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ORDINANCE NO. P2-C-002-12

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PINAL COUNTY, ARIZONA, RELATING TO ZONING AND AMENDING THE PINAL COUNTY DEVELOPMENT SERVICES CODE, TITLE 2 (COUNTY ZONING ORDINANCE), CHAPTER 2.145 "SIGNS, BILLBOARDS, NAME PLATES AND OTHER OUTDOOR ADVERTISING"**

**WHEREAS**, the Board of Supervisors on February 10, 2010, approved the codification of all Development Services ordinances, and the codification as the Pinal County Development Services Code became effective on March 13, 2010;

**WHEREAS**, Ordinance No. 61862, as amended, is the Pinal County Zoning Ordinance as codified in Title 2 of the Pinal County Development Services Code; and

**WHEREAS**, it is in the best interest of the public to amend chapter 2.145 of the county zoning ordinance in the Pinal County Development Services Code to meet current needs.

**BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF PINAL COUNTY, ARIZONA:**

**SECTION 1.** PCDSC 2.145.020 "Definitions" is amended by adding new definitions, by renumbering the current figure 1 and references thereto as figure 3; by adding a new figure 1 (an example of an "A-frame"); by renumbering the current figure 2 and references thereto as figure 4, and by adding a new figure 2 (an example of a feather banner). The new definitions and new figures are as follows:

"A-frame" means any portable upright, rigid self supporting frame sign in the form of a triangle or the letter "A". (See Figure 1.)

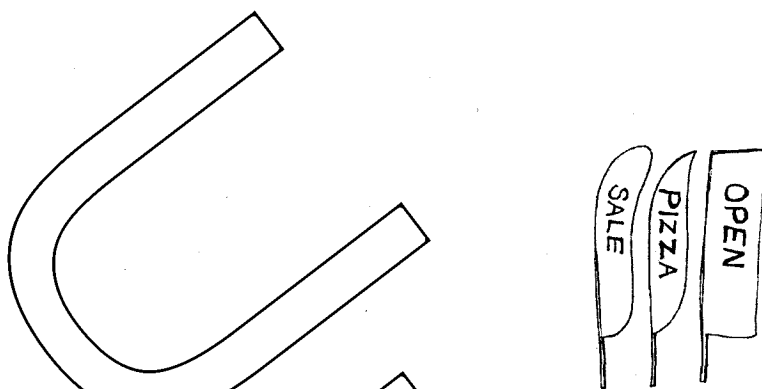


(Figure 1)

"Aggregate Sign Area" means the total area in square feet of all signage permitted for a given business.

"Banner" means a sign painted or printed on a strip of durable fabric cloth or plastic.

"Banner, feather" means a vertical portable sign that contains a harpoon-style pole or staff driven into the ground for support or supported by means of an individual stand. (See Figure 2).



(Figure 2)

"Pennant" means a geometric shaped flag made of flexible materials, suspended from one or two corners fastened to a string which is secured or tethered so as to allow movement and used as an attention getting form of media.

"Sign, inflated" means a sign held up by helium or blowing air.

"Sign, Monument" means a freestanding sign for a commercial, industrial or office site that displays the names of tenants on the site as well as the complex name. These signs are typically integrated into the landscaping for the complex.

**SECTION 2.** PCDSC 2.145.020 "Definitions" is amended by amending the term "Commercial and/or industrial center" to read "Complex; Commercial, Industrial or Office." The definition for this term reads as follows:

"Complex; Commercial, Industrial or Office" means a group of two or more businesses associated by a common agreement or common ownership with common parking facilities.

**SECTION 3.** PCDSC 2.145.020 "Definitions" is amended by renumbering figures 3 through 7 as figures 5 through 9

**SECTION 4.** PCDSC 2.145.020 "Definitions" is amended by deleting the definition for "Sign, Number of Faces On" and deleting the figure showing an example of said definition.

**SECTION 5.** PCDSC 2.145.020 "Definitions" is amended by deleting the figure showing an example for the definition "Sign, portable" and deleting the reference to said figure.

**SECTION 6.** PCDSC 2.145.030 "General Provisions" is amended by amending the section to read as follows:

Except as may be further restricted in designated zoning districts, all permitted signs shall be subject to the following:

A. Remains the same.

B. No sign (nor any portion of a sign) shall rotate, move, or simulate movement by means of fluttering, spinning, or reflection devices. (Not including Temporary Promotional Signs) nor shall it contain an electronic message device except for "time and temperature" signs, nor shall it flash, blink, be audible, or be animated by any means.

C – M. Remain the same.

