estate agent is at the residence offered for sale;~~
- ~~g. A maximum of five (5) such signs for each home or group of homes in the subdivision shall be allowed;~~
- ~~h. Written authorization for such installation shall be provided by the property owner prior to posting such signs on private property;~~
- ~~i. The Planning Administrator, or designee may confiscate or cause to be confiscated any signs in violation of this article. Such signs shall be deemed a nuisance and subject to be impounded as evidence. The Code Enforcement Officer will make a good faith effort to contact the owner of the sign prior to its disposal. The Town retains the right to dispose of the signage one (1) week after a good faith effort to reach its owner;~~
- ~~j. No sign permit is required.~~

~~E. Temporary Signs – Other.~~

~~1. Political Signs.~~

- ~~a. Political and campaign signs on behalf of candidates for public office or urging action on primary, general or special election ballots are permitted in all zoning districts.~~
- ~~b. Political/campaign signs do not require a sign permit.~~
- ~~c. Political signs in the right of way are allowed for a period not to exceed sixty (60) days IMMEDIATELY preceding any primary, general, or special elections to which they refer.~~
- ~~d. The person, party, or parties responsible for the erection or distribution of any such signs shall be jointly and individually liable for their removal.~~
- ~~e. Political signs in the public right of way shall be removed no later than fifteen (15) days following a special or general election. Political signs for a candidate in the Primary Election who does not advance to the General Election shall be removed no later than fifteen (15) days following the primary election.~~
- ~~f. Political signs shall not exceed sixteen square feet in an area zoned for residential use and thirty two (32) square feet in any other location. The highest portion of the sign shall not exceed six feet (6') from the finished grade.~~
- ~~g. All political signs placed in the right of way shall include the name and telephone number or website address of the candidate or campaign committee contact person.~~
- ~~i. Political signs may be placed on private property with the property owner's permission.~~
- ~~ii. A political sign shall not be 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.~~

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- j. A sign placed so as to violate the Town's site distance standards may be considered to be in an unsafe location and subject to relocation or removal.

Site Distance Standards:

- ~~k. If the Town deems the improper placement of a political sign an emergency, the Town may immediately relocate or remove the sign. The Town shall notify the candidate or campaign committee who placed the sign within twenty-four hours after the relocation that the sign has been relocated or removed.~~
- ~~l. If a political sign is placed in a location in violation of this Ordinance, but is not deemed to constitute an emergency, the Town may notify the candidate or campaign committee who placed the sign of the violation. If the sign remains in violation at least twenty-four hours after the notification to the candidate or campaign committee, the Town may remove the sign. Town staff shall contact the candidate or campaign committee contact and shall retain the sign for at least ten (10) business days to allow the candidate or campaign committee to retrieve the sign without penalty.~~
- ~~m. Political signs shall not be placed on or affixed to any utility pole, fence, tree or other vegetation, traffic control device, or safety barrier.~~
- ~~n. The installation of political signs on any structure owned by the Town is prohibited.~~
- ~~o. All political signs shall comply with
A.R.S. 16-1019.~~
- ~~a. *Temporary Signs for Religious Institutions.* Religious institutions within the incorporated boundaries of the Town of Queen Creek are allowed temporary directional signs, which may be placed in the right of way, subject to the following:~~
- ~~i. A religious institution may use a total of five (5) off-site directional signs. Each sign shall not exceed six (6) square feet. These signs are subject to the following:~~
- ~~1) Off-site directional signs shall be located within a two (2) mile radius of the subdivision or religious institution being advertised;~~
- ~~2) Signs shall be installed no earlier than 6 p.m. on Friday of each week, and shall be removed no later than 5 a.m. on the following Monday; and,~~
- ~~3) Signs shall also be installed no earlier than 6:00 p.m. preceding any commonly recognized holiday and shall be removed by 5:00 a.m. the day following the holiday or on Monday when the holiday falls on the previous Friday.~~
- ~~ii. The content of these signs shall be directional instructions and may show the religious institution name, general description, and directional arrows;~~
- ~~iii. Signs shall be constructed of any heavy-duty, weather-resistant material including laminated paper, plastic, metal, or wood;~~
- ~~iv. The back of each individual sign must contain, in clear, legible form, the owner's name and telephone number in characters at least one-half inch (1/2") in size;~~
- ~~v. No sign shall be installed within the center median of any public roadway or within the safety triangle of an intersection;~~

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- ~~vi. No signs shall be attached to any roadway or natural features including light and signal poles, street or regulatory signs, bridges, trees or other existing objects;~~
- ~~vii. The person responsible for any sign shall be the owner of the congregational leader/pastor of the religious institution being advertised; and,~~
- ~~viii. Written permission must be obtained from the property owner prior to installing these signs on private property.~~
- ~~b. *Garage Sale Signs.* Garage sale signs may be allowed without permit provided they are used only during the hours the sale is being conducted. Such signs shall not exceed six (6) square feet in area, or six feet (6') in height above the finished grade. No more than three (3) off-site, temporary signs may be used, and shall be placed a minimum of fifteen feet (15') from the pavement edge or two feet (2') behind the sidewalk, if a sidewalk exists. Signs shall only be placed on private property and shall not be placed on any sign, tree, light pole, traffic signal or controller, utility box or other structure within the right-of-way. The person who installed the signs shall remove all signs at the end of the sale. If the person installing the signs is unknown, the property owner shall be responsible for removal.~~
- ~~c. *Prohibited Temporary Signs.* The following temporary signs are prohibited unless expressly authorized within any of the subsections set out below and for the limited purposes stated within any such subsection:~~
 - ~~iii. Non-public signs in public rights-of-way or on public property;~~
 - ~~a. Signs mounted on a building roof;~~
 - ~~b. Signs having intermittent or flashing illumination, animated or moving parts, or that emit sound; wind-driven spinners, streamers, balloons, flags, search lights, strobe lights, holographic projections, laser light displays, beacons, bandit, and inflatable signs;~~
 - ~~c. Signs imitating official traffic control signs, or any sign or device obscuring actual municipal or other public traffic control signs or devices;~~
 - ~~d. Signs mounted on, or applied to trees, utility poles, rocks, or City owned property;~~
 - ~~e. Signs placed upon private property without the property owner's approval; and,~~
 - ~~f. Business identification/advertising signs in single family zoning districts.~~

~~7.6 A-frame Signs~~

- ~~A. A-frame signs shall be allowed without permit for businesses in the Commercial, Industrial, Town Center, Office, Employment, _____ and _____ Public Facility/Institutional zoning districts. For the purposes of this section, a business is defined as one (1) entity per building or suite of ten thousand (10,000) square feet or less if located in the Commercial, Town Center, and Office Zoning Districts and up to thirty thousand (30,000) square feet if located in the Employment and Public Facility/Institutional Zoning Districts, subject to the following regulations:~~
 - ~~B. *Size.* Signs shall be no greater than thirty six inches (36") in width and forty eight inches (48") in height.~~
 - ~~C.D. *Number.* Up to two (2) A-Frame Signs shall be permitted per business. Only one (1) sign per business shall be permitted to be placed on any one (1) adjacent street frontage. In no event shall the combined number of A-Frame signs exceed two (2).~~
 - ~~D. *Location.* A-Frame Signs shall be located only:~~

