

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE OF THE COMMON COUNCIL OF THE TOWN OF GILBERT, ARIZONA, RELATING TO SIGN REGULATIONS; REPEALING CHAPTER I: ZONING REGULATIONS, DIVISION 4 GENERAL REGULATIONS, ARTICLE 4.4: SIGN REGULATION OF THE LAND DEVELOPMENT CODE OF GILBERT, ARIZONA (“LDC”); ADOPTING THE “GILBERT SIGN CODE” BY REFERENCE; AMENDING THE LDC, CHAPTER I: ZONING REGULATIONS, DIVISION 4 GENERAL REGULATIONS, BY AMENDING ARTICLE 4.5: SUPPLEMENTAL USE REGULATIONS, SECTION 4.5013 TEMPORARY STRUCTURES, BY AMENDING ARTICLE 4.6: NON-CONFORMING USES, LOTS, PARCELS, STRUCTURES AND SIGNS, SECTION 4.603, GENERAL PROVISIONS; AMENDING CHAPTER I: ZONING REGULATIONS, DIVISION 5 ADMINISTRATION, OF THE LDC BY AMENDING ARTICLE 5.12: ENFORCEMENT, SECTION 5.1203 VIOLATION: NOTICE AND OPPORTUNITY TO CORRECT, BY AMENDING ARTICLE 5.2: COMMON PROCEDURES, SECTION 5.204 NEIGHBORHOOD MEETING, AND BY AMENDING ARTICLE 5.2 COMMON PROCEDURES, SECTION 5.205 NOTICE OF PUBLIC HEARINGS; AND PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AND PENALTIES.

WHEREAS, the Town of Gilbert has determined that amendments to the Land Development Code relating to sign regulations are necessary to ensure, among other things, that the Town’s sign standards are consistent with the U.S. Supreme Court's decision in *Reed v. Town of Gilbert*, 135 S. Ct. 2218 (2015);

WHEREAS, on August 3, 2016, the Town of Gilbert Planning Commission conducted a citizen review session and initiated proposed amendments to the Land Development Code relating to sign regulations (Z16-11);

WHEREAS, in an effort to be responsive to business and community needs, staff conducted several public sessions to answer questions and solicit comments from key stakeholders and community members regarding the proposed amendments for Z16-11;

WHEREAS, on May 3, 2017, the Town of Gilbert Planning Commission held a public hearing regarding the proposed amendments and recommended that the Town Council adopt said amendments for Z16-11;

WHEREAS, on May 17, 2017, the Redevelopment Commission considered a motion to recommend that the Town Council adopt said amendments for Z16-11;

WHEREAS, state law allows municipalities to declare documents a public record for the purpose of incorporation into municipal ordinances;

WHEREAS, the Town of Gilbert wishes to incorporate by reference amendments to the Land Development Code, Ordinance No. Z16-11, by first declaring said amendments to be a public record; and,

WHEREAS, the Town has complied with the statutory notice and meeting requirements.

NOW THEREFORE, BE IT ORDAINED by the Common Council of the Town of Gilbert, Arizona, as follows:

**Section I.** That the Land Development Code, CHAPTER I: ZONING REGULATIONS, DIVISION 4 General Regulations, ARTICLE 4.4 SIGN REGULATION is hereby repealed in its entirety.

**Section II.** That the document titled “REVISED SIGN CODE”, three copies of which are on file in the office of the Town Clerk of the Town of Gilbert, Arizona and previously declared by Resolution No. \_\_\_\_ to be a public record, is referred to, adopted, and made a part hereof as if fully set out in this ordinance, for the purpose of replacing and superseding Land Development Code, CHAPTER I: ZONING REGULATIONS, DIVISION 4 General Regulations, ARTICLE 4.4: Sign Regulation, and for the purpose of revising Land Development Code, Glossary of General Terms and APPENDIX 1, Graphics.

**Section III.** That the Land Development Code, CHAPTER I: ZONING REGULATIONS, DIVISION 4 General Regulations, ARTICLE 4.5 Supplemental Use Regulations, Section 4.5013 Temporary Structures, is hereby amended to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

**4.5013 Temporary Structures**

A. Construction Trailers. Construction trailers are permitted only on a lot or parcel during construction undertaken pursuant to a valid building permit. Construction trailers may be occupied for office or security purposes, or may be used for storage of equipment and material used in construction on the site. Temporary construction trailers shall be located and developed in compliance with the following standards:

\* \* \*

3. Signage. In accordance with Section ~~4.402R-1~~ 4.404 PROHIBITED SIGNS, the parking of a vehicle, trailer or other device marked or unmarked which is parked or driven in such a manner that it is used principally as a portable sign is prohibited.

\* \* \*

**Section IV.** That the Land Development Code, CHAPTER I ZONING REGULATIONS, DIVISION 4 GENERAL REGULATIONS, ARTICLE 4.6 NON-CONFORMING USES, LOTS, PARCELS, STRUCTURES AND SIGNS, SECTION 4.603, GENERAL PROVISIONS, is hereby amended to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

**4.603 General Provisions**

\* \* \*

F. ***Non-Conforming Signs.*** Non-conforming signs shall be governed by Section 4.41802S: Non-Conforming Signs.

\* \* \*

**Section V.** That the Land Development Code, CHAPTER I ZONING REGULATIONS, DIVISION 5 ADMINISTRATION, ARTICLE 5.12 ENFORCEMENT, SECTION 5.1203 VIOLATION: NOTICE AND OPPORTUNITY TO CORRECT, is hereby amended to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

**5.1203 Violation; Notice and Opportunity to Correct**

\* \* \*

B. ***Time Period.*** The time period provided to correct violations of a zoning ordinance, the Zoning Code, a use permit, variance, or Design Review approval other than landscape and signs shall be a minimum of 10 days. The time period provided to correct violations of landscape and sign regulations are set forth in:

\* \* \*

2. Section 4.419041: Notice of Violation sets forth the time period provided to correct violations of Article 4.4: Sign Regulations. A citation is considered an appropriate notice in the case of violations of Article 4.4: Sign Regulations, for signs installed without required permits.

\* \* \*

**Section VI.** That the Land Development Code, CHAPTER I ZONING REGULATIONS, DIVISION 5 ADMINISTRATION, ARTICLE 5.2 COMMON PROCEDURES, SECTION 5.204 NEIGHBORHOOD MEETING, is hereby amended to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

**5.204 Neighborhood Meeting**

\* \* \*

C. **Neighborhood Meeting Notification.** At least 10 days prior to the neighborhood meeting, notification shall be provided as follows:

\* \* \*

- 7. Applicant shall install a sign on the property in a location or locations clearly visible to adjacent residents setting forth the purpose, time, date, and place of the neighborhood meeting, ~~with an attached information tube containing copies of the meeting notice.~~ Size, color, content, and location of the sign shall be designated by Town Council resolution for posting of public hearing and neighborhood meeting notices.

\* \* \*

**Section VII.** That the Land Development Code, CHAPTER I ZONING REGULATIONS, DIVISION 5 ADMINISTRATION, ARTICLE 5.2 COMMON PROCEDURES, 5.205 NOTICE OF PUBLIC HEARINGS, is hereby amended to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

**5.205 Notice of Public Hearings**

\* \* \*

C. **Property Posting.** For applications for annexation, General and Specific Plan map amendments, amendments to a zoning ordinance or the Official Zoning Map, conditional and special use permits, preliminary subdivision plats, preliminary and final design review, zoning variances, and appeals heard by the Board of Adjustment, the applicant shall post the Notice of Public Hearing on the subject property. Applications for amendments to the text of the Zoning Code shall not require property posting. The notice shall be subject to the following requirements:

\* \* \*

- 3. Size, color, content, and location of public hearing sign shall be designated by Town Council resolution for posting of public hearing notices. ~~The posted notice shall be printed so that the following are visible from a distance of 100 feet: the word “zoning”; the existing zoning district classification; the proposed zoning district classification; and the date, time, and place of the hearing.~~

\* \* \*

**Section VIII. Providing for Repeal of Conflicting Ordinances.**

All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Land Development Code adopted herein by reference are hereby repealed.

**Section IX. Providing for Severability.**

If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of the Land Development Code adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

**Section X. Providing for Penalties**

Any person found responsible for violating the provisions set forth in this ordinance shall be subject to the civil sanctions and habitual offender provisions set forth in Sections 5.1205 and 5.1206 of the Land Development Code. Each day a violation continues, or the failure to perform any act or duty required by this zoning ordinance, the Land Development Code or by the Town of Gilbert Municipal Court continues, shall constitute a separate civil offense.

**Section XI. Adoption by Reference**

That certain document titled “Gilbert Sign Code” attached as Exhibit A, three copies of which are on file in the office of the Town Clerk, is hereby declared to be a public record. Said copies are ordered to remain on file with the Town Clerk for public use and inspection.

PASSED AND ADOPTED by the Common Council of the Town of Gilbert, Arizona, this \_\_\_\_ day of \_\_\_\_\_, 2017, by the following vote:

AYES: \_\_\_\_\_

NAYES: \_\_\_\_\_ ABSENT: \_\_\_\_\_

EXCUSED: \_\_\_\_\_ ABSTAINED: \_\_\_\_\_

APPROVED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Jenn Daniels, Mayor

ATTEST:

---

Lisa Maxwell, Town Clerk

APPROVED AS TO FORM:

---

L. Michael Hamblin, Town Attorney

I, LISA MAXWELL, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. \_\_\_\_\_ ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF GILBERT ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_, WAS POSTED IN FOUR PLACES ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

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Lisa Maxwell, Town Clerk



# **GILBERT SIGN CODE**

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#### **4.401. Purposes and Intent**

It is the purpose of this Article 4.4 to promote the public health, safety and general welfare through reasonable, consistent and non-discriminatory sign standards. The sign regulations in this Article are not intended to censor speech or to regulate viewpoints, but instead are intended to regulate the adverse secondary effects of signs. The sign regulations are especially intended to address the secondary effects that may adversely impact aesthetics and traffic and pedestrian safety. The sign regulations are designed to serve substantial governmental interests and, in some cases, compelling governmental interests such as traffic safety and warning signs of threats to bodily injury or death. This Article is not intended to extend its regulatory regime to objects that are not traditionally considered signs for purpose of government regulation.

In order to preserve and promote the Town of Gilbert as a desirable community in which to live, visit, work, play and do business, a pleasing, visually attractive and safe environment is of foremost importance. The regulation of signs within the Town is a highly contributive means by which to achieve this desired end. Further it continues to be the purpose of this Article 4.4 to promote optimum conditions for serving sign owners' needs and respecting their rights to identification while balancing the aesthetic and safety interests of the community. The regulation of signs within the Town of Gilbert is necessary and in the public interest, and these regulations have been prepared with the intent of enhancing the visual environment of the Town and promoting its continued well-being, and are intended more specifically to:

A. Aesthetics. To maintain and enhance the beauty, unique character, aesthetic environment, and quality of the Town of Gilbert, that will attract commerce, businesses, economic development, residents and visitors; to preserve, conserve, protect, and enhance the aesthetic quality and scenic beauty of all zoning districts of the Town; to regulate the appearance and design of signs in a manner that promotes and enhances the beautification of the Town and that complements the natural surroundings in recognition of the Town's reliance on its natural surroundings and beautification efforts in retaining economic advantage for its community; and to assure that the benefits derived from the expenditure of public funds for the improvement and beautification of streets, sidewalks, public parks, public rights-of-way, and other public places and spaces, are protected by exercising reasonable controls over the physical characteristics and structural design of signs.

B. Traffic and Pedestrian Safety. To maintain and improve traffic and pedestrian safety through properly located signs; to regulate signs in a manner so as to not interfere with, obstruct the vision of, or distract motorists, bicyclists or pedestrians; to allow for traffic control devices consistent with national standards and whose purpose is to promote roadway safety and efficiency by providing for the orderly movement of road users on streets and roadways, and that notify users of regulations and provide warning and guidance necessary for the safe, uniform and efficient operation of all elements of the traffic stream;

C. Economic Development. To promote economic development and the value of non-residential properties, through sensitivity to surrounding land uses and maintaining an attractive community appearance.

- D. **Effective Communication.** To encourage signs which are clear and legible; to encourage the effective use of signs as a means of communication;
- E. **Historical Character.** To emphasize small town historical character by promoting pedestrian oriented and appropriately scaled signage in the Heritage Village Center Zoning District;
- F. **Identification of Goods and Services.** To aid the public and private sectors in identifying the location of goods and services.
- G. **Compatibility with Surroundings.** To allow signs that are compatible with their surroundings and aid orientation, while precluding the placement of signs that contribute to sign clutter or that conceal or obstruct adjacent land uses or signs; to preclude signs from conflicting with the principal permitted use of the site and adjoining sites; and to minimize the possible adverse effect of signs on nearby public and private property;
- H. **Reduction of Visual Clutter.** To reduce visual clutter that may otherwise be caused by the proliferation, improper placement, illumination, animation, excessive height, and excessive size (area) of signs which compete for the attention of pedestrian and vehicular traffic;
- I. **Zoning District Considerations.** To encourage and allow signs that are appropriate to the zoning district in which they are located;
- J. **Scale, Integration and Design.** To establish sign size in relationship to the scale of the lot and building on which the sign is to be placed or to which it pertains; to foster the integration of signage with architectural and landscape designs; to provide flexibility and encourage variety in signage, and to relate signage to the basic principles of good design; and to promote the use of signs that positively contribute to the aesthetics of the community, are appropriate in scale to the surrounding buildings and landscape, and advance the Town's goals of quality development;
- K. **Maintenance and Safety.** Except to the extent expressly preempted by state or federal law, to ensure that signs are constructed, installed and maintained in a safe and satisfactory manner, and to protect the public from unsafe signs;
- L. **Property Values.** To protect property values by precluding, to the maximum extent possible, sign types that create a nuisance to the occupancy or use of other properties as a result of their physical characteristics such as their size (area), height, number, illumination and movement; and to protect property values by ensuring that the number of signs are in harmony with buildings, neighborhoods, and conforming signs in the area;
- M. **Enforcement.** To enable the fair and consistent enforcement of these sign regulations; and to provide standards regarding the non-communicative aspects of signs, which are consistent with local, county, state and federal law.

**4.402. Title and Authority.**

A. This Article may be known as the Regulatory Sign Ordinance of the Town of Gilbert, Arizona.

B. This Article is adopted pursuant to the police power of the Town and State law (A.R.S. § 9-462.01.A.2), and the Development Services Director, or his designee is authorized and directed to administer and enforce this chapter.

**4.403. Exempt Signs.**

The following signs are exempt from regulation under this Article 4.4:

- A. Government Signs, including signs erected by the Town for government purposes.
- B. Signs located entirely inside the premises of a building or enclosed space, other than Window Signs.
- C. Signs on a vehicle, other than an Unlawful Vehicle Sign.
- D. Signs protected by state statute.
- E. Traffic Control Device Signs.

**4.404. Prohibited Signs.**

The following signs are prohibited in the Town of Gilbert unless protected by state statute or otherwise allowed in this Article 4.4.

- A. Abandoned Signs.
- B. Animated Signs.
- C. Balloon Signs.
- D. Billboards.
- E. Blinking Signs.
- F. Flashing Signs.

- G. Inflatable Signs.
- H. Intermittent Signs.
- I. Moving Signs.
- J. Offsite Commercial Signs.
- K. Pole Signs.
- L. Reflective Signs.
- M. Rotating Signs.
- N. Scrolling Signs.
- O. Signs attached or painted on trees, rocks or natural features.
- P. Signs in the right-of-way.
- Q. Signs installed, attached or painted on fences.
- R. Signs or sign support structures that obstruct means of egress, including any fire escape, any window, any door opening, any stairway, any opening, any exit, any walkway, any utility access or Fire Department connection.
- S. Signs that interfere with any opening required for ventilation.
- T. Signs resembling Traffic Control Device Signs.
- U. Signs with exposed raceways.
- V. Snipe or Bandit Signs.
- W. Unlawful Vehicle Signs.

**4.405. Sign Plans and Sign Program.**

**A. Heritage Sign Plans.** A Heritage Sign Plan shall be required for single or multiple-tenant commercial or office uses; or for a multiple-building complex for a single commercial use proposed for the Heritage Village Center Zoning District. The Redevelopment Commission may approve a Heritage Sign Plan as an alternative to the requirements set forth Section 4.409.B for the Heritage Village Center Zoning District. A Heritage Sign Plan may be administratively approved if requested by the applicant when the proposed plan complies with all of the requirements set

forth in Article 4.4 Sign Regulations. In no event shall consideration for approval be based upon the message content of a sign.

1. Conditions. The Planning Manager may attach conditions, requirements, or standards necessary to assure that the sign structure covered by the Heritage Sign Plan will not be materially detrimental to persons or property.
2. Evaluation Criteria. Heritage Sign Plans shall be evaluated based on the following criteria:
  - a. Placement. All sign structures shall be placed where they are visible and legible. Factors to be considered include the location relative to pedestrian movement, traffic movement and access points, site features, other structures, and orientation relative to viewing distances and viewing angles.
  - b. Size. All signs shall be no larger than necessary for visibility and legibility. Factors to be considered in determining appropriate size include topography, volume and speed of traffic, viewing distances and angles, proximity to adjacent uses, and placement of display. In the event that the total business sign area otherwise allowed in this Article 4.4 does not provide sufficient area for visibility and legibility for a sign, then the maximum size of sign area may be increased but only as necessary to allow for visibility and legibility; however in no event shall the foregoing allow a total business sign area to exceed by more than twenty-five (25) percent any maximum area standard otherwise allowed in this Article 4.4.
  - c. Design Features and Materials. Design features and materials shall be compatible with the architecture, colors, and materials of the structures.
  - d. Amendments. The Planning Manager may administratively approve minor amendments to a Heritage Sign Plan, where such changes are determined to have little or no visual impact and are consistent with the intent of the original approval. In approving a minor amendment, the Planning Manager shall not base any determination on the message content of a sign.

**B. Comprehensive Sign Programs.** A Comprehensive Sign Program shall be required for all projects not located within the Heritage Village Center Zoning District and consisting of multi-tenant buildings, nonresidential complexes with multiple buildings, or large-scale mixed-use developments.

A Comprehensive Sign Program provides design compatibility for all signs and integrates sign design with the architecture of the buildings.

The Comprehensive Sign Program shall set forth design standards including, but not limited to sign types, placement, size, design, colors, materials, textures, and method of illumination, as well as provides for vehicle and pedestrian safety through directions and way finding orientation.

If a sign subject to the Comprehensive Sign Program complies with all of the requirements of this Article 4.4, it may be approved administratively by the Planning Manager, as set forth in Section 5.602B.1 Administrative Design Review. In determining approval, the Planning Manager shall not base any approval on the message content of a sign.

**C. Master Sign Plans.** A Master Sign Plan may be approved as an alternative to the requirements set forth in Section 4.409.B for the uses and developments listed below:

1. **Applicability.** The Design Review Board may approve a Master Sign Plan for properties not located within the Heritage Village Center Zoning District for the following uses and developments:

- a. Multiple-tenant commercial, office, or employment uses.
- b. A multiple-building complex for a single commercial or employment use in a project exceeding 40 net acres.
- c. Stand-alone office/employment buildings exceeding 100,000 square feet.
- d. Indoor or Outdoor Entertainment and Recreation uses.
- e. Auto malls.
- f. Hospitals.
- g. Hotels and Commercial Lodging having at least 150 guest rooms and a Full Service Restaurant or conference and meeting rooms.
- h. Regional retail shopping malls.

2. **Conditions.** The Design Review Board may attach conditions, requirements, or standards necessary to assure that the signs covered by the Master Sign Plan will not be materially detrimental to persons or property in the vicinity. In making its determination, the Design Review Board shall not base any condition on the message content of a sign.

3. **Evaluation Criteria.** Master Sign Plans shall be evaluated based on the following criteria:

- a. **Placement.** All signs shall be placed where they are visible and legible. Factors to be considered include its location relative to traffic movement and access points, site features, other structures, and orientation relative to viewing distances and viewing angles. Wall Signs may be approved on building walls other than the wall of the space occupied by the tenant in commercial centers in which some tenants have little or no visibility from the street.



b. Quantity. The number of signs that may be approved within any development shall be sufficient to provide necessary facilitation of internal circulation of vehicular and pedestrian traffic and way finding for safety of the occupants of vehicles and pedestrians. Factors to be considered shall be those that impact safety considerations such as the size of the development and the number of development sub-areas

c. Size. All signs shall be no larger than necessary for visibility and legibility. Factors to be considered in determining appropriate size include topography, volume and speed of traffic, viewing distances and angles, proximity to adjacent uses, and placement of display. In no event shall a Master Sign Plan contain a freestanding sign that exceeds by more than fifty (50) percent any maximum height standard permitted by this Article. Consistent with the exemptions set forth in this Article, there shall be no limit on the amount by which a Master Sign Plan may allow a freestanding sign to exceed the height restrictions permitted on the site when the freestanding sign is placed or oriented so as to be visible only internally to the development. In no event shall a Master Sign Plan contain a wall sign that exceeds by more than twenty-five (25) percent any maximum size (area) standard permitted by this Article. Consistent with the exemptions set forth in this Article, there shall be no limit on the amount by which a Master Sign Plan may allow a wall sign to exceed the size (area) restrictions permitted on the site when the wall sign is placed or oriented so as to be visible only internally to the development itself.

d. Design Features and Materials. Sign design themes and materials shall be compatible with the architecture, colors, and materials of the project.

e. Development Standards. The Design Review Board may not reduce any sign development standard to less than 50 percent of any minimum standard, nor increase any sign development standard by more than one hundred (100) percent of the maximum standard. Notwithstanding the foregoing, the Design Review Board shall not base any decision on the message content of a sign.

f. Amendments. The Planning Manager may administratively approve minor amendments to a Master Sign Plan involving non-communicative activity, where such changes are determined to have little or no visual impact and are consistent with the intent of the original approval.

#### **4.406 Review of Sign Applications for Permanent Signs**

All permanent signs except those subject to administrative approval by the Planning Manager as set forth in Section 5.602B.1 Administrative Design Review shall be considered by the Design Review Board or, in the Heritage District Overlay Zoning District, the Redevelopment Commission, prior to application for a sign permit. Sign approval may be by:

- A. A Comprehensive Sign Program; or
- B. A Master Sign Plan; or
- C. A Heritage Sign Plan; or
- D. A separate Administrative Design Review application approved by the Planning Manager.

#### **4.407. General Provisions for Signs.**

The following general provisions for signs shall apply to this Article and to all lawful conforming and nonconforming signs, unless otherwise indicated in this article.

##### **A. Viewpoint Neutrality.**

1. Notwithstanding anything in this Article to the contrary, no sign or sign structure shall be subject to any limitation based upon the viewpoint of the message contained on such sign or displayed on such sign structure.
2. Notwithstanding anything in this Article to the contrary, it is the policy of the Town to regulate signs in a manner that does not favor commercial speech over noncommercial speech and does not regulate protected noncommercial speech by message content.
3. Within this Article, any distinction between onsite signs and offsite signs applies only to commercial messages. It does not apply to noncommercial messages.

**B. Substitution of Noncommercial Speech for Commercial Speech.** Notwithstanding anything contained in this Article to the contrary, any sign erected pursuant to the provisions of this Article may, at the option of the owner, contain a noncommercial message in lieu of a commercial message and the noncommercial copy may be substituted in whole or in part at any time in place of the commercial copy. The noncommercial message (copy) may occupy the entire sign face or any portion thereof. The sign face may be changed from a commercial message to a noncommercial message or from one noncommercial message to another non-commercial message; provided, however, that there is no change in the size, height, setback or spacing criteria contained in this Article.

**C. Administrative Interpretation and Discretionary Approval.**

1. Interpretations of this chapter may be made by the zoning administrator pursuant to Section 1.109. All interpretations of this chapter are to be exercised in light of the policies, purposes and intent set forth herein.

2. Whenever a sign permit or other approval is subject to discretion, such discretion shall not be exercised as to message content, but instead shall be directed to structural and location factors, including, as applicable:

- a. Whether the location and placement of the sign will endanger motorists;
- b. Whether the sign will cover, blanket or interfere with any prominent view of a structure or façade of historical or architectural significance;
- c. Whether the sign will obstruct views of users or adjacent buildings to side yards, front yards or open space;
- d. Whether the sign will negatively impact the visual quality of a public open space, such as a public recreation facility, square, plaza, park, courtyard and the like.
- e. Whether the sign is compatible with building heights of the existing neighborhood;
- f. Whether the sign imposes a foreign or inharmonious element to an existing skyline;
- g. Whether the sign's lighting or illumination system will cause hazardous or unsafe driving conditions for motorists;
- h. Whether the sign will tend to diminish the overall visual appearance of the surrounding area.

**D. Consent of Legal Owner of Property.** Except as required by state law, no sign may be displayed without the consent of the legal owner of the property on which the sign is mounted or displayed. For purposes of this policy, "owner" means the holder of the legal title to the property and any party and person holding a present legal right to possession, control, or use of the property.

**E. Signs on Public Property.** Except as required by state law or otherwise permitted by this Article, any sign installed or placed on public property shall be deemed illegal and shall be forfeited to the public and subject to confiscation. In addition to other remedies hereunder, the

Town shall have the right to recover from the owner or person placing such sign the cost of removal and disposal of such sign.

**F. Placement of Signs.**

1. Permanent signs shall not project into or over the public right-of-way without first obtaining a license or encroachment permit from the Town.
2. The lowest portion of any sign which extends over an area intended for pedestrian use shall not be less than eight (8) feet above finished grade.
3. The lowest portion of any sign which extends over an area intended for vehicular use shall not be less than fourteen (14) feet above the finished grade.
4. Any sign placed on a sidewalk or other public right of way must comply with this Article and applicable provisions of the Americans with Disability Act.
5. Except for appropriately-placed Traffic Control Device Signs, no sign shall be placed in the sight visibility triangle.

**G. Flagpoles.** Unless otherwise required by state law, for each parcel and development site in residential use with at least one principal structure, one flagpole may be installed and there shall be no limit to the number of flags that may be displayed per flagpole. For each parcel and development site that is over one-half (1/2) acre in size and is in nonresidential use, up to three flagpoles may be installed and up to two (2) flags may be displayed per flagpole. Flagpoles shall be depicted on Final Design Review plans or approved administratively as part of a sign plan. Flagpoles shall not exceed one and one-half (1.5) times the allowed building height for the district in which it is located, but in no event shall a flagpole exceed a height of fifty (50) feet. A building permit shall be required for flagpoles on nonresidential properties, and for flagpoles exceeding a height of thirty (30) feet on residential properties.

**H. Flag Brackets and Stanchions.** For each principal structure on a parcel, up to two flag brackets or stanchions may be attached or placed for the display of flags.

**I. Measurement of Sign Size and Height.**

1. Sign Size (Sign Area).

The area of a sign is measured or calculated as follows (See Appendix 1, Figures 28, for graphic illustrations):

- a. Background panel signs. Sign copy that is mounted, affixed, or painted on a background panel or area distinctively painted, textured or constructed as a background for the sign copy, is measured as that area contained within the

sum of the smallest rectangles, squares, triangles, parallelograms, circles or ellipses that will enclose both the sign copy and the background.

- b. Background surface signs. The area of a sign consisting of copy mounted as individual letters or graphics against a wall, fascia, or parapet of a building surface or another surface, that has not been painted, textured, or otherwise altered to provide a distinctive background for the sign copy, is measured as the sum of the smallest rectangles, squares, triangles, parallelograms, circles or ellipses that will enclose each word, graphic or discrete visual element in the total sign.
- c. Illuminated background signs. The area of a sign with copy mounted, affixed, or painted on an illuminated surface or illuminated element or a building or structure, is measured as the entire illuminated surface or illuminated element which contains sign copy.
- d. Double-faced signs. If a sign has two (2) display faces, and the interior angle between the two (2) faces is thirty (30) degrees or less, then the sign area is one (1) sign face only; however, if the two (2) faces are of different sizes or shapes, then the larger is used. If the sign has two (2) display faces, and the interior angle between the two faces is greater than thirty (30) degrees, then the sign area is the sum of the areas of the two (2) faces.
- e. Multi-faced signs. If a sign has three (3) or more faces, then the sign area is equal to fifty (50) percent of the aggregate area of all sign faces. The area of each face shall be determined according to subsection (a) or (b) of this section, as applicable.
- f. Sculptural and nonplanar signs. The area of a spherical, free form, sculptural or other nonplanar sign is fifty (50) percent of the sum of the areas, using only the four (4) vertical sides of the smallest four-sided polyhedron which will completely enclose the entire sign structure.

## 2. Measurement of Sign Height.

The height of a freestanding sign shall be measured as the vertical distance from the average finished grade of the ground below the sign excluding any filling, berming, mounding or excavating solely for the purposes of increasing the height of the sign, to the top edge of the highest portion of the sign. See Appendix 1, Figures 29, for graphic illustrations. The maximum height allowed for a freestanding sign, however, shall not include any architectural embellishment provided the embellishment does not exceed thirty-six (36) inches at the base of the sign and eighteen (18) inches at the top of the sign.

For the purposes of this section, average finished grade shall be considered the lower of (a) the lowest elevation where the base of the sign meets ground level; or (b) the top of the

curb of the nearest public street adjoining the property upon which the sign is erected; or  
(c) the grade of the land at the principal entrance to the lot on which the sign is located.

**J. Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage.** Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage.

**K. Signs Declared a Nuisance and Repair; Signs Presenting Immediate Peril to Public Health or Safety.** The building official may order the repair of signs declared a nuisance, and with or without notice may cause any structurally unsafe or structurally insecure sign to be immediately removed if the sign presents an immediate peril to the public health or safety.

**L. Tenant Sign Panel and Wall Sign Band Replacement.** Replacement of a tenant sign panel containing the same color, size, design, and style as the original on an approved sign structure with removable panels shall not require a permit. Any tenant panel that is vacant or missing shall be replaced within thirty (30) days.