N. Repealed by Ord. 012010-AEO.

O. Remains the same.

P. Signs which identify or advertise uses on other than the property on which they are located shall be permitted only in CB-2, C-2 and C-3 zoning districts and all industrial zoning districts. (See PCDSC 2.145.060, Off-premises signs.)

Q. Signs which are not permitted in a residential zoning district, but are permitted in the zoning district of the adjacent property shall be set back a minimum of 20 feet from the residential zone.

R. Remains the same.

S. Portable signs are permitted where indicated for zoning districts provided they are planted securely into the ground, weighted, or otherwise anchored to resist rolling, blowing, tipping over or otherwise moving from a safe location and further provided they are not attached to or sitting upon wheels or trailers.

T. A-Frame signs shall not exceed 4 feet in height and 6 square feet per face. A-Frame signs must be located within 15 feet of the building entrance of the business being advertised. One A-Frame sign is allowed per business and shall not be included in the aggregate sign area allowances.

**SECTION 7.** PCDSC 2.145.040 "Exempt signs" is amended by amending subsections "E" and "F" to read as follows:

E. Political Signs that meet the requirements in section 2.145.050.E

F. Flags, emblems, insignias and posters of any nation, state, international organization, political subdivision or other governmental agency; unlighted nonverbal religious symbols attached to a place of religious worship; and temporary displays (maximum of 30 days) of a patriotic, religious, charitable, or civic character shall be exempt from the provisions of this section; however, if the height exceeds the building height of the zoning district in which it is located, such signs shall be required to go through the Comprehensive Sign Package process prior to their erection. The preceding shall not be construed as to permit the use of such flags, insignias, etc., for the purpose of advertising or identifying a product or business.

**SECTION 8.** PCDSC 2.145.050 "Special purpose signs" is amended by amending the term "districts" to "zoning districts" and amending the term "zone" to "zoning district" in subsection A.1, by amending the term "zone" to "zoning district" in subsection A.1.h, and by amending the term "zone" to "zoning district" in subsection B.1

**SECTION 9.** PCDSC 2.145.050 "Special purpose signs" is amended by amending the heading of subsection "C" and amending subsection "C.1" as follows:

C. Temporary Promotional Signs.

1. Promotional Event Types:

- a. Grand Opening Signs are allowed for a permitted business at the business location during one of the following:
  1. An "arms length" change of ownership.
  2. Opening a new location.
  3. An expansion of floor area of at least 25 percent.
- b. Sale or Event Signs are signs designed to promote a sale or event or for some other short-term promotional purpose.

2. Allowed Signs:

- a. Banners, feather banners, pennants, inflatable structures
- b. A-Frame signs subject to PCDSC 2.145.030.T

3. Approvals Required: A temporary sign permit will be required.

4. Time Limitations:

a. Permits shall be for a maximum of 45 days

1. Grand Opening Signs shall be permitted no more than once in any 12-month period.

2. Sale or Event Signs shall be permitted no more than twice in any 12-month period.

5. Requirements for all Temporary Promotional Signs

a. Located on the property for which the temporary sign permit has been issued

b. Cannot be affixed to any utility pole, tree or similar object

c. Not permitted in parking aisles

d. All sign owners must maintain their signs in a professional manner as to appearance and structure.

6. Additional Banner requirements

a. Maximum size: 20 feet by 5 feet

b. One-sided

c. Securely attached to the building for which the temporary sign permit has been issued.

7. Additional Feather Banner Requirements

a. Maximum size: 10 feet in height measured from the base and a maximum of 30 square feet in area.

b. Separated from any other sign, driveway or intersection by at least 50 feet, excluding wall mounted and gasoline pricing signs.

c. Two feather banners are permitted per tenant up to 20,000 square feet of building area.

d. Four feather banners are permitted per tenant over 20,000 square feet of building area.

**SECTION 10.** PCDSC 2.145.050 "Special purpose signs" is amended by listing subsection C.2 as subsection D. "Temporary kiosk sign," and listing subsections a - l as subsections 1 - 12.

**SECTION 11.** PCDSC 2.145.050 "Special purpose signs" is amended by adding a new subsection E "Political Signs" to read as follows:

E. Political Signs

1. Political signs can be located on private property or in public rights-of-way that are owned or controlled by the county, if the following conditions are met.

a. The sign is erected no more than 90 days prior to a primary election and removed 15 days after the general election, except that for a sign for a candidate in a primary election who does not advance to the general election, the period ends 15 days after the primary election.

b. The sign has a maximum area of 16 square feet if the sign is located in an area zoned for residential use, or a maximum area of 32 square feet if the sign is located in any other area.

c. The sign supports or opposes a candidate for public office or it supports or opposes a ballot measure.

d. The sign is not placed in a location that is hazardous to public safety, obstructs clear vision in the area or interferes with the requirements of the American with disabilities act...