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~~1. At grade level;~~

~~2. Adjacent to the business being advertised, as follows:~~

~~a. Signs shall be placed on the business property being advertised within twenty feet (20') of the primary business entrance.~~

~~E. Display. Signs shall be displayed only:~~

~~1. During the hours the business is open to conduct business.~~

~~F. Prohibited Locations. A-Frame Signs shall not be located:~~

~~1. In raised or painted medians;~~

~~2. Across any street from the business being advertised;~~

~~3. In drive lanes, parking aisles or parking stalls;~~

~~4.1. On equestrian or multi-use trails;~~

~~5. o that less than a minimum of four feet (4') is clear for pedestrian passage on all sidewalks and walkways, or so as to cause a hazard to pedestrian traffic; and,~~

~~6. On fences, boulders, planters, other signs, vehicles, utility facilities, or any structure.~~

~~G. Right of Way Placement. Signs may not be placed in the right of way, except that such signs may be placed on the sidewalk within the TC zoning district provided placement is in compliance with American with Disabilities Act.~~

~~H. Construction and Maintenance. Signs shall be:~~

~~1. Constructed with a protective, water resistant coating impervious to weather conditions;~~

~~2. Constructed with cut vinyl or other weather resistant graphics and may contain zip tracks or Velcro for changing of cut vinyl graphics;~~

~~3. Of sufficient weight and durability to withstand wind gusts, storms; and,~~

~~4. Maintained in a professional manner free from chipping paint, cracks, gouges, loss of letters, and other maintenance issues.~~

~~I. Elements Prohibited on A-Frame Signs. The following shall be prohibited on A-Frame Signs along street frontages:~~

~~1. Any form of illumination, including flashing, blinking, or rotating lights;~~

~~2. Animation;~~

~~3. Reflective materials; and,~~

~~4. Attachments, including, but not limited to, balloons, ribbons, speakers, or other similar devices.~~

7.77.6 Sign Walkers

A. Sign walkers shall be permitted in conjunction with adjacent apartment, commercial and industrial areas in the R-3, R-4, NC, TC, C-1, C-2, C-3, EMP-A and EMP-B zoning districts, subject to the following requirements:

ARTICLE 7 – SIGN REGULATIONS

B. *Location.*

1. At least thirty feet (30') from a street or driveway intersection measured from the back of the curb, or edge of pavement if no curb exists.
2. At least five feet (5') from the street, measured from the back of curb or edge of pavement if no curb exists.
3. At grade level.
4. In front of property on which the advertised business or use is located.

C. *Prohibited Locations.*

1. Within a minimum of twenty feet (20') of any other sign walker.
2. In any location which interferes with the right-of-way for pedestrians, bicyclists and others located on a sidewalk.
3. In a raised or painted median.
4. In driveways, drive lanes, parking aisle or parking space.
5. On equestrian or multi-use trails.
6. On a fence, vehicle, utility facility, other sign or any other structure.
7. In a manner that results in sign walkers physically interacting with motorists, pedestrians or bicyclists.

D. *Number.*

1. Be no more than one (1) sign per business.
2. Be displayed only during the hours the business is open to the public.
3. Be held, worn, or balanced at all times.
4. Be no greater than twelve (12) square feet per sign face, with a maximum of two (2) sign faces.
5. Not be worn by a sign walker in costume.

E. *Prohibited elements.*

1. Any form of illumination or animation on or within the sign.
2. The use of mirrors or other reflective materials.
3. Attachments to the sign including, but not limited to, balloons, ribbons, or speakers.

F. *Consistency with State Law.*

1. Notwithstanding the foregoing, sign walkers may use a public sidewalk, walkway, or pedestrian thoroughfare to the minimum extent provided by A.R.S. §4-499.13.

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~~7.8~~7.7 Sensitive Use Signs

A. *Sexually Oriented Businesses.* Signs shall be permitted in accordance with the following:

1. One (1) free-standing or monument sign shall be permitted per site in accordance with the following standards Maximum height shall be six feet (6') as measured from the adjacent curb or crown of the roadway. Sign area shall not exceed twenty-four (24) square feet. Free-standing signs shall have a substantial base and planter not to exceed two feet (2') in height. If an inorganic base is used, it shall be designed to match the predominant architectural character of the main building.
2. Window signs, permanent and / or temporary, are permitted up to twenty- five percent (25%), per window, of the establishment's window area provided the following criteria are complied with:
 - a. All such signs must be mounted, affixed or painted on the inside face of the window;
 - b. No such sign shall be illuminated, animated or emit sound; and,
 - c. Signs conforming to the above criteria shall be allowed in all zoning districts and shall not be considered a part of the aggregate allowed sign area.
3. Total sign area for each building or occupancy frontage shall not exceed one
 - (1) square foot of sign area for each two
 - (2) linear feet of street or occupancy frontage.
4. In no case shall the total sign area exceed sixty-four (64) square feet of sign area for each building or occupancy including all ground and wall mounted signs.

~~B. *Prohibited Signs.* Signs not specifically authorized are prohibited including but not limited to the following:~~

~~1. *Animated Signs.* No animated sign shall be allowed;~~

~~2. *Flashing Signs.* Flashing signs, except those, which alternately display time and temperature having a maximum sign area of three (3) square feet;~~

~~3. *Signs Emitting Sound Substance.* Any signs emitting sound or emitting any substance;~~

~~4. *Obscene Signs.* No person, as principal agent or otherwise, shall exhibit post or display or cause or permit to be exhibited, posted or displayed, upon any advertising structure, any obscene statements, symbol or sign. A statement, symbol or sign is obscene within the meaning of this Ordinance when:~~

~~a. The average person, applying contemporary state standards would find that the item, taken as a whole appeals to the prurient interest;~~

~~b. The item depicts or describes, in a patently offensive way, sexual activity; and,~~

~~c. The item taken as a whole lacks serious literary, artistic, political, or scientific value.~~

~~5. *Miscellaneous Signs and Posters.* The tacking, painting pasting, or otherwise affixing of signs of posters of a miscellaneous character, visible from a public way, on the walls of the building, a shed, tree, shrub, ground cover, fences, utility poles or other structures, or upon vehicles where such vehicles are used primarily as a support for such signs or parked on the property;~~

~~6. *Pole Signs and / or Roof Signs;*~~

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~~7. Projecting Signs. No sign shall project into the public right of way or beyond a street plan line;~~

~~8. Portable Signs.; and,~~

~~9. Oversize Signs. Signs which exceed 3 square feet in area and which are mounted, attached or painted on motor vehicles, trailers or boats and are parked on the premises.~~

7.97.8 Interpretation of this Article

- A. Where there is a conflict between the provisions of this Ordinance and provisions of other regulations of the Town of Queen, the provisions of this Ordinance shall apply.
- B. The provisions of this Ordinance shall apply to the erection, construction, alteration, use, location, and maintenance of all signs within the Town of Queen Creek except as specified in Section 7.2
- C. Any sign permitted by this Article may contain a non-commercial message in lieu of any other message.
- D. Any provision of this Sign Code that imposes a limitation on freedom of speech shall be construed in a manner that is viewpoint neutral and treats expressive speech either the same as or less restrictive than commercial speech. Any provision of this Sign Code that is found to be an unconstitutional limitation on freedom of speech by any court shall be severed from this Sign Code in a manner that preserves the Sign Code and protects freedom of speech.