**M. Wall Sign Fascia Repair.** Where a tenant has vacated a tenant or user suite, the fascia of the accessory wall sign band shall be repaired to its surrounding texture and color within forty-five (45) days of the panel or sign being removed.

**N. Signs Shall Not Be Attached to Certain Property and Shall Not Impair Roof Access.** Signs shall not be attached to standpipes, gutters, drains or fire escapes. Signs shall not be installed so as to impair access to a roof.

**O. Bus Shelter Signage.** Notwithstanding the provisions of Section 4.404, signs in conjunction with bus shelter facilities approved by the Town or other governmental agencies shall be permitted. Development standards, including but not limited to sign face area, height, location, etc., shall be determined in accordance with bus shelter design requirements established by the Town Engineer.

#### **4.408. Temporary Signs.**

Other than as provided below and in subsections 4.408.B through 4.408.H, temporary signs shall meet the criteria set forth in Section 4.408.A Temporary Signs: General Criteria and Limitations by Zoning District. A temporary sign may be displayed as a ground sign or a wall sign, inclusive of a Window Sign.

**A. General Criteria for Temporary Signs.** A temporary sign is unlawful if it does not meet the criteria established for the zoning district in which the temporary sign is located, as set forth and described below in Table 4.408.A, Temporary Signs: General Criteria and Limitations by

Zoning District. However, except as otherwise provided below, the general criteria and limitations in this Section 4.408.A do not apply to A-Frame and T-Frame Signs, Banner Signs, Flying Banner Signs, Flags and Umbrella Signs.

<b>TABLE 4.408.A Temporary Signs: General Criteria and Limitations by Zoning District</b>			
<b>ZONING DISTRICTS</b>	<b>Residential Zoning Districts</b>	<b>Non-Residential (Other than Heritage Village Center) Zoning Districts</b>	<b>Heritage Village Center Zoning District</b>
Maximum Number of Signs Per Parcel	4 <sup>1</sup>	4	4
Maximum Sign Area	6 sq. ft.	32 sq. ft.	16 sq. ft.
Sign Height Maximum for a Freestanding Sign <sup>2</sup>	4 ft.	6 ft.	4 ft.
Sign Height Maximum for a Wall Sign (inclusive of a Window Sign <sup>3</sup> )	6 ft.	15 ft.	15 ft.
Minimum Setback/ Distance from Right of Way <sup>4</sup>	10 ft.	10 ft.	10 ft.
Minimum Spacing from any Other Sign (Temporary Sign or a Permanent Sign <sup>2</sup> )	15 ft.	15 ft.	15 ft.
Aggregate Maximum Sign Area <sup>5</sup>	48 sq. ft.	128 sq. ft.	64 sq. ft.
Permit Required	No	No	No
Incorporation of Florescent Color or Exhibition of Florescence Allowed	No	No	No
Permission of Owner Required	Yes	Yes	Yes
Allowed within a Sight Visibility Triangle	No	No	No

<sup>1</sup> In single-family residential zoning districts, each single family residential use with at least one principal structure may place up to 6 temporary off-site signs on private property for the purpose of directing the public to a residential activity (e.g. real estate open house, garage/yard sale, estate sale). Said signs shall be displayed only during the hours that the single family residence is open for public inspection and shall not exceed 6 sq. ft. in area per sign.

<sup>2</sup> Not applicable to signs displayed on flagpoles. Flags are separately addressed herein.

<sup>3</sup> Window Signs shall not cover more than 25% of the first floor window area. See Appendix 1, Figures 18, for graphic illustrations.

<sup>4</sup> Minimum sign setbacks are measured from the edge of the property line. Setbacks do not apply to wall signs or signs affixed to a temporary construction fence.

<sup>5</sup> There is no limit to the number of separate messages that may appear on the allowable surface(s) of any temporary sign.

<b>TABLE 4.408.A Temporary Signs: General Criteria and Limitations by Zoning District</b>			
<b>ZONING DISTRICTS</b>	<b>Residential Zoning Districts</b>	<b>Non-Residential (Other than Heritage Village Center) Zoning Districts</b>	<b>Heritage Village Center Zoning District</b>
Allowed on Public Sidewalk / Right of Way <sup>6</sup>	No	No	No
Duration Allowed After Conclusion of an Event if Sign Pertained to an Event	3 days	3 days	3 days
Lighting or Illumination Allowed	No	No	No
Movement Allowed	No	No	No

**B. A-Frame Signs and T-Frame Signs.** A-Frame Signs and T-Frame Signs are unlawful if they do not meet the criteria and limitations set forth in the following Table 4.408.B A-Frame and T-Frame Signs: Criteria and Limitations.

1. A-Frame Signs and T-Frame Signs are permitted in all zoning districts except single-family residential zoning districts.
2. A-Frame Signs and T-Frame Signs must be located adjacent to the parcel or business advertised thereon, supported by a base of sufficient weight and durability to withstand wind gusts, and maintained in a professional manner free from fading, tearing, and tattering.
3. A-Frame Signs and T-Frame Signs shall not be placed in raised or painted medians, with stakes fastened to or driven into concrete, across the street from the business being advertised, on equestrian or multi-use trails, and must be placed at grade level. See Appendix 1, Figures 16, for graphic illustrations.

<b>TABLE 4.408.B. A-Frame and T-Frame Signs: Criteria and Limitations</b>	
Maximum Number of Signs	Two (2) per business <sup>7</sup>
Maximum Width	Thirty-one (31) inches
Maximum Height	Forty-five (45) inches
Minimum Setback/Distance from Roadway	Five (5) feet (Except in Heritage Village Center Zoning District, where minimum shall be one (1) foot)

<sup>6</sup> Government Signs displaying government speech are exempt from regulation under this Article 4.4.

<sup>7</sup> The combined total of A-Frame, T-Frame, and Flying Banner signs shall not exceed three (3) per business.



<b>TABLE 4.408.B. A-Frame and T-Frame Signs: Criteria and Limitations</b>	
Maximum Width of Public Sidewalk that the Sign May Obstruct	No more than one third (1/3) of width of public sidewalk in all instances must be at least four (4) feet of sidewalk clearance
Maximum Distance of Sign from Premises	Ten (10) feet with signs spaced at least twenty (20) apart
Duration	Only during hours while business is open
Allowed on Public Sidewalk / Right-of-Way	Yes
Allowed within a Sight Visibility Triangle	No
Lighting or Illumination Allowed	No
Permit Required	No
Movement Allowed	No
Incorporation of Florescent Color or Exhibition of Florescence Allowed	No

The purchase and placement of A-Frame Signs and T-Frame Signs is not a substantial capital investment in the business being advertised. Upon repeal or modification of the regulations pertaining to this type of temporary signs that results in further restricting or prohibiting the same, then such signs shall not be legal non-conforming signs and such signs shall comply with all new regulations.

**C. Banner Signs.** Banner Signs are permitted in all zoning districts, but may be placed in single-family residential zoning districts only in conjunction with non-residential uses. Banner Signs are unlawful if they do not meet the criteria and limitations set forth below in Table 4.408.C, Banner Signs: Criteria and Limitations.

<b>TABLE 4.408.C Banner Signs: Criteria and Limitations</b>	
Maximum Number of Banner Signs Per Parcel/Business	1
Maximum Sign Area <sup>8</sup>	40 sq. ft. for occupancies up to 5,000 sq. ft.  80 sq. ft. for occupancies greater than 5,000 sq. ft. up to 15,000 sq. ft.  120 sq. ft. for occupancies greater than 15,000 sq. ft. up to 50,000 sq. ft.; or  180 sq. ft. for occupancies greater than 50,000 sq. ft.
Sign Height Maximum if displayed as a Freestanding Sign	8 ft.
Minimum Sign Setback if displayed as a Ground Signs <sup>9</sup>	3 ft.
Minimum Spacing from any Other Sign (Temporary Sign or a Permanent Sign <sup>10</sup> )	15 ft.
Permit Required	Yes
Incorporation of Florescent Color or Exhibition of Florescence Allowed	No
Allowed on Public Sidewalk / Right of Way <sup>11</sup>	No
Allowed within a Sight Visibility Triangle	No
Duration	No more than 120 days per year in the aggregate
Duration Allowed After Conclusion of an Event if the Sign Pertains to an Event	1 day
Lighting or Illumination Allowed	No
Movement Allowed <sup>12</sup>	Yes

<sup>8</sup> The square footage limitation is per side for a double-sided banner or flying banner sign. For example, a 40 square foot limitation means that there is a limit of 40 square feet of surface area per side of a double-sided sign.

<sup>9</sup> Minimum sign setbacks are measured from the edge of the property line. Setbacks do not apply to a banner sign displayed on walls.

<sup>10</sup> Not applicable to signs displayed on flagpoles. Flags are addressed separately herein.

<sup>11</sup> Government Signs displaying government speech are exempt from regulation under this Article 4.4.

<sup>12</sup> Movement is allowed for a Flying Banner Sign, but not a Banner Sign.

**D. Flying Banner Signs.** Flying Banner Signs are unlawful if they do not meet the criteria and limitations set forth below in Table 4.408.D, Flying Banner Signs: Criteria and Limitations.

1. Flying Banner Signs are permitted in all zoning districts except single-family residential zoning districts.
2. Flying Banner Signs must be located adjacent to the parcel or business advertised thereon, supported by a base of sufficient weight and durability to withstand wind gusts, and maintained in a professional manner free from fading, tearing, and tattering.
3. Flying Banner Signs shall not be placed in raised or painted medians, with stakes fastened to or driven into concrete, across the street from the business being advertised, on equestrian or multi-use trails, and must be placed at grade level.

<b>TABLE 4.408.D Flying Banner Signs: Criteria and Limitations</b>	
Maximum Number of Flying Banner Signs	3 <sup>13</sup>
Maximum Sign Area	12 sq. ft.
Sign Height	15 ft.
Minimum Setback	4 feet from edge of curb, or a distance equal to the height of the flying banner, whichever is greater.
Minimum Distance From an Access Drive or Street Intersection	30 ft.
Minimum Distance from another Flying Banner Sign, A-Frame or T-Frame Sign	20 ft.
Permit Required	No
Allowed on Public Sidewalk / Right of Way <sup>14</sup>	Yes
Allowed within a Sight Visibility Triangle	No
Duration	Only during hours while business is open
Maximum Width of Public Sidewalk that the Sign May Obstruct	No more than one third (1/3) of width of public sidewalk, and in all instances there must be at least four (4) feet of sidewalk clearance

<sup>13</sup> The combined total of Flying Banner, A-Frame, and T-Frame signs shall not exceed three (3) per business.

<sup>14</sup> Government Signs displaying government speech are exempt from regulation under this Article 4.4.

<b>TABLE 4.408.D Flying Banner Signs: Criteria and Limitations</b>	
Lighting or Illumination Allowed	No
Movement Allowed	Yes

**E. Sign Walkers.** Sign Walkers are permitted in all zoning districts. Sign Walkers must comply with State law (A.R.S. § 9-499.13) and meet the following criteria and limitations:

1. Location. Sign walkers shall be only located:
  - a. 30 feet from a street or driveway intersection measured from the back of the curb or edge of pavement if no curb exists.
  - b. 5 feet from the street measured from the back of curb or edge of pavement if no curb exists.
  - c. Sign walkers shall yield right-of-way to pedestrians, bicycles and all others traveling or located on the sidewalks.
  - d. At grade level.
  
2. Prohibited locations. Sign walkers shall not be located:
  - a. In raised or painted medians.
  - b. In parking aisles or stalls.
  - c. In driving lanes or driveways.
  - d. On equestrian or multi-use trails.
  - e. So that less than a minimum of 4 feet is clear for pedestrian passage on all sidewalks and walkways, or so as to cause a hazard to pedestrian traffic.
  - f. On fences, boulders, planters, other signs, vehicles, utility facilities, or any structure.
  - g. Within a minimum distance of 20 feet from any other sign walker.
  - h. In a manner that results in sign walkers physically interacting with motorists, pedestrians, or bicyclists.

3. Display. Sign shall be:
  - a. Displayed only during the hours the business is open to conduct business.
  - b. Held, worn or balanced at all times.
4. Elements prohibited. The following shall be prohibited:
  - a. Any form of illumination, including flashing, blinking, or rotating;
  - b. Animation on the sign itself;
  - c. Mirrors or other reflective materials;
  - d. Attachments, including, but not limited to, balloons, ribbons, speakers.

**F. Flags.** Unless otherwise required by state law or specified in this Article, no more than two (2) flags may be displayed on a flagpole, from a flag bracket or on a flag stanchion. A flag displaying a commercial message shall not exceed twenty-four (24) square feet in size. For the purpose of determining the size of a flag, only one side of the flag shall be counted as the display surface. Flags on residential or nonresidential parcels may be externally illuminated. A sign permit is not required for a flag.

**G. Umbrella Signs.** For each table in an outside seating area for a licensed business establishment, one (1) umbrella sign per umbrella is allowed. An umbrella sign shall not exceed three (3) square feet in area and shall not exceed eight (8) feet in height. An umbrella having an umbrella sign shall be mounted on or in the table or in an umbrella holder adjacent to the table. A sign permit is not required for an umbrella sign.

**H. Temporary Residential Subdivision Signs.** Temporary Residential Subdivision Signs are permitted in single-family residential zoning districts for each builder in a recorded subdivision plat only in conjunction with a valid building permit for a model home complex. Temporary Residential Subdivision Signs are unlawful if they do not meet the criteria and limitations set forth below in Table 4.408.H, Temporary Residential Subdivision Signs: Criteria and Limitations.

<b>TABLE 4.408.H. Temporary Residential Subdivision Signs: Criteria and Limitations</b>			
	Principal Entry(ies)	Model Home Complex	Perimeter Subdivision Open Space
Maximum Number of Signs	1 per entry	1 or more	1 per street frontage

<b>TABLE 4.408.H. Temporary Residential Subdivision Signs: Criteria and Limitations</b>			
Maximum Sign Area	32 sq. ft.	96 sq. ft.	32 sq. ft.
Maximum Height	8 ft.	12 ft.	8 ft.
Minimum Setback/ Distance from Right of Way <sup>15</sup>	10 ft. (5 ft. if less than 32 sq. ft.)	10 ft. (5 ft. if less than 32 sq. ft.)	10 ft. (5 ft. if less than 32 sq. ft.)
Aggregate Maximum Sign Area	256 sq. ft.		
Duration	3 years or until the model home complex is permanently closed, whichever occurs first.		
Allowed on Public Sidewalk / Right-of-Way	No		
Allowed within a Sight Visibility Triangle	No		
Lighting or Illumination Allowed	No		
Permission of Owner Required	Yes		
Permit Required	Yes		
Movement Allowed	No		
Incorporation of Florescent Color or Exhibition of Florescence Allowed	No		

**4.409 Permanent Signs.**

**A. General Criteria for Lighting and Changing Message Displays Utilized with Permanent Signs.** The following general criteria and limitations for lighting and changing message displays shall apply to permanent signs, where indicated.

1. Lighting. The illumination of signs shall meet all regulations as set forth in the Gilbert Municipal Code, Chapter 42, Article II, Section 42-34.

(a) Except for Changing Message Displays and specified signs permitted in the Heritage Village Center Zoning District, any flashing, blinking, reflective, animated, or rotating lights, or signs with an intermittent or varying intensity of artificial illumination, whether deliberate or as a consequence of a defect in the sign or the illumination source, shall be prohibited for any and all signs.

(b) Exposed incandescent, light-emitting diode (LED), fluorescent, metal halide, high- or low- sodium bulbs, or mercury vapor light sources shall not be used

<sup>15</sup> Minimum sign setbacks are measured from the edge of the property line. Setbacks do not apply to wall signs or signs affixed to a temporary construction fence.

as a source of illumination. All light sources shall be shielded to prevent illumination trespass onto properties other than where the light source is located.

(c) Exposed neon tube type illumination may only be used for commercial uses in the Heritage Village Center Zoning District, subject to administrative approval of a Heritage Sign Plan which must be based upon content-neutral objective criteria and as set forth in Section 5.602B.1 Administrative Design Review. Exposed neon tubing shall be appropriately sized. Exposed neon tube type illumination is prohibited in all other zoning districts.

(d) Sign Illumination.

(1) Permanent signs on a parcel in residential use: With the exception of an identification sign at the entrance of a residential subdivision, a permanent sign located on a parcel in a residential district may not be separately or specially illuminated, unless otherwise specified in this Article.

(2) Permanent signs on a parcel in nonresidential use: A permanent sign on a parcel in a nonresidential use may be illuminated by internal illumination, internal indirect (halo) illumination, or lit by external indirect illumination, unless otherwise specified in this Article. However, a permanent sign may not be illuminated in a manner that leaves the illumination device exposed to public view except with the use of neon tubing as provided in this Article.

(3) Internal illumination: Outdoor internally illuminated signs, including but not limited to awning/canopy signs, cabinet signs (whether freestanding or building mounted), changeable copy panels or service island signs, shall be constructed with an opaque background and translucent letters or other graphical elements, or with a colored background and lighter letters or graphics.

(4) External indirect illumination: Externally lit signs are permitted to be illuminated only with steady, stationary, directed and shielded light sources directed solely onto the sign. Light bulbs or tubes (excluding neon), used for illuminating a sign, shall not be visible from the adjacent public rights-of-way or residential properties.

(5) Illumination of signs adjacent to single-family residential uses: No sign located within fifty (50) feet of a single-family zoning district shall be internally illuminated.

2. Manual Changing Message Displays. One-half (1/2) of the area of the face of a freestanding monument or marquee sign may be a manual changing message display, subject to the criteria and limitations of this Article.

3. Electronic Changing Message Displays. The entire area of the face of a freestanding monument sign may be an electronic changing message display in zoning districts where freestanding monument signs are allowed except for residential zoning districts, subject to the following operational limitations. One-half (1/2) of the area of the face of a freestanding tower sign may be an electronic changing message display in zoning districts where freestanding tower signs are allowed, subject to the following operation limitations. Three-quarters (3/4) of the area of the face of a freestanding freeway sign may be an electronic changing message display in zoning districts where freestanding freeway signs are allowed, subject to the following operation limitations. For non-residential uses in residential zoning districts, one-half (1/2) of the area of the face of a freestanding monument sign may be an electronic changing message display, subject to the following operation limitations:

- a. Display: An electronic changing display may be in full color.
- b. Minimum Display Time: An electronic changing display shall not change more than once every eight (8) seconds.
- c. Transition Method: An electronic changing display shall change by an instant change method.
- d. Illumination Levels: An electronic changing display shall incorporate photocell/ light sensors, with automatic dimming technology that appropriately adjusts to ambient light conditions. Displays shall have a brightness level of no greater than 0.3 foot candles above ambient light conditions as measured by foot candle meter.
- e. Maintenance: Any allowed electronic changing display that malfunctions, fails, or ceases to operate in its usual or normal programmed manner shall be repaired or disconnected within forty-eight (48) hours by the owner or operator of such sign.
- f. Static messages: When visible from public streets or public rights-of-way, an electronic changing message display shall be by way of static messages.

**B. Type of Permanent Signs.** The following type of permanent signs are allowed in one or more of the Town of Gilbert's zoning districts, as more specifically set forth in Sections 4.409.B.1. through B.25., below.

**1. Street Address Signs.**

- (a) Street address signs for single-family dwellings. Each single family dwelling unit shall be clearly identified by or associated with a street address for first responders to locate the residential unit as necessary to respond to any fire or public safety issue. The sign shall serve as a visible street address and identifier for



delivery of mail and official governmental notification. The street address sign shall not exceed three (3) square feet in sign area.

(b) Street address signs for multi-family dwellings. Each multi-family dwelling unit shall be clearly identified by or associated with a street address sign for first responders to locate the multi-family dwelling unit as necessary to respond to any fire or public safety issue. The sign shall serve as a visible street address and identifier for delivery of mail and official governmental notification. The street address sign may be externally illuminated. The street address sign or unit number sign shall not exceed six (6) square feet in sign area.

(c) Street address signs for establishments or other non-residential uses. Each location of a business or non-residential use shall be clearly identified by or associated with a street address for first responders to locate the same as necessary to respond to any fire or public safety issue. The sign shall serve as visible street address and identifier for delivery of mail and official governmental notification. The street address sign may be externally or internally illuminated. The street address sign shall not exceed six (6) square feet in sign area.

**2. Unit and Building Identification Signs.**

(a) Unit and building identification signs for multi-family dwellings. Each multi-family dwelling unit shall be clearly identified by a unit number sign or a building number sign for first responders to locate the same as necessary to respond to any fire or public safety issue, unless the unit or building has a street address sign that is specific to that unit or building as opposed to any other unit or building or grouping of same. The sign shall serve as a visible identifier for delivery of mail and official governmental notification. The unit number sign or building number sign may be externally illuminated. The unit number sign or building number sign shall not exceed six (6) square feet in sign area.

(b) Unit and building identification signs for businesses and other non-residential uses. Each location of a business or non-residential use shall be identified by a unit number sign or a building number sign for first responders to locate the same as necessary to respond to any fire or public safety issue, unless the unit or building has a street address sign that is specific to that unit or building as opposed to any other unit or building or grouping of same. The sign shall serve as a visible identifier for delivery of mail and official governmental notification. The unit number sign or building number sign may be externally illuminated. The unit number sign or building number sign shall not exceed six (6) square feet in sign area.

**3. Wall Signs.**

(a) Dwelling Unit Wall Signs.

(1) Each single family dwelling unit shall be clearly identified by a street address or unit number sign for first responders to locate the residential unit as necessary to respond to any fire or public safety issue.

(2) Each single family dwelling unit may have one (1) permanent wall or ground sign not to exceed three (3) square feet in size and not to exceed two (2) feet in height if placed as a ground sign. This allowed sign is in addition to the required street address or unit number sign for a single family dwelling unit.

(3) Each multi-family dwelling unit shall be clearly identified by a street address or building number sign for first responders to locate the multi-family dwelling unit or building number as necessary to respond to any fire or public safety issue.

(4) Each individual dwelling unit in a multi-family dwelling unit may have one (1) permanent wall or ground sign not to exceed three (3) square feet in size and not to exceed two (2) feet in height if placed as a ground sign.

(b) Wall Signs in Commercial, Office, Employment, and Public Facility / Institutional Zoning Districts.

(1) Design. Wall Signs shall fit proportionally with building massing and architectural features of the elevation.

(2) Length. The length of a Wall Sign shall not exceed eighty (80) percent of the horizontal length of the exterior building elevation of a tenant suite.

(3) Height. The height of a Wall Sign shall not exceed eighty (80) percent of the vertical dimension of the sign band or wall space on which the sign is placed.

(4) Placement. Wall Signs shall not be located closer to the top of a parapet wall than one-half the vertical dimension of the largest letter or character. Top floor signage located on multi-story buildings may span floor plates.

(5) Wall Signs on building elevations abutting property designated for residential use in the General Plan shall:

- (A) Not be illuminated;
- (B) Not exceed sixteen (16) square feet in area; and
- (C) Be installed no higher than fourteen (14) feet above grade.

(6) Wall Sign Area. The minimum and maximum Wall Sign area shall be determined as set forth below. See Appendix 1, Figures 17A and 17B, for graphic illustrations.

(A) Wall Sign Area: Buildings One-Story in Height.

(i) Minimum Wall Sign area. Each business shall be permitted a minimum Wall Sign area of 32 square feet, and such Wall Signs are permitted on any exterior wall of the tenant or user suite on the first floor of the building.

(ii) Maximum Wall Sign area. Each business shall be limited to a total Wall Sign area no greater than the total sign allowance area, defined below, for (i) the longest building elevation of the tenant/user suite facing the street, or (ii) the length of the building elevation of the tenant/user suite in which the principal entrance to the business is located.

(iii) Sign Allowance Area. Sign allowance area shall mean “for buildings set back seventy-five (75) feet or less from the right-of-way, one (1) square foot of sign area for each one (1) lineal foot of the building elevation adjacent to the suite,” and “for buildings set back more than seventy-five (75) feet from the right-of-way, one and one-half (1.5) square feet of sign area for each one (1) lineal foot of building elevation adjacent to the suite.”

(iv) Double frontage. For a business with a double frontage, the maximum Wall Sign area shall be permitted on two building elevations.

(v) Approval. Approval is required through a Comprehensive Sign Program and/or a Master Sign Plan if the building is a multi-tenant building or otherwise meets the criteria for review and approval set forth in this Article 4.4. under such a program or plan.

(B) Wall Sign Area: Buildings Two Stories in Height. Wall Signs on multiple floors of a building two (2) stories in height shall conform to the following criteria.

(i) First Floor. Individual tenant signs located on the first floor of a building two (2) stories in height shall be subject to the same criteria as tenant signs for a building one story in height, as set forth above.

(ii) Second Floor. Individual tenant signs and building signs located on the second floor of a building two (2) stories in height shall not exceed seventy-five (75) square feet in sign area. Individual tenant signs and any building signs may be placed on any approved sign band or wall space on the second floor. The maximum wall sign area, including all tenant signs and building signs, shall not exceed fifty (50) percent of the lineal building elevation on the second floor.

(iii) Double frontage. For a business with a double frontage, the maximum Wall Sign area shall be permitted on two building elevations.

(iv) Approval. Approval is required through either a Comprehensive Sign Program or a Master Sign Plan.

(C) Wall Sign Area: Buildings Three or More Stories in Height. Wall Signs located on buildings three (3) or more stories in height shall be limited to the first floor and the top floor, and shall conform to the following criteria.

(i) First Floor. Individual tenant signs located on the first floor shall be subject to the same criteria as tenant signs for a building one story in height, as set forth above

(ii) Top Floor. The Wall Sign area allowed on the top floor shall not be counted against the Wall Sign area allowed on the first floor. Top floor Wall Signs are limited to either (i) one (1) building sign and one (1) tenant sign, or (ii) two (2) tenant signs. The top floor sign size and height shall adhere to the criteria contained in Table 4.409.B.3: Top Floor Sign Size and Height Standards for On-Premise Signs, shown below. This sign area shall not be increased through a Comprehensive Sign Program or Master Sign Plan.

(iii) Double frontage. For a business with a double frontage, the maximum Wall Sign area shall be permitted on two building elevations.

(iv) Approval. Approval is required through either a Comprehensive Sign Program or a Master Sign Plan.

(c) Wall Signs in Heritage Zoning Districts.

(1) Design. Wall Signs shall fit proportionally with building massing and architectural features of the elevation.

(2) Length. The length of a Wall Sign shall not exceed eighty (80) percent of the horizontal length of the exterior building elevation of a tenant suite.

(3) Height. The height of a Wall Sign shall not exceed eighty (80) percent of the vertical dimension of the sign band or wall space on which the sign is placed.

(4) Placement. Wall Signs shall not be located closer to the top of a parapet wall than one-half the vertical dimension of the largest letter or character. Top floor signage located on multi-story buildings may span floor plates.

(5) Wall Signs on building elevations abutting property designated for residential use in the General Plan shall:

(A) Not be illuminated;

(B) Not exceed sixteen (6) square feet in area; and

(C) Be installed no higher than fourteen (14) feet above grade.

(6) Wall Sign Area. The minimum and maximum Wall Sign area shall be determined as set forth below.

(A) Wall Sign Area: Buildings One-Story in Height.

(i) Minimum Wall Sign area. Wall Signs are permitted on any exterior wall of the tenant or user suite on the first floor of the one-story building.

(ii) Maximum Wall Sign area. Each business shall be limited to a total Wall Sign area no greater than the total sign

allowance area, defined below, for (i) the longest building elevation of the tenant/user suite facing the street, or (ii) the length of the building elevation of the tenant/user suite in which the principal entrance to the business is located.

(iii) Sign Allowance Area. Sign allowance area shall mean “one and one-half (1.5) square feet of sign area for each one (1) lineal foot of building elevation adjacent to the suite.”

(iv) Double frontage. For a business with a double frontage, the maximum Wall Sign area shall be permitted on two building elevations.

(B) Wall Sign Area: Buildings Two Stories in Height. Wall Signs on the floors of a building two (2) stories in height shall conform to the following criteria.

(i) First Floor. Individual tenant signs located on the first floor of a building two (2) stories in height shall be subject to the same criteria as tenant signs for a building one story in height, as set forth above.

(ii) Second Floor. Individual tenant signs may only be placed on the building walls of the space occupied by the tenant. The individual tenant Wall Sign shall not exceed six (6) square feet in area per tenant/user suit. The sign area shall be included in the maximum Wall Sign area set forth above. Wall Signs may be indirectly illuminated or internally illuminated. Lighting fixtures shall be decorative and architecturally compatible with the building. See Guidelines for fixtures in the Heritage District Redevelopment Plan.

(iii) Double frontage. For a business with a double frontage, the maximum Wall Sign area shall be permitted on two building elevations.

(iv) Approval. Approval is required through a Heritage Sign Plan.

(d) Wall Signs for Non-Residential Uses in Residential Zoning Districts

(1) Design. Wall Signs shall fit proportionally with building massing and architectural features of the elevation.

- (2) Length. The length of a Wall Sign shall not exceed eighty (80) percent of the horizontal length of the exterior building elevation of a tenant suite.
- (3) Height. The height of a Wall Sign shall not exceed eighty (80) percent of the vertical dimension of the sign band or wall space on which the sign is placed.
- (4) Placement. Wall Signs shall be placed on an area that is free of architectural details. Wall Signs shall not be located closer to the top of a parapet wall than one-half the vertical dimension of the largest letter or character. Top floor signage located on multi-story buildings may span floor plates.
- (5) Wall Signs on building elevations abutting property designated for residential use in the General Plan shall:
  - (A) Not be illuminated;
  - (B) Not exceed sixteen (16) square feet in area; and
  - (C) Be installed no higher than fourteen (14) feet above grade.
- (6) Wall Sign Area. The minimum and maximum Wall Sign area shall be determined as set forth below. See Appendix 1, Figures 17A and 17B, for graphic illustrations.
  - (A) Wall Sign Area: Buildings One or More Stories in Height. Wall Signs shall only be located on one (1) floor of a single-story or multi-story building, and shall meet the following criteria.
    - (i) Minimum Wall Sign area. Each business shall be permitted a minimum Wall Sign area of thirty-two (32) square feet, and such Wall Signs are permitted on any exterior wall of the tenant or user suite on the first floor of the one-story building.
    - (ii) Maximum Wall Sign area. Each business shall be limited to a total Wall Sign area no greater than total sign allowance area, defined below, for (i) the longest building elevation of the tenant/user suite facing the street, or (ii) the length of the building elevation of the tenant/user suite in which the principal entrance to the business is located.