2. If the county deems the placement of a political sign constitutes an emergency, the county may immediately relocate the sign and notify the candidate or campaign committee that placed the sign within 24 hours after the relocation.

3. If a sign is placed in violation of subsection No. 1 above, and the placement is not deemed to constitute an emergency, the county may notify the candidate or campaign committee that placed the sign of the violation and provide 24 hours for its removal. If it is not removed 24

hours after the notification, the county may remove the sign and retain it for 10 business days to allow the candidate or campaign committee to retrieve the sign without penalty.

**SECTION 12.** PCDSC 2.145.060 "Off-premises signs" is amended to read as follows:

Off-premises signs (i.e., signs advertising a business, person, place, activity, goods, or products, on a different property from where the sign is located) may be permitted subject to the following conditions and restrictions:

- A. Off-premises signs other than directional signs described in PCDSC 2.145.040(B) (1) shall be permitted only in the CB-2, C-2, C-3 and all industrial zoning districts.
- B. No new, relocated, or reconstructed off-premises sign shall be permitted within 200 feet of a residential zoning district.
- C. Remains the same.
- D. Remains the same.
- E. In addition to the general provisions of PCDSC 2.145.030, all off-premises signs shall conform to the following development standards:
  1. Maximum height: 20 feet.
  2. Maximum area: 160 feet.
  3. Shall not be located closer to a street than any existing building within 100 feet thereof, but in no case closer to the street right-of-way than 20 feet.
  4. Lighting shall be either internal or by indirect source (shielded and either directed downward with reference to the horizontal plane of the ground surface in accordance with the Pinal County light ordinance).
- F. A city, town, or unincorporated community with a year-round population of 100 or more, the center of which is within 10 miles of an interstate highway, upon petition by at least 51 adult residents, and approval by the Arizona Department of Transportation, and upon compliance with the special use permit application process requirements (PCDSC 2.150.020) may apply for a special use permit for a "community off-premises sign."
  1. Such community off-premises sign shall be located in commercial and industrial zoning districts.
  2. Such community off-premises sign shall have a maximum area of 200 square feet.
  3. Such community off-premises sign shall contain only approved copy limited to the following:
    - a. Name of the community.
    - b. A phrase expressing a motto or slogan referring to the community as a whole.
    - c. The direction, route(s), and distance to the community.
    - d. A list of types of services and amenities available in or reasonably near the community.
    - e. The dates of the next community event or festival.
  4. Each community shall be limited to one such off-premises sign for each off-ramp at the interstate interchange closest to the center of the community by the most usable route between the interchange and the community.
  5. All community off-premises signs shall otherwise comply with all requirements and restrictions for off-premises signs.

G. Off-premises signs consisting of banners, pennants or other temporary means of advertising annual special community events, festivals, and similar public gatherings of a not-for-profit nature shall be permitted in office, commercial, activity center and industrial zoning districts. Such signs shall obtain temporary sign permits (on a no fee basis) prior to their erection. Permits for such signs shall be for a specific period, after which such signs shall be removed. Such signs shall otherwise comply with the general provisions, and the provisions of the zoning district in which they are to be placed, except that with proper authorization, such signs may be placed within or across the right-of-way of a public street or road. The number of such signs shall be limited to one per entrance to the community by a county or state arterial highway.

H. If any off-premises sign contains copy advertising a use, business or product no longer in existence or available; or is left blank or damaged so as to be largely illegible; or is maintained without copy or without "space available" advertising for a period exceeding 180 days (six months), such sign shall be deemed abandoned and such sign shall be removed within 30 days upon written notification. [Ord. 61862 § 2206].

**SECTION 13.** PCDSC 2.145.070 "Sign regulations specific to the rural or residential districts" is amending by amending the heading and the opening paragraph of the section to read as follows:

2.145.070 "Sign regulations specific to the rural or residential zoning districts"

No sign shall be placed or maintained in any Rural, Residential or Transitional zoning district (when used as residential) except as follows:

**SECTION 14.** PCDSC 2.145.080 "Sign regulations specific to light commercial" is amended by amending the heading and section to read as follows:

2.145.080 Sign regulations specific to Local Business, Neighborhood Commercial and Minor Office (CB-1, C-1 and O-1) zoning districts.

No sign shall be placed or maintained in any TR (when used as commercial) or CB-1, C-1 or O-1 zoning district except as follows:

A. Identification or Advertising. Signs identifying uses permitted in any TR or CB-1, C-1 or O-1 zoning district and not located in a commercial or industrial complex, are permitted subject to the following:

1 – 3. Remain the same.