Zoning Ordinance

Article 7.0

Sign Regulations

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7.1 Purpose and Enforcement

- A. The purpose of the sign regulations is to establish reasonable regulations to promote economic vitality, a visually attractive environment, and vehicular and pedestrian safety, and to protect the public health and safety. The purpose is addressed through the following guiding principles:
1. To preserve and protect the public health, safety and general welfare by ensuring properly designed and located signs within the Town of Queen Creek;
 2. To promote and aid the public and private sectors in the identification, location, and advertisement of goods and services throughout the Town;
 3. To enhance the beauty, unique character, and quality of the Town of Queen Creek that will attract commerce, businesses, residents, and visitors;
 4. To promote economic development and the value of commercial properties, be sensitive to surrounding land uses and maintain an attractive community appearance;
 5. To encourage development of private property in harmony with the desired character of the town while providing due regard for the public and private interests involved;
 6. To promote the effectiveness of signs by encouraging signs that are clear and legible and by preventing over- concentration, improper placement, and excessive size.
- B. *Enforcement.* The Planning Administrator is hereby authorized and delegated the authority to commence an action to enforce the provisions of this Ordinance, pursuant to A.R.S. §9-462.05.A, §9-462.05.B, and Section 2.5 of this Ordinance.
- C. *Removal.* The Planning Administrator or designee may confiscate or cause to be confiscated any signs in violation of this article. Such signs shall be deemed a nuisance and subject to be impounded as evidence or to be disposed of without prior notice.

- D. The Planning Administrator may permit minor deviation to the requirements herein if found that strict application of the standards prohibits the reasonable allowance of signage that is in general conformance with the standards provided herein.

7.2 General Regulations

- A. *Permitted Signs in Each District. Table 7.2.A-1 shows which types of signs are allowed in each zoning district.*

- 1. *Signs Permitted in Residential Zoning Districts.* The following signs are permitted in Residential Zoning Districts, excluding the MDR and HDR districts:

- a. Address Signs. Address signs shall not exceed two (2) square feet in area. Address signs which are readily visible from the street are required on all new construction prior to issuance of a certificate of occupancy.
- b. Temporary Signs. Temporary signs as described in section 7.5.
- c. On-Site Directional Signs. On-site directional signs are allowed pursuant to subsection 7.2.l
- d. Other Signs Allowed.

- 1) Institutional and civic uses in a residential zone are allowed a total sign area based on the following street frontages:

Street Frontage (in feet)	Total Sign Area (in square feet)
0-50	16
51-100	24
101-250	32
251-500	40
500+	48

- 2) Residential Subdivision entry monument signs/features. Signage may be wall-mounted or freestanding, but shall not exceed twenty feet (20') in height and thirty- two (32) square feet in area. If freestanding, the height is measured from the top of the adjacent curb or crown of roadway, whichever is higher. Entry monument signs/features shall be decorative and designed to match the predominant architectural character and materials of the neighborhood. A sign may be displayed on one (1) or both sides of a street providing direct access to the subdivision and serving as a major entry.
- 3) Residential subdivision entry monument signs/features twenty (20') feet in height or greater than thirty-two (32') square feet in sign copy may be considered by the Planning Administrator if the following enhanced design features are provided:

- a) Enhanced materials/finishes (i.e. stone, brick, tile roof, laser cut metal, etc.)
- b) Unique monumentation in the form of towers, porte cocheres, etc.
- c) Unique design features (i.e. tower elements, trellises, ramadas, archways, fountains/water features, seating areas, etc.)
- d) Increased landscaping and specialty lighting.

2. *Signs Permitted in the MDR and HDR Residential Zoning Districts:*

- a. Any sign permitted by subsection A.1 of this section, subject to all sign regulations for the aforementioned districts;
- b. Signs for a permitted use or building shall be limited to one (1) on the premises, subject to the following conditions:
 - 1) Maximum Size: Twenty-four (24) square feet in area;
 - 2) Located in the front yard;
 - 3) If attached to a building, no part of such sign shall project more than one foot (1') from the building, nor shall it extend above the top of a parapet wall, or the eave line of gable, gambrel, mansard or similar type roof;
 - 4) If such sign is ground-mounted, it shall include a minimum two foot (2') architectural planter or base. If an inorganic base is used, it shall be designed to match the predominant architectural character of the main building. Ground-mounted freestanding signs shall be located at least ten feet (10') from any lot line and it shall not exceed six feet (6') in height; and,
 - 5) If such sign is illuminated, the source of illumination shall not be visible and no flashing, rolling, scrolling or intermittent illumination shall be employed.

3. *Signs Permitted In Commercial Centers or Complexes (NC, AT, TC, C-1, C-2, C- 3, EMP-A and EMP-B) with three (3) or more stand-alone buildings, regardless of the number of businesses:*

- a. Prior to issuance of Sign Permits for any business or occupancy in a center or complex, a Comprehensive Sign Plan detailing the size, type, location, and color of all signage within the center/complex shall be submitted to the Planning Administrator along with the Major or Minor site plan for review and approval;

- b. A Comprehensive Sign Plan that proposes a deviation from any of the requirements provided in this subsection shall be reviewed and approved by the Planning and Zoning Commission in accordance with subsection 7.2.A.8 of this Section;
- c. The following signs are allowed in centers and complexes in the, AT, TC, C-1, C-2, C-3, EMP-A and EMP-B districts as part of the Comprehensive Sign Plan submittal:
 - 1) Building mounted identification signage for each permitted use or principal building, subject to the following conditions:
 - a) Building front wall signage shall not exceed one and a half (1 1/2) square feet of sign area per lineal foot of building occupancy frontage;
 - b) Side wall signage shall not exceed one-half (1/2) square feet of sign area per lineal foot of side wall;
 - c) Rear wall signage shall not exceed one-half (1/2) square feet of sign area per lineal foot of rear wall.
 - d) No part of such sign shall project more than one foot (1') nor extend above the height of the building;
 - e) Such sign may be illuminated the source of illumination shall not be visible and no flashing, rolling, scrolling or intermittent illumination shall be employed; and,
 - f) Total wall signage shall not exceed two-hundred fifty (250) square feet.
 - 2) One (1) Identification ground- mounted freestanding sign containing the name of the center and the tenants subject to the following conditions:
 - a) Freestanding signs shall be decorative using a minimum two foot (2') architectural planter or base. If an inorganic base is used, it shall be designed to match the predominant architectural character of the main building.
 - b) Such ground sign shall not exceed forty-eight (48) square feet in sign area, nor shall it exceed eight feet (8') in height above grade nor shall it extend or project over any street or alley line;
 - c) Parcels with six-hundred feet (600') are permitted two (2) ground-mounted signs per street frontage as determined by the Planning Administrator, and shall be separated by a minimum of three-hundred (300) feet; and,
 - d) One (1) additional sign is permitted for each additional three-hundred feet (300') of street frontage as determined by the Planning Administrator.