(iii) **Sign Allowance Area.** Sign allowance area shall mean:

a) For buildings set back seventy-five (75) feet or less from the right-of-way, one (1) square foot of sign area for each one (1) lineal foot of the building elevation adjacent to the suite; and

b) For buildings set back more than seventy-five (75) feet from the right-of-way, one and one-half (1.5) square feet of sign area for each one (1) lineal foot of building elevation adjacent to the suite.

(iv) **Double frontage.** For a business with a double frontage, the maximum Wall Sign area shall be permitted on two building elevations.

(v) **Top Floor.** If the top floor of a multi-story building is chosen for the allowable Wall Signs, the top floor Wall Signs are limited to either (i) one (1) building sign and one (1) tenant sign, or (ii) two (2) tenant signs. The top floor sign size and height shall adhere to the criteria contained in Table 4.409.B: Top Floor Sign Size and Height Standards for On-Premise Signs, shown below. This sign area shall not be increased through a Comprehensive Sign Program or Master Sign Plan.

(vi) **Approval.** Approval is required through a Comprehensive Sign Program or Master Sign Plan as set forth in this Article 4.4.



<b>TABLE 4.409.B.3: Top Floor Sign Size and Height Standards for On-Premise Wall Signs</b>			
<b>Facing Street Type of Highway</b>	<b>Sign Height (Feet) from Finish Floor Level to Top of Sign*</b>	<b>Maximum Allowable Size of Sign Face (Sq. Ft.)</b>	<b>Maximum Letter Height (Inches)</b>
Local/Collector	40+	Per Code; or one percent of the area of the elevation to which it is attached, whichever is greater	12
Arterial	40+	Per Code; or one percent of the area of the elevation to which it is attached, whichever is greater	15
Freeway	40+	Per Code; or one percent of the area of the elevation to which it is attached, whichever is greater	21
*Unless approved signage spans floor plates			

**4. Painted Wall Signs.** In the Heritage Village Center Zoning District, painted wall signs are permitted on any exterior building wall of the tenant/user suite to which they are appurtenant and shall be limited to an onsite sign. The painted sign area shall be included in the Sign Allowance Area for signs in Section 4.409.B. Painted Wall Signs may be indirectly illuminated. Lighting fixtures shall be decorative and architecturally compatible with the building. Recommended Guidelines for appropriate design, materials, and color of fixtures are set forth in the Heritage District Redevelopment Plan.

**5. Wall Signs at Entrances to Non-Residential Tenant Offices or Suites.** Each non-residential tenant suite may have one (1) permanent wall sign not to exceed three (3) square feet in area. This allowed sign is in addition to any required street address or unit number sign.

**6. Wall Signs at Entrances to Restaurants.** In addition to any other wall sign allowance, a restaurant shall be allowed one (1) wall sign installed within ten (10) feet of its main entrance. The wall sign shall not exceed six (6) square feet in area and shall not exceed six (6) feet in height. The wall sign may be internally or externally illuminated.

**7. Wall Signs at Service and Delivery Entrances.** In addition to any other wall sign allowance, a service or delivery entrance shall be allowed one (1) permanent wall sign installed within ten (10) feet of its entrance. The wall sign shall not exceed six (6) square feet in area and shall not exceed six (6) feet in height. The wall sign may be internally or externally illuminated.

**8. Window Signs.** Window Signs are permitted in non-residential zoning districts as a permanent wall sign provided that the Window Sign does not cover more than twenty-five percent (25%) of the area of any window. Window Signs may be internally illuminated. A sign permit is not required for a Window Sign as allowed herein. See Appendix 1, Figures 18, for graphic illustrations.

**9. Door Signs.** Door signs are permitted in non-residential zoning districts provided that the door sign may not cover more than twenty-five percent (25%) of the area of any door. Door signs shall not be illuminated. A sign permit is not required for a door sign as allowed herein.

**10. Wall-Mounted Cabinet Signs.** Permanent wall-mounted cabinet signs are allowed in non-residential zoning districts and shall be stylized in shape, rather than rectangular, to reflect the shape of the image printed on the sign face or the molded sign face, with embossed copy or sign copy or sign copy in relief. This provision does not apply to Canopy Signs for Service Islands regulated in Section 4.409.B.25, but this provision does apply to projecting signs and projecting roof signs.

**11. Projecting Signs.** In the Heritage Village Center Zoning District, permanent projecting signs are allowed when affixed to the exterior building wall of the tenant/user suite to which they are appurtenant. Signs shall be located at the customer entry area of the tenant/user suite if blinking, flashing or illumination elements are incorporated. The allowable sign area for a projecting sign shall be included in the maximum sign area allowed in Section 4.409.B.3., and shall when combined with any other sign areas not exceed the maximum sign area. Projecting signs may be internally or indirectly illuminated, and may incorporate flashing or blinking elements within the allowable area of the sign. Lighting fixtures shall be decorative and architecturally compatible with the building. Projecting signs shall be stylized in shape, rather than rectangular, to reflect the shape of the image printed on the sign face. Fixtures used to affix the projecting sign to building walls shall be decorative and architecturally compatible with the building. Recommended Guidelines for appropriate design, materials, and color of fixtures are set forth in the Heritage District Redevelopment Plan.

**12. Projecting Roof Signs.** In the Heritage Village Center Zoning District, permanent projecting roof signs are allowed subject to the same criteria set forth above for projecting signs. However, the height of a projecting roof sign shall not exceed the height of a roofline or parapet by more than twenty-five (25) percent of the overall height of the sign. The Redevelopment Commission may approve heights greater than the foregoing twenty-five (25) percent through a Heritage Sign Plan or a Design Review application, only when the

Plan or application demonstrates that the projecting roof sign is incorporated into the building's architecture. In no event, shall a projecting roof sign incorporated into the building's architecture exceed the height of a roofline or parapet by more than thirty (30) percent of the overall height of the sign.

**13. Suspended Signs.** In the Heritage Village Center Zoning District, one (1) permanent suspended sign is allowed for each permitted tenant/user building elevation. The sign shall be suspended from a roof overhang of a covered porch or walkway, which is adjacent to the exterior building wall of the tenant/user suite to which the sign is appurtenant. The maximum area of the sign shall not exceed six (6) square feet. A size of the suspended signs shall not be included in the maximum sign area set forth in Section 4.409.B. Suspended signs may be indirectly illuminated. Lighting fixtures shall be decorative and architecturally compatible with the building. Recommended Guidelines for appropriate design, materials, and color of fixtures are set forth in the Heritage District Redevelopment Plan.

**14. Drive-Through Lane Signs.** No more than two (2) drive-through lane signs are allowed for each drive-through lane serving a business establishment. The signs may be either a wall mounted sign or a ground sign. The signs shall be no greater than fifty (50) square feet in area and seven (7) feet in height. A drive-through ground sign shall be constructed with a solid base.

**15. Freestanding Sign: Monument Signs.**

a) For a nonresidential use in a Residential Zoning District, one (1) on-site freestanding monument sign is permitted for any lot or parcel with a minimum of one hundred (100) feet of street frontage. One (1) additional freestanding monument sign is permitted for each additional three hundred (300) feet of street frontage over one hundred (100) feet. The size of a monument sign shall not exceed thirty-two (32) square feet in area, and eight (8) feet in height. Monument signs shall be set back a minimum of three (3) feet from the right-of-way.

b) In Commercial and Public Facility/Institutional Zoning Districts, one (1) on-site freestanding monument sign is permitted for any lot or parcel with a minimum of 100 feet of street frontage. One (1) additional freestanding monument sign is permitted for each additional three hundred (300) feet of street frontage. The height of a monument sign shall be no greater than twelve (12) feet to the top of design embellishments, and the sign face shall be located between two (2) feet and ten (10) feet above grade with design embellishments added to the top, sides or bottom of the sign. The size of a monument sign shall not exceed sixty (60) square feet in area. Monument signs shall be set back a minimum of three (3) feet from the right-of-way. Monument signs shall maintain a minimum spacing of one hundred (100) feet from any other monument sign on the same street frontage.

c) In Office and Employment Zoning Districts, one (1) on-site freestanding monument sign is permitted for any lot or parcel with a minimum of 100 feet of

street frontage. One (1) additional freestanding monument sign is permitted for each additional three hundred (300) feet of street frontage. The height of a monument sign shall be no greater than twelve (12) feet to the top of design embellishments, and the sign face shall be located between two (2) feet and ten (10) feet above grade with design embellishments added to the top, sides or bottom of the sign. The size of monument a sign shall not exceed sixty (60) square feet in area. Monument signs shall be set back a minimum of three (3) feet from the right-of-way. Monument signs shall maintain a minimum spacing of one hundred (100) feet from any other monument sign on the same street frontage.

d) In the Heritage Village Center Zoning District, one (1) on-site freestanding monument sign is permitted for any lot or parcel. A monument sign is permitted to assist in the safe movement of vehicular traffic on a property containing an existing building that exceeds the required build-to lines, as set forth in Section 2.403C: Build-To Lines. The height of a monument sign shall be no greater than six (6) feet, and the height measurement includes structural supports, monument base, architectural features of the structure, and nonstructural or decorative trim. The size of a monument sign shall not exceed thirty-two (32) square feet in area. Monument signs shall be set back a minimum of three (3) feet from the right-of-way. Monument signs shall maintain a minimum spacing of one hundred (100) feet from any other monument sign on the same street frontage.

**16. Freestanding Sign: Tower Signs.** In the Regional Commercial and General Commercial Zoning Districts for retail centers exceeding forty (40) net acres, and in the Office, Employment and Public Facility / Institutional Zoning Districts for sites that both abut a freeway and exceed forty (40) net acres, one (1) on-site tower sign is permitted for each five hundred (500) feet of street frontage, provided the total number of all freestanding signs, including monument signs, shall not exceed one (1) sign per three hundred (300) feet of street frontage. The maximum height of a tower signs shall not exceed fifteen (15) feet. The maximum size (area) for a tower sign shall not exceed eighty (80) square feet. The maximum size (area) of a tower sign may be increased by an additional twenty (20) square feet for the identification of tenants or occupants of suites five thousand (5,000) square feet or less in area. Tower signs shall be set back a minimum of three (3) feet from the right-of-way. Tower signs shall maintain a minimum spacing of three hundred (300) feet from any other freestanding sign on the same street frontage.

**17. Freestanding Sign: Freeway Signs.** In the Commercial, Office, Employment and Public Facility / Institutional Zoning Districts for properties that both exceed fifteen (15) acres and abut a freeway identified in the circulation element of the General Plan, one (1) on site freeway sign shall be permitted for each four hundred (400) feet of freeway frontage. The height of a freeway sign shall not exceed sixty (60) feet above grade or thirty (30) feet above the grade of the nearest lanes of the adjacent freeway main travel surface, whichever is greater. The maximum size (area) for a freeway sign shall not exceed five hundred (500) square feet. The maximum size (area) of a freeway sign may be increased by an additional twenty (20) square feet for the identification of the center. Freeway signs

shall be set back a minimum of one hundred fifty (150) feet from (i) the right-of-way other than a freeway and (ii) a property line adjacent to property designated for retail or residential use in the General Plan. Freeway Signs shall be located within one hundred (100) feet of the freeway right-of-way and shall be oriented to the freeway. A sign shall be considered oriented to a freeway where the sign face makes an interior angle of more than thirty (30) degrees to the freeway. Freeway signs shall maintain a minimum spacing of four hundred (400) feet from any other Freeway Sign on the same property.

**18. Freestanding Sign: Onsite Traffic Directional Signs.** In the Commercial, Heritage Village Center, Office, Employment, and Public Facility / Institutional Zoning Districts, onsite traffic directional signs are permitted as necessary to assist in movement of vehicular traffic on a property for the purpose of the safety of both pedestrian and vehicular traffic. The size (area) of a traffic directional sign shall not exceed three (3) square feet and the height of a traffic directional sign shall not exceed three (3) feet. An onsite traffic directional sign shall be set back a minimum of twenty-five (25) feet from the right-of-way, and shall not be located in a required perimeter landscape area. Traffic directional signs shall not be counted as part of a maximum or total sign area for any use.

**19. Freestanding Sign: Residential Subdivision Entry Signs.** A residential subdivision entry sign at the principal entry or entries to residential subdivisions may have one (1) entry sign on each side of the street. The maximum size (area) of the subdivision entry sign shall not exceed twenty-five (25) square feet and the maximum height shall not exceed eight (8) feet. The subdivision entry sign shall be set back a minimum of three (3) feet behind the right-of-way. A residential subdivision entry sign may be internally or indirectly illuminated. The residential subdivision entry sign shall be incorporated into the design of an entry wall, which shall be architecturally compatible with other subdivision improvements. Residential subdivision entry sign structures require approval by the Design Review Board as part of the subdivision open space plan. Residential subdivision entry sign structures that are added following the initial development of the subdivision require Administrative Design Review approval.

**20. Freestanding Sign: Multi-Family Complex Entry Signs.** A multi-family complex entry sign at the principal entry or entries to a multi-family complex may have one (1) entry sign on each side of the street. The maximum size (area) of a multi-family complex entry sign shall not exceed thirty-two (32) square feet and the maximum height shall not exceed eight (8) feet. The multi-family complex entry sign shall be set back a minimum of three (3) feet behind the right-of-way. A multi-family complex entry sign may be internally or indirectly illuminated. A multi-family complex entry sign structure shall be architecturally compatible with the complex and shall be approved administratively.

**21. Freestanding Sign: Directory Sign.** In the Commercial, Office, Employment and Public Facility / Institutional Zoning Districts, one (1) directory sign is permitted for each five (5) commercial tenants or uses. The maximum size (area) of the directory sign shall not exceed forty (40) square feet and the maximum height of the directory sign shall not

exceed eight (8) feet. A directory sign shall be set back a minimum of seventy-five (75) feet from any perimeter property line, except where such property line abuts other commercial or employment development and there is a cross-access between the commercial or employment properties. A directory sign shall only be installed on-site in landscape islands or pedestrian areas.

In the Heritage Village Center Zoning District, one (1) directory sign is permitted for each four (4) commercial tenants or uses. The maximum size (area) of the directory sign shall not exceed six (6) square feet and the maximum height of the directory sign shall not exceed six (6) feet. A directory sign shall be integrated into the building architecture or located within a courtyard or similar feature of a building.

**22. Awning Signs.** In the Heritage Village Center District, an awning sign may be located on the valance of an awning. The size (area) of an awning sign, together with the size (area) of any other allowed lawful and permitted signs for the same building, shall not exceed the limitation for the Sign Allowance Area set forth in Section 4.409.B. Graphics shall be permanently affixed to the awning, and may be silkscreen, painted, cutout lettering heat color transfer, pressure sensitive vinyl films, sewn applique signs, or similar to the foregoing. An awning sign may be indirectly illuminated or backlit. An awning sign shall not obstruct sidewalks, required accessible paths of travel, or the visibility of other signs. Lighting fixtures shall be decorative and architecturally compatible with the building. Recommended Guidelines for appropriate design, materials, and color of fixtures are set forth in the Heritage District Redevelopment Plan.

**23. Marquee Signs.** In the Heritage Village Center District, a marquee sign may be located on a marquee that is approved by the Redevelopment Commission as part of a Design Review application or a Heritage Sign Plan. A marquee sign shall only be affixed on a marquee located at the primary entrance of the tenant/user suite to which it is appurtenant. The size (area) of the marquee sign, together with the size (area) of any other allowed lawful and permitted signs for the same building, shall not exceed the limitation for the Sign Allowance Area set forth in Section 4.409.B. The colors, materials, and design of a marquee sign shall complement the design of the building(s) which it serves. A marquee sign may be internally or indirectly illuminated. A marquee sign may include a manual changing message display and sign copy shall only be changed manually. Electronic or mechanical sign copy change is prohibited. A marquee signs shall not obstruct sidewalks, required accessible paths of travel, or the visibility of other signs. Lighting fixtures shall be decorative and architecturally compatible with the building, and a marquee sign may incorporate flashing or blinking elements within the area of the sign. Recommended Guidelines for appropriate design, materials, and color of fixtures and the appropriate flashing and blinking frequency are set forth in the Heritage District Redevelopment Plan.

**24. Canopy Signs for Service Islands.** Each service island may have up to two (2) canopy signs per each service island. The size (area) of a canopy sign shall not exceed twelve (12) square feet. No part of the sign shall project from a canopy wall by more than

six (6) inches. A canopy sign shall be vertically centered on the face of the canopy and the height shall not exceed eighty (80) percent of the vertical dimension of the canopy wall on which the sign is placed. The size (area) of a canopy sign shall not count against the maximum sign area allowed for wall signs on the parcel. .

**25. Historic Markers.** A parcel is allowed a Historic Marker. The size (area) of a Historic Marker shall not exceed six (6) square feet.

**4.410. Residential Zoning Districts.**

In Residential Zoning Districts, the permanent sign types allowed and the applicable permitting plan or program and/or other review process are set forth below in Table 4.410. Refer to each sign type for criteria and limitations as more specifically set forth in Section 4.409.B.

<b>Table 4.410: Permanent Signs Allowed in Residential Zoning Districts</b>	
<b>Sign Type</b>	<b>Allowed</b>
1. Street Address Signs	Yes
2. Unit and Building Identification Signs	Yes
3. Wall Signs at Entrances to Dwelling Units	Yes
4. Painted Wall Signs	No
5. Wall Signs at Entrances to Non-Residential Tenant Offices and Suites	No
6. Wall Signs at Entrances to Restaurants	No
7. Wall Signs at Service and Delivery Entrances	No
8. Window Signs	No
9. Door Signs	No
10. Wall-Mounted Cabinet Signs	No
11. Projecting Signs	No
12. Projecting Roof Signs	No
13. Suspended Signs	No
14. Drive-Through Lane Signs	No
15. Freestanding Sign: Monument Signs	No
16. Freestanding Sign: Tower Signs	No
17. Freestanding Sign: Freeway Signs	No
18. Freestanding Sign: Onsite Traffic Signs	No
19. Freestanding Sign: Residential Subdivision Entry Signs	Yes
20. Freestanding Sign: Multi-Family Complex Entry Signs	Yes
21. Freestanding Sign: Directory Signs	No
22. Awning Signs	No
23. Marquee Signs	No
24. Canopy Signs for Service Islands	No
25. Historic Markers	Yes

**4.411. Nonresidential Uses in Residential Zoning Districts.**

For non-residential uses in Residential Zoning Districts, the permanent sign types allowed and the applicable permitting plan or program and/or other review process are set forth below in Table 4.411. Refer to each sign type for criteria and limitations as more specifically set forth in Section 4.409.B.

<b>Table 4.411: Permanent Signs Allowed for Non-Residential Uses in Residential Zoning Districts</b>	
<b>Sign Type</b>	<b>Allowed</b>
1. Street Address Signs	Yes
2. Unit and Building Identification Signs	Yes
3. Wall Signs at Entrances to Dwelling Units	Yes
4. Painted Wall Signs	No
5. Wall Signs at Entrances to Non-Residential Tenant Offices and Suites	No
6. Wall Signs at Entrances to Restaurants	No
7. Wall Signs at Service and Delivery Entrances	No
8. Window Signs	No
9. Door Signs	No
10. Wall-Mounted Cabinet Signs	No
11. Projecting Signs	No
12. Projecting Roof Signs	No
13. Suspended Signs	No
14. Drive-Through Lane Signs	No
15. Freestanding Sign: Monument Signs	Yes
16. Freestanding Sign: Tower Signs	No
17. Freestanding Sign: Freeway Signs	No
18. Freestanding Sign: Onsite Traffic Signs	No
19. Freestanding Sign: Residential Subdivision Entry Signs	No
20. Freestanding Sign: Multi-Family Complex Entry Signs	No
21. Freestanding Sign: Directory Signs	No
22. Awning Signs	No
23. Marquee Signs	No
24. Canopy Signs for Service Islands	No
25. Historic Markers	Yes



**4.412. Commercial Zoning Districts.**

In Commercial Zoning Districts, the permanent sign types allowed and the applicable permitting plan, program or other review process are set forth below in Table 4.412. Refer to each sign type for criteria and limitations as more specifically set forth in Section 4.409.B.

<b>Table 4.412: Permanent Signs Allowed in Commercial Zoning Districts</b>	
<b>Sign Type</b>	<b>Allowed</b>
1. Street Address Signs	Yes
2. Unit and Building Identification Signs	Yes
3. Wall Signs at Entrances to Dwelling Units	Yes
4. Painted Wall Signs	No
5. Wall Signs at Entrances to Non-Residential Tenant Offices and Suites	Yes
6. Wall Signs at Entrances to Restaurants	Yes
7. Wall Signs at Service and Delivery Entrances	Yes
8. Window Signs	Yes
9. Door Signs	Yes
10. Wall-Mounted Cabinet Signs	Yes
11. Projecting Signs	No
12. Projecting Roof Signs	No
13. Suspended Signs	No
14. Drive-Through Lane Signs	Yes
15. Freestanding Sign: Monument Signs	Yes
16. Freestanding Sign: Tower Signs	Yes
17. Freestanding Sign: Freeway Signs	Yes
18. Freestanding Sign: Onsite Traffic Signs	Yes
19. Freestanding Sign: Residential Subdivision Entry Signs	No
20. Freestanding Sign: Multi-Family Complex Entry Signs	Yes
21. Freestanding Sign: Directory Signs	Yes
22. Awning Signs	No
23. Marquee Signs	No
24. Canopy Signs for Service Islands	Yes
25. Historic Markers	Yes

**4.413. Heritage Village Center Zoning District.**

In the Heritage Village Center Zoning District, the permanent sign types allowed and the applicable permitting plan, program or review process are set forth below in Table 4.413. Refer to each sign type for criteria and limitations as more specifically set forth in Section 4.409.B.

<b>Table 4.413: Permanent Signs Allowed in the Heritage Village Center Zoning District</b>	
<b>Sign Type</b>	<b>Allowed</b>
1. Street Address Signs	Yes
2. Unit and Building Identification Signs	Yes
3. Wall Signs at Entrances to Dwelling Units	Yes
4. Painted Wall Signs	Yes
5. Wall Signs at Entrances to Non-Residential Tenant Offices and Suites	Yes
6. Wall Signs at Entrances to Restaurants	Yes
7. Wall Signs at Service and Delivery Entrances	Yes
8. Window Signs	Yes
9. Door Signs	Yes
10. Wall-Mounted Cabinet Signs	Yes
11. Projecting Signs	Yes
12. Projecting Roof Signs	Yes
13. Suspended Signs	Yes
14. Drive-Through Lane Signs	Yes
15. Freestanding Sign: Monument Signs	Yes
16. Freestanding Sign: Tower Signs	No
17. Freestanding Sign: Freeway Signs	No
18. Freestanding Sign: Onsite Traffic Signs	Yes
19. Freestanding Sign: Residential Subdivision Entry Signs	No
20. Freestanding Sign: Multi-Family Complex Entry Signs	Yes
21. Freestanding Sign: Directory Signs	Yes
22. Awning Signs	Yes
23. Marquee Signs	Yes
24. Canopy Signs for Service Islands	No
25. Historic Markers	Yes

**4.414. Office Zoning Districts.**

In the Office Zoning Districts, the permanent sign types allowed and the applicable permitting plan, program or other review process are set forth below in Table 4.414. Refer to each sign type for criteria and limitations as more specifically set forth in Section 4.409.B.

<b>Table 4.414: Permanent Signs Allowed in Office Zoning Districts</b>	
<b>Sign Type</b>	<b>Allowed</b>
1. Street Address Signs	Yes
2. Unit and Building Identification Signs	Yes
3. Wall Signs at Entrances to Dwelling Units	Yes
4. Painted Wall Signs	No
5. Wall Signs at Entrances to Non-Residential Tenant Offices and Suites	Yes
6. Wall Signs at Entrances to Restaurants	Yes
7. Wall Signs at Service and Delivery Entrances	Yes
8. Window Signs	Yes
9. Door Signs	Yes
10. Wall-Mounted Cabinet Signs	Yes
11. Projecting Signs	No
12. Projecting Roof Signs	No
13. Suspended Signs	No
14. Drive-Through Lane Signs	Yes
15. Freestanding Sign: Monument Signs	Yes
16. Freestanding Sign: Tower Signs	Yes
17. Freestanding Sign: Freeway Signs	Yes
18. Freestanding Sign: Onsite Traffic Signs	Yes
19. Freestanding Sign: Residential Subdivision Entry Signs	No
20. Freestanding Sign: Multi-Family Complex Entry Signs	No
21. Freestanding Sign: Directory Signs	Yes
22. Awning Signs	No
23. Marquee Signs	No
24. Canopy Signs for Service Islands	Yes
25. Historic Markers	Yes

**4.415. Employment Zoning Districts.**

In Employment Zoning Districts, the permanent sign types allowed and the applicable permitting plan, program or other review process are set forth below in Table 4.415. Refer to each sign type for criteria and limitations as more specifically set forth in Section 4.409.B.

<b>TABLE 4.415: Permanent Signs Allowed in Employment Zoning Districts</b>	
<b>Sign Type</b>	<b>Allowed</b>
1. Street Address Signs	Yes
2. Unit and Building Identification Signs	Yes
3. Wall Signs at Entrances to Dwelling Units	Yes
4. Painted Wall Signs	No
5. Wall Signs at Entrances to Non-Residential Tenant Offices and Suites	Yes
6. Wall Signs at Entrances to Restaurants	Yes
7. Wall Signs at Service and Delivery Entrances	Yes
8. Window Signs	Yes
9. Door Signs	Yes
10. Wall-Mounted Cabinet Signs	Yes
11. Projecting Signs	No
12. Projecting Roof Signs	No
13. Suspended Signs	No
14. Drive-Through Lane Signs	Yes
15. Freestanding Sign: Monument Signs	Yes
16. Freestanding Sign: Tower Signs	Yes
17. Freestanding Sign: Freeway Signs	Yes
18. Freestanding Sign: Onsite Traffic Signs	Yes
19. Freestanding Sign: Residential Subdivision Entry Signs	No
20. Freestanding Sign: Multi-Family Complex Entry Signs	No
21. Freestanding Sign: Directory Signs	Yes
22. Awning Signs	No
23. Marquee Signs	No
24. Canopy Signs for Service Islands	Yes
25. Historic Markers	Yes

**4.416 Public Facility/Institutional.**

In Public Facility/Institutional Zoning Districts, the permanent sign types allowed and the applicable permitting plan, program or review processes are set forth below in Table 4.416. Refer to each sign type for criteria and limitations as more specifically set forth in Section 4.409.B.

<b>TABLE 4.416: Permanent Signs Allowed in Public Facility/Institutional Districts</b>	
<b>Sign Type</b>	<b>Allowed</b>
1. Street Address Signs	Yes
2. Unit and Building Identification Signs	Yes
3. Wall Signs at Entrances to Dwelling Units	No
4. Painted Wall Signs	No
5. Wall Signs at Entrances to Non-Residential Tenant Offices and Suites	Yes
6. Wall Signs at Entrances to Restaurants	Yes
7. Wall Signs at Service and Delivery Entrances	Yes
8. Window Signs	Yes
9. Door Signs	Yes
10. Wall-Mounted Cabinet Signs	Yes
11. Projecting Signs	No
12. Projecting Roof Signs	No
13. Suspended Signs	No
14. Drive-Through Lane Signs	Yes
15. Freestanding Sign: Monument Signs	Yes
16. Freestanding Sign: Tower Signs	Yes
17. Freestanding Sign: Freeway Signs	Yes
18. Freestanding Sign: Onsite Traffic Signs	Yes
19. Freestanding Sign: Residential Subdivision Entry Signs	No
20. Freestanding Sign: Multi-Family Complex Entry Signs	No
21. Freestanding Sign: Directory Signs	Yes
22. Awning Signs	No
23. Marquee Signs	No
24. Canopy Signs for Service Islands	No
25. Historic Markers	Yes

**4.417. Sign Maintenance.**

Maintenance of legal signs is allowed and maintenance of the same shall not require a permit. Sign maintenance is the replacement or repair of a part or portion of a sign required by ordinary wear, tear, or damage, with like material, color, and design. Maintenance of legal signs does not include changing the color, size, design, or style of signs. Any sign or component of a sign which is in a damaged or deteriorated condition and constitutes a danger or hazard to public safety shall be promptly repaired or replaced. Surface materials and components shall be kept free of chipping, peeling, fading, cracks, holes, buckles, warps, splinters, or rusting visible from an adjacent property or street. Illuminated signs shall be maintained in good operating condition including

prompt removal and replacement of all defective bulbs, light emitting diodes, fluorescent tubes, neon or other inert gas light segments, damaged or deteriorated electrical wiring, and malfunctioning control devices and related circuitry.

#### **4.418. Nonconforming Signs.**

It is the intent of this section to recognize that the eventual elimination of nonconforming signs as expeditiously and fairly as possible is as much a subject of health, safety, and welfare as is the prohibition of new signs that would violate the provisions of this a Article. The following provisions shall govern nonconforming signs.

- A. Non-conforming signs may receive reasonable repairs or alterations to the face, letters, and frame.
- B. If a non-conforming sign is structurally changed or is damaged by fire, lack of maintenance, or other causes by more than 50 percent of its reproduction value, or is temporarily or permanently removed by any means, including “acts of God,” then such sign shall be rebuilt, repaired, or replaced only in conformance with the provisions of this Article.
- C. If a non-conforming sign becomes an abandoned sign, it shall be removed after notice to the property owner, unless in the case of an abandoned sign the property owner establishes facts sufficient to rebut the presumption of abandonment.
- D. If a property or development is expanded or modified to add new signage, all nonconforming signs shall be removed or rebuilt to comply with the provisions of this Article.
- E. Sign faces may be replaced on non-conforming signs.
- F. Any change to a property that adds to or changes existing signage shall be prohibited until all non-conforming signs are removed or rebuilt in conformance with this Article. Nothing herein shall prevent the replacement of sign faces on a nonconforming sign. Nothing herein shall require that existing signage which does not conform to the restrictions on cabinet signs or raceways be brought into conformance where it is demonstrated to the Zoning Administrator that the type of signage permitted by this Article is not structurally feasible.

