

ORDINANCE NO. 767

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PRESCOTT VALLEY, A MUNICIPAL CORPORATION OF ARIZONA, AMENDING ARTICLE 13-23 "SIGN REGULATIONS" IN CHAPTER 13 "ZONING" OF THE TOWN CODE TO CONFORM WITH RECENT REVISIONS TO ARIZONA LAW ALLOWING PLACEMENT OF POLITICAL SIGNS IN PUBLIC RIGHTS-OF-WAY; PROVIDING THAT ALL OTHER CHAPTERS, ARTICLES AND SECTIONS OF THE TOWN CODE, NOT HEREIN AMENDED, SHALL REMAIN IN FULL FORCE AND EFFECT; PROVIDING THAT, IF ANY PROVISION IN THIS ORDINANCE IS HELD INVALID BY A COURT OF COMPETENT JURISDICTION, THE REMAINING PROVISIONS SHALL NOT BE AFFECTED BUT SHALL CONTINUE IN FULL FORCE AND EFFECT; AND PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE THIRTY (30) DAYS AFTER ITS PASSAGE AND APPROVAL ACCORDING TO LAW.

WHEREAS, on April 28, 2011, the Governor of Arizona signed into law H.B. 2500 which substantially limits the ability of Arizona communities to limit political signs within public rights-of-way; and

WHEREAS, as a result, A.R.S. §16-1019(C) now prohibits cities, towns or counties from removing, altering, defacing or covering any political signs within a specified time period if the signs conform to certain statutory requirements; and

WHEREAS, A.R.S. §16-1019(F) provides an exception to this prohibition for limited areas designated by municipalities as commercial tourism, commercial resort and hotel sign-free zones; and

WHEREAS, on December 8, 2011, by Resolution No. 1717, the Town Council designated two political sign-free zones within Prescott Valley; and

WHEREAS, A.R.S. §16-1019(C)(4) otherwise provides that political signs placed within rights-of-way located in areas zoned for residential use may now be up to sixteen square feet in size, and those placed within rights-of-way located in any other area may now be up to thirty-two square feet; and

WHEREAS, A.R.S. §16-1019(H) sets forth the time periods during which conforming political signs may not be removed by cities, towns or counties; and

WHEREAS, the Town Council has determined that it is desirable to amend the Town Code to conform with these recent requirements of the Arizona Legislature; and

WHEREAS, the Prescott Valley Planning and Zoning Commission held a public hearing on these proposed Zoning Code amendments at its regular meeting held January 9, 2012, and voted thereafter to forward the same to the Town Council with a recommendation of approval; and

WHEREAS, the Town Council has considered this recommendation at its regular meetings held on February 9, 2012 and February 23, 2012; and

WHEREAS, the Town Council finds that the procedures required by A.R.S. §§9-462.03 and 9-462.04 have been complied with in connection with this zoning action;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PRESCOTT VALLY, ARIZONA, AS FOLLOWS:

SECTION ONE. That Section 13-23-020 “Definitions” in Article 13-23 “SIGN REGULATIONS” in Chapter 13 “ZONING” of the Town Code of the Town of Prescott Valley, Arizona, be hereby amended to read as follows:

13-23-020 Definitions.

<u>Term</u>	<u>Definition</u>
...	...
Building, Interior Side	That portion of the building adjacent to an interior lot line or which does not front on an exterior street side of the property.
<u>Commercial Tourism Zone</u>	<u>Those areas of Prescott Valley designated by Town Council resolution as commercial tourism zones based upon the predominance of commercial tourism, resort and hotel uses within those zones.</u>
...	...

(Ord. No. 220, Enacted, 12/14/89; Ord. No. 375, Amended, 12/28/95; Ord. No. 542, Rep&ReEn, 04/10/03; Ord. No. 590, Amended, 03/25/04; Ord. No. 648, Amended, 01/26/06; Ord. No. 686, Amended, 05/24/07; Ord. No. _____)

SECTION TWO. That Section 13-23-040 “Sign Standards” in Article 13-23 “SIGN REGULATIONS” in Chapter 13 “ZONING” of the Town Code be hereby amended to read as follows:

13-23-040 Sign Standards.

...

C. Temporary Sign Standards

PURPOSE	ZONING DISTRICTS	MAXIMUM DIMENSIONS	STANDARDS
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...
Political	<p>All Districts</p> <p><u>R1L, R1M, R2, RCU, and RS Zoning Districts (excluding designated commercial tourism zones)</u></p>	<p>24 sq. ft</p> <p><u>Maximum area not to exceed 16 sq. ft.</u></p>	<p>No earlier than 60 days prior to official a <u>primary</u> election date; removal no later than 40 <u>15</u> days after official the <u>general</u> election date <u>EXCEPT</u> that <u>signs for candidates in a primary election who do not advance to the general election must be removed no later than 15 days after the primary election.</u></p>
	<p><u>C1, C2, C3, PM, M1 and M2 Zoning Districts (excluding designated commercial tourism zones)</u></p>	<p><u>Maximum area not to exceed 32 sq. ft.</u></p>	
...

(Ord. No. 220, Enacted, 12/14/89; Ord. No. 542, Rep&ReEn, 04/10/03; Ord. No. 686, Amended, 05/24/07; Ord. No. ____)

SECTION THREE. That all other Chapters, Articles and Sections not herein amended shall remain in full force and effect.

SECTION FOUR. That, if any provision in this Ordinance is held invalid by a Court of competent jurisdiction, the remaining provisions shall not be affected but shall continue in full force and effect.

SECTION FIVE. That this Ordinance shall be effective thirty (30) days after its passage and approval according to law.

PASSED AND APPROVED by the Mayor and Common Council of the Town of Prescott Valley, Arizona, this 23rd day of February, 2012.

Harvey C. Skoog, Mayor

ATTEST:

Diane Russell, Town Clerk

APPROVED AS TO FORM:

Ivan Legler, Town Attorney