- 3) Any directional signs as needed and located internal to the site not exceeding two (2) square feet in area per sign;
 - 4) One (1) parking lot wall or ground sign per parking lot entry or exit not exceeding six (6) square feet in area and limited to off-street parking instructions and direction. Such sign may have interior illumination;
 - 5) Any lighting shall be placed to reflect the light away from Residential Districts or Residences; and,
 - 6) Temporary signs pursuant to subsection 7.5.C.2.
4. Signs Permitted in the NC, TC, and C-1 Commercial Districts for individual buildings not part of a center or complex:
- a. Any sign allowed by this Ordinance in the Residential Zoning District is subject to the sign regulations of the respective district. When any use allowed in the foregoing residential districts is established in any commercial zoning district, the sign limitations of the district in which the use is first allowed shall apply, regardless of the zone in which the use is located;
 - b. Address signs which are readily visible from the street are required on all new commercial construction regardless of the zoning district prior to issuance of a Certificate of Occupancy;
 - c. On-site directional signs pursuant to Section 7.2.1;
 - d. One freestanding sign per street frontage, not exceeding twenty-four (24) square feet in area and six feet (6') in height, subject to the following conditions:
 - 1) Parcels with six-hundred feet (600') of street frontage per street are permitted two (2) freestanding signs per street frontage as determined by the Planning Administrator, and shall be separated by a minimum of three-hundred (300) feet; and,
 - 2) One (1) additional sign is permitted for each additional three-hundred feet (300') of street frontage as determined by the Planning Administrator.
 - 3) Freestanding signs shall be decorative using a minimum two foot (2') architectural planter or base. If an inorganic base is used, it shall be designed to match the predominant architectural character of the main building.
 - 4) Building front wall signage shall not exceed one and a half (1 1/2) square foot of sign area per lineal foot of building occupancy frontage;
 - 5) Side wall signage shall not exceed one-half (1/2) square feet of sign area per lineal foot of side wall;

- 6) Rear wall signage shall not exceed one-half (1/2) square feet of sign area per lineal foot of rear wall;
- 7) No part of such sign shall project more than one foot (1') nor extend above the height of the building;
- 8) Such sign may be illuminated provided the source of illumination shall not be visible and no flashing, rolling, scrolling or intermittent illumination shall be employed;
- 9) Total wall signage shall not exceed one-hundred fifty (150) square feet per business; and,
- 10) Temporary signs pursuant to Section subsection 7.5.C.2.

5. Signs Permitted in The AT and C-2 districts for individual buildings not part of a Center or Complex:

- a. One freestanding sign per street frontage.
- b. Ground-mounted freestanding signs shall use a minimum two foot (2') architectural planter or base. If an inorganic base is used, it shall be designed to match the predominant architectural character of the main building. Ground-mounted signs shall not exceed eight feet (8') in height. Maximum sign area shall not exceed forty-eight (48) square feet;
- c. Parcels with six-hundred feet (600') of street frontage per street are permitted two (2) freestanding signs per street frontage as determined by the Planning Administrator, and shall be separated by a minimum of three-hundred (300) feet;
- d. One (1) additional sign is permitted for each additional three-hundred feet (300') of street frontage as determined by the Planning Administrator.
- e. Building front wall signage shall not exceed one and a half (1 1/2) square foot of sign area per lineal foot of building occupancy frontage;
- f. Side wall signage shall not exceed one-half (1/2) square feet of sign area per lineal foot of side wall;
- g. Rear wall signage shall not exceed one-half (1/2) square feet of sign area per lineal foot of rear wall;
- h. No part of such sign shall project more than one foot (1') nor extend above the height of the building;
- i. Such sign may be illuminated provided the source of illumination shall not be visible and no flashing, rolling, scrolling or intermittent illumination shall be employed; and,
- j. Total wall signage shall not exceed one-hundred fifty (150) square feet.

6. Signs Permitted in the EMP-A and EMP-B districts for individual buildings not part of a Center or Complex:
 - a. Ground-mounted freestanding identification signs for single tenant sites, subject to the following conditions:
 - b. One sign per street frontage; and,
 - c. Maximum height of a ground sign shall not exceed eight feet (8') in height and forty-eight (48) square feet in area.
 - d. Parcels with six-hundred feet (600') of street frontage per street are permitted two (2) freestanding signs per street frontage as determined by the Planning Administrator, signs shall be separated by a minimum of three-hundred (300) feet;
 - e. One (1) additional sign is permitted for each additional three-hundred feet (300') of street frontage as determined by the Planning Administrator.
 - f. Building wall signage pursuant to subsection 7.2.A.5.e - j. above.
 - g. Identification wall-mounted and freestanding signs for multi-tenant industrial projects shall comply with the regulations in subsection 7.3.B.
7. Signs Permitted in the PCD, MU, and C-3 districts: Sign standards for developments in these districts shall be established as part of a Comprehensive Sign Plan as provided in subsection 7.2.A.8.
 - a. Comprehensive Sign Plan (CSP): A Comprehensive Sign Plan is intended to provide flexibility for standards that may not meet the specific requirements set forth in this Article. The purpose of the Comprehensive Sign Plan is to form signage criteria for a development that promotes superior design, however maintains general conformance with the underlying zoning district requirements as provided in this code.
 - i. Design Criteria. All proposed signage shall:
 1. Integrate with the proposed architectural elements of the site and buildings;
 2. Locate and orientate with respect to the surrounding developed and undeveloped land;
 3. Not be larger than necessary for sufficient visibility and legibility; and,
 4. Not include any sign type otherwise prohibited by this Article.

- b. Approval. A Comprehensive Sign Plan that proposes a deviation from any of the requirements provided in this Article or proposes electronic signage shall be reviewed and approved by the Planning and Zoning Commission.
- c. Amendments. Amendments to an approved Comprehensive Sign Plan shall be processed in accordance with the following procedures:
 - i. Minor Amendments. Minor Amendments shall include any change up to ten percent (10%) which does not increase the overall number of signs within the originally approved Comprehensive Sign Plan. All changes processed under the Minor Amendment procedures shall comply with all provisions of this Article. Minor amendments may be requested in writing and may be approved administratively by the Planning Administrator; and,
 - ii. Major Amendments. Major Amendments shall be defined as those amendments not meeting the criteria set forth above to qualify as a Minor Comprehensive Sign Plan Amendment. Major Amendments shall be requested, processed, and approved or denied in the same manner as the initial Comprehensive Sign Plan submittal.