#### **4.419. Sign Violations.**

**A. Requirement of Permit.** Unless specifically exempted herein, it shall be unlawful for any person to construct, install, attach, place, paint, alter, relocate, or otherwise maintain any sign in the Town without first obtaining a sign permit in accordance with the provisions of this Article.

**B. Requirement of Compliance.** Signs shall be installed, placed, or maintained in the Town only in compliance with this Article. If provisions of this Article are in conflict with any other Town code, the more restrictive requirement(s) shall apply. Signs maintained contrary to the provisions of this Article are declared to be nuisances and may be abated as provided by law. The responsibility for compliance with this chapter rests jointly and severally upon the sign owner, the permit holder, any and all parties holding the present right of possession and control of the property whereon a sign is located, mounted or installed, and the legal owner of the lot or parcel, even if the sign was mounted, installed, erected or displayed without the consent or knowledge of the owner and/or other parties holding the legal right to immediate possession and control.

**C. Permanent Signs.**

1. Notice of Violation. Notice of violation of this Article shall be provided by a Code Compliance Officer to one or more of the responsible persons listed in section B above. The time periods provided for correction of the violation shall be:

a. A ten (10) calendar day written notice shall be provided.

b. If determined to be in an unsafe condition, a two (2) calendar day written notice shall be provided. If the correction has not been made within forty-eight (48) hours, the building official may have the sign removed if it creates a danger to the public safety or have any necessary repairs or maintenance performed at the expense of the sign owner or owner or lessee of the property upon which the sign is located

2. Enforcement.

a. The Code Compliance Manager is authorized to require removal of any sign installed in violation of this Article. In the case of a sign code violation where the offending sign has been removed by the Code Compliance Officer, the notice shall state the reason for its removal.

b. The Building Official is authorized to remove or require the immediate removal or repair without written notice of any unsafe sign that creates an immediate hazard to persons or property.

c. Recovery of Costs. The costs of removal or repair of a sign by the Town shall be borne by the person who installed the sign, and, if unknown, the owner or lessee of the sign and of the property on which the sign is located. If the Town incurs costs in the removal or repair of a sign, the Town may bring an action in Municipal Court or Superior Court to recover its costs.

**D. Temporary Signs-Generally.**

1. Notice of Violation.
  - a. For temporary signs, other than A-Frame/T-Frame Signs and Flying Banners which are addressed in Section 4.419.E below, a two (2) calendar day written notice shall be provided.
  - b. A written notice is not required for a temporary sign placed within the right-of-way, and such signs may be removed immediately at any time and without notice.
2. Enforcement. The Code Compliance Manager may remove or cause to be removed any Temporary Sign which is not removed by the owner.

**E. Temporary Signs: A-Frame and T-Frame Signs; Flying Banner Signs.**

1. Notice of Violation, Enforcement and Penalties.
  - a. First Offense.
    - (1) A two-day written notice of the violation shall be given by the Code Compliance Manager to the owner or lessee of the business to which the sign relates, or, if such violation relates to the spacing requirements set forth in Section 4.408 a written notice shall be given to all owners or lessees of businesses to which the signs relate.
    - (2) Upon receipt of the notice, the owner or lessee of the business or businesses to which the sign(s) relate shall bring the sign(s) into conformance with this Article.
  - b. Second Offense.
    - (1) If the Code Compliance Manager finds that there is a second violation by the same owner or lessee of a business to which the sign relates within any twenty-four (24) month period, then no notice shall be required. The offending A-Frame/T-Frame Sign or Flying Banner Sign shall be subject to immediate confiscation. For purposes of calculating the twenty-four (24) month period, the date of the commission of the first offense shall be used.
    - (2) If the violation relates to the spacing requirements set forth in Section 4.408, then all signs in violation shall be subject to confiscation regardless of which sign was placed first.



(3) The Code Compliance Manager shall give notice to the owner or lessee of the business being advertised by the A-Frame/T-Frame Sign or Flying Banner Sign that the sign has been confiscated and that if not claimed within five (5) calendar days from the date of the notice, the sign shall be disposed of.

c. Third Offense.

(1) The third time in any twenty-four (24) month period that an A-Frame Sign or Flying Banner at a business is found by the Code Compliance Manager to be in violation of this Article, such sign shall be confiscated. For purposes of calculating the twenty-four (24) month period, the date of the commission of the first offense shall be used.

(2) After a third violation in any twenty-four (24) month period, A-Frame Signs or Flying Banners relating to the business shall not be permitted.

d. Fourth Offense.

(1) The fourth time in any 24 month period that an A-Frame Sign or Flying Banner at a business is found by the Code Compliance Manager to be in violation of this Article, the owner or lessee of the business shall be guilty of a Class I Misdemeanor but shall be exposed to only civil fines for the conviction. For purposes of calculating the 24 month period, the date of the commission of the first offense shall be used.

(2) Upon conviction of a violation of this Article, the court shall order a person who has been convicted of a violation of this section to pay a fine of not less than \$500.00 for each count upon which a conviction has been obtained.

#### **4.420 State Preemption.**

This Article shall be interpreted and enforced consistent with state law.

#### **4.421 Severability**

**A. Generally.** If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Article is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Article.

**B. Severability where less speech results.** Without diminishing or limiting in any way the declaration of severability set forth in subsection (1), above, or elsewhere in this Article, the LDC, the Gilbert Code of Ordinances, or any adopting ordinance, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this division is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this division, even if such severability would result in a situation where there would be less speech, whether by subjecting previously exempt signs to permitting or otherwise.

**C. Severability of provisions pertaining to prohibited signs.** Without diminishing or limiting in any way the declaration of severability set forth in subsection (1), above, or elsewhere in this Article, the LDC, the Gilbert Code of Ordinances, or any adopting ordinance, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this division or any other law is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Article that pertains to prohibited signs, including specifically those signs and sign types prohibited and not allowed under Section 4.404, Prohibited Signs, of this Article. Furthermore, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of Section 4.404 is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of Section 4.404 thereby ensuring that as many prohibited sign types as may be constitutionally prohibited continue to be prohibited.

**D. Severability of prohibition on billboards.** If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this division and/or any other code provisions and/or laws are declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect the prohibition on billboards as contained in this Article, the LDC, or the Gilbert Code of Ordinances, or any adopting ordinance.

## Glossary of General Terms

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- Abandoned SIGN (*see Sign Related Terms TYPES*)
- Abandoned Vehicle (*see Vehicle Related Terms*)
- Abutting or Adjoining
- Accessory Entry Monument
- Accessory Structure
- Accessory Use (*see Incidental Use*)
- Acre, Gross
- Acre, Net
- ACT OF GOD (*SEE SIGN RELATED TERMS*)
- Adjacent
- Adverse Impact
- A-Frame Sign (*see Sign Types*)
- Alley (*see Street Types*)
- Alteration
- Alternative WCF Building Element (*see Wireless Communication Related Terms*)
- Alternative WCF Structure (*see Wireless Communication Related Terms*)
- Ambient Noise Level (*see Noise Related Terms*)
- ~~Animation~~ ANIMATED SIGN (*see Sign Related Terms TYPES*)
- Antenna (*see Wireless Communication Related Terms*)
- Antenna Mast (*see Wireless Communication Related Terms*)
- Apartment Building
- Architectural Detail/Feature/Element (*see Sign Related Terms*)
- Arterial, Major (*see Street Types*)
- Arterial, Minor (*see Street Types*)
- Attached Dwelling (*see Dwelling, Attached*)
- Attached Single Family Dwelling (*see Residential Housing Types*)
- A-Weighted Sound Level (*see Noise Related Terms*)
- Awning
- Awning Sign (*see Sign Types*)
- Balcony
- Balloon SIGN (*see Sign Related Terms-TYPE*)
- BANDIT SIGN (*SEE SIGN TYPES*)
- Banner SIGN (*see Sign Types*)
- Basement
- Bazaar Sign (*see Sign Types*)
- Bed and Breakfast Home (*see Use, Vacation or Short-Term Rentals*)
- Bedroom
- Berm
- Billboard (*see Sign Types*)
- BLINKING SIGN (*SEE SIGN TYPES*)
- Block
- Block Face
- ~~Builder/Real Estate Sign~~ (*see Sign Types*)
- ~~Builder's Sign Package~~ (*see Sign Related Terms*)
- Building
- Building, Detached
- Building Envelope
- Building Height
- ~~Building Identification Sign~~ (*see Sign Types*)
- Building, Main or Principal
- Building Setback (*see Setback, Building*)
- Building Step-Back
- Building, Temporary (*see Structure, Temporary*)
- Building Wall
- Build-To Line
- ~~Business Identification Sign~~ (*see Identification Sign; Sign Types*)
- Cabinet (~~Can~~) Sign (*see Sign Types*)
- Canopy
- CANOPY SIGNS FOR SERVICE ISLANDS (*SEE SIGN TYPES*)
- Carport
- Certificate of Plat Correction
- ~~Changeable~~ CHANGING Message Sign (*see Sign Types*)
- Civil Hearing Officer
- Collector Street (*see Street Types*)
- Co-Location (*see Wireless Communication Related Terms*)
- Commercial Building, Multiple Tenant (*see Sign Related Terms*)
- Commercial Center (*see Sign Related Terms*)
- Commercial Vehicle (*see Vehicle Related Terms*)
- Common Driveway

Comprehensive Sign Program (*see Sign Related Terms*)  
 Condominium (*see Residential Housing Types*)  
~~Construction Sign~~ (*see Sign Types*)  
 Contiguous Lot or Parcel  
 Corner Lot (*see Lot Types*)  
 Cornice  
 Cul-De-Sac (*see Street Types*)  
 Cutoff, Full (*see Lighting Related Terms*)  
 Cutoff, Semi- (*see Lighting Related Terms*)  
 Day Care, Adult  
 Day Care, Child  
 Day/Night Level (DNL or Ldn) (*see Noise Related Terms*)  
 Decibel (dB) (*see Noise Related Terms*)  
 Decibel, A-Weighted (dBA) (*see Noise Related Terms*)  
 Decision-Making Body  
 Dedication  
 Density  
 Development Plan  
~~Development Sign~~ (*see Sign Types*)  
 Developmentally Disabled  
 Dining, Outdoor  
~~Directional Sign~~ (*see Sign Types*)  
 Directory Sign (*see Sign Types*)  
 Double Frontage Lot (*see Lot Types*)  
 Drive-Through Facility  
 Drive-Through ~~Restaurant Menu~~ LANE Sign (*see Sign Types*)  
 Driveway, Major  
 Duplex (*see Residential Housing Types*)  
 Dust Free  
 Dwelling Unit  
 Dwelling Unit, Attached  
 Dwelling Unit, Facility Manager  
 Easement  
 Easement, Vehicular Non-Access  
 Elevation, Architectural  
 Equipment Cabinet or Building (*see Wireless Communication Related Terms*)  
 Equivalent Sound Level (Leq) (*see Noise Related Terms*)  
 Equivalent Sound Level, Hourly (Leq(h)) (*see Noise Related Terms*)  
 Existing Vertical Element (*see Wireless Communication Related Terms*)  
 Existing Vertical Element, Recreational  
 Field Light Pole (*see Wireless Communication Related Terms*)  
 Exotic Animals  
 Facade  
 Family  
 Fence  
 Fence, Open  
 Finished Grade (*see Grade, Finished*)  
 Flag (*see Sign Types*)  
 Flag Lot (*see Lot Types*)  
 FLASHING SIGN (*SEE SIGN TYPES*)  
 Floor Area, Gross  
 Floor Area Ratio (FAR)  
 Flying Banner (*see Sign Types*)  
 Footcandle (*see Lighting Related Terms*)  
 Fowl  
 Freestanding Sign (*see Sign Types*)  
 Freeway  
 Freeway Sign (*see Sign Types*)  
 Front Lot Line (*see Lot Line, Front*)  
 Frontage, Building  
 Frontage, Double  
 Frontage, Lot  
 Frontage, Street  
 Garage, Detached  
 Garage, Side-Entry  
~~Garage Sale Sign~~ (*see Sign Types*)  
 Gatehouse  
 Grade, Existing  
 Grade, Finished  
 Grade Plane  
 Grade, Street  
~~Grand Opening Sign~~ (*see Sign Types*)  
 Handicapped  
 Hazardous Waste (*see Waste Related*)  
 Height (*see Building Height*)  
~~Height, Sign~~ (*see Sign Related Terms*)  
 Height, Story  
 High Turnover Use  
 HISTORIC MARKER (*SEE SIGN TYPES*)  
 Homeowners Association  
 Hospice  
 Identification Sign (*see Sign Types*)  
 Ideological Sign (*see Sign Types*)  
 Illegal Use

Improvements (*see Subdivision Related*)  
Improvement, Off-Site  
Improvement Plan  
Incidental Use (*see Use, Incidental*)  
Indirect Illumination (*see Sign Related Terms*)  
Individual Letters (*see Sign Related Terms*)  
INFLATABLE SIGN (*SEE SIGN TYPES*)  
Inoperable Vehicle (*see Vehicle Related Terms*)  
Interior Building Separation  
Interior Lot (*see Lot Types*)  
Interior Lot Line (*see Lot Line, Interior*)  
INTERMITTENT SIGN (*SEE SIGN TYPES*)  
Internal Illumination (*see Sign Related Terms*)  
Internal Indirect Lighting (Halo Lighting) (*see Sign Related Terms*) ~~Landscaping, Interior~~  
Land Use Law  
Lighting Related Terms  
Livestock  
Livestock, Large  
Livestock, Small  
Local Street (*see Street Types*)  
Logo (*see Sign Related Terms*)  
Lot  
Lot Area  
Lot Coverage  
Lot Depth  
Lot Line  
Lot Line, Front  
Lot Line, Interior  
Lot Line, Rear  
Lot Line, Side  
Lot Width  
Maintenance  
Map of Dedication  
Marquee  
Marquee Sign (*see Sign Types*)  
Master Sign Plan (*see Sign Related Terms*)  
Median  
Medical Waste (*see Waste Related*)  
~~Menu Sign (*see Sign Types*)~~  
Minor Land Division (*see Subdivision Related*)  
Minor Subdivision (*see Subdivision Related*)  
Mixed Use Development  
Monopole (*see Wireless Communication Related Terms*)  
Monopole, Portable (*see Wireless Communication Related Terms*)  
Monument Sign (*see Freestanding Sign*)  
Motor Vehicle (*see Vehicle Related Terms*)  
MOVING SIGN (*SEE SIGN TYPES*)  
Multi-Family Dwelling (*see Residential Housing Types*)  
Mural  
NEON SIGN (*SEE SIGN TYPES*)  
Noise Related Terms  
Non-Conforming Lot or Parcel  
Non-Conforming Sign  
Non-Conforming Structure  
Non-Conforming Use  
Nonresidential  
Off-Site ~~Signage~~ COMMERCIAL SIGN (*see Sign Types*)  
On-Site ~~Sign~~ SIGNAGE (*see Sign Types*)  
Open Air Accessory Structure  
Open Air Attached Patio  
Open Air Porch  
Open House Sign (*see Sign Types*)  
Open Space  
Outdoor Light Fixture (*see Lighting Related Terms*)  
Overflight Areas  
Painted Wall Sign (*see Sign Types*)  
Pan-Channel Letter (*see Sign Related Terms*)  
Parapet  
Parcel (*see Lot*)  
Parking, Required  
Parking, Tandem  
Patio, Covered  
Pedestrian, Sidewalk and Landscape  
Tract  
Pennant (*see Sign Types*)  
Permanent Sign (*see Sign Types*)  
Plat, Corrective  
Plat, Final  
Plat, Preliminary  
Plat, Recorded  
Pole Sign (*see Sign Types*)  
~~Political Sign (*see Sign Types*)~~  
Porch

Portable Sign (*see Sign Types*)  
 Principal Structure  
 Principal Use (*see Use, Principal*)  
 Private Park  
 Project  
 Projecting Roof Sign (*see Sign Types*)  
 Projecting Sign (*see Sign Types*)  
 Property, Business  
 Property Line (*see Lot Line*)  
 Property Owner  
 Property, Public  
 Protected Development Right  
 Public Park  
 Public Safety Communications Facility  
 (*see Wireless Communication Related Terms*)  
 Pull-Through Parking Space  
~~Pump Topper Sign or Spanner~~ (*see Sign Types*)  
 Raceway (*see Sign Related Terms*)  
~~Real Estate Sign~~ (*see Sign Types*)  
 Rear Lot Line (*see Lot Line, Rear*)  
 Recreational Vehicle (*see Vehicle Related Terms*)  
 Reptile  
~~Residential Builder Attention Flags~~ (*see Sign Types*)  
 Residential Entry Sign (*see Sign Types*)  
 Residential Housing Types  
 Retail Sales  
 Right-of-Way  
 Rodent  
 Roof Line  
 Roof Sign (*see Sign Types*)  
 ROTATING SIGN (*SEE SIGN TYPES*)  
 SCROLLING SIGN (*SEE SIGN TYPES*)  
 Secondary Dwelling Unit (*see Residential Housing Types*)  
 Service Bay Facility  
~~Service Station Canopy Signs~~ (*see Sign Types*)  
 Setback  
 Setback, Front  
 Setback, Rear  
 Setback, Side  
 Setback Area  
 Setback Area, Front  
 Setback Area, Rear  
 Setback Area, Side  
 T-FRAME SIGN (*SEE SIGN TYPES*)  
 Side Lot Line (*see Lot Line, Side*)  
 Sign  
~~Sign Area~~ (*see Sign Related Terms*)  
 Sign Face (*see Sign Related Terms*)  
 Sign Plan (*see Sign Related Terms*)  
 Sign Related Terms  
 Sign Structure  
 Sign Types  
 Single Family Dwelling Unit (*see Residential Housing Types*)  
 Single Housekeeping Unit  
 Site  
 Site Plan  
 SNIPE SIGN (*SEE SIGN TYPES*)  
 Stacking Space  
 Storage Container, Residential  
 Storage Container, Non-Residential Storage, Outdoor  
 Story  
 Street  
 Street Pole ~~Banners~~-BANNER SIGN (*see Sign Types*)  
 Street Types  
 Structure  
 Studio Dwelling Unit (*see Residential Housing Types*)  
~~Subdivision Directional Sign~~ (*see Sign Types*)  
~~Subdivider~~ (*see Subdivision Related*)  
 Subdivision (*see Subdivision Related*)  
~~Subdivision Directional Sign~~ (*see Sign Types*)  
 Subdivision Related  
 Support Structure (*see Wireless Communication Related Terms*)  
 Suspended Sign (*see Sign Types*)  
 Swimming Pool  
 Swimming Pool, Public  
 Teletrack Operator  
 Teletrack Wagering Establishment  
~~Temporary Directional Signs Relating to a Qualifying Event~~ (*see Sign Types*)  
 Temporary Sign (*see Sign Types*)  
 Temporary Use (*see Use, Temporary*)

~~Temporary Use and Special Event Signs~~

~~(see Sign Types)~~

Through Lot *(see Lot Types, Double-Frontage)*

~~Time and Temperature Display~~ *(see Sign Types)*

Tower Sign *(see Sign Types)*

Trail, Equestrian

Trail, Multi-Use

TRAFFIC CONTROL DEVICE SIGN

*(SEE SIGN TYPES)*

Umbrella Sign *(see Sign Types)*

UNLAWFUL VEHICLE SIGN *(SEE SIGN TYPES)*

Use, Incidental

Use, Principal

Use, Temporary

Vacation

Variance

Vehicle Related Terms

V-Shaped Sign *(see Sign Types)*

Wall Sign *(see Sign Types)*

Waste Related

Wholesale Sales

Window Sign *(see Sign Types)*

~~Windscreen Sign~~ *(see Sign Types)*

Wireless Communication Related Terms

## Terms

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**Abutting or Adjoining.** Having district boundaries or lot lines in common. For streets, abutting or adjoining shall mean a lot or parcel touching the street at any point.

**Accessory Entry Monument.** An architectural structure signifying and marking a major arrival point to a multiple-tenant commercial or employment project.

**Accessory Structure.** A detached subordinate structure, the use of which is incidental to the use of the principal structure, and which is located on the same lot or parcel as the principal structure. Common accessory structures are garages, parking canopies, swimming pools, storage sheds and cabanas. *Guest Quarters, Secondary Dwellings*, signs, and fences are not accessory structures.

**Accessory Use.** (See *Use, Incidental*)

**Acreage, Gross.** The land area within the perimeter of a parcel or project, including one-half the right-of-way of all adjoining streets and other land dedications.

**Acreage, Net.** The land area of a parcel or project excluding land to be dedicated or reserved for streets, schools, parks or other public facilities.

**Adjacent.** Near or close to.

**Adverse Impact.** A negative consequence to the physical, social, or economic environment resulting from an action or project.

**Alteration.** Any enlargement, addition, relocation, repair, remodeling, change in number of living units, development of or change in an open area, development of or change in a sign, demolition or removal, or other change in a facility for which a building permit is required, excluding ordinary maintenance.

**Apartment Building.** A multi-family residential structure under single ownership containing 3 or more dwelling units for lease.

**Awning.** A roof-like cover entirely supported by and extending from a building for the purpose of protecting openings from the elements, providing shade or architectural embellishment.

**Balcony.** A platform that projects from the wall of a building, typically above the first level, and is surrounded by a rail, balustrade, or parapet.

**Basement.** That portion of a building that is partly or completely below grade plane. A basement shall be considered a story above grade where the finished surface of the floor above the basement is:



1. More than 6 feet above grade plane;
2. More than 6 feet above the finished ground level for more than 50 percent of the total building perimeter; or
3. More than 12 feet above the finished ground level at any point.

**Bedroom.** Any habitable room that may legally function as a bedroom in that it complies with, or is required by the Building Official to comply with, all applicable laws and regulations pertaining to sleeping rooms.

**Berm.** An earthen mound designed to provide visual interest, screen objects from view, reduce noise, or control drainage flows.

**Block.** An area of land bounded by adjacent streets, canals or drainage ways, railroads, open space, corporate or subdivision boundaries.

**Block Face.** The portion of a block that abuts a street.

**Building.** Any structure for the shelter or support of any use or occupancy.

**Building, Detached.** A building is detached when it is not attached or otherwise permanently fastened to any other building.

**Building Envelope.** The volume of space for building as defined by the minimum building setbacks and the maximum allowable building height (SEE APPENDIX 1, FIGURE 19).

**Building Height.** The vertical distance from the finish floor level to the highest level of the roof surface of flat or mansard roofs, or to the mean height between eaves and ridges of gable, gambrel, or hip roofs (SEE APPENDIX 1, FIGURE 20).

**Building, Main or Principal.** A building where the principal use of a lot is conducted.

**Building Step-Back.** A required setback for a portion of a building above the first floor (SEE APPENDIX 1, FIGURE 21).

**Building Wall.** The exterior of any side of a building.

**Build-To Line.** The maximum distance a building may be set back from a property line (SEE APPENDIX 1, FIGURE 22).

**Canopy.** A roof-like cover partially supported by poles or columns affixed to the ground and partially supported by a building.

**Carpport.** A roofed structure not fully enclosed by walls for the purpose of providing shelter for one or more vehicles.

**Certificate of Plat Correction.** An official document administratively approved and recorded for the purpose of correcting errors of minor survey, drafting or typographical nature to a recorded plat.

**Civil Hearing Officer.** An individual appointed by the Presiding Judge of the Gilbert Municipal Court to hear and decide civil matters pursuant to the Zoning Code.

**Common Driveway.** A driveway providing a shared access to 2 or more lots.

**Contiguous Lot or Parcel.** Lots or parcels that are in contact with or touching at one or more points.

**Cornice.** Any projecting horizontal molding that finishes or crowns the top of a building, wall, arch or similar.

**Day Care, Adult.** The care and supervision of an adult for periods of less than 24 hours per day, in a place other than the adult's own home or homes.

**Day Care, Child.** The care, supervision, and guidance of a child or children through the age of 12 years; unaccompanied by parent, guardian or custodian, for periods of less than 24 hours per day, in a place other than the child's or the children's own home or homes.

**Decision-Making Body.** Any individual, officer, board, or commission representing the Town authorized to approve, approve with modifications and/or conditions, or deny an application.

**Dedication.** The offer to convey land, an interest in land, or improvements to the Town or other public agency for public use, and the acceptance of such offer by the Town or public agency.

**Density.** The number of dwelling units per gross acre.

**Development Plan.** The site plan, preliminary landscape plan, building elevations, design guidelines, residential lot layout, open space plan, and other plans submitted as exhibits to a Planned Area Development zoning application.

**Developmentally Disabled.** (See Arizona Revised Statutes A.R.S. § 36-581)

**Dining, Outdoor.** An exterior area used as seating for a contiguous *Eating and drinking establishment*.

**Drive-Through Facility.** An establishment that provides services to customers in motor vehicles. Drive-through facilities do not include *Eating and drinking establishments* that serve food to customers in parked vehicles.

**Driveway, Major.** The principal vehicular access drive from an arterial street serving a nonresidential or multi-family development where inbound left turn movements are permitted. Developments may have more than 1 major driveway.

**Dust Free.** Property that is paved with one of the following methods:

1. Asphaltic concrete;
2. Cement concrete;
3. Penetration treatment of bituminous material and a seal coat of bituminous binder and a mineral aggregate; or
4. The equivalent of the above.

**Dwelling Unit.** A single residential unit or portion thereof providing complete, independent living facilities for 1 family, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

**Dwelling Unit, Attached.** A building containing 2 or more dwelling units, connected along and sharing 1 or more common walls, or stacked above each other.

**Dwelling Unit, Facility Manager.** A dwelling unit allowed in certain non-residential districts provided that the person(s) occupying the dwelling unit is an employee of the business where the dwelling unit is located and that employee provides a service or function for the business that requires a continuous on-site presence (such as site security, access control, maintenance or monitoring).

**Easement.** A grant by a property owner to others for the use of land or airspace for a specific purpose or purposes.

**Easement, Vehicular Non-Access.** A recorded easement prohibiting access or crossing by vehicles.

**Elevation, Architectural.** A two-dimensional scaled drawing of a building or structure.

**Exotic Animals.** (See Gilbert Municipal Code Chapter 6, Article III Livestock and Non-domestic Animals, Section 6-126: Definitions).

**Facade.** That portion of any exterior elevation of the building extending from grade to top of the parapet, wall, or eaves, and extending the entire width of the building elevation.

**Family.**

1. An individual or 2 or more persons related by blood, marriage, or adoption, and resident domestic employees, living together as a single housekeeping unit in a dwelling unit; or,
2. Not more than 5 unrelated persons, living together as a single housekeeping unit in a dwelling unit; or
3. A functional family, consisting of not more than 5 persons, plus their offspring, adopted and/or foster children who have a relationship functionally equivalent to a family. Functional family does not include any society, club, fraternity, sorority, association, lodge, organization or group of students or other individuals where the common living arrangement or basis for the establishment of the housekeeping unit is temporary.

**Fence.** A barrier or made of wire, wood, metal, masonry, PVC or other similar material. Vegetative material, tennis court enclosure, and golf ball protective net are not considered to be fences.

**Fence, Open.** A fence through which clear vision is possible for 75 percent or more of the structure as viewed on a horizontal plane, from any point perpendicular to the fence line.

**Floor Area, Gross.** The total area in square feet of all floors designed for tenant occupancy and common use, including basements, mezzanines, stairwells, and storage areas, measured from the centerline of interior partitions and from outside wall faces. Non air conditioned courtyards shall not be considered in gross floor area calculations.

**Floor Area Ratio (FAR).** The gross floor area of a building or buildings on a lot divided by the net lot or parcel area (SEE APPENDIX 1, FIGURE 23).

**Fowl.** (See Gilbert Municipal Code Chapter 6, Article III Livestock and Non-domestic Animals, Section 6-126: Definitions)

**Freeway.** A controlled access, divided, grade-separated highway, and all associated rights-of-way.

**Frontage, Building.** The length of the side of a building abutting or generally parallel to the front lot line. For a building on a corner lot, the combined lengths of the sides of the building abutting or generally parallel to the front and corner side lot lines.

**Frontage, Lot.** That part of a lot or parcel abutting a street.

**Frontage, Street.** The total length of all lot lines abutting streets.

**Garage, Detached.** An enclosed structure for the storage of vehicles and separated from a dwelling unit by a minimum distance of 6 feet.

**Garage, Side-Entry.** An enclosed structure for the storage of vehicles oriented such that the entrance is a minimum angle of at least 45 degrees from the front setback line.

**Grade, Existing.** The level of the ground or pavement at a specific location as it exists prior to disturbance in preparation for development.

**Gatehouse.** An incidental structure provided for aesthetic enhancement, security or site access control purpose.

**Grade, Finished.** The final elevation of the ground surface after man-made alterations.

**Grade Plane.** A reference plane representing the average of finished ground level adjoining the building at the exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than 6 feet from the building, between the building and a point 6 feet from the building.

**Grade, Street.** The top of the curb. Where no curb exist, the top of the edge of pavement.

**Handicapped.** A person who:

1. Has a physical or mental impairment which substantially limits one or more of such person's major life activities;
2. Has a record of having such an impairment; or
3. Is regarded as having such impairment.

"Handicapped" shall not include current illegal use of or addiction to a controlled substance (as defined in Section 102 of the Controlled Substance Act [21 United States Code 802]).

**Height.** (See Building Height)

**Height, Story.** The vertical distance from top to top of two successive finished floor surfaces; and, for the topmost story, from the top of the floor finish to the top of the ceiling joists or, where there is not a ceiling, to the top of the roof rafters.

