



CURRENT TOWN CODE OF ORDINANCES

APRIL 27, 2023

§ 154.146 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BILLBOARD SIGN. A structure on which is portrayed information which directs attention to a business, commodity, service, entertainment, or product not necessarily related to the other uses existing on the premises upon which the structure is located. A sign shall be classified as a **BILLBOARD** unless its advertising area is entirely devoted to identifying the business operating on the premises or to a product that is manufactured on the premises. The fact that a product is merely sold on the premises is not sufficient cause for the sign classification to be deleted from the billboard sign category.

SIGN, AREA OF. The area in square feet of the smallest regular geometric figures, or combination of regular geometric figures, which figure or figures entirely enclose both the copy and facing, including embellishments, ornamentations, or moldings of the sign and its face or faces.

(Ord. 99-02, passed 2-11-1999)

§ 154.147 BILLBOARD SIGNS.

(A) Billboard signs are not a permissible use as a matter of right in any zoning district in the town.

(B) Billboard signs may be allowed as a conditional use in any commercial or industrial district in the town providing that the Town Council makes the determination that the billboard will not be detrimental to the value of the surrounding property and will be in harmony with the existing structures in the area.

(C) The granting or denial of a conditional use permit for a billboard sign rests solely with the discretion of the Town Council. The Council's decision on any particular application shall set no precedence whatsoever. Each case shall be examined on its own merits.

(D) If the Council elects to grant such a conditional use permit, it shall be on such terms as the Council deems appropriate including, but not limited to, such matters as height, size, number of facings, and duration. However, in no case shall the permit be less restrictive than the requirements of state law currently set forth in A.R.S. §§ 28-7902 et seq.

(E) No such conditional use permit shall be considered without first holding a public hearing and giving proper notice.

(Ord. 99-02, passed 2-11-1999)

§ 154.148 FEES FOR BILLBOARD SIGNS.

In addition to any application fees, variance fees, building permit fees, and any other fees that may be required, there shall be a minimum fee of \$1,500 or \$3 per square foot of sign area, whichever is greater.

(Ord. 99-02, passed 2-11-1999; Ord. O2020.19, passed 4-23-2020)



PROPOSED TOWN CODE OF ORDINANCE REVISIONS

APRIL 27, 2023

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BILLBOARD SIGN. A structure on which is portrayed information which directs attention to a business, commodity, service, entertainment, or product not necessarily related to the other uses existing on the premises upon which the structure is located. A sign shall be classified as a **BILLBOARD** unless its advertising area is entirely devoted to identifying the business operating on the premises or to a product that is manufactured on the premises. The fact that a product is merely sold on the premises is not sufficient cause for the sign classification to be deleted from the billboard sign category.

SIGN, AREA OF. The area in square feet of the smallest regular geometric figures, or combination of regular geometric figures, which figure or figures entirely enclose both the copy and facing, including embellishments, ornamentations, or moldings of the sign and its face or faces.

DIGITAL BILLBOARD: A billboard, utilizes digital message technology capable of changing the message or copy on the sign electronically, such that, the alphabetic, pictographic, or symbolic informational content can be changed or altered electronically on a fixed display surface composed of electronically illuminated or electronically actuated or motivated elements. This includes billboards with displays that have been preprogrammed to display only certain types of information (i.e., time, date, temperature) and billboards whose informational content can be changed or altered by means of computer-driven electronic impulses.

(Ord. 99-02, passed 2-11-1999)

§ 154.147 BILLBOARD SIGNS.

(A) Billboard signs are not a permissible use as a matter of right in any zoning district in the town.

(B) No billboard sign shall be located within five hundred (500) feet of another billboard sign as measured from any part of the billboard to the nearest point of any other billboard.

(C) No billboard sign shall be located within four hundred (400) feet of a public park, public cemetery or place of worship.

(BD) Billboard signs may be allowed as a conditional use in any commercial or industrial district in the town providing that the Town Council makes the determination that the billboard will not be detrimental to the value of the surrounding property and will be in harmony with the existing structures in the area.

(E) The granting or denial of a conditional use permit for a billboard sign rests solely with the discretion of the Town Council. The Council's decision on any particular application shall set no precedence whatsoever. Each case shall be examined on its own merits.