8. Operational Signs

- a. In non-residential zoning districts, businesses may display one (1) electronic or neon sign in window areas only. Such sign shall only be displayed on the interior of a window and shall not count towards the maximum allowed signage, provided the following conditions are met:
 - i. Maximum area shall not exceed two square feet;
 - ii. Sign shall not be placed higher than six (6) feet from finished grade;
 - iii. This provision does not pertain to nor include electronic or static message or reader boards;
 - iv. A sign permit is not required; and,
 - v. Architectural accent lighting may be considered during the Site Plan/Design Review application process if the proposed concept is complimentary to the building architecture. If related to signage, such elements may count towards the maximum allowed signage.
9. Specialty Signage: Awning, Canopy, Neon, and other similar specialty signage may be permitted subject to permit and design review. Such signage shall count towards the applicable wall or ground mounted freestanding signage allowance.

10. Prohibited Signs. Signs not specifically authorized are prohibited, including but not limited to the following:

- a. Animated Signs. Animated signs are not allowed, except for approved pennants, banner, flags, revolving barber poles and clocks including those which alternately display time and temperature having a maximum face area not exceeding three (3) square feet;
- b. Flashing Signs. Flashing signs other than those which alternately display time and temperature, and are a maximum of three (3) square feet in area;
- c. Sound Signs. Signs emitting sound or any substance are not allowed;
- d. Signs Affixed to Objects. The tacking, painting, pasting or otherwise affixing of signs or posters visible from a public way, to any trees, fences, utility poles or other structures, or upon vehicles where such vehicles are used primarily as support for such signs, is prohibited;
- e. Permanent Off-site Sign. Any form of remote signage, such as off-premises advertising signs or billboards, are prohibited;
- f. Signs with Exposed Raceways. Except where it is determined by the Planning Administrator that it is not structurally feasible to install a sign without using an exposed raceway;
- g. Pole Signs and / or Roof Signs. Pole signs and / or roof signs except as specifically approved when it is determined that a ground or wall sign is not feasible due to site limitations and / or line of sight interruptions for vehicular traffic;
- h. Wall-mounted cabinet signs are prohibited, unless such sign:
 - i. Utilizes a cabinet that is stylized in shape, rather than rectangular, to reflect the shape of the image printed on the sign face;
 - ii. Utilizes a molded sign face, with embossed copy or sign copy or sign copy in relief.
- i. Projecting Signs. Projecting Signs may be permitted in the TC and AT Districts or as part of an approved Comprehensive Sign Plan. Projecting Sign standards:
 - i. Maximum sign area of twelve (12) square feet;
 - ii. Minimum/maximum spacing from building of six inches/twelve inches (6"/12");
 - iii. The bottom of the sign shall not be less than eight feet (8') from the base of the building;
 - iv. No sign shall project into the public right-of-way, except as follows:

v. Upon administrative approval, wall signs attached to the front face of building may extend a maximum of twelve inches (12") into the public right-of-way.

- j. Signs Facing Residential Districts. Signs identifying a business in a non-residential zoning district are not permitted on building façade adjacent to a shared zoning district boundary with a residential zoning district. Not applicable when the zoning district boundary is a public right-of-way; and,
- k. Vehicle Signs. Signs attached to a vehicle primarily for the purposes of advertising, with such vehicle placed adjacent to a roadway and not used for the typical conduct of the business so advertised.

C. Nonconforming Signs.

- 1. Legal Nonconforming Signs. Legal nonconforming signs shall mean a sign (or signs) which lawfully exist at the time of the enactment of this Ordinance, and which does not conform to the regulations as specified herein for the zone in which said sign is located. A legal nonconforming sign may not be altered in any manner not in conformance with this Ordinance; however, such sign(s) shall be maintained as required by this Section and may be reasonably repaired as determined by the Planning Administrator.
- 2. Not with standing any provisions to the contrary contained herein, a legal nonconforming sign may be utilized in perpetuity as noted herein.
- 3. Whenever the use of given building or premises changes to another use allowed in the respective zoning district, all nonconforming signs on the building and / or premises shall be modified to bring them into conformance with these regulations.
- 4. Removal of Nonconforming Signs. Upon adoption of this Ordinance, any signs not enjoying legal nonconforming status shall be removed from display within six (6) months.

D. Location and Placement of Signs.

- 1. Temporary signs, as defined in this Ordinance, may be permitted in the public right-of-way provided they are fifteen feet (15') from the pavement of any roadway, or two feet (2') behind the sidewalk, where a sidewalk is present, or as provided elsewhere in this Article.
- 2. No sign shall be erected, relocated, or maintained so as to prevent free ingress to, or egress from, any door, window or fire escape nor shall any sign be attached to a standpipe or fire escape.
- 3. No signs (temporary or permanent) shall be erected or maintained within the sight visibility triangle as defined in the Town of Queen Creek Design Standards and Procedures Manual, or at any location where, by reason of its position, shape, color or illumination, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device, or with any device mounted on a police or fire protection vehicle; or

which makes use of such words as, “Stop”, or “Look”, in such a manner as to interfere with, mislead, or confuse drivers.

4. No sign shall be erected or painted upon or attached to any tree, rock or other natural feature, or to any fence post, or utility pole or structure.
5. Every illuminated sign shall be so placed as to prevent any light or reflection from being cast directly on any adjoining Residential district.
6. The lowest portion of any sign, which extends over an area intended for pedestrian use, shall not be less than eight feet (8') above the finished grade below the sign. The lowest point of any sign, which extends over an area intended for vehicular use, shall not be less than fourteen feet (14') above the finished grade below the sign.

E. Permanent Sign Design Criteria.

1. Signs are regarded as an integral and complementary element of the overall architectural character of the Town and shall be integrated with the building and landscape design.
2. All freestanding signs shall have a substantial base or planter with a minimum height of two feet (2').
3. All signs, except those consisting of individual letters mounted against a non-differentiated surface, shall have edge treatment or borders.
4. Signs which are designed to be compatible with Queen Creek’s Western/Southwestern character and agricultural heritage are encouraged.

F. Historic Signs. Signs which have been accepted and certified as historic by the Town Council may be utilized in all zoning districts, subject to the following:

1. All such signs shall be restored or recreated in the same precise location for which certification was granted by the Town Council.
2. The restoration or recreation of certified historic signs shall be consistent with the details of color, copy, and artwork approved by the Town Council.
3. Any such sign may not be utilized to increase the allowed sign area for a business product or service which is located on or sold on the premises for which the historic sign was approved; however, the historic sign may be utilized in place of non-historic signs regardless of the square footage of the certified historic sign.
4. The Town Council may grant historic certification to a sign which is more than fifty (50) years old, whether or not the sign has been in continuous use, upon making the following findings as based on the evidence presented:
 - a. That the sign in question is typical of signs which were utilized during the

time period when the sign was erected painted or installed.