**High Turnover Use.** A land use that is characterized by high vehicle trip generation per square foot of building area, in excess of 100 vehicle trips per 1,000 square feet per day.

**Homeowners Association.** A nonprofit corporation or unincorporated association of owners created pursuant to a declaration of restrictions to own and operate portions of a planned community and which has the power under the declaration to assess association members to pay

the costs and expenses incurred in the performance of the association's obligations under the declaration.

**Hospice.** A facility licensed or authorized by a governmental authority having jurisdiction over operations that provide 24-hour nursing and supportive care and other services in a home-like setting to persons who have a medical diagnosis of terminal illness.

**Illegal Use.** An activity that is not permitted.

**Improvement, Off-Site.** Any physical improvements, above or below ground, required by the Town for streets, utilities, landscaping, trails or other public purposes, adjacent to or in the vicinity of a project.

**Improvement Plan.** A plan submitted by a registered professional engineer showing the location and construction details of streets, drainage facilities, utilities, landscaping, and lighting required for a subdivision or other project.

**Incidental Use.** (See Use, Incidental)

**Interior Building Separation.** The distance between exterior walls of buildings on a site.

**Landscaping, Interior.** A landscaped area or areas within the shortest circumferential line defining the perimeter or exterior boundary of the parking or loading area, or similar paved area, excluding driveways or walkways providing access to the facility (as applied to parking and loading facilities or to similar paved areas).

**Land Use Law.** Any rule, ordinance, resolution or law enacted by the Town that regulates the use or division of land or any interest in land or that regulates accepted farming or forestry practices. (See A.R.S. § 12-1136)

**Lighting Related Terms.**

**Cutoff, Full.** Fixtures constructed so that light rays emitted, either directly from the lamp or indirectly from the fixture, are projected below a horizontal plane extending from the lowest point on the fixture where light is emitted.

**Cutoff, Semi-.** Fixtures constructed so that the bottom edge of the lens extends below the bottom plane of the fixture, and that allow some light to extend above a horizontal plane extending from the lowest point on the fixture where light is emitted.

**Footcandle.** A measure of light intensity representing the amount of light received by 1 square foot of a surface located 1 foot from a point source of light equivalent to one candle in brightness or illumination.

**Outdoor Light Fixture.** Artificial outdoor lamps and other devices, permanent or portable, used for illumination or advertisement. Such devices include, but are not limited to: search,

spot or flood lights; security lights; parking lot lighting; landscape and trail lighting; street lights; signage lighting; exterior building illumination, and similar light sources. Traffic lights are not outdoor light fixtures.

**Livestock.** (See Gilbert Municipal Code Chapter 6, Article III Livestock and Non-domestic Animals, Section 6-126: Definitions)

**Livestock, Large.** (See Gilbert Municipal Code Chapter 6, Article III Livestock and Non-domestic Animals, Section 6-126: Definitions)

**Livestock, Small.** (See Gilbert Municipal Code Chapter 6, Article III Livestock and Non-domestic Animals, Section 6-126: Definitions)

**Lot.** A unit of land shown on a recorded subdivision plat, record of survey map, parcel map, or recorded as a metes and bounds description.

**Lot Area.** The area bounded by the lot lines, exclusive of streets and areas in future streets as established by easement, dedication, or ordinance. Lot area does not include that area of a lot where the lot width is less than the minimum required by the base zoning district.

**Lot Coverage.** The percentage of a lot covered by buildings and structures. Lot coverage is determined by measuring the dimensions of the buildings or structures on the lot as follows:

1. All buildings and structures are measured from each exterior wall closest to the property line to the opposite exterior wall closest to the other property line on whatever floor is closest to the property line, including the exterior wall of any cantilevered element.
2. For covered architectural features attached to a building or structure, including but not limited to open air attached patios, open air porches, patio covers, decks, balconies and porches whether the roof is solid or an open or semi-open lattice roof element, lot coverage includes the area from exterior face of support column or post to exterior wall of building.
3. For detached accessory structures, including but not limited to open air attached patios, open air porches, patio covers, decks, ramadas and similar structures, lot coverage includes the area between the exterior face of support columns or posts whether the roof is solid or an open or semi-open lattice roof element. Where only one support element is provided lot coverage includes the area under the exterior perimeter of the covered architectural feature.
4. Lot coverage does not include uncovered patios, decks, balconies, porches, awnings and other similar architectural features having no support columns or posts. Lot coverage does not include the projection of cornices, roof eaves, overhangs and other similar architectural projections. Lot coverage does not include areas paved at grade for driveways, walkways, uncovered parking, walls or fences.

**Lot Depth.** The depth (or length) of a lot shall be (SEE APPENDIX 1, FIGURE 24):

1. If the front and rear lines are parallel, the shortest distance between such lines.
2. If the front and rear lines are not parallel, the shortest distance between the midpoint of the front lot line and the midpoint of the rear lot line.
3. If the lot has more than 4 sides, the shortest distance between:
  - a. A straight front lot line, or a line tangent to a curved front lot line; and
  - b. A 30 foot long assumed rear lot line lying parallel to the front lot line in a. above, lying within the lot.

**Lot Line.** Any property line bounding a lot (SEE APPENDIX 1, FIGURE 25).

*Front.* The front lot line shall be determined as follows:

*Corner Lot.* The front lot line of a corner lot is the shortest lot line abutting a street from which access may be taken. If the street lines are the same length, any one may be considered the front lot line.

*Double-Frontage (Through) Lot.* Each frontage from which access is permitted shall be deemed a front lot line. The front lot line for lots having vehicular access only via an alley shall be the lot line adjacent to the local or collector street.

*Flag Lot.* The front lot line of a flag lot shall be determined at the time of a Final Subdivision Plat. If no Final Subdivision Plat is required, the front lot line shall be established at the time a building permit is issued.

*Interior Lot.* The front property line of an interior lot shall be the line abutting a street.

*Other.* For lots other than the types listed above, front lot lines shall be established at the time of Final Subdivision Plat. If no Final Subdivision Plat is required, the front lot lines shall be established at the time a building permit is issued.

*Interior.* A lot line not abutting a street.

*Rear.* That lot line opposite the front property line. Where the side property lines of a lot meet in a point, the rear property line shall be assumed to be a lot line not less than 30 feet in length, lying within the lot and parallel to a line tangent to a curved front lot line, or parallel to a straight front line.

*Side.* Any lot line that is not a front lot line or a rear lot line.



**Lot Types.** (SEE APPENDIX 1, FIGURE 25)

*Corner.* A lot located at the intersection of 2 or more streets.

*Double-Frontage.* A lot having frontage on 2 or more non-intersecting streets. Double-frontage lots are also known as through lots.

*Flag.* A flag-shaped lot with its widest dimension set back from the street and having a narrow strip of land connecting to the street. Flag lots are also known as panhandle or pipe stem lots.

*Interior.* A lot having only one side abutting a street.

**Lot Width.** (SEE APPENDIX 1, FIGURE 24) The distance between side property lines measured at the front setback line, entirely outside of the front setback area.

*Marquee.* A permanent structure attached to, supported by, and projecting from a building for the purpose of protecting openings from the elements, providing shade or architectural embellishment. A *Marquee* does not include an *Awning* or *Canopy*.

*Maintenance.* Ordinary upkeep, replacement, or repair of minor components of a building, structure, sign or landscaping. Maintenance shall include repainting of buildings or structures to match existing colors and the replacement of sign faces.

**Map of Dedication.** {Need definition}

*Median.* An area in the approximate center of a street that is used to separate the directional flow of traffic.

*Mixed-Use Development.* An efficient integration of non-residential and residential uses that cultivates a sense of community in a live, work, and play environment.

**MURAL.** A HAND-PAINTED WORK OF ORIGINAL VISUAL ART THAT IS PAINTED DIRECTLY ON THE EXTERIOR SURFACE OF A BUILDING, STRUCTURE, WALL OR SURFACE WITH THE EXPRESS PERMISSION OF THE PROPERTY OWNER; AND IS NON-COMMERCIAL IN THAT IT DOES NOT PROMOTE A PARTICULAR BUSINESS, SERVICE OR PRODUCT. .

**Noise Related Terms.**

*Ambient Noise Level.* The all-encompassing noise level associated with a given environment, being a composite of sounds from all sources, excluding any alleged offensive noise. In this context, the ambient noise level constitutes the normal or existing level of environmental noise at a given location.

**A-Weighted Sound Level.** The total sound level in decibels of all sound as measured with a sound level meter with a reference pressure of 20 micropascals using the A-weighted network scale at slow response. The unit of measurement shall be defined as dBA or dBa.

**Day/Night Level (DNL or Ldn).** The 24 hour average sound level in A-weighted decibels, obtained after the addition of ten decibels to sound levels for the periods between 10 p.m. and 7 a.m. as averaged over a span of one year. The Federal Aviation Administration standard metric for determining the cumulative exposure of individuals to noise.

**Decibel (dB).** A unit for measuring the amplitude of sounds, equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micropascals.

**Decibel, A-Weighted (dBA).** A unit for describing the amplitude of sound as measured on a sound level meter that approximates the frequency response of the human ear using the A-weighted network.

**Equivalent Sound Level (Leq).** The equivalent, steady-state A-weighted sound level that in a stated period of time contains the same acoustic energy as the time-varying sound level during the same period.

**Equivalent Sound Level, Hourly (Leq(h)).** The hourly value of Leq.

**Non-Conforming Lot or Parcel.** (See Section 4.602: Definitions).

**Non-Conforming Sign.** (See Section 4.602: Definitions).

**Non-Conforming Structure.** (See Section 4.602: Definitions).

**Non-Conforming Use.** (See Section 4.602: Definitions).

**Nonresidential Use.** All uses other than single family and multi-family residential uses.

**Open Air Accessory Structure.** Means a freestanding permanent structure that has a solid roof, lattice roof or fabric roof surface supported by poles, posts, columns or other vertical structural members that are permanently anchored into the ground. The structure may have up to one wall on any of the sides with the remaining sides open.

**Open Air Attached Patio.** Means a patio within the rear half of the lot attached to the house or to an accessory structure, guest quarters or secondary dwelling unit that is open on at least one side. The patio may have a solid roof, lattice roof or fabric roof surface supported by poles, posts, columns or other vertical structural members.

**Open Air Porch.** Means a porch attached to the front of a dwelling unit or to an accessory structure, guest quarters or secondary dwelling unit that is open on at least two sides.

**Open Space.** Any area of land or water permanently dedicated or designated for use for active or passive recreation areas, landscape buffers, flood control, storm water retention, or resource management.

**Overflight Areas.** Areas designated on the Official Zoning Map as overflight areas. Overflight areas are divided into Overflight Areas 1, 2 and 3.

**Parapet.** That portion of an exterior wall that extends above the roof line.

**Parcel.** (See Lot)

**Parking, Required.** The number of spaces located closest to the uses they serve, identified in Table 4.204: Off-Street Parking Requirements and Table 4.205: Off-Street Parking Requirements for Shopping Center and Regional Commercial Districts.

**Parking, Tandem.** Two parking spaces arranged end-to-end.

**Patio, Covered.** An attached roofed structure, open on one or more sides, whose use is for indoor-outdoor living and recreation.

**Pedestrian, Sidewalk and Landscape Tract.** A parcel of land designated on the final plat for the exclusive use by the public for pedestrian amenities and activities, including sidewalks and landscaping.

**Plat, Corrective.** A plat approved and recorded for the purpose of eliminating errors of minor survey, drafting or typographical nature on a recorded plat.

**Plat, Final.** A record map of all or part of a subdivision essentially conforming to an approved preliminary plat.

**Plat, Preliminary.** A map showing a proposed subdivision, including supporting data.

**Plat, Recorded.** A final plat bearing all executed certificates of approval and recorded with the office of the Maricopa County Recorder.

**Porch.** An attached, covered platform open on at least 2 sides located at the front of a dwelling unit.

**Principal Structure.** The main building or structure on a lot or parcel.

**Principal Use.** (See Use, Principal)

**Private Park.** A private park means an area owned by a homeowner's association, property owner's association or business that is used as a playground, or contains playground equipment, or areas with trees/turf or ramadas or contains the following facilities or amenities: paths, trails,

picnic tables, sports fields, basketball courts, bbq grills, splash pads, tennis courts, volleyball courts, or swimming pools. A private park is not a non-turf retention/detention basin primarily used to contain stormwater or property used as an employee break or amenity area.

**Project.** Any proposal for new or changed use of land or buildings, or for new construction, alteration, or enlargement of any structure.

**Property, Business.** Personal property owned, leased, or under the control of a business. Business property may include inventory, equipment, materials, supplies, and vehicles, including vehicles and equipment owned by others but used in conjunction with a business.

**Property Line.** (See Lot Line)

**Property Owner.** The owner of real property, or the authorized representative of the owner.

**Property, Public.** A lot or parcel owned or controlled by the Town or other governmental entity, whether or not the Town or governmental entity owns the property in fee.

**Protected Development Right.** The right to undertake and complete the development and use of property under the terms and conditions of a protected development rights plan, without compliance with subsequent changes in zoning regulations and development standards.

**Public Park.** A public park is a town recreation facility or town park as defined in municipal code chapter 46-1 definitions.

**Pull-Through Parking Space.** A parking space than can be accessed from both ends.

**Reptile.** (See Gilbert Municipal Code Chapter 6, Article III Livestock and Non- domestic Animals, Section 6-126: Definitions)

### **Residential Housing Types**

**Attached Single Family Dwelling.** A dwelling unit on an individual lot that has at least 1 wall in common with 1 or more other dwelling units on separate lots.

**Condominium.** Real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of the separate portions.

**Duplex.** A building on 1 lot used and designed as a residence for 2 families living independently of each other with individual cooking and sanitary facilities in each dwelling unit.

**Multi-Family Dwelling.** A building on 1 lot used and designed as a residence for 3 or more families living independently of each other with individual cooking and sanitary facilities in each dwelling unit. Multi-family dwellings may include apartment buildings and residential

condominiums. Multi-family housing may be in a mixed- use building with ground floor commercial space.

*Secondary Dwelling Unit.* A second, subordinate dwelling unit located on the same lot as the principal dwelling unit.

*Single Family Dwelling Unit.* 1 building on 1 lot or parcel designed for occupancy by 1 family for living and sleeping purposes, and having cooking and sanitary facilities.

*Studio Dwelling Unit.* A unit containing only a single habitable room for living and sleeping purposes, and having cooking and sanitary facilities.

**Retail Sales.** The sale, rental, or lease of goods, products, or material directly to the consumer.

**Right-of-Way.** A strip of publicly owned land occupied by or planned for a street, utilities, landscaping, sidewalks, trails, and similar facilities.

**Rodent.** (See Gilbert Municipal Code Chapter 6, Article III Livestock and Non- domestic Animals, Section 6-126: Definitions)

**Roof Line.** The eave line on any part of a building with a pitched roof, or the upper edge of the parapet wall or vertical architectural wall feature on any part of a building with a flat roof.

**Service Bay Facility.** A building containing bay or roll-up doors or similar service openings to provide a service within the building.

**Setback.** The minimum distance by which any building or structure is required to be separated from a property line. (SEE APPENDIX 1, FIGURE 26)

*Setback, Front.* A line within the lot or parcel parallel to a straight front property line. Where the front property line is not straight, the front setback line is a line within the lot or parcel separated from the front property line at all points by a distance equal to the front setback set forth in the base zoning district regulations.

*Setback, Rear.* A line opposite the front property line extending across the full width of a lot or parcel, the depth of which is the shortest horizontal distance between the rear property line or, if none exists, the assumed rear property line and a line parallel thereto.

*Setback, Side.* A line extending from the front setback line to the rear setback line, the depth of which is the horizontal distance set forth in the base zoning district regulations. The side setback extends from the front setback line, or the front property line of a lot or parcel where no front setback is required, to the rear setback line, or the rear property line of the site where no rear setback is required.

**Setback Area.** The area of a lot or parcel outside of the building envelope. (SEE APPENDIX 1, FIGURE 27)

*Setback Area, Front.* The area bounded by the front property line or lines, the side property lines, and the front setback line.

*Setback Area, Rear.* The area bounded by the rear property line or lines, the side property lines and the rear setback line.

*Setback Area, Side.* The area bounded by a side property line, a side setback line, and the front and rear setback lines.

***Sign.*** ~~A communication device, structure, or fixture that incorporates graphics, symbols, written copy, and/or lighting intended to promote the sale of a product, commodity, or service, or to provide direction or identification for a business or a facility. Signs shall not include any flag, badge, or insignia of any governmental unit, nor shall it include any item of merchandise normally displayed in a business window.~~

~~Murals, statuary, architectural features such as trademarked building forms, decorative canopies or awnings, and corporate color accents shall be considered signage where they are integral to the conveyance of a commercial message, except where determined by the Design Review Board to be architectural, rather than communicative, in nature.~~

ANY DEVICE, FIXTURE, PLACARD OR STRUCTURE, INCLUDING ITS COMPONENT PARTS, WHICH DRAWS ATTENTION TO AN OBJECT, PRODUCT, PLACE, ACTIVITY, OPINION, PERSON, INSTITUTION, ORGANIZATION, OR PLACE OF BUSINESS, OR WHICH IDENTIFIES OR PROMOTES THE INTERESTS OF ANY PERSON AND WHICH MAY BE VIEWED FROM THE PRIVATE PROPERTY OF ANOTHER OR FROM ANY PUBLIC STREET, ROAD, HIGHWAY, RIGHT-OF-WAY OR PARKING AREA (COLLECTIVELY REFERRED TO AS A "PUBLIC AREA"). FOR THE PURPOSES OF THESE REGULATIONS, THE TERM "SIGN" SHALL INCLUDE ALL STRUCTURAL MEMBERS. A SIGN SHALL BE CONSTRUED TO BE A DISPLAY SURFACE OR DEVICE CONTAINING ORGANIZED AND RELATED ELEMENTS COMPOSED TO FORM A SINGLE UNIT. IN CASES WHERE MATTER IS DISPLAYED IN A RANDOM OR UNCONNECTED MANNER WITHOUT ORGANIZED RELATIONSHIP OF THE COMPONENTS, EACH SUCH COMPONENT SHALL BE CONSIDERED TO BE A SINGLE SIGN. THE TERM "SIGN" FOR REGULATORY PURPOSES SHALL NOT INCLUDE THE FOLLOWING OBJECTS: GRAVE YARD AND CEMETERY MARKERS VISIBLE FROM A PUBLIC AREA, VENDING MACHINES OR EXPRESS MAIL DROP-OFF BOXES VISIBLE FROM A PUBLIC AREA, DECORATIONS VISIBLE FROM A PUBLIC AREA, ARTWORK OR A BUILDING'S ARCHITECTURAL FEATURES VISIBLE FROM A PUBLIC AREA, OR A MANUFACTURER'S OR SELLER'S MARKINGS ON MACHINERY OR EQUIPMENT VISIBLE FROM A PUBLIC AREA.

***Sign Related Terms.***

*Act of God.* An event which is caused solely by the effect of nature or natural causes and without any interference by humans whatsoever.

~~*Abandoned.*— A sign located on a lot or parcel which no longer identifies or advertises a business, lessor, service, owner, product, or activity on the premises where the sign is displayed.~~

~~*Animation:*~~

- ~~1.— The movement of any illumination or the flashing or varying of light intensity of any light used in conjunction with a sign such as blinking, traveling, flashing or changing degree of intensity of any light movement other than burning continuously; or~~
- ~~2.— The movement or the optical illusion of movement of any part of the sign structure, design or pictorial segment, the automatic changing of all or any part of the facing of a sign; or~~
- ~~3.— The movement of a sign set in motion by the atmosphere. Signs displaying only time and temperature, banners and flags are not considered animated signs.~~

~~*Architectural Detail / Feature / Element.* Prominent or significant parts or elements of a building or structure including but not limited to; cornices, belt courses, lintels, sills, pediments, columns or pilasters, rustications, or base courses.~~

~~*Balloon.* Any lighter than air, gas filled inflatable object attached by a tether to a fixed place or mounted on the ground or a building.~~

~~*Builder's Sign Package.* A group of on and off site signs approved for use by a residential home builder for marketing new construction in a subdivision.~~

~~*COMMERCIAL BUILDING, MULTIPLE TENANT.* A COMMERCIAL BUILDING WITH 2 OR MORE SEPARATE TENANTS HAVING INDIVIDUAL ENTRANCES AND SHARED PARKING.~~

~~*Commercial Center.* A group or cluster of retail shops, offices, or employment buildings which share common parking, landscaping, and/or frontage, and may have a property owners association and have a name which is generally understood by the public to refer to the group or cluster.~~

~~*Commercial Building, Multiple Tenant.* A commercial building with 2 or more separate tenants having individual entrances and shared parking.~~

~~*Comprehensive Sign Program.* A set of sign design standards established for a multi-tenant building, non-residential complexes with multiple buildings, or large-scale mixed-use developments.~~

~~*Height, Sign.* The vertical distance measured from the adjacent ground level, or upper surface of the nearest sidewalk, whichever is greater, to the highest point of the sign face; excluding freestanding signs in the Heritage Village Center zoning district whereas the height measurement includes: structural supports; monument base architectural features of a monument sign structure; nonstructural or decorative trim.~~

*Indirect Illumination.* An external source of illumination that is not part of or attached to a sign.

*Individual Letters.* A cutout or etched letter or logo which is individually placed on a wall or freestanding sign.

*Internal Illumination.* A light source entirely within a sign where the source of the illumination is not directly visible.

*Internal Indirect Lighting (Halo Lighting).* A source of illumination, not directly visible, lighting only the background upon which the individual letter is mounted.

*Logo.* A graphic symbol representing an activity, use, or business. Logos are registered trademarks or symbols commonly used by a business and may include lettering in addition to graphic designs.

*Master Sign Plan.* A comprehensive sign plan for large scale multiple tenant commercial or employment uses, building complexes for a single commercial or employment use, auto malls, hospitals, or enclosed regional retail malls.

*Pan-Channel Letter.* An individual three-dimensional letter constructed by means of a three-sided metal channel.

*Raceway.* A structure used for wall-mounted signage with individual letters or characters, located upon the exterior wall surface between the wall and the letters or sign characters. Raceways contain wiring, conduit, transformers, and other electrical components.

~~*Sign Area.* The area of the smallest rectangle, or combination of rectangles, which comprises the sign face or encompasses the sign copy. The area of a sign is the entire face of the sign and includes any art work and insignia within a single continuous perimeter, including any spacing between letters, figures, designs, and structure of the sign other than the sign base, together with any frame or other material, color, or condition which forms an integral part of the display and is used to differentiate such sign from the wall or background against which it is placed. For a freestanding sign, the definition of sign area does not include the perimeter architectural embellishments, base structure, and details such as decorative columns and caps. When the sign only consists of letters, designs, or figures engraved, painted, projected, or fixed on a building or perimeter wall, the total area of the sign shall be the area of the smallest rectangle, or combination of rectangles, within which the entire fixed lettering and/or artwork is inscribed. All sides of a sign visible from any 1 location shall be measured in determining the area of the sign, except that only 1 side of a sign shall be~~



~~measured if the 2 sides are back to back or separated by an interior angle of 45 degrees or less. If the two 2 sides are not of equal size, the larger side shall be measured. A back to back sign has parallel faces separated by not more than 2 feet.~~

~~*Sign Area, Pennant.* The sum of the area of the rectangles surrounding each piece of material strung on a pennant.~~

~~*Sign Area, Total.* The aggregate area of all signs for any individual use.~~

*Sign Face.* The surface upon, against or through which the sign copy and/or graphic is displayed or illustrated, not including: structural supports; monument base; architectural features of a building or monument sign structure; nonstructural or decorative trim. When a sign only consists of letters, designs, or figures engraved, painted, projected, or fixed on a building or perimeter wall or other structure, and does not include a background contrasting with the material or color of the building or perimeter wall or other structure, the sign face shall consist of the entire fixed lettering and/or artwork, together with the spacing between the letters, figures or designs.

*Sign Plan.* A drawing required to be submitted with an application for a sign permit. The plan may show 1 or more signs.

*Sign Structure.* The supports, uprights, braces and framework of a sign.

### ***Sign Types.***

***ABANDONED SIGN.*** A SIGN THAT IS NOT OPERATED OR MAINTAINED FOR A PERIOD OF ONE HUNDRED EIGHTY (180) CALENDAR DAYS OR LONGER. THE FOLLOWING CONDITIONS SHALL BE CONSIDERED AS THE FAILURE TO OPERATE OR MAINTAIN A SIGN: (1) THE SIGN DISPLAYS ADVERTISING FOR A PRODUCT OR SERVICE WHICH IS NO LONGER AVAILABLE, (2) THE SIGN DISPLAYS ADVERTISING FOR A BUSINESS WHICH IS NO LONGER LICENSED, OR (3) THE SIGN IS BLANK. AN ABANDONED SIGN INCLUDES A SIGN ON WHICH IS ADVERTISED A BUSINESS THAT IS NO LONGER DOING BUSINESS ON THE PARCEL WHERE THE SIGN IS LOCATED. AN ABANDONED SIGN INCLUDES A SIGN FOR A PURPOSE FOR WHICH THE PURPOSE HAS LAPSED.

*A-Frame Sign.* A portable, stand-alone sign comprised of two separate panels or faces joined at the top and spread apart at the bottom to form a base upon which the sign stands.

***ANIMATED SIGN.*** A SIGN THAT USES MOVEMENT OR CHANGE OF LIGHTING TO DEPICT ACTION OR THE APPEARANCE OF MOTION. THIS DEFINITION INCLUDES BLINKING, FLASHING, MOVING AND REVOLVING SIGNS; STROBE, LASER, FIBER OPTIC, SEARCH LIGHTS AND STRING LIGHTING OF ANY TYPE.

*Awning Sign.* A sign painted, installed, attached or otherwise applied to or located directly on an awning.

*Banner SIGN.* A temporary sign of fabric, plastic, paper or other light pliable material not enclosed in a rigid frame.

*BALLOON SIGN.* AN ADVERTISEMENT SUPPORTED BY A BALLOON ANCHORED TO THE GROUND OR A FIXED OBJECT.

*BANDIT SIGN* MEANS THE SAME AS A SNIPE SIGN. *SEE SNIPE SIGN.*

~~*Bazaar Sign.* A temporary sign advertising the location of a bazaar sale.~~

*Billboard.* A sign or structure, other than a temporary sign, portraying information or directing attention to a business, activity, commodity service, entertainment, or communication which is not conducted, sold or offered at the parcel on which the sign or structure is located or which does not pertain to the parcel upon which the sign or structure is located.

*BLINKING SIGN.* *SEE FLASHING SIGN.*

~~*Builder/Real Estate Sign.* A sign that provides information about the builder, name of the development, and marketing information for the project on which the sign is located.~~

~~*Building Identification Sign.* A sign identifying the name of the multi tenant building to which the sign is attached.~~

*Cabinet (Can) Sign.* A three-dimensional enclosed structure which includes all text, logos, MESSAGES and symbols COPY with a single or double sign face(s).

*CANOPY SIGN.* A WALL SIGN DESIGNED TO BE INSTALLED, ATTACHED OR OTHERWISE APPLIED TO OR LOCATED DIRECTLY ON THE ROOF OF A CANOPY AND USED TO ACCENT THE BUILDING ENTRY.

*CANOPY SIGN FOR SERVICE ISLANDS.* A SIGN MOUNTED PERMANENTLY ON, UNDER, OR OTHERWISE MOUNTED ON A SERVICE ISLAND CANOPY.

~~*Changeable-CHANGING Message Sign.* A sign designed to permit change of copy manually, mechanically or electronically, including such signs where the change of copy is by remote or automatic means.~~

~~*Construction Sign.* A temporary sign erected on a parcel on which construction is taking place, identifying the architects, engineers, landscape architects, contractors, subcontractors, and the owners, lenders, sponsors, and similar individuals or firms involved in the project.~~

~~*Development Sign.* A temporary sign providing information about future development of real property or current construction at a development site.~~

~~*Directional Sign.* A sign directing traffic to an activity or use.~~

*Directory Sign.* A sign showing the locations of tenants in a multi-tenant commercial, office, or employment complex, or tenants in a multi-family residential project.

~~*Drive-Through Restaurant Menu LANE Sign.* A sign listing items for sale at ORIENTED TO OCCUPANTS OF VEHICLES UTILIZING a drive-through restaurant LANE AT AN ESTABLISHMENT THAT OFFERS TRANSACTIONS THROUGH A window, with or without ordering capability.~~

*Flag.* A TEMPORARY SIGN CONSISTING OF A PIECE OF CLOTH, fabric sheet of square, rectangular or OTHER NON-RIGID MATERIAL.

*FLASHING SIGN.* ANY ILLUMINATED SIGN, ON WHICH THE ARTIFICIAL SOURCE OF LIGHT IS NOT MAINTAINED STATIONARY OR CONSTANT IN INTENSITY AND COLOR AT ALL TIMES WHEN SUCH SIGN IS ILLUMINATED. FOR THE PURPOSES OF THIS DEFINITION, ANY MOVING ILLUMINATED SIGN AFFECTED BY INTERMITTENT LIGHTING SHALL BE DEEMED A FLASHING SIGN.

*Flying Banner.* A portable, stand-alone sign comprised of light fabric that moves with the wind and can turn 360° and is supported by a pole structure and a base.

*Freestanding Sign.* A sign erected or mounted on its own self-supporting structure or base detached from any supporting elements of a building, wall or fence.

*Freeway Sign.* A freestanding sign intended to advertise or identify uses to motorists on a freeway.

~~*Garage Sale Sign.* A temporary off site sign advertising the occasional sale of goods from a residential use.~~

~~*Grand Opening Sign.* A temporary sign announcing a new business~~

*HISTORIC MARKER.* A MARKER COMMEMORATING A HISTORIC PERSON OR EVENT, OR IDENTIFYING A HISTORIC PLACE, STRUCTURE OR OBJECT.