4. Freestanding signs shall not exceed a height of 12 feet, except that freestanding signs at interstate freeway interchanges (see PCDSC 2.145.020, Definitions) in the CB-1, C-1 or O-1 zoning districts shall not exceed a height of 30 feet.

5. Remains the same.

6. A-Frame Signs, subject to the requirements set forth in PCDSC 2.145.030.

B. Remains the same.

**SECTION 15.** PCDSC 2.145.090 "Sign regulations specific to the medium commercial CB-2" is amended by amending the heading and section to read as follows:

2.145.090 Sign regulations specific to the General Business and General Office (CB-2, C-2, C-3 and O-2) zoning districts.

No sign shall be placed or maintained in any CB-2, C-2, C-3 or O-2 zoning district except as follows:

A. Identification or Advertising (On-Premises). Signs identifying uses permitted in any commercial and office zoning district and not located in an office, commercial or industrial complex, are permitted subject to the following:

1-4. Remain the same.

5. A-Frame Signs, subject to the requirements set forth in PCDSC 2.145.030

B-C. Remain the same.

**SECTION 16.** PCDSC 2.145.100 "Sign regulations specific to the industrial districts" is amended by amending the heading and the section to read as follows:

2.145.100 Sign regulations specific to the industrial zoning districts.

No sign shall be placed or maintained in any industrial zoning district except as follows:

A. Identification or Advertising Signs (On-Premises). Signs identifying or advertising uses permitted in any industrial zoning district not located in a commercial or industrial center are permitted subject to the following:

1-4. Remain the same.

5. A-Frame Signs, subject to the requirements, set forth in PCDSC 2.145.030

B-C. Remain the same.

**SECTION 17.** PCDSC 2.145.110 "Sign regulations, specific to the PAD districts and special use permits" is amended by amending the heading and the section to read as follows:

2.145.110 Sign regulations, specific to the PAD zoning districts and special use permits.

Permanent and temporary signs are permitted as stipulated in the PAD, or special use permit approval, or (if not stipulated) consistent with the regulations of the underlying zoning district. [Ord. 61862 § 2211].

**SECTION 18.** PCDSC 2.145.130 "Office complexes, commercial, and industrial centers in the CB-1, CB-2, CI-1, CI-2, CI-B, TR, SR, SH, PAD zoning districts" is amended by amending the heading and section to read as follows:

2.145.130 Sign regulations specific to Commercial, Industrial and Office complexes.

Signs pertaining to a group of two or more businesses associated by a common agreement or common ownership with common parking facilities are permitted subject to the following regulations:

A. Individual business signs shall be in accordance with the following:

1-4. Remain the same.

5. A-Frame Signs, subject to the requirements set forth in PCDSC 2.145.030

B. Monument Signs are permitted subject to the following:

1. One freestanding monument sign is permitted for any lot or parcel with a minimum of 300 feet of arterial or major collector street frontage; provided, that:

a. Such signs shall not be counted in the total aggregate sign area for individual business identification.

- b. The maximum sign area shall not exceed 60 square feet and the maximum height shall not exceed 15 feet.  
c. Individual tenant signs located on the monument sign shall be no less than 4 square feet in area.  
d. The sign face shall be located at least 4 feet from the back of sidewalk and a minimum 30' from a driveway or intersection.

2. One additional freestanding monument sign shall be permitted for each additional 200 feet of arterial or major collector street frontage. Where such additional sign is permitted, it shall be at least 100 feet from any other monument sign. No more than one monument sign per driveway entrance is permitted. Gasoline pricing signs are exempt from the minimum separation between signs.

C. Directory signs may be provided for direction (with location numbers and/or arrows) to individual businesses in an office complex or commercial/industrial center in accordance with the following:

1-5. Remain the same.

**SECTION 19.** PCDSC 2.145.140 "Sign permits" is amended by amending subsection G.1 to read as follows:

Temporary sign permits shall be issued for no more than twice a year in 45 day increments. An extension of a temporary sign permit shall be made the subject of application for a special use permit (PCDSC 2.150.020).

**SECTION 20.** PCDSC 2.145.150 "Flexibility provisions" is amended by amending "district" to "zoning district," in subsection "B."

**SECTION 21.** This ordinance shall take effect 31 days from and after the date of its adoption.

PASSED AND ADOPTED by the Board of Supervisors, Pinal County, Arizona, this 5<sup>th</sup> day of September, 2012.



David Snider  
David Snider, Chairman of the Board

ATTEST:

By: Shari Cleary  
Clerk of the Board

APPROVED AS TO FORM:

JAMES P. WALSH, PINAL COUNTY ATTORNEY

By: Patricia A. Briel  
Deputy County Attorney