- G. Window Signs. Up to one-hundred- percent (100%), of aggregate window area, providing that the following criteria are complied with:
1. Window signage shall be placed on the street level of the building;
 2. No window signage is permitted above the first story of the building; and,
 3. No sign permit required.
- H. On-Site Directional Signs. Directional signs, as defined herein, are permitted in any district, subject to the following requirements:
1. Such signs are limited in area to three (3) square feet;
 2. When freestanding, no such sign shall exceed four feet (4') in height; and,
 3. Unless indicated otherwise, directional signs do not count against the total allowed sign area for a given site, building or occupancy.
- I. Menu Boards. Menu boards are permitted, as described below:
1. For drive-thru and / or drive-up restaurants;
 2. May be freestanding and / or building- mounted;
 3. Each qualified restaurant may have a maximum of two (2) total menu boards permitted, one (1) of which may be a preview menu board;
 4. Each shall not exceed twenty-four (24) square feet in area;
 5. Shall not exceed six feet (6') in height when building-mounted or eight feet (8') in height when freestanding; and,
 6. Freestanding drive-through menu boards shall have:
 - a. A monument base with an aggregate width of at least fifty percent (50%) the width of the sign of masonry construction
 - b. A landscape area at the base of the sign(s) equal to at least two (2) square feet for each square foot of sign area.
 - c. Match the architectural style, material, and color of the principal structure.
 - d. Shall not be placed adjacent to a public right-of-way; and,
 - e. Shall require a permit prior to installation.

- J. **Obsolete Signs.** Any obsolete sign and its supporting structures and frames shall be removed by the owner of the property, his agent or person having beneficial use of the building or structure upon which such sign structure is erected within six (6) months of the date of receipt of notification from the Town that the sign is obsolete.
- K. **Maintenance of Signs.** All signs shall be maintained in order to prevent and eliminate any peeling, cracking, discoloration, covering with dirt, or other material and other similar problems caused by common weather conditions. All cracked or broken sign faces and non- functioning interior lamps shall be repaired or replaced within forty-five (45) working days following receipt of notification from the Town that the sign requires repair or maintenance.

7.3 Sign Measurement, Height, and Area

- A. All sign areas shall be measured in accordance with the following:
 - 1. The area of signs with all copy mounted on a single geometric plane shall consist of the entire area within a continuous exterior perimeter which bounds all portions of the sign including background panels except those which are entirely opaque and have the same color and texture as the building to which the sign is attached. Necessary structural supports are also excluded from the sign area calculation;
 - 2. Double-faced signs shall be counted as one (1) sign and the area shall be calculated as that which is visible from any single viewing position on or above the ground;
 - 3. Spherical, free form sculptured and other non-planar signs are counted as one (1) sign and the area shall be calculated as the sum of the two (2) largest of the four (4) vertical sides of the smallest polyhedron that will encompass the sign structure;
 - 4. For a sign having multiple components (e.g., a service station identification/price sign combination) and mounted on the same surface; the sign area will constitute the area defined by the smallest continuous exterior perimeter that will encompass that several components of the sign;
 - 5. Total sign area for a given site, building or occupancy shall include the aggregate area of all permitted signs, except on- site directional signs and window signs as allowed by this Article;
 - 6. When calculating the allowed sign area for a given occupancy the following shall apply:
 - a. Allowed sign area ratios are indicated in those sections of this Ordinance which set forth the regulations for each respective zoning district;
 - b. Interior Occupancies. Allowed sign area calculations shall be based on the linear distance of the width of single occupancy from which the building or occupancies' address is derived;

- c. Corner Occupancies. Each building face shall be allowed sign area based on the ratio of respective zoning district for each individual building face fronting on a public street, (see Table 7.2.A-1). However, in no case shall the aggregate sign area exceed the maximum allowed sign area for a single frontage or interior occupancy business as allowed in the respective zoning district; and,
- d. Diagonal Cutoffs. A corner occupancy which has a diagonal cutoff at the corner may calculate the allowed sign area as follows:
 - 1) Project a line along the front and side exposures to the point of intersections;
 - 2) Select the resultant distance for either the front or side exposures projections;
 - 3) Add the distance of the selected projection into the linear measurement of the actual building exposure for the exposure selected;
 - 4) The result may be utilized in conjunction with the appropriate ratio for the respective zoning district to establish the allowed sign area for the exposure so measured. The allowed sign area thereby calculated may be placed only: a) on the diagonal cutoff; b) the exposure for which the calculation was made; or, c) upon approval by the Planning Administrator a non-calculated exposure;
 - 5) The remaining exposure not calculated with the diagonal cutoff exposure (street of street side) shall be allowed sign area in accordance with the linear distance of the actual building exposure (non-projected) and the ratio allowed by the respective zoning district;
 - 6) In no case shall the total sign area exceed that allowed by the respective zoning district; and,
 - 7) All linear occupancy frontage distances shall be measured at sidewalk or grade level immediately adjacent to that portion of the structure being utilized for the occupancy in question.

B. Sign Height. Sign height shall be measured as follows:

- 1. Freestanding Sign. The height of freestanding signs shall be measured as the vertical distance between the top of the curb, or crown of the roadway where no curb exists, to the top of the sign. The total sign height includes any monument base or other structure erected to support or ornaments the sign; and,
- 2. Wall-Mounted Sign. The height of wall- mounted signs shall be measured as the vertical distance between the top of the curb, or crown of the roadway where no curb exists, to the top of the sign, including ornamentation.

7.4 Permits, Approval and Registration

- A. **Building Permit Required.** A building permit is required for all signs, unless specifically exempted, which are intended to be erected, painted, or otherwise installed in the Town of Queen Creek. Building permits shall not be required for home occupation signs, temporary signs, or for minor repair or for repainting of any permitted sign.
- B. **Application for Building Permit.** In addition to information required in accordance with the building code, application for building permit for signs shall include:
1. Site plan indicating the location of the sign in relation to nearby buildings, structures, right-of-way, easements and driveways;
 2. A scaled drawing indicating the dimensions of the sign, sign copy, all materials and the method of construction and attachment to the building;
 3. Name of person, firm or corporation erecting signs and any attendant structures;
 4. Written consent of the owner of the building, structure or premises on which sign is to be erected; and,
 5. Other information as may be required.
- C. **Issuance and Effect of Permit.**
1. **Compliance with Ordinances.** If, upon examination of plans, specifications and the premises on which erection of the sign is proposed, the Planning Administrator finds that the proposed sign complies with all provisions of this Ordinance and with all other Ordinances of the Town, a building permit shall be issued.
 2. **Permit Revocable.** All rights and privileges acquired under a building permit are mere licenses revocable at any time by the Town of Queen Creek.
 3. **Liability.** The granting of a building permit shall not be deemed to be a permit for approval of any violation of this Ordinance, The provisions of this Ordinance shall not be constructed as relieving or limiting in any way the responsibility or liability of any person, firm or corporation, erecting or owning any sign, or resulting from the negligence or willful act of such person, firm or corporation, its agents, employees or workmen, in the construction, maintenance, repair or removal of any sign erected in accordance with a permit issued hereunder. Nor shall issuance of such permit be constructed as imposing on the Town or its officers or employees, any responsibility of liability by reasons of the approval of any signs, material, or devices under the provision of this Ordinance.