~~*Identification Sign.* A permanent sign identifying name, type of business, and/or hours of operation, attached to or painted on a window, door, or a building area next to the main entrance.~~

~~*Ideological Sign.* Ideological Sign means a sign communicating a message or ideas for non-commercial purposes that is not a *Construction Sign, Directional Sign, Temporary Directional Sign Relating to a Qualifying Event, Political Sign, Garage Sale Sign*, or a sign owned or required by a governmental agency~~

*INFLATABLE SIGN.* A FORM OF INFLATABLE DEVICE OR A SIGN THAT IS DISPLAYED, PRINTED OR PAINTED ON THE SURFACE OF A BALLOON OR ANY OTHER FORM OF INFLATABLE BACKGROUND AND IS USED TO ATTRACT ATTENTION TO OR ADVERTISE A NONCOMMERCIAL OR COMMERCIAL MESSAGE OR LOCATION.

*INTERMITTENT SIGN.* A SIGN WHICH PERMITS LIGHT TO BE TURNED ON OR OFF INTERMITTENTLY MORE FREQUENTLY THAN ONCE EVERY TWELVE HOURS OR WHICH IS OPERATED IN A WAY WHEREBY LIGHT IS TURNED ON OR OFF INTERMITTENTLY OR WHICH VARIES IN INTENSITY OR COLOR MORE FREQUENTLY THAN ONCE EVERY TWELVE HOURS, INCLUDING ANY ILLUMINATED SIGN ON WHICH SUCH ILLUMINATION IS NOT KEPT STATIONARY OR CONSTANT IN INTENSITY AND COLOR AT ALL TIMES WHEN SUCH SIGN IS IN USE, INCLUDING BUT NOT LIMITED TO AN LED (LIGHT EMITTING DIODE) OR DIGITAL SIGN.

*Marquee Sign.* A sign painted, installed, attached or otherwise applied to or located directly on a *Marquee*.

~~*Menu Sign.* A sign used to inform the public of items available in a restaurant, not located in a drive-through restaurant window lane~~

*MOVING SIGN.* A SIGN DESIGNED OR MADE TO MOVE FREELY IN THE WIND OR DESIGNED OR MADE TO MOVE BY AN ELECTRICAL OR MECHANICAL DEVICE.

~~*Mural.* An artistic rendering on a building which does not promote a particular business, service or product.~~

*NEON SIGN.* A SIGN USING NEON OR ANY OTHER INERT GAS UNDER LOW PRESSURE, WHICH GLOWS IN A DISTINCTIVE COLOR WHEN EXPOSED TO A HIGH VOLTAGE ELECTRICAL CURRENT.

*Off-Site Signage COMMERCIAL SIGN.* Any sign which advertises a use, product, service, or activity occurring on a lot or parcel other than where the sign is located.

*ON-SITE DIRECTIONAL SIGN.* A SIGN PROVIDING NECESSARY DIRECTION FOR VEHICULAR AND PEDESTRIAN TRAFFIC ON THE PREMISES ON WHICH THE SIGN IS LOCATED.

~~*On-Site Sign.*~~ *ON-SITE SIGNAGE.* Any sign which advertises a use, product, service, or activity occurring on a lot or parcel where the sign is located.

~~*Open House Sign.* A sign that identifies a residential property for sale or lease which is open and available for inspection.~~

*Painted Wall Sign.* A sign painted directly onto the exterior wall of a building.

~~*Pennant.* Any pieces of lightweight plastic, fabric or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, displayed in series and capable of movement in the wind.~~

*Permanent Sign.* A sign constructed of durable materials, attached to the ground or a building in a manner provided by the building code.

*Pole Sign.* A permanent freestanding sign supported by a single column, upright, pole, or post.

~~*Political Sign.* A temporary sign designed to influence the outcome of an election called by a public body.~~

~~*Portable Sign.* A temporary sign that is not permanently affixed to a building, structure, or the ground, including such commercial signs carried by people or otherwise set in motion and visible from the right-of-way.—A SIGN NOT PERMANENTLY ATTACHED TO, MOUNTED UPON OR AFFIXED TO A BUILDING, STRUCTURE OR THE GROUND, AND WHICH IS EASILY MOVED. EXAMPLES INCLUDE A-FRAME SIGNS, T-FRAME SIGNS, AND SIGNS ON WHEELS. *PORTABLE SIGN* DOES NOT INCLUDE A TEMPORARY SIGN CARRIED BY A PERSON OR ANIMAL.~~

*Projecting Roof Sign.* A sign mounted to and projecting from the wall of a building or structure whose depth is greater than its width; and exceeding the height of a roofline or parapet of the building or structure to which it is attached. *Projecting Roof Sign* does not include a *Marquee Sign*.

*Projecting Sign.* A sign mounted to and projecting from the wall of a building or structure whose depth is greater than its width. *Projecting Sign* does not include a *Marquee Sign* or *Projecting Roof Sign*.

~~*Pump Topper Sign or Spanner.* A sign affixed to the top or side of an operable, fuel dispensing pump.~~

~~*Real Estate Sign.* A temporary sign advertising the sale, transfer, lease, or exchange of real property~~

~~*Residential Builder Attention Flags.* Temporary flags displaying a residential builder business logo or name.~~

~~*Residential Entry Sign.* A sign placed at the entrance to a residential development identifying the name of the development.~~

***REFLECTIVE SIGN. A SIGN CONSTRUCTED OF MIRRORS OR OTHER SURFACES THAT REFLECT LIGHT***

*Roof Sign.* A sign erected on a roof, or projecting above the highest point of the roof line, parapet, or fascia of a building.

*ROTATING SIGN.* A SIGN THAT REVOLVES OR TURNS OR HAS EXTERNAL SIGN ELEMENTS THAT REVOLVE OR TURN. SUCH SIGN MAY BE POWER-DRIVEN OR PROPELLED BY THE FORCE OF WIND OR AIR.

*SCROLLING SIGN.* A SIGN THAT USES CHANGING LIGHTS OR COLORS TO FORM ONE OR MORE SIGN MESSAGES THAT MOVE BY ELECTRONIC MEANS HORIZONTALLY OR VERTICALLY ACROSS A DISPLAY SCREEN.

~~*Service Station Canopy Sign.* A sign attached to a free-standing structured roof-like covering for motor vehicle refueling or servicing located at a motor fuel dispensing facility. Signs on mercantile, business or assembly use groups with structured coverings intended for vehicles are not included in this sign type.~~

*SNIFE SIGN.* A SIGN MADE OF ANY MATERIAL WHEN SUCH SIGN IS TACKED, NAILED, POSTED, PASTED, GLUED OR OTHERWISE ATTACHED TO OR PLACED ON PUBLIC PROPERTY SUCH AS BUT NOT LIMITED TO A PUBLIC UTILITY POLE, A PUBLIC STREET SIGN, A PUBLIC UTILITY BOX, A PUBLIC FIRE HYDRANT, A PUBLIC RIGHT-OF WAY, PUBLIC STREET FURNITURE, OR OTHER PUBLIC PROPERTY; EXCEPT FOR A-FRAME AND T-FRAME SIGNS THAT ARE TEMPORARILY PLACED ON PUBLIC PROPERTY UNDER SUCH LIMITATIONS AND CONSTRAINTS AS MAY BE SET FORTH IN THE LAND DEVELOPMENT CODE.

*Street Pole Banner SIGN.* A display containing changeable copy on vinyl or fabric with printed or sewn graphics which is mounted from brackets perpendicular to a street light pole or other freestanding armature structure.

~~*Subdivision Directional Sign.* A temporary off-site sign directing motorists to a developing subdivision.~~

*Suspended Sign.* A sign suspended from a roof overhang of a covered porch or walkway, which identifies the tenant of the adjoining space.

~~*Temporary Directional Signs Relating to a Qualifying Event.* Temporary Directional Signs Relating to a Qualifying Event means a Temporary Sign intended to direct pedestrians, motorists, and other passersby to a “qualifying event.” A “qualifying event” is any assembly, gathering, activity, or meeting sponsored, arranged, or promoted by a religious, charitable, community service, educational, or other similar non-profit organization.~~

*Temporary Sign.* A sign not permanently attached to the ground, a wall or a building, and not designed or intended for permanent display.

**T-FRAME SIGN.** A PORTABLE, STAND-ALONE SIGN COMPRISED OF ONE SINGLE DOUBLE-SIDED PANEL JOINED AT THE BOTTOM TO A BASE THAT IS SPREAD APART UPON WHICH THE SIGN STANDS.

~~Temporary Uses and Special Event Signs.~~ On-site banner signs or off-site a-frame signs used for a temporary use or special event listed in section 4.5012 of the Zoning Code.

~~Time and Temperature Display.~~ A sign or portion of a sign displaying the time and temperature.

**Tower Sign.** A freestanding sign greater than 8 feet and not more than 15 feet in height.

**TRAFFIC CONTROL DEVICE SIGN.** ANY GOVERNMENT SIGN LOCATED WITHIN THE RIGHT-OF-WAY THAT IS USED AS A TRAFFIC CONTROL DEVICE AND THAT IS DESCRIBED AND IDENTIFIED IN THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) AND APPROVED BY THE FEDERAL HIGHWAY ADMINISTRATOR AS THE NATIONAL STANDARD. A TRAFFIC CONTROL DEVICE SIGN INCLUDES THOSE GOVERNMENT SIGNS THAT ARE CLASSIFIED AND DEFINED BY THEIR FUNCTION AS REGULATORY SIGNS (THAT GIVE NOTICE OF TRAFFIC LAWS OR REGULATIONS), WARNING SIGNS (THAT GIVE NOTICE OF A SITUATION THAT MIGHT NOT READILY BE APPARENT), AND GUIDE SIGNS (THAT SHOW ROUTE DESIGNATIONS, DIRECTIONS, DISTANCES, SERVICES, POINTS OF INTEREST, AND OTHER GEOGRAPHICAL, RECREATIONAL, OR CULTURAL INFORMATION).

**Umbrella Sign.** A sign painted, installed, attached or otherwise applied to or located directly on an umbrella, including name brands and symbols.

**UNLAWFUL VEHICLE SIGN.** A SIGN WHICH COVERS MORE THAN TWENTY (20) SQUARE FEET OF THE VEHICLE, WHICH IDENTIFIES A BUSINESS, PRODUCTS, OR SERVICES, AND WHICH IS ATTACHED TO, MOUNTED, PASTED, PAINTED, OR DRAWN ON A MOTORIZED OR DRAWN VEHICLE, AND IS PARKED AND VISIBLE FROM THE PUBLIC RIGHT-OF-WAY; UNLESS SAID VEHICLE IS USED FOR TRANSPORTING PEOPLE OR MATERIALS IN THE NORMAL DAY TO DAY OPERATION OF THE BUSINESS.

~~Vehicle Sign.~~ A sign mounted, painted or otherwise placed on a trailer or motor vehicle parked, placed, or driven so that the sign thereon is visible from a public street or right-of-way primarily for the purpose of displaying advertising signage.

**V-Shaped Sign.** Signs erected upon common or separate structures which present a v-shape appearance and having an exterior angle between faces of not more than 45 degrees with distance between faces of such signs at their closest point not exceeding 2 feet.

**Wall Sign.** A sign permanently fastened to or painted on the wall or parapet of a building or structure in such a manner that the wall or vertical surface of the structure is the supporting structure.

**Window Sign.** A sign applied or attached to a window, or displayed within 6 feet of the interior of a first floor window area so as to attract attention of persons outside the building. Window Signs do not include merchandise in a window display.

~~**Windscreen Sign.** (see *Banner*).~~

**Single Housekeeping Unit.** An interactive group of persons jointly occupying a residential unit, including the joint use of and responsibility for common areas, and sharing household activities and responsibilities such as meals, chores, household maintenance, and expenses, and where, if the residents are renters, all adult residents have chosen to jointly occupy the entire premises of the dwelling unit under a single written lease with joint use and responsibility for the premises, and the makeup of the household occupying the unit is determined by the residents of the unit rather than the landlord or property manager.

**Site.** One or more contiguous lots or parcels under single ownership or unified control.

**Site Plan.** A plan prepared to scale showing the boundaries of a site and the proposed location of all buildings and structures, circulation, landscaping, improvements and open space areas.

**Stacking Space.** The area occupied by a vehicle while waiting to be served at the initial order point, fuel pump island, or service bay. Each stacking space is 20 feet in length and does not include the space of the vehicle at the initial order point.

**Storage Container, Residential.** A portable, weather resistant receptacle designed and used for the shipment or storage of household goods or personal items.

**Storage Container, Non-Residential.** A portable prefabricated non-combustible factory built storage structure used for the storage of equipment, supplies, merchandise, or similar materials.

**Storage, Outdoor.** Storage of material, goods, vehicles, or equipment outside of a building not for immediate use, sale or display.

**Story.** That portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above.

**Street.** A public or private thoroughfare for vehicular use providing access to public or private property and other streets, including dedicated roadway easements. A public street includes the associated right-of-way. A private street includes any associated roadway or access easement.



## ***Street Types***

*Alley.* A public or private way providing vehicular access to the rear or side of abutting properties.

*Arterial, Major.* A major surface street designated in the General Plan to carry the highest volumes of traffic across the Town, often connecting to freeways, and providing access to major commercial and employment areas.

*Arterial, Minor.* A major surface street designated in the General Plan to carry large volumes of traffic across the Town, not generally connecting to freeways, and providing access to commercial and employment areas.

*Collector Street.* A street that serves as a connection between local and arterial streets. Collector streets carry moderate amounts of traffic.

*Cul-De-Sac.* A street connecting to another street at one end and terminating in a vehicular turnaround.

*Local Street.* A minor street generally providing direct access to properties.

***Structure.*** Anything constructed or erected and located on the ground, or attached to something located on the ground.

## ***Subdivision Related.***

*Improvements.* Streets, sidewalks, curbs, gutters, driveways, drainage and storm water retention facilities, parks, recreational amenities, trails, street lighting, medians, signage, water mains, sanitary sewers and facilities, public utilities, landscaping and fences installed by a subdivider, and any other improvements required by the Zoning Code and Subdivision Regulations.

### *Minor Land Division.*

1. The division of improved or unimproved land whose area is 2.5 acres or less into 2 or 3 lots or parcels for the purpose of sale or lease, where no new street is involved.
2. The division of improved or unimproved land for the purpose of financing, sale, or lease, whether immediate or future, into 2 parts, where the boundaries of such property have been fixed by a recorded plat.
3. Lot line adjustments, whether or not a new lot is created.

*Minor Subdivision.* The division of improved or unimproved land of any size for the purpose of sale or lease, into 10 or fewer lots or parcels, whether or not a new street is involved.

**Subdivider.** A person, firm, corporation, partnership, association, syndicate, trust or other legal entity that files application and initiates proceedings for the subdivision of land. An individual serving as agent for such legal entity is not a subdivider.

**Subdivision.** The division of improved or unimproved land or lands for the purpose of financing, sale or lease, whether immediate or future, into 4 or more lots, tracts or parcels of land, or, if a new street is involved, any such property which is divided into 2 or more lots, tracts or parcels of land, or any such property, the boundaries of which have been fixed by a recorded plat, which is divided into more than 2 parts. Subdivision also includes any condominium, cooperative, community apartment, townhouse or similar project containing 4 or more parcels, in which an undivided interest in the land is coupled with the right of exclusive occupancy of any unit located thereon, but plats of such projects need not show the buildings or the manner in which the buildings or airspace above the property shown on the plat are to be divided.

**Swimming Pool.** A public or private, portable or permanent structure intended for swimming or full or partial immersion, but not including ornamental pools or fishponds.

**Swimming Pool, Public.** A pool owned or operated by a governmental agency; a privately owned pool open to the general public for a fee or by membership; or a pool operated in conjunction with Hotels and commercial lodging.

**Teletrack Operator.** Any person who holds an Arizona Racing Commission Permit for horse or dog racing events within Arizona and who accepts bets or wagers on the results of any pari-mutuel race at a location other than the race track.

**Teletrack Wagering Establishment.** Any establishment at which a Teletrak Operator accepts bets or wagers on the results of a horse or dog racing program conducted by a Teletrak Operator at an authorized track within Arizona.

**Temporary Use.** (See Use, Temporary)

**Trail, Equestrian.** A linear path designated for equestrian use.

**Trail, Multi-Use.** A linear path designated for use by pedestrians, bicycles, and equestrians.

**Use, Incidental.** The use of a building or land which is subordinate to the principal use of the building or land on the same lot or parcel.

**Use, Principal.** The primary or predominant use or activity occurring on a property.

**Use, Temporary.** A use established for a limited period of time.

**Vacation.** The termination of, or termination of interest in, an easement, right-of-way, or public dedication of land.

**Variance.** Relief from the strict application of the Zoning Code where strict application will deprive the property owner of privileges enjoyed by similar properties.

***Vehicle Related Terms.***

*Abandoned Vehicle.* An unregistered motor or recreational vehicle left unattended for a period of 72 hours on a street or private property. Vehicles stored within a fully enclosed building, at a towing or impound facility, or at a business engaged in *Vehicle Services* or *Motor Vehicle Sales and Leasing* are not considered abandoned.

*Commercial Vehicle.* Any vehicle licensed as a commercial vehicle.

*Inoperable Vehicle.* Any vehicle incapable of being lawfully driven.

*Motor Vehicle.* Any self-propelled device, excluding aircraft, by which any person or property may be transported, including but not limited to licensed or unlicensed vehicles, automobiles, trucks, motor boats, personal water craft, mini- bikes, go-carts, go-peds, motorized skateboards, and motorcycles.

*Recreational Vehicle.* A self-propelled or towed vehicle or camper shell designed for travel or recreational use, including motor homes, boats, personal watercraft, trailers, all-terrain vehicles, snowmobiles, motorcycles, dune buggies, and similar vehicles.

***Waste Related.***

*Hazardous Waste.* Any chemical, compound, mixture, substance, product or other material which is a hazardous waste pursuant to Arizona Revised Statutes, Title 49, Chapter 4, Article 2 and C.F.R. Part 261 and poly-chlorinated biphenyls (PCBs).

*Medical Waste.* Any solid waste that is generated in the diagnosis, treatment, or immunization of a human being or animal or in any research relating to that diagnosis, treatment or immunization, or in the production or testing of biologicals, but not including hazardous waste as defined in Title 49, Chapter 4, Article 2, Arizona Revised Statutes.

***Wholesale Sales.*** The sales of goods, product, or material to other wholesale or retail businesses.

***Wireless Communication Related Terms***

*Alternative WCF Building Element.* A building element designed to conceal and/or camouflage wireless communications facilities, including but not limited to a wall mount, clock tower, cupola, or church steeple.

*Alternative WCF Structure.* A structure designed to conceal and/or camouflage wireless communications facilities. Structures may include but are not limited to a free-standing structure such as an artificial cactus or tree, or a sculpture. Alternative structures do not

include a flagpole, monopole with an attached flag, or a monopole with a minimal design feature.

*Antenna.* Any system of poles, panels, rods, dishes, wires or similar devices used for the transmission or reception of wireless signals.

*Antenna Mast.* A freestanding or guyed framework or other vertical element that supports or serves as an antenna.

*Co-Location.* The use of a single support structure and/or site by more than one telecommunications provider.

*Equipment Cabinet or Building.* A cabinet or building used to house equipment used by telecommunications providers to house equipment at a facility.

*Existing Vertical Element.* Any existing monopole, tower, pole, sign, or exhausts stack performing a non-WCF function. Existing vertical element does not include a building.

*Existing Vertical Element, Recreational Field Light Pole.* A light pole constructed and used to provide an appropriate lighting function such as parking, security or recreational ball field lighting, as well as a wireless communications function.

*Monopole.* A single pole attached to a permanent foundation.

*Monopole, Portable.* A single pole and associated equipment mounted on a transportable base.

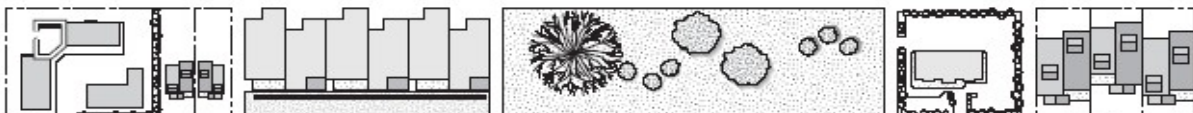
*Public Safety Communications Facility.* A tower or monopole required for the purpose of public safety communications of the Town, a neighboring city, Maricopa County, or the State of Arizona.

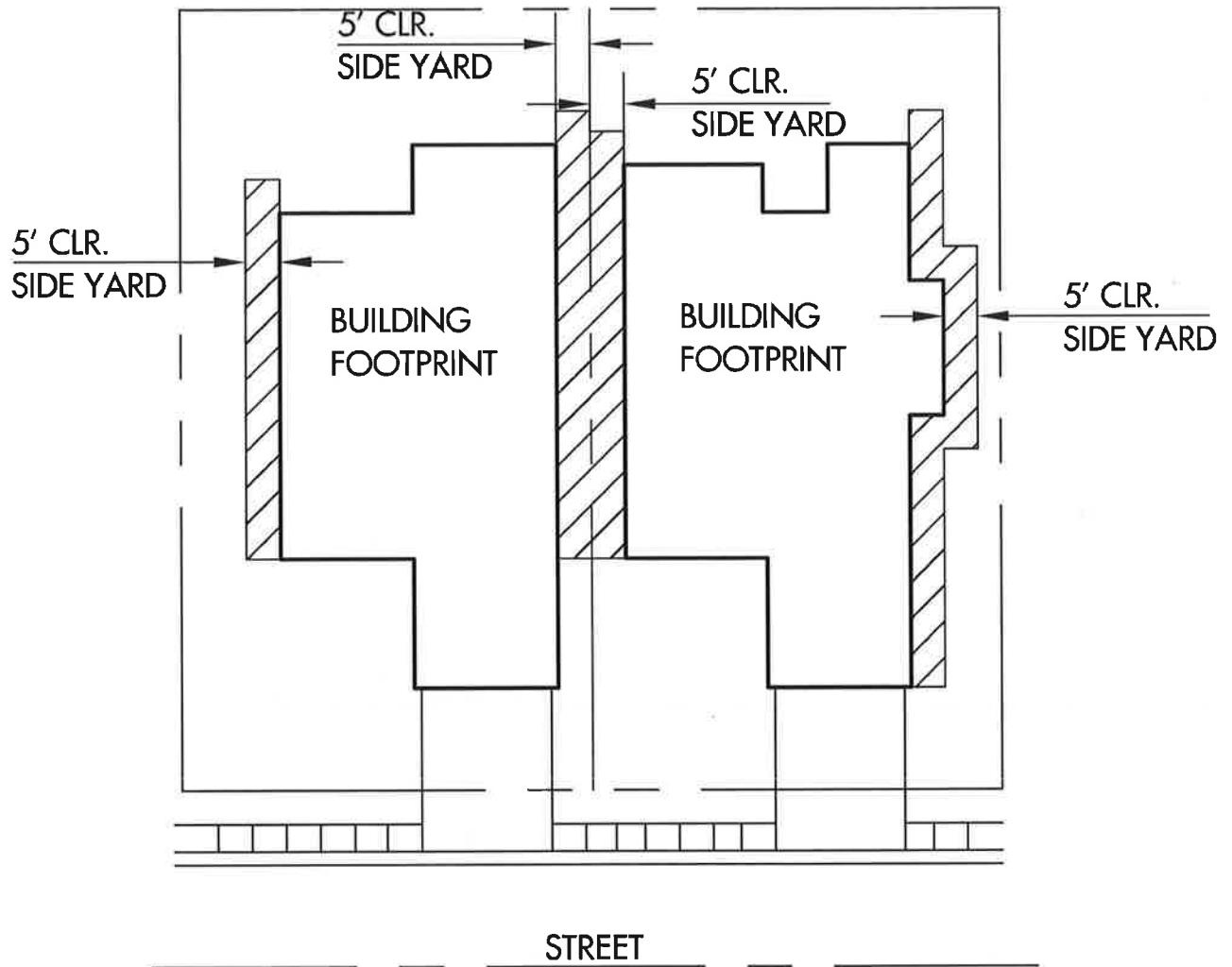
*Support Structure.* The structure to which Wireless Communications Facility antennae and other hardware are mounted.

# Appendix 1 Graphics

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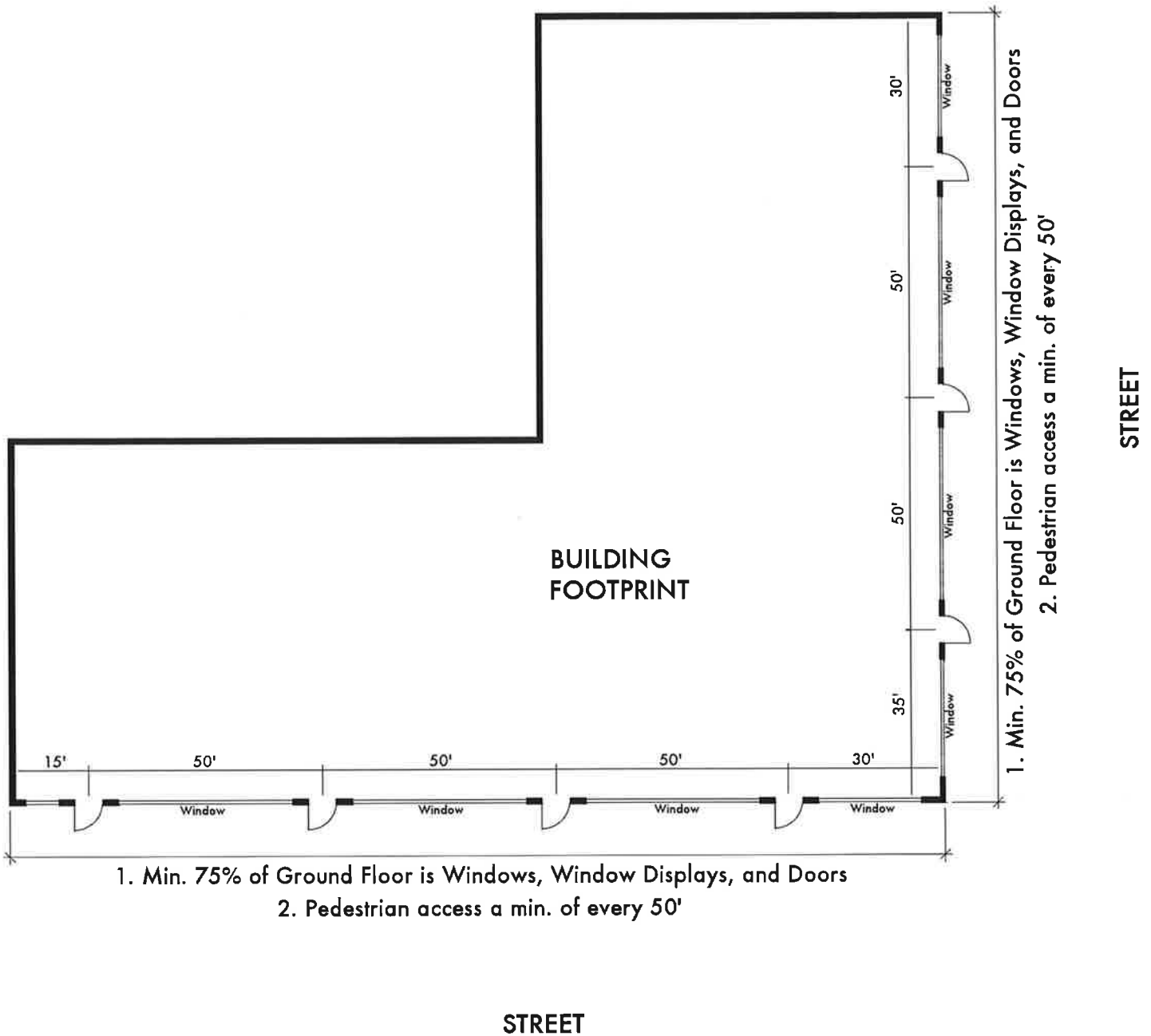
The following graphics are intended to illustrate the general intent of Zoning Code requirements. Where there is a conflict between the text and the associated graphic, the text shall control.





## Side Clear Area

Fig. 1- Section 2.104D.4

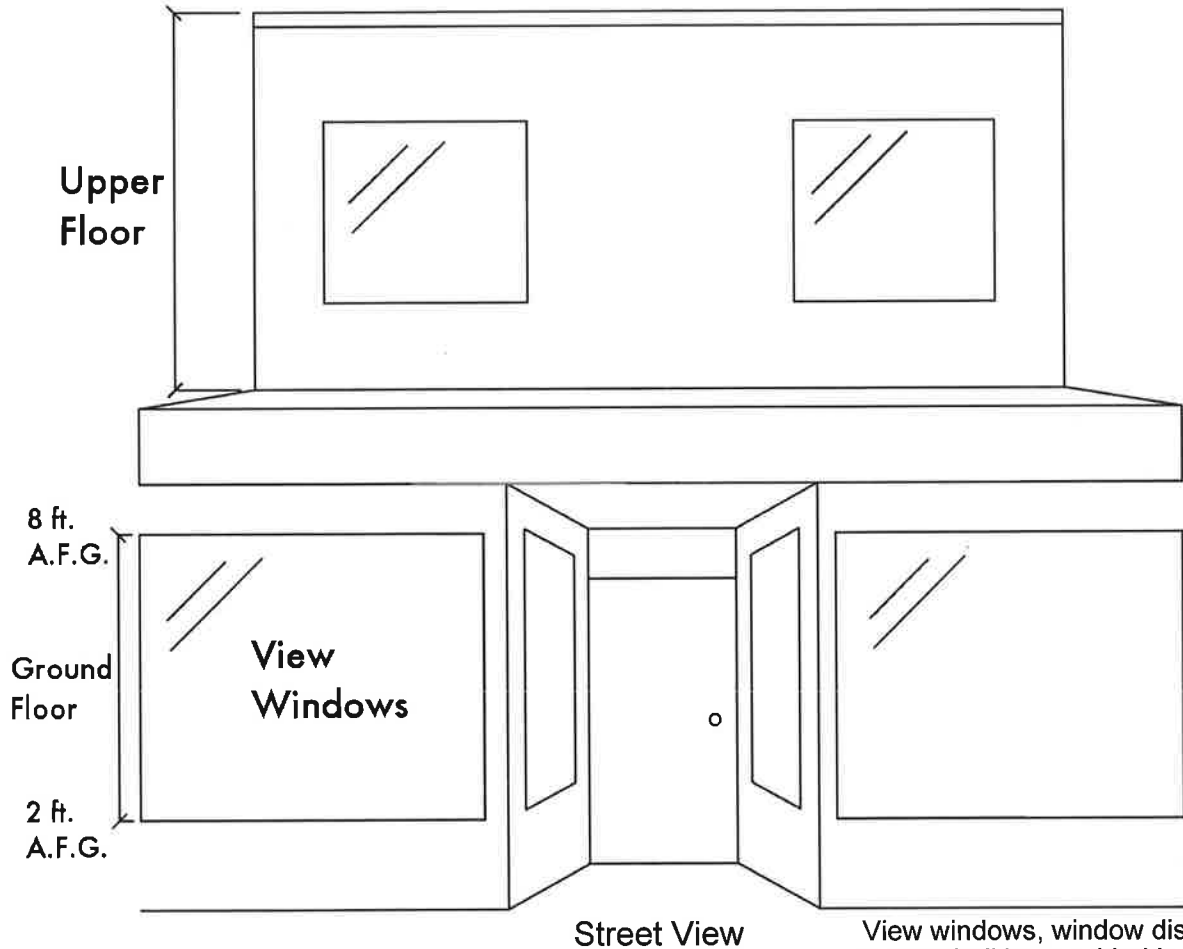


# Storefronts and Access

## Fig. 2 - Section 2.403D

A minimum of 25 percent of a building's upper floor elevations along streets shall have view windows with non-reflective glass.