(F) If the Council elects to grant such a conditional use permit, it shall **include provisions** ~~be on such terms as~~ the Council deems appropriate including, but not limited to, such matters as ~~height~~, size, number of facings, and duration. However, in no case shall the permit be less restrictive than the requirements of state law currently set forth in A.R.S. §§ 28-7902 et seq.

(G) Any use permit application for a billboard sign shall conform to the following development standards:

i. Seventy-five (75) feet in height if located within 300' of the right of way line of an existing freeway and a maximum of six hundred seventy-two (672) square feet in sign face area. These billboards shall be oriented only towards the freeway and may be double-faced or "V" shaped, thus doubling the allowed sign face area, provided the "V" shape is designed so that there is no greater than fifty-four (54) inches between faces at the apex and the angle between the faces of the sign is no greater than forty-five (45) degrees.

ii. Thirty (30) feet in height if located greater than 300' from an existing freeway and three-hundred (300) square feet in sign face area. These billboards shall not be located within two hundred (200) feet of the property line of any parcel of land which is zoned to a category allowing for single-family residential use even though the zoning categories applicable to such parcels may allow additional uses. These billboards shall not be located within five hundred (300) feet of the property line of any public park, public cemetery or place of worship.

(H) Use Permit applications for New Digital Billboards and conversion to Digital Billboards shall only be considered if:

1. Network time shall be made available on all digital sign faces to federal, state, and local public safety agencies for emergency messaging. Such messages shall override all copy for one hour and shall then be displayed for no fewer than eight seconds in every minute as long as needed.

2. From 11:00 p.m. until sunrise all billboards illumination shall be extinguished, and all billboards shall be equipped with an automatic devise to assure compliance. These illumination requirements shall not be applicable to the display of any Amber Alert or other governmental emergencies, or for other emergent situations as determined by the Town Manager. Further, in the event of an electronic malfunction the sign shall be shut off until repairs have been made to restore the electronic messaging system.

3. Minimal display time shall not change-message more than once every eight (8) seconds.

(E) No such conditional use permit shall be considered without first holding a public hearing and giving proper notice.

(J) All billboard signs erected or posted in the Town shall be maintained in good structural condition, in compliance with all building and electrical codes and in conformance with this article, at all times. All billboard signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or other structure by direct attachment to a rigid wall, frame or structure.

(K) All billboard signs and the premises surrounding them shall be maintained by the owner thereof in a clean, sanitary and inoffensive condition, free and clear of all obnoxious substances, rubbish, weeds and overgrown grass.

(Ord. 99-02, passed 2-11-1999)

§ 154.148 FEES FOR BILLBOARD SIGNS.

In addition to any application fees, variance fees, building permit fees, and any other fees that may be required, there shall be a minimum **conditional use permit** fee of ~~\$1,500~~ **5,000** or ~~\$3~~ **5** per square foot of sign area, whichever is greater.

(Ord. 99-02, passed 2-11-1999; Ord. O2020.19, passed 4-23-2020)

ORDINANCE NO. O2023.01

AN ORDINANCE OF THE TOWN OF GUADALUPE, ARIZONA, AMENDING TITLE XV, LAND USAGE, CHAPTER 154, ZONING, SECTIONS § 154.146 DEFINITIONS, § 154.147 BILLBOARD SIGNS, AND § 154.148 FEES FOR BILLBOARD SIGNS; ADOPTING A DEFINITION FOR DIGITAL BILLBOARD, ESTABLISHING MINIMUM DISTANCE BETWEEN BILLBOARDS; ESTABLISHING MINIMUM DISTANCE FROM A PUBLIC PARK; ESTABLISHING MAXIMUM BILLBOARD HEIGHT; ESTABLISHING DEVELOPMENT STANDARDS; USE PERMIT APPLICATION CRITERIA; MAINTENANCE STANDARDS; AND RELATED FEES.

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

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(D) Billboard signs may be allowed as a conditional use in any commercial or industrial district in the town providing that the Town Council makes the determination that the billboard will not be detrimental to the value of the surrounding property and will be in harmony with the existing structures in the area.

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PASSED AND ADOPTED by the Mayor and Council of the Town of Guadalupe, Arizona, this 27TH day of April, 2023.

Valerie Molina, Mayor

ATTEST:

APPROVED AS TO FORM:

Jeff Kulaga, Town Manager / Clerk

David E. Ledyard, Esq.
FAITH, LEDYARD & FAITH, PLC
Town Attorney's