- D. Registration of Signs. Every sign subject to the issuance of a building permit shall have affixed so as to be visible from the adjacent grade thereto, in letters not less than one inch (1") in height: the date of installation, the permit number, and the voltage of any electrical apparatus.

7.5 Temporary Signs

- A. All temporary signs require a Temporary Sign Permit, unless specifically exempted herein.
- B. All temporary signs shall be properly anchored or weighted down to avoid being displaced in windy conditions, or otherwise be a safety hazard to the public. In addition, all signs shall be of high quality professional workmanship and constructed of durable and weather-resistant materials and shall be maintained in a professional manner free from chipping paint, cracks, gouges, loss of letters, and other maintenance issues.
- C. Temporary Sign types and regulations: Temporary signs may include but are not limited to banners, A-frame, T-frame, or other signs that may or may not be embedded into the ground and supported by one (1) or more posts.
 - 1. Banner Signs. Banner signs may include but are not limited to Grand Opening, Open During Construction, and Special Event or similar signs used on a temporary basis for a specified cause.
 - a. These signs are allowed in any zone in which commercial, industrial, or institutional uses are permitted.
 - b. The sign(s) shall not be displayed for more than ninety (90) consecutive days in a calendar year, or for more than three (3) calendar days following the conclusion of a special event for which the sign was needed.
 - c. The maximum banner size for grand openings shall be forty-eight (48) square feet
 - d. Sign placement and duration shall be approved through the Temporary Sign Permit application.
 - e. Only one (1) banner shall be allowed per use, except as provided herein.
 - f. For large single-users and/or other mitigating circumstances, the Planning Administrator may modify the size, number and/or placement provisions of this subsection.
 - 2. A-frame and T-frame Signs.
 - a. A-frame and T-frame signs shall be constructed of durable materials, supported by a base of sufficient weight, and maintained in a professional manner free from fading, tearing, or tattering.

- b. Shall be allowed without permit for businesses in the Commercial, Industrial, Downtown Core, Office, Employment, and Public Facility or Institutional zoning districts.
 - c. Shall be no greater than thirty-six inches (36") in width and forty-eight inches (48") in height.
 - d. Businesses are allowed up to two (2) signs per visible wall plane of the business, and located within the building envelope. The building envelope is that area directly adjacent to the business wall plane within twenty (20) feet of the building wall.
 - e. In no event shall the combined number of signs exceed eight (8) per business.
 - f. Signs shall maintain a minimum five (5) foot clearance to allow unobstructed pedestrian use of a sidewalk or walkway as part of a commercial center.
 - g. Signs shall only be displayed during business hours and shall be separated a minimum of ten (10) feet from any similar sign.
 - h. Illumination is prohibited.
 - i. Shall not be located on fences, boulders, planters, other signs, vehicles, utility facilities, any structure, in raised or painted medians, across any street or drive aisle from the business being advertised, in driving lanes, parking aisles, or parking stalls, on equestrian or multi-use trails, or within the building envelope of another business.
 - j. Right-of-Way Placement. Signs may not be placed in the right-of-way except as provided elsewhere in this code and except that such signs may be placed on the sidewalk within the TC zoning district provided placement is in compliance with the American with Disabilities Act.
3. Residential Yard Signs. A residential yard signs is a portable, temporary sign to direct traffic to a home.
- a. Shall be made of solid, non-flexible material.
 - b. The sign shall not be exceed a maximum height of three (3) feet and a maximum area of six (6) square feet.
 - c. The sign may be double-faced.
 - d. Illumination is prohibited.
 - e. Signs may only be displayed during the generally accepted hours of business operation.

- f. Each single-family lot or model home may place one (1) sign anywhere on the property and each single-family lot or model home cluster may place one (1) additional sign at each turning movement beginning at the subject property and extending for a maximum of one (1) mile distance from said property. Said signs shall be placed away from the street, however, may be located adjacent to a public sidewalk within the public right-of-way. Where no sidewalk is provided, signs shall be placed a minimum of four (4) feet from the edge of curb. Signs shall not be placed on any sign, tree, light pole, traffic signal or controller, utility box or other structure within the right-of-way. Signs are prohibited within roadway medians.
 - g. Written authorization for such installation shall be provided by the property owner prior to posting such signs on private property.
 - h. The Planning Administrator, or designee, may confiscate or cause to be confiscated any signs in violation of this article. Such signs shall be deemed a nuisance and subject to be impounded as evidence. The Code Enforcement Officer will make a good faith effort to contact the owner of the sign prior to its disposal. The Town retains the right to dispose of the signage one (1) week after a good faith effort to reach its owner.
 - i. No sign permit is required.
4. Political Signs.
- a. All political signs shall comply with Arizona Revised Statutes.
 - b. Political and campaign signs on behalf of candidates for public office or urging action on primary, general or special election ballots are permitted in all zoning districts.
 - c. Political/campaign signs do not require a sign permit.
 - d. The person, party, or parties responsible for the erection or distribution of any such signs shall be jointly and individually liable for their removal within 'X' amount of days of the election if there is not a subsequent election within 'Y' days.
 - e. Nothing contained herein shall prevent the erection, construction, and maintenance of signs authorized and/or protected by Arizona Revised Statutes.
 - f. All political signs placed in the right-of-way shall include the name and telephone number or website address of the candidate or campaign committee contact person.
 - g. Political signs may be placed on private property with the property owner's permission.

5. Temporary Signs – Other

a. Temporary Freestanding Signs (7-16 square feet)

- 1) Each parcel may display one temporary freestanding sign, with the exception that corner lots may display two (2) signs; one (1) per street frontage.
- 2) One (1) additional sign is permitted for each additional three-hundred feet (300') of street frontage as determined by the Planning Administrator.
- 3) The sign face shall not exceed sixteen (16) square feet in area.
- 4) Signs displayed on residential properties shall not exceed six (6) feet in height.
- 5) Signs displayed on non-residential properties shall not exceed eight (8) feet in height.
- 6) No setback is required for signs displayed on private property, however in no instance shall a sign be closer than two (2) feet from a public or private sidewalk.
- 7) Signs shall be constructed of durable materials to withstand the elements, and shall be maintained in a professional manner.
- 8) Signs greater than six (6) feet in height shall require a sign permit. Said permit shall be valid for two (2) years and shall be renewable on an annual basis thereafter.
- 9) Illumination of said sign is prohibited.
- 10) Signs or notices required or posted by a government agency shall not be counted towards the number of signs permitted herein, and shall not require a building permit.

b. Temporary Freestanding Signs (17-32 square feet)

- 1) Each unsubdivided or nonresidential development or center may display one temporary freestanding sign, with the exception that corner lots may display two (2) signs; one (1) per street frontage.
- 2) One (1) additional sign is permitted for each additional three-hundred feet (300') of street frontage as determined by the Planning Administrator.
- 3) The sign face shall not exceed thirty-two (32) square feet in area.
- 4) Signs displayed on properties shall not exceed eight (8) feet in height.
- 5) No setback is required for signs displayed on private property, however in no instance shall a sign be closer than two (2) feet from a public or private sidewalk.