## Minimum 25% Non-Reflective Glass Windows



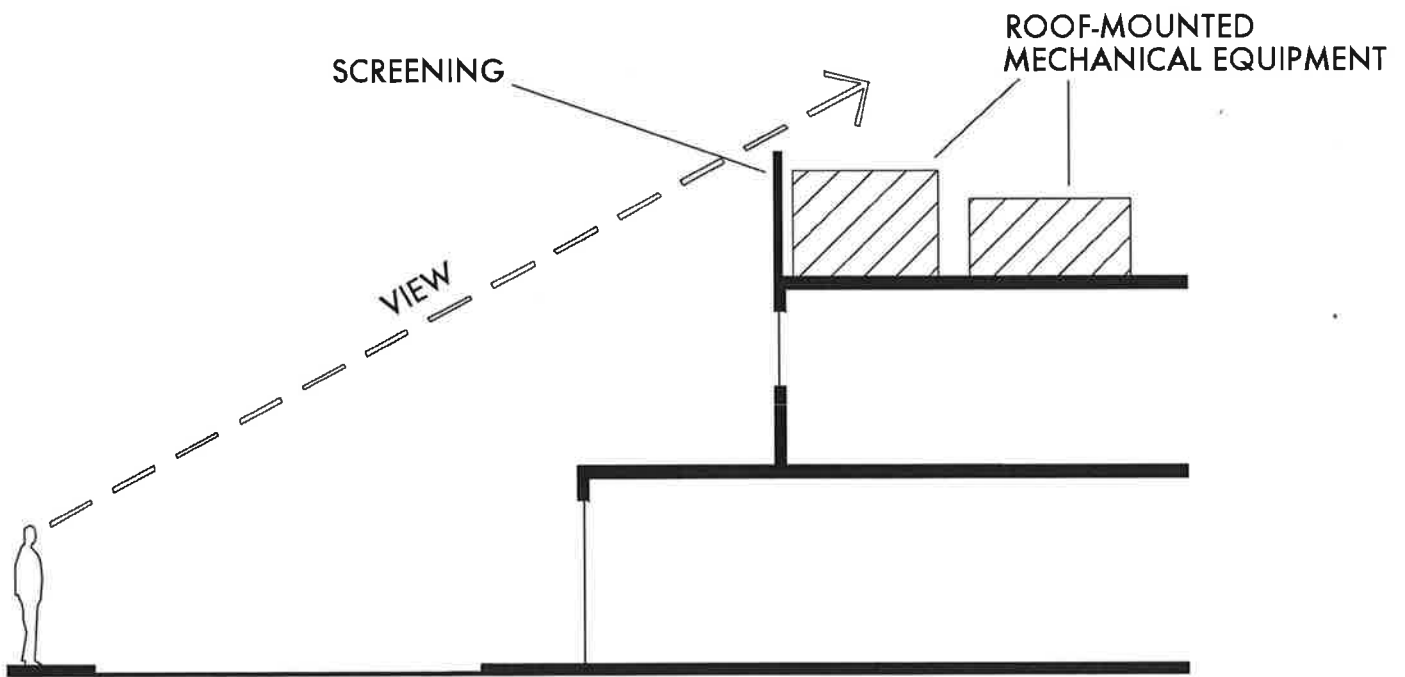
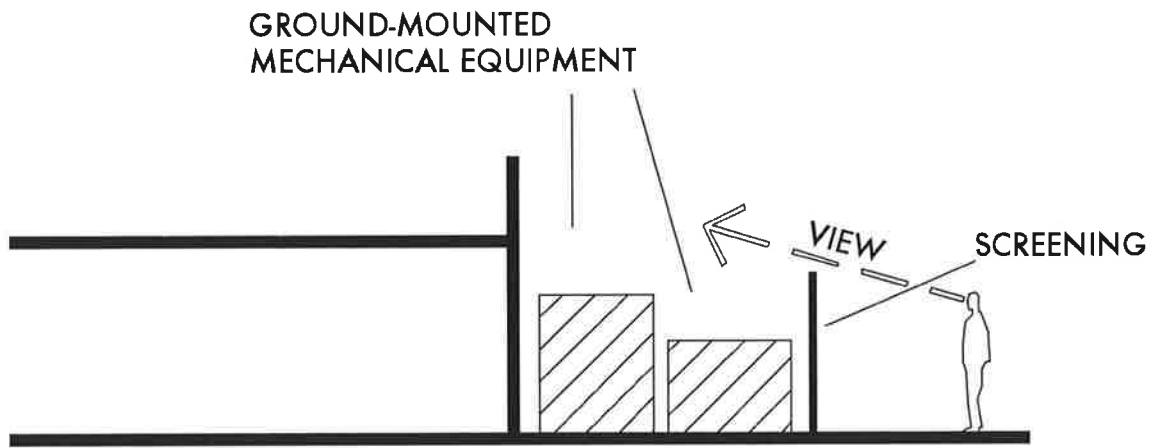
View windows, window displays, or doors shall be provided in a zone between 2 and 8 feet above grade adjacent to the principal building frontage.