- 6) Signs shall be constructed of durable materials to withstand the elements, and shall be maintained in a professional manner.
 - 7) Signs greater than six (6) feet in height shall require a sign permit. Said permit shall be valid for two (2) years and shall be renewable on an annual basis thereafter.
 - 8) Illumination of said sign is prohibited.
- c. Temporary freestanding Signs (33-96 square feet)
- 1) Each parcel may display one temporary freestanding sign, with the exception that corner lots may display two (2) signs; one (1) per street frontage.
 - 2) One (1) additional sign is permitted for each additional three-hundred feet (300') of street frontage as determined by the Planning Administrator.
 - 3) Signs displayed on property that has been recorded for a residential subdivision shall not exceed fifteen (15) feet in height.
 - a. The sign face shall not exceed ninety-six (96) square feet in area.
 - b. No setback is required for signs displayed on private property, however in no instance shall a sign be closer than two (2) feet from a public or private sidewalk.
 - c. Signs shall be constructed of durable materials to withstand the elements, and shall be maintained in a professional manner.
 - d. Signs greater than six (6) feet in height shall require a sign permit. Said permit shall be valid for two (2) years and shall be renewable on an annual basis thereafter.
 - e. Signs shall be located at least twenty-five (25) feet from any property line of an existing residence.
 - f. Illumination of said sign is prohibited.
 - g. Signs or notices required or posted by a government agency shall not be counted towards the number of signs permitted herein, and shall not require a building permit.
 - 4) Signs displayed on non-residentially zoned property shall not exceed fifteen (15) feet in height.
 - a. The face area of said sign shall not exceed thirty-two (32) square feet for the first acre or portion thereof. When the proposed parcel for

development exceeds one (1) acre in size, the sign area may be increased four (4) square feet for each additional acre or portion thereof, not to exceed ninety-six (96) square feet.

- b. No setback is required for signs displayed on private property, however in no instance shall a sign be closer than two (2) feet from a public or private sidewalk.
- c. Signs shall be constructed of durable materials to withstand the elements, and shall be maintained in a professional manner.
- d. Signs greater than six (6) feet in height shall require a sign permit. Said permit shall be valid for two (2) years and shall be renewable on an annual basis thereafter.
- e. Illumination of said sign is prohibited.
- f. Signs shall be located at least twenty-five (25) feet from any property line of an existing residence.
- g. Signs or notices required or posted by a government agency shall not be counted towards the number of signs permitted herein, and shall not require a building permit.

d. Flags

- 1) For residentially zoned developments a maximum of six (6) attention flags shall be permitted per development.
- 2) Flagpoles shall maintain a minimum spacing of twenty feet (20') between attention flags.
- 3) Flagpoles must have a minimum setback of five feet (5') behind the right of way line.
- 4) A building permit shall be required for the flag pole construction.
- 5) Flagpoles shall not exceed fifteen (15) square feet in area or fifteen feet (15') in height.

7.6 Sign Walkers

A. Sign walkers shall be permitted in conjunction with adjacent apartment, commercial and industrial areas in the R-3, R-4, NC, TC, C-1, C-2, C-3, EMP-A and EMP-B zoning districts, subject to the following requirements:

- 1. Location.

- a. At least thirty feet (30') from a street or driveway intersection measured from the back of the curb, or edge of pavement if no curb exists.
 - b. At least five feet (5') from the street, measured from the back of curb or edge of pavement if no curb exists.
 - c. At grade level.
 - d. In front of property on which the advertised business or use is located.
2. Prohibited Locations.
- a. Within a minimum of twenty feet (20') of any other sign walker.
 - b. In any location which interferes with the right-of-way for pedestrians, bicyclists and others located on a sidewalk.
 - c. In a raised or painted median.
 - d. In driveways, drive lanes, parking aisle or parking space.
 - e. On equestrian or multi-use trails.
 - f. On a fence, vehicle, utility facility, other sign or any other structure.
 - g. In a manner that results in sign walkers physically interacting with motorists, pedestrians or bicyclists.
3. Number.
- a. Be no more than one (1) sign per business.
4. Be displayed only during the hours the business is open to the public.
5. Be held, worn, or balanced at all times.
6. Be no greater than twelve (12) square feet per sign face, with a maximum of two (2) sign faces.
7. Not be worn by a sign walker in costume.
8. Prohibited elements.
- a. Any form of illumination or animation on or within the sign.
 - b. The use of mirrors or other reflective materials.

- c. Attachments to the sign including, but not limited to, balloons, ribbons, or speakers.
- 9. Consistency with State Law.
 - a. Notwithstanding the foregoing, sign walkers may use a public sidewalk, walkway, or pedestrian thoroughfare to the minimum extent provided by A.R.S. §4-499.13.

7.7 Sensitive Use Signs

- A. Sexually Oriented Businesses. Signs shall be permitted in accordance with the following:
 - 1. One (1) free-standing or monument sign shall be permitted per site in accordance with the following standards Maximum height shall be six feet (6') as measured from the adjacent curb or crown of the roadway. Sign area shall not exceed twenty-four (24) square feet. Free- standing signs shall have a substantial base and planter not to exceed two feet (2') in height. If an inorganic base is used, it shall be designed to match the predominant architectural character of the main building.
 - 2. Window signs, permanent and / or temporary, are permitted up to twenty- five percent (25%), per window, of the establishment's window area provided the following criteria are complied with:
 - a. All such signs must be mounted, affixed or painted on the inside face of the window;
 - b. No such sign shall be illuminated, animated or emit sound; and,
 - c. Signs conforming to the above criteria shall be allowed in all zoning districts and shall not be considered a part of the aggregate allowed sign area.
 - 3. Total sign area for each building or occupancy frontage shall not exceed one (1) square foot of sign area for each two (2) linear feet of street or occupancy frontage.
 - 4. In no case shall the total sign area exceed sixty-four (64) square feet of sign area for each building or occupancy including all ground and wall mounted signs.

7.8 Interpretation of this Article

- A. Where there is a conflict between the provisions of this Ordinance and provisions of other regulations of the Town of Queen, the provisions of this Ordinance shall apply.
- B. The provisions of this Ordinance shall apply to the erection, construction, alteration, use, location, and maintenance of all signs within the Town of Queen Creek except as specified in Section 7.2
- C. Any sign permitted by this Article may contain a non-commercial message in lieu of any other message.

- D. Any provision of this Sign Code that imposes a limitation on freedom of speech shall be construed in a manner that is viewpoint neutral and treats expressive speech either the same as or less restrictive than commercial speech. Any provision of this Sign Code that is found to be an unconstitutional limitation on freedom of speech by any court shall be severed from this Sign Code in a manner that preserves the Sign Code and protects freedom of speech.