# Transparency

Fig. 3

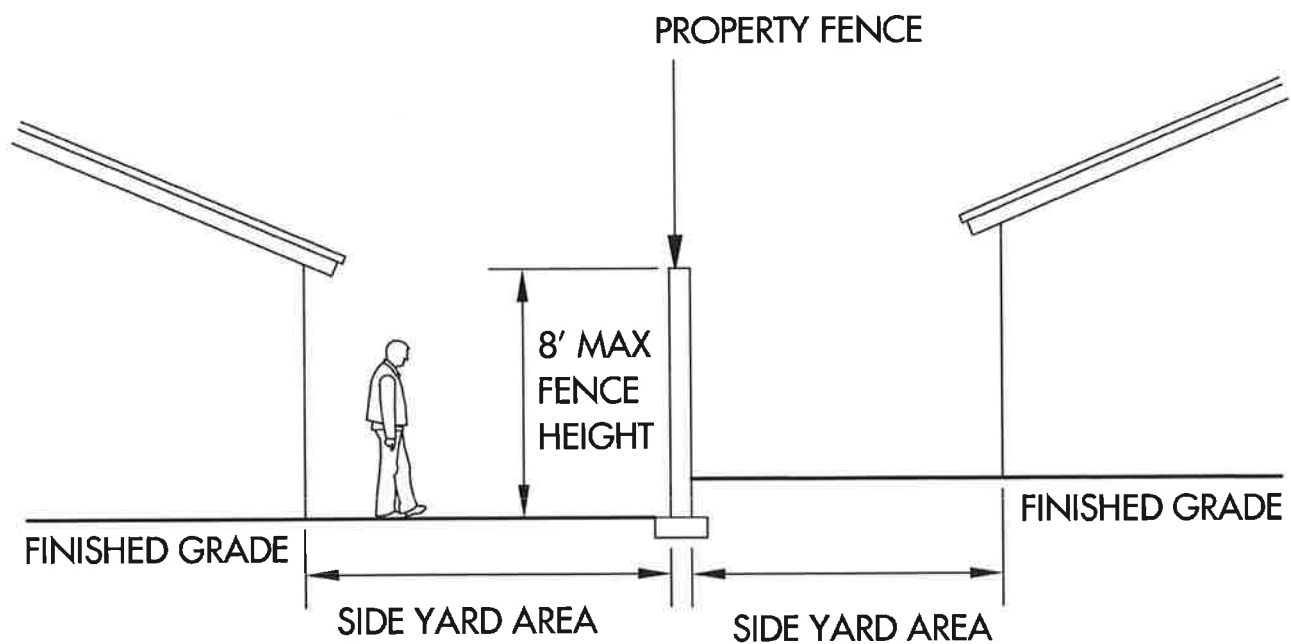
Section 2.403E



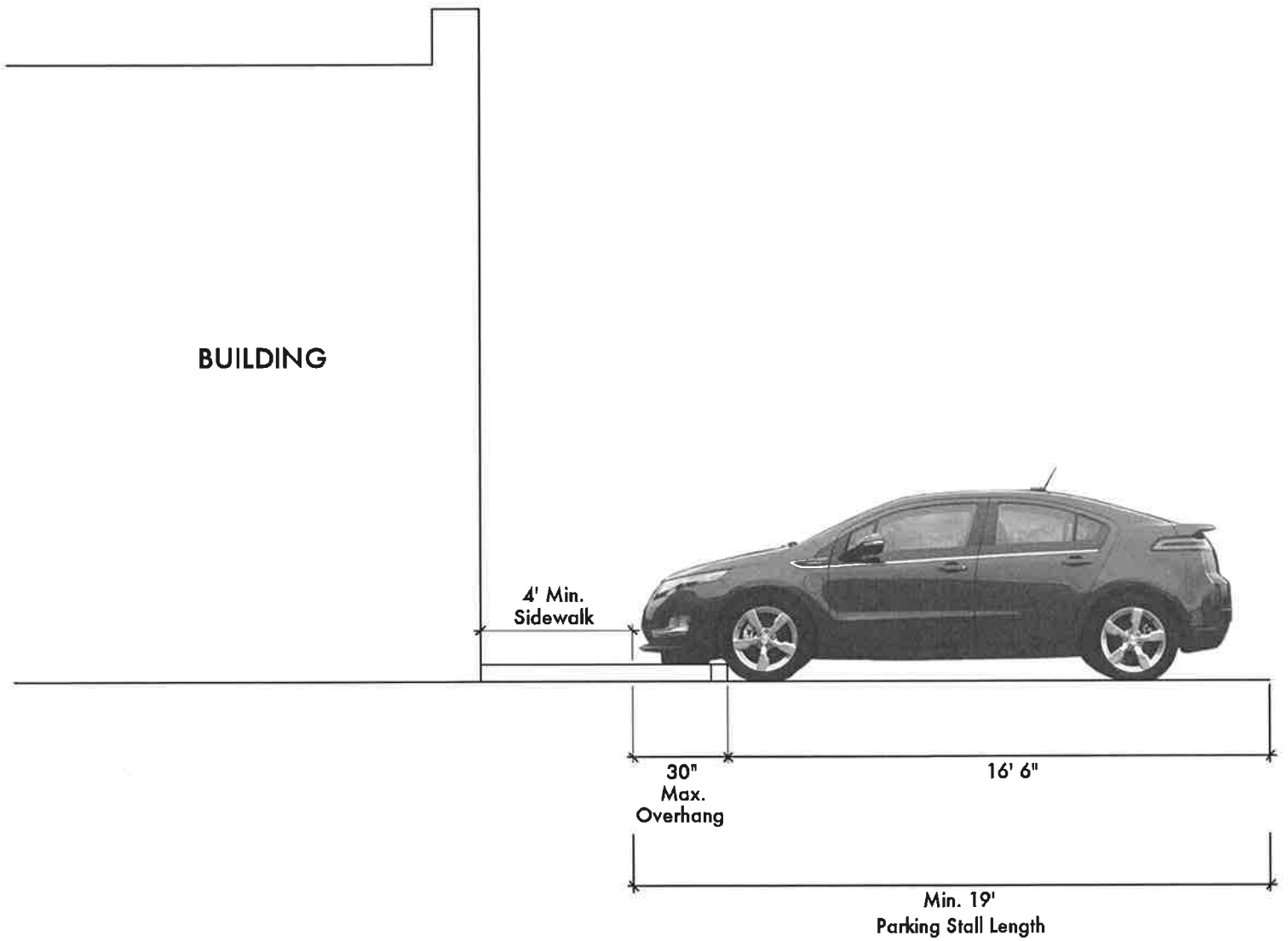


# Screening Mechanical Equipment

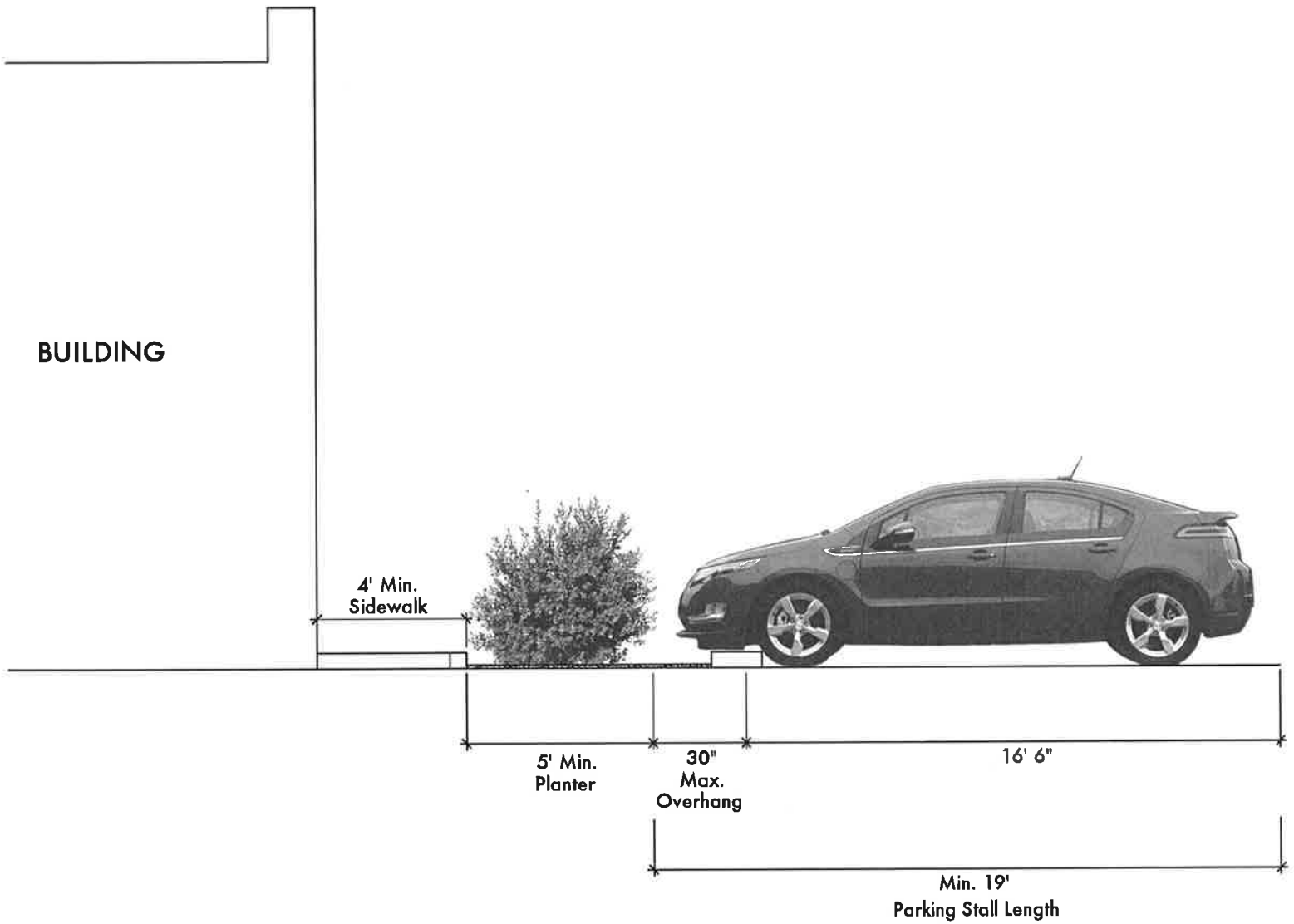
Fig. 4  
Section 4.105B.1b



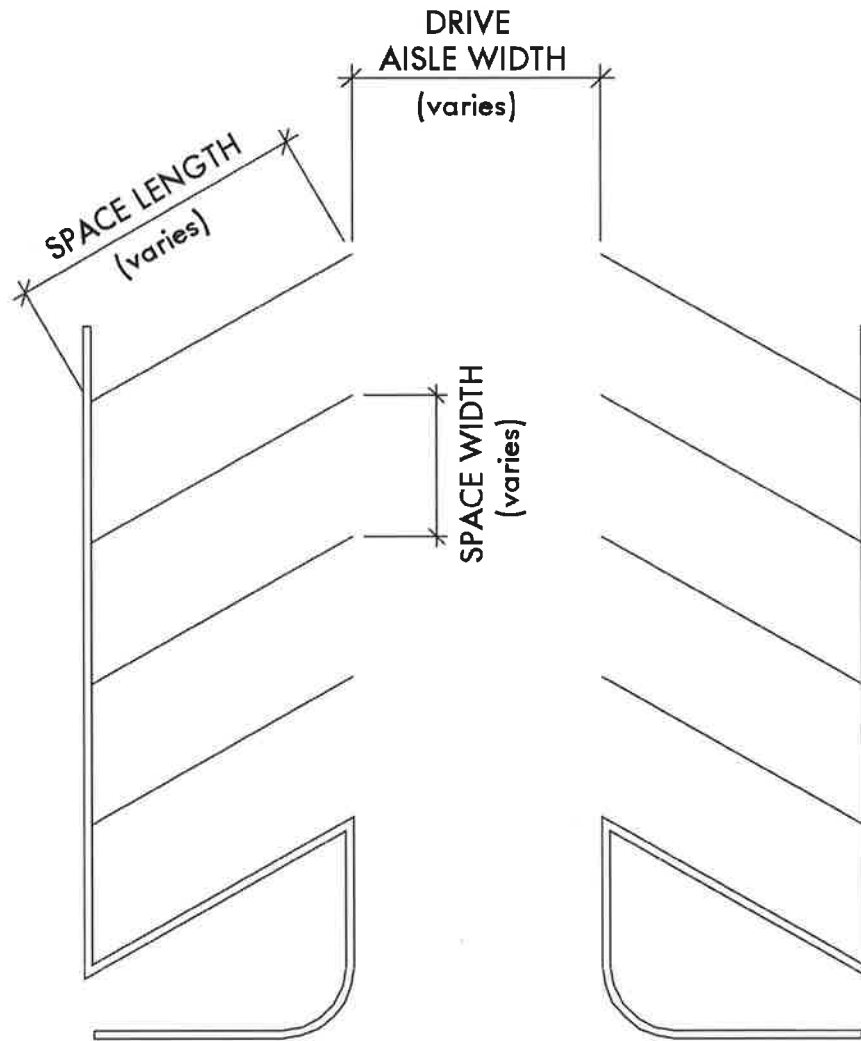
**Fences**  
 Fig. 5- Section 4.109



**Separation from Buildings**  
**Fig. 6 - Section 4.203N**



**Parking Overhang**  
**Fig. 7 - Section 4.203O 1,2**

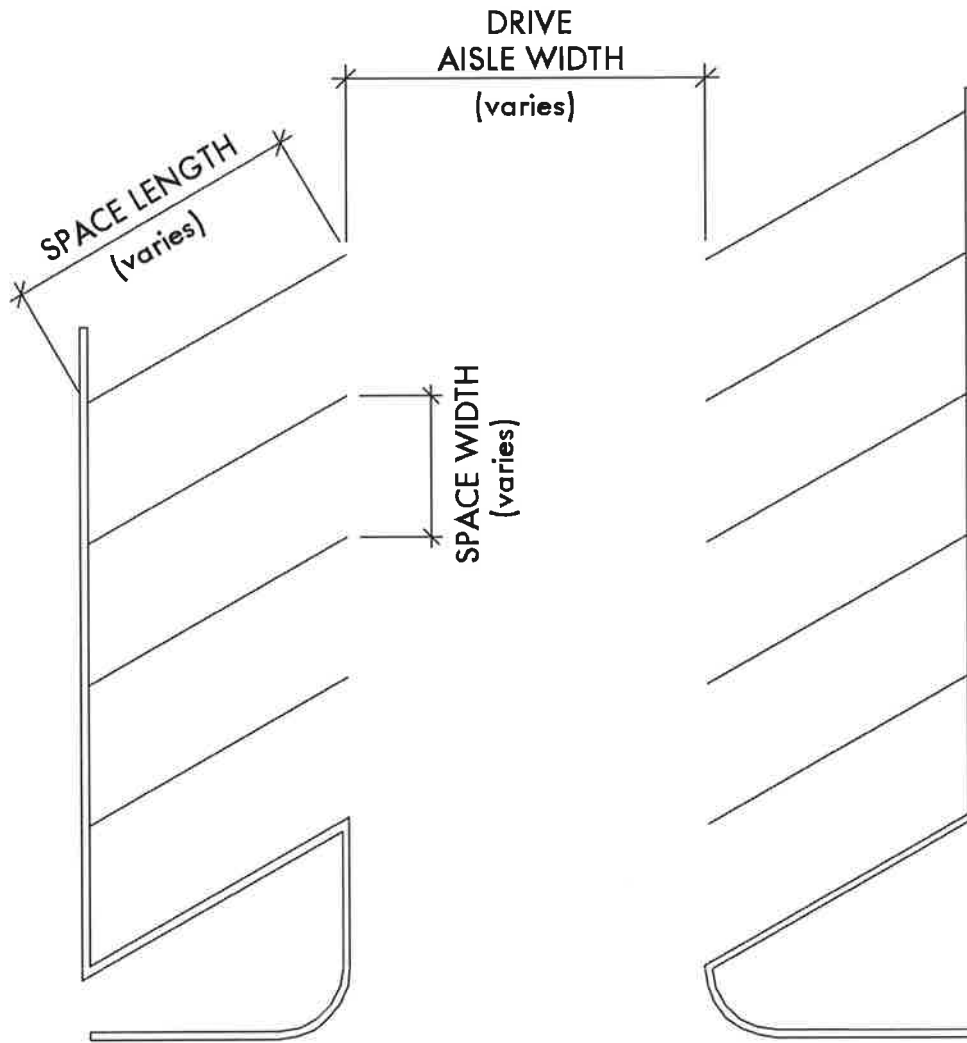


ONE-WAY AISLE

# Angle Parking Less Than 90°

Fig. 8A

## Section 4.206H

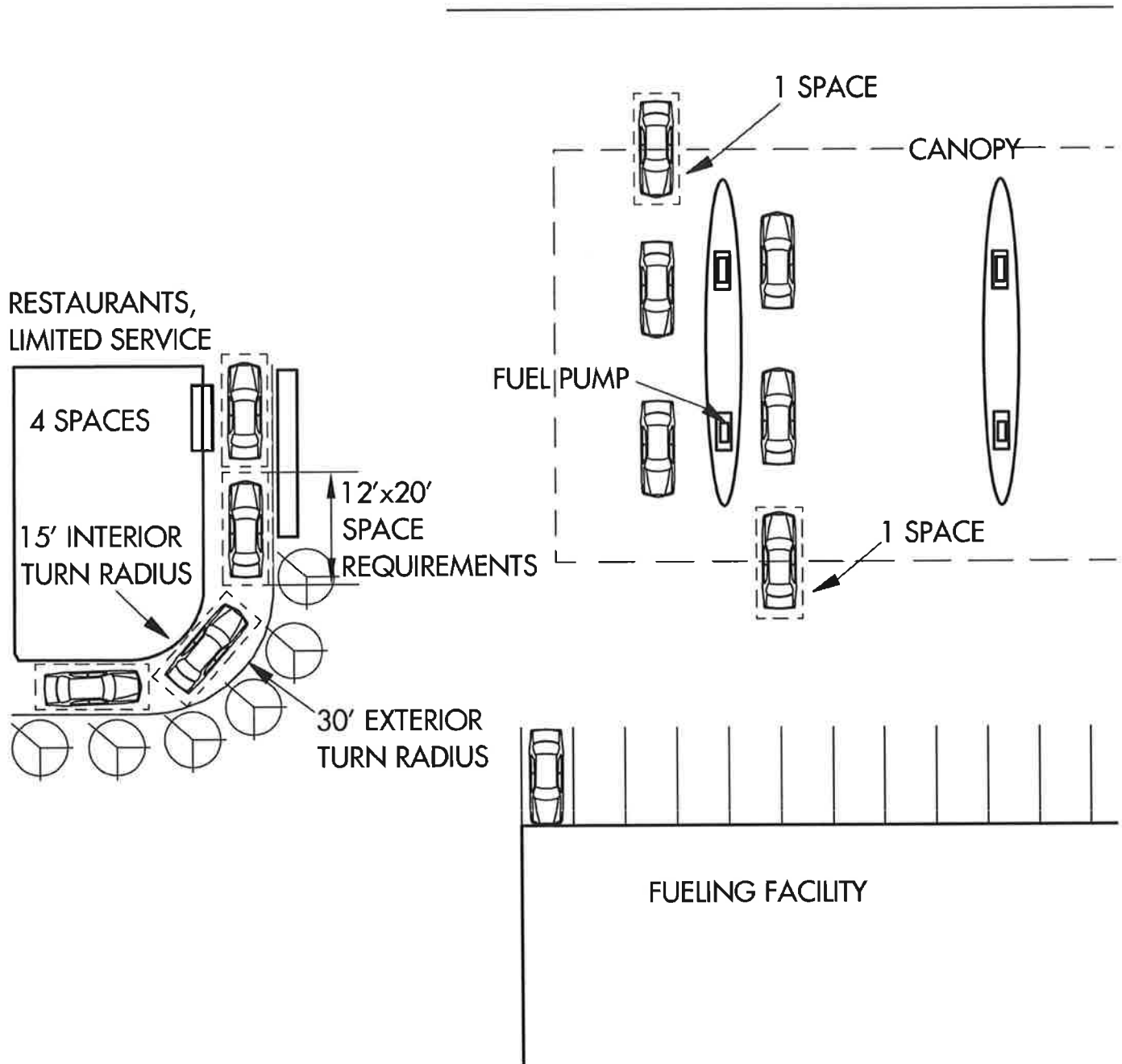


TWO-WAY AISLE

# Angle Parking Less Than 90°

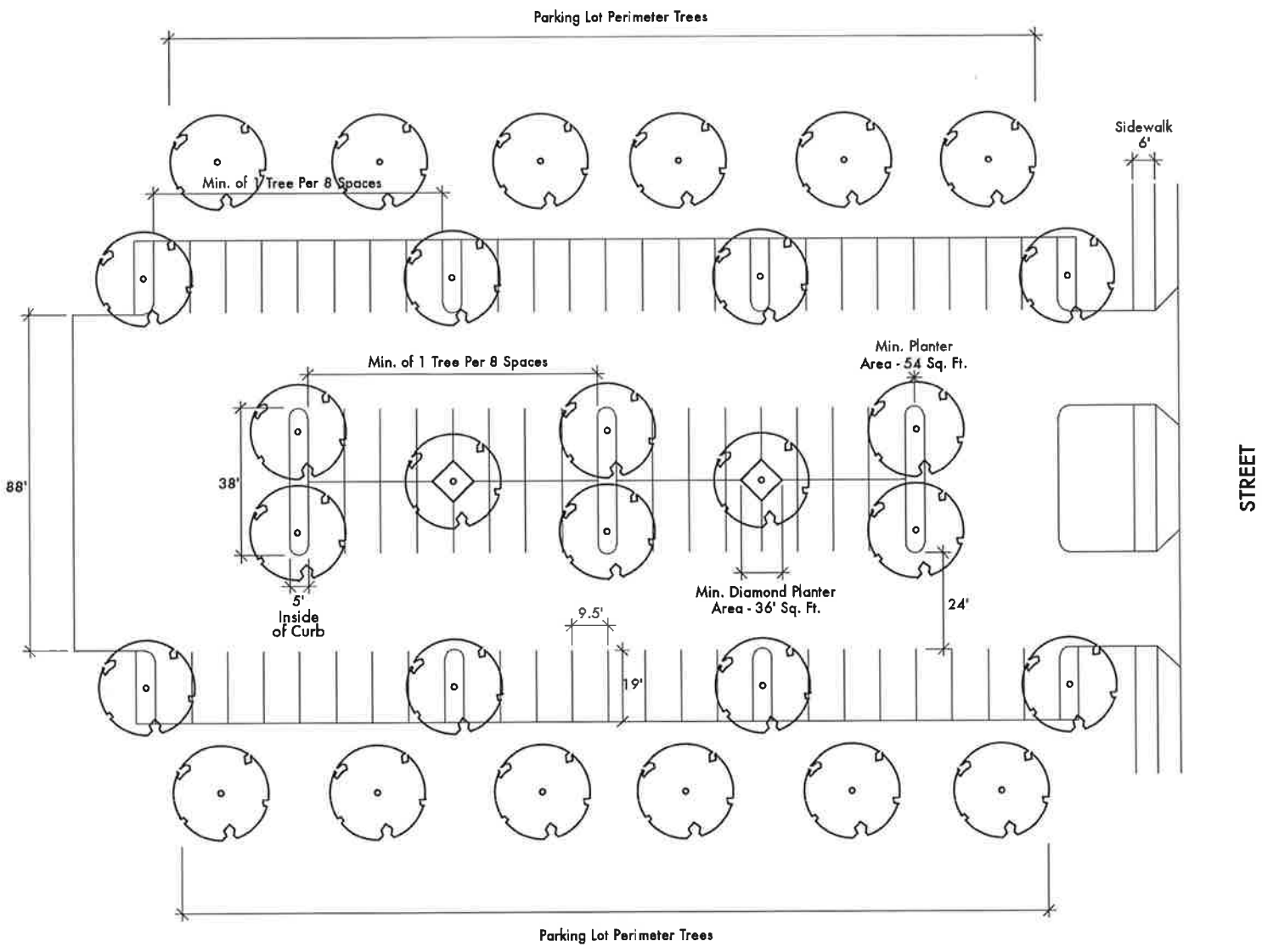
Fig. 8B

## Section 4.206H



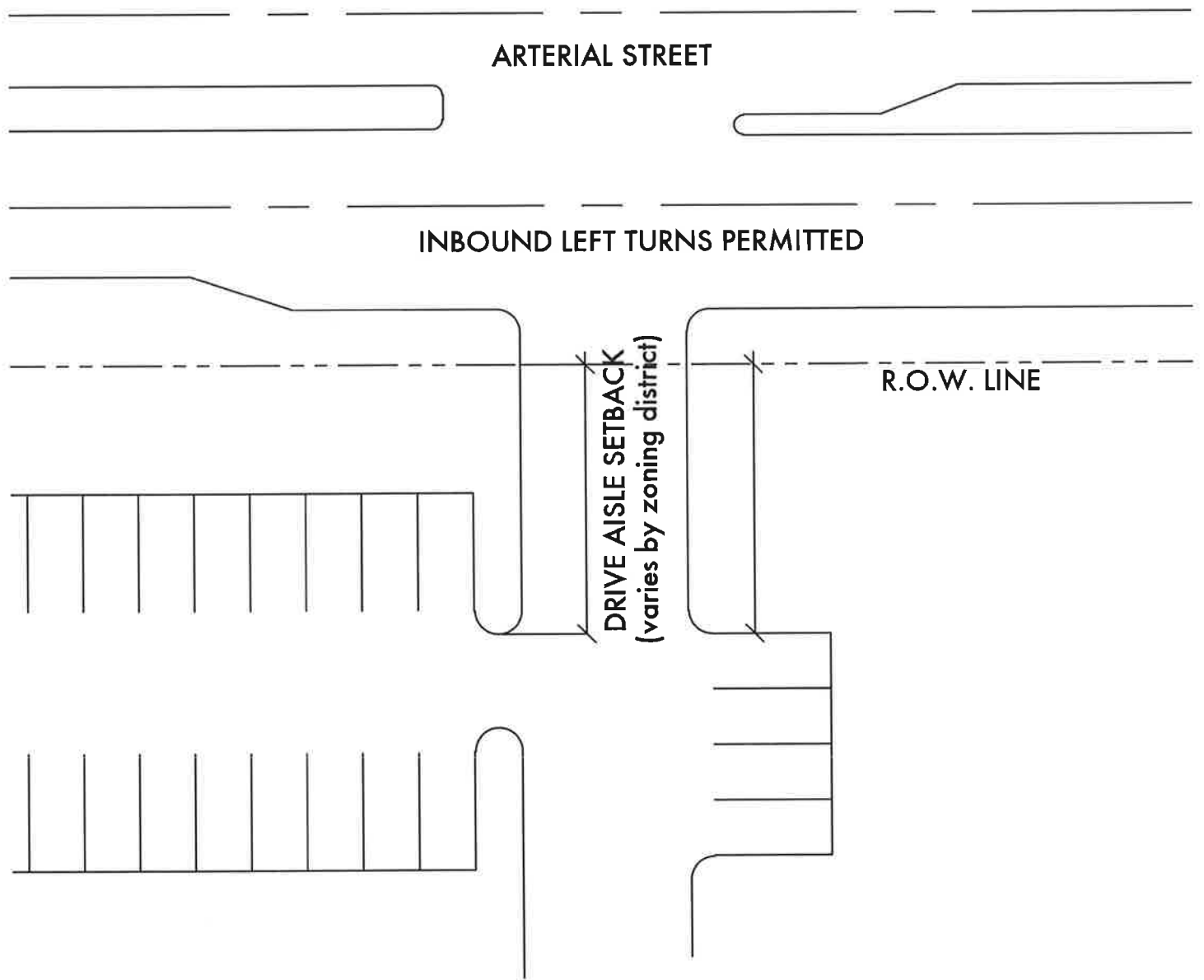
# Drive-Through Facility Stacking Space Requirements

Fig. 9- Section 4.2010



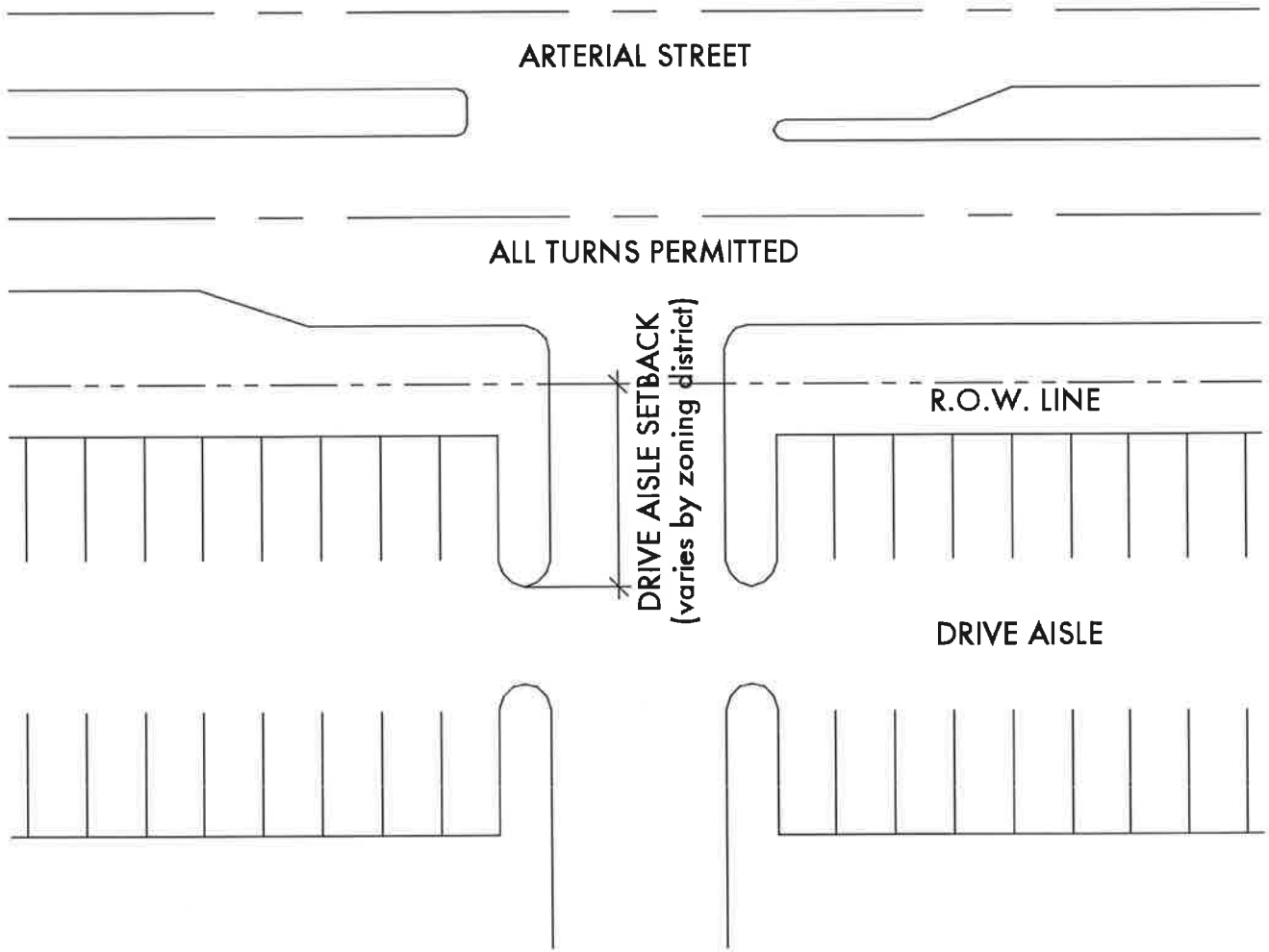
**Shade Trees**  
**Fig. 10 - Section 4.2012B 1a,b,c**





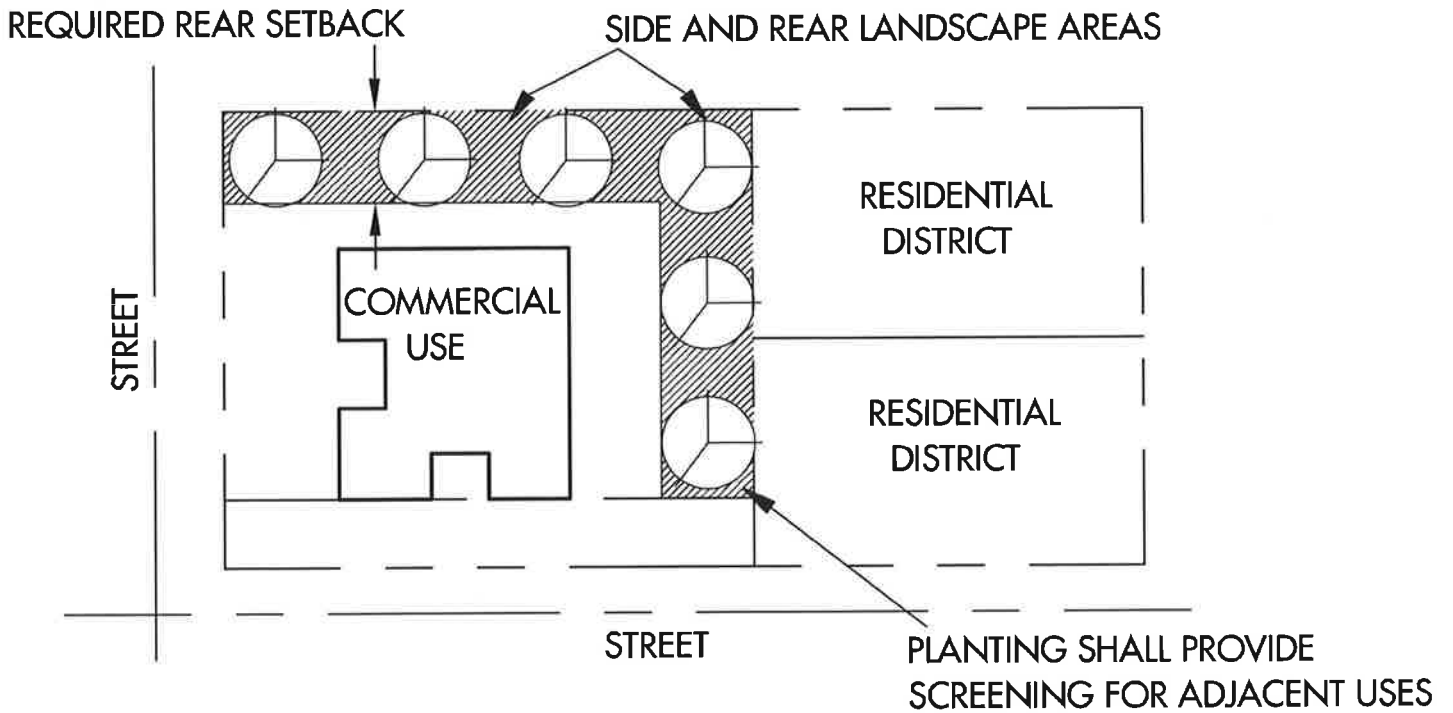
# Parking Setbacks, Inbound Left Turn Permitted

Fig. 11  
Section 4.2013A

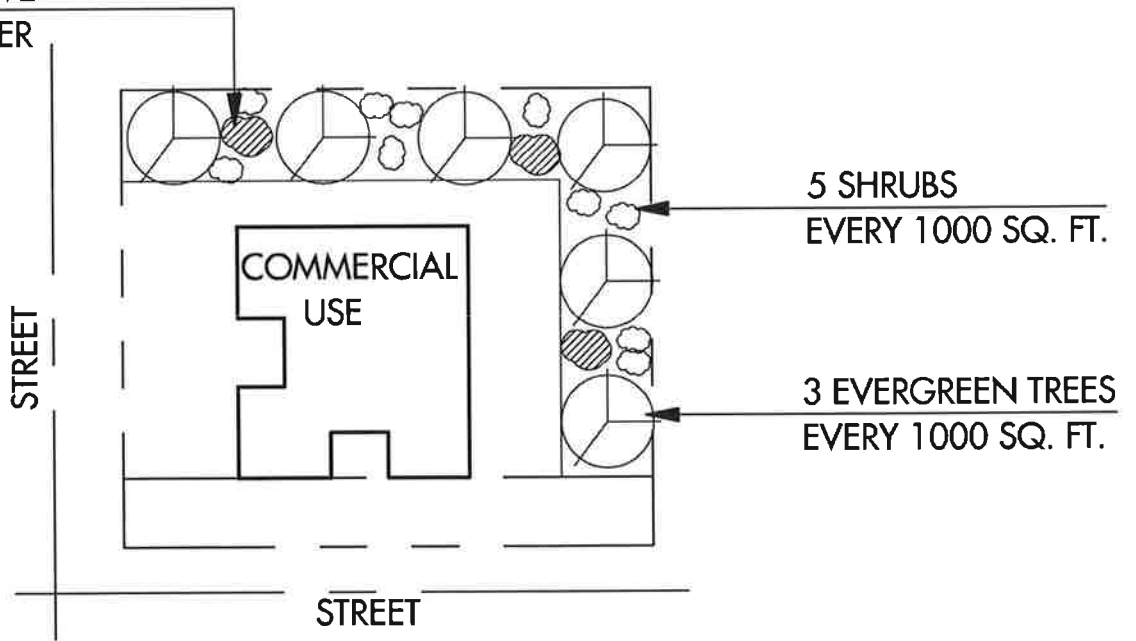


# Drive Aisle Setbacks

Fig. 12  
Section 4.2013C



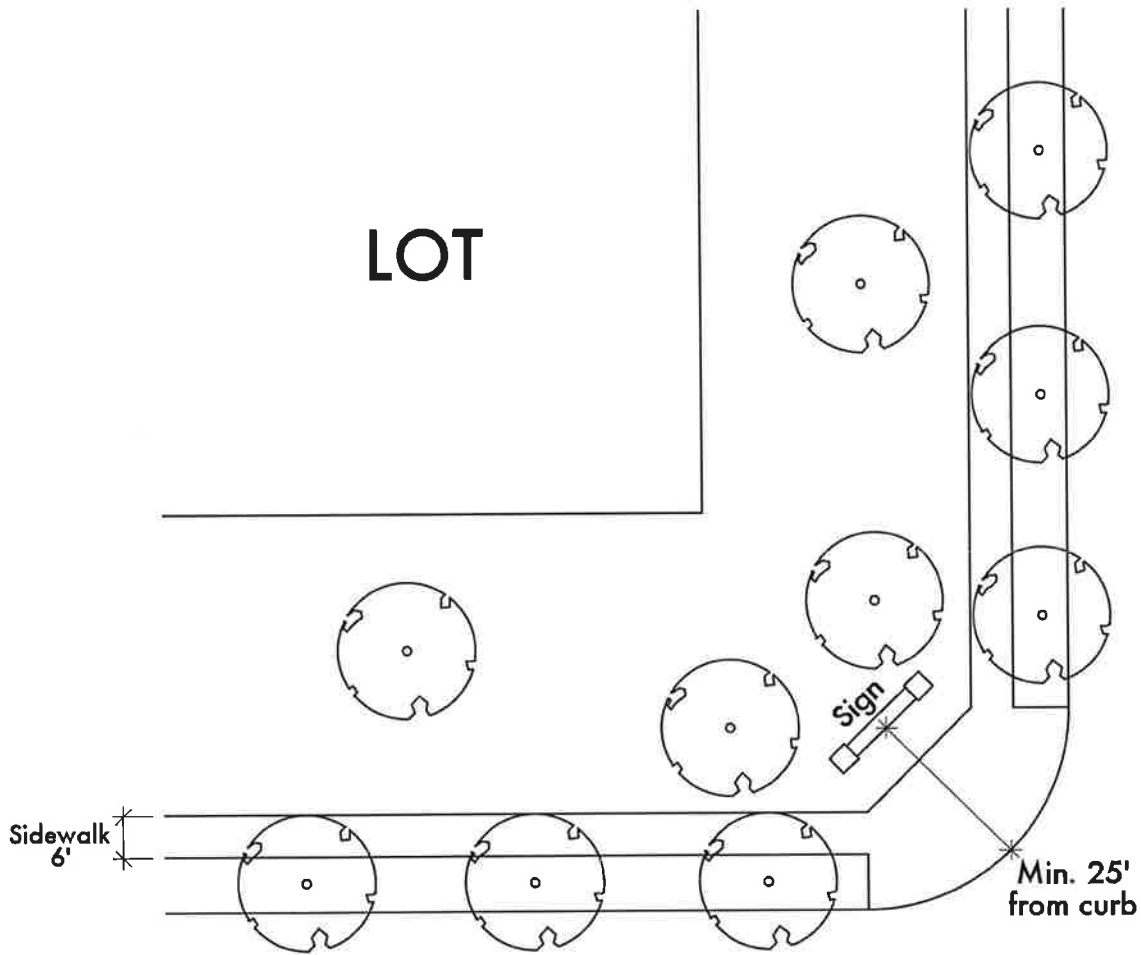
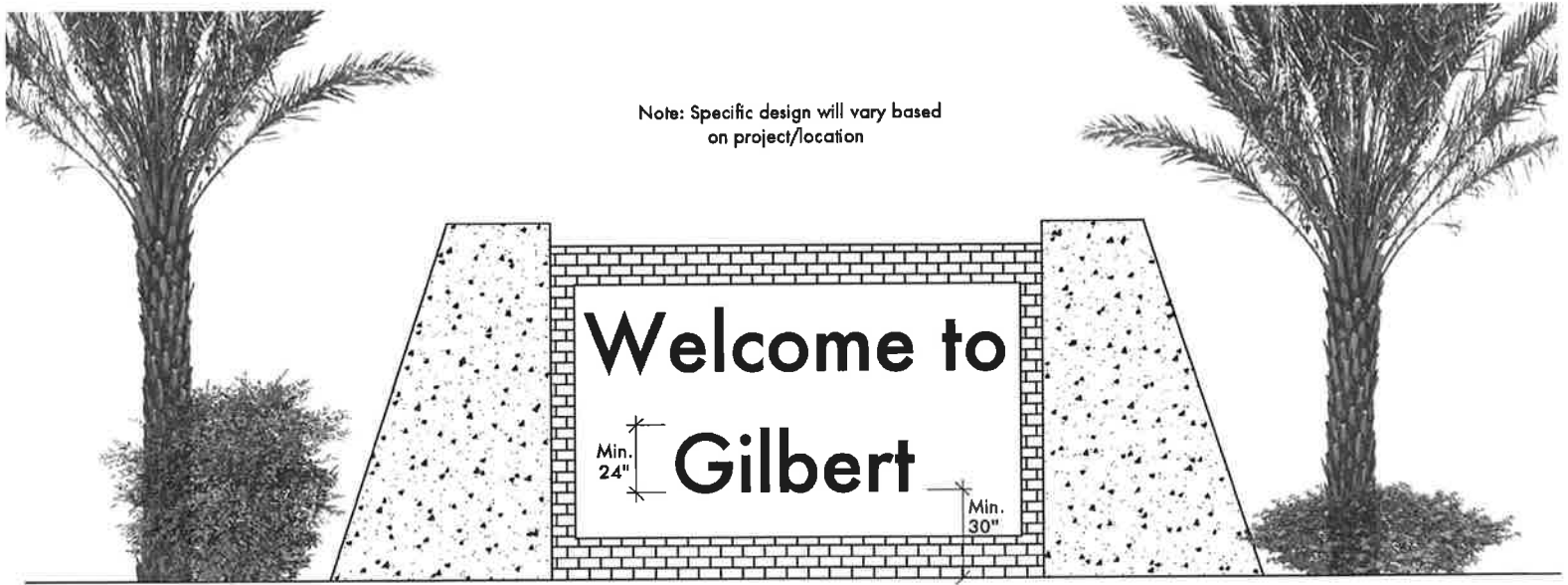
20% VEGETATIVE  
GROUNDCOVER



## Side and Rear Perimeter Landscape Areas

Fig. 13- Section 4.303P

Note: Specific design will vary based on project/location



**Gateway Entries**  
**Fig. 14 - Section 4.304**

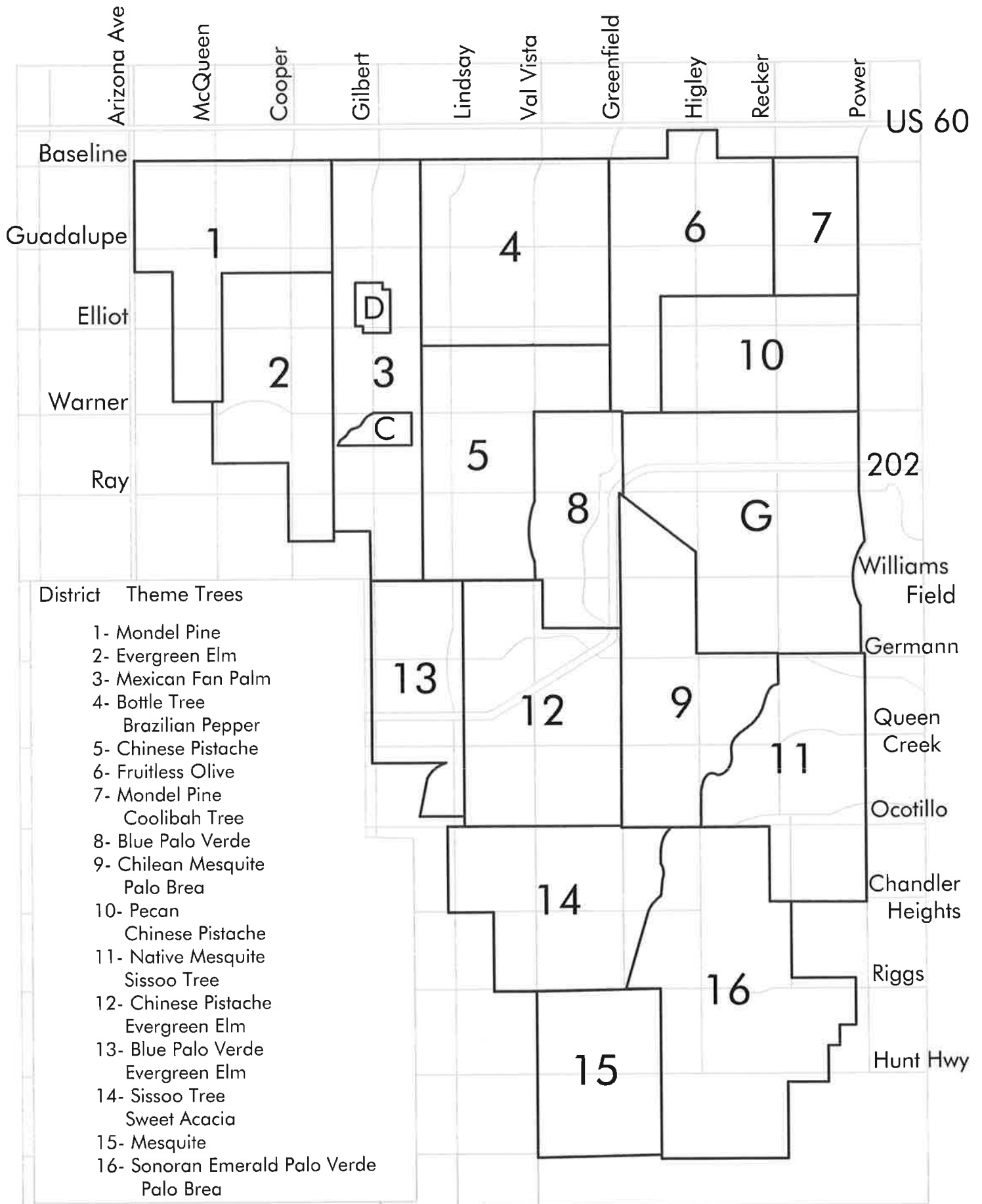
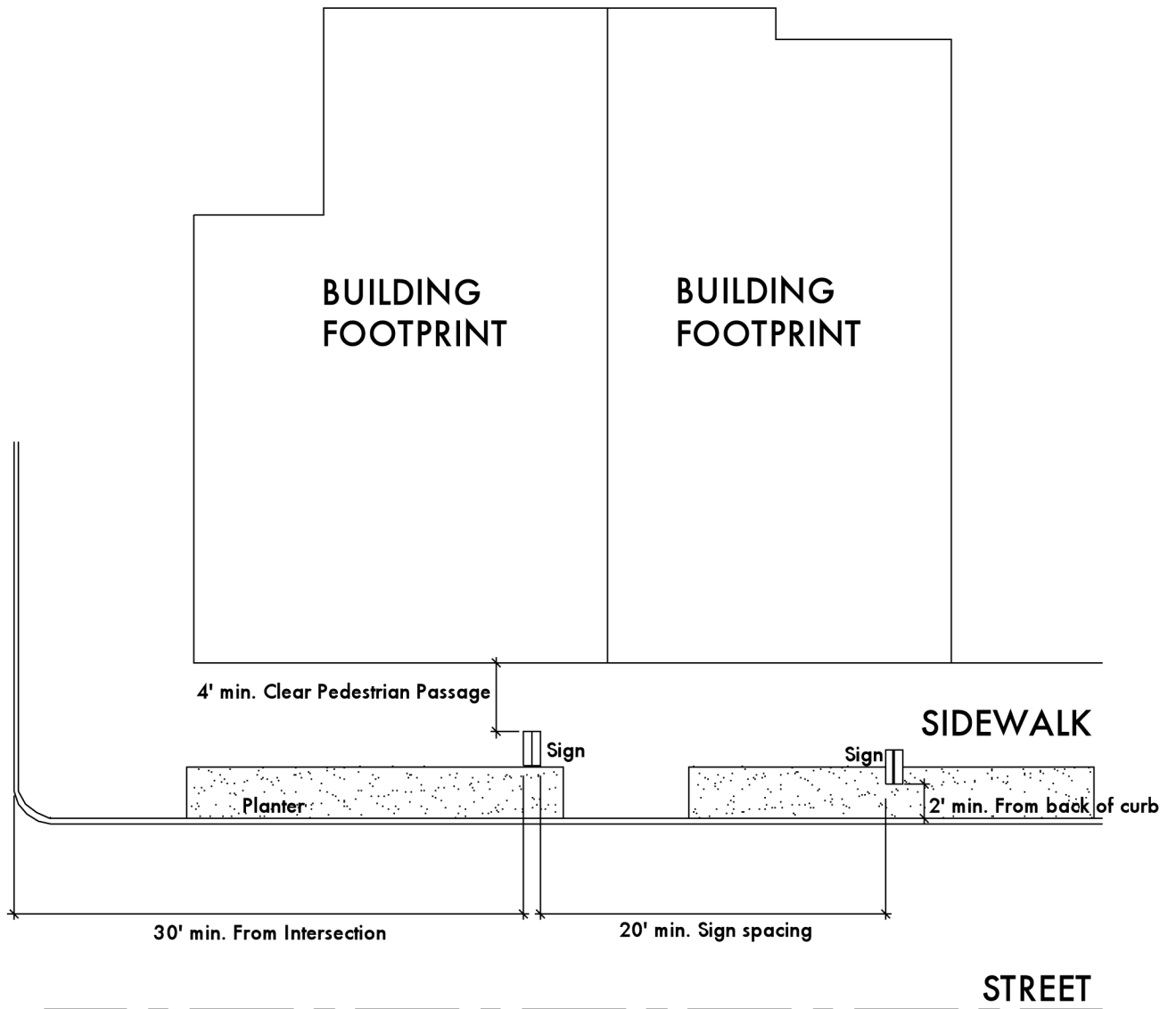


Fig. 15- 4.305



# A-Frame Sign Placement

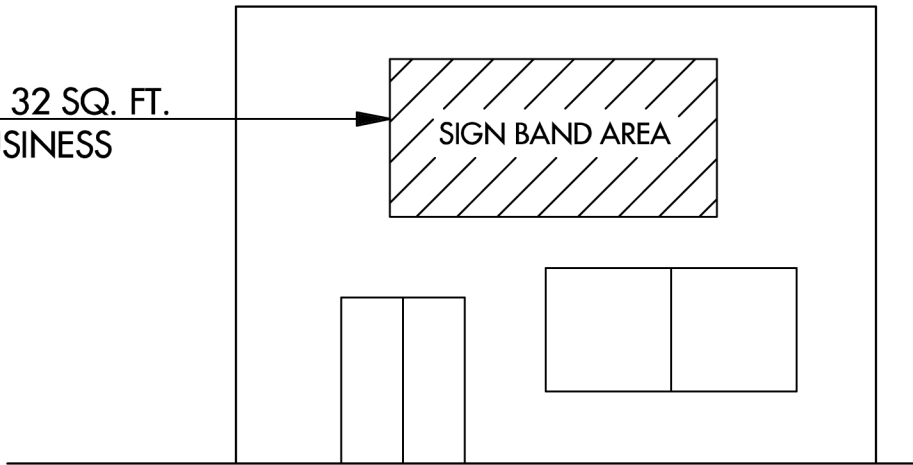
Fig. 16

## Section 4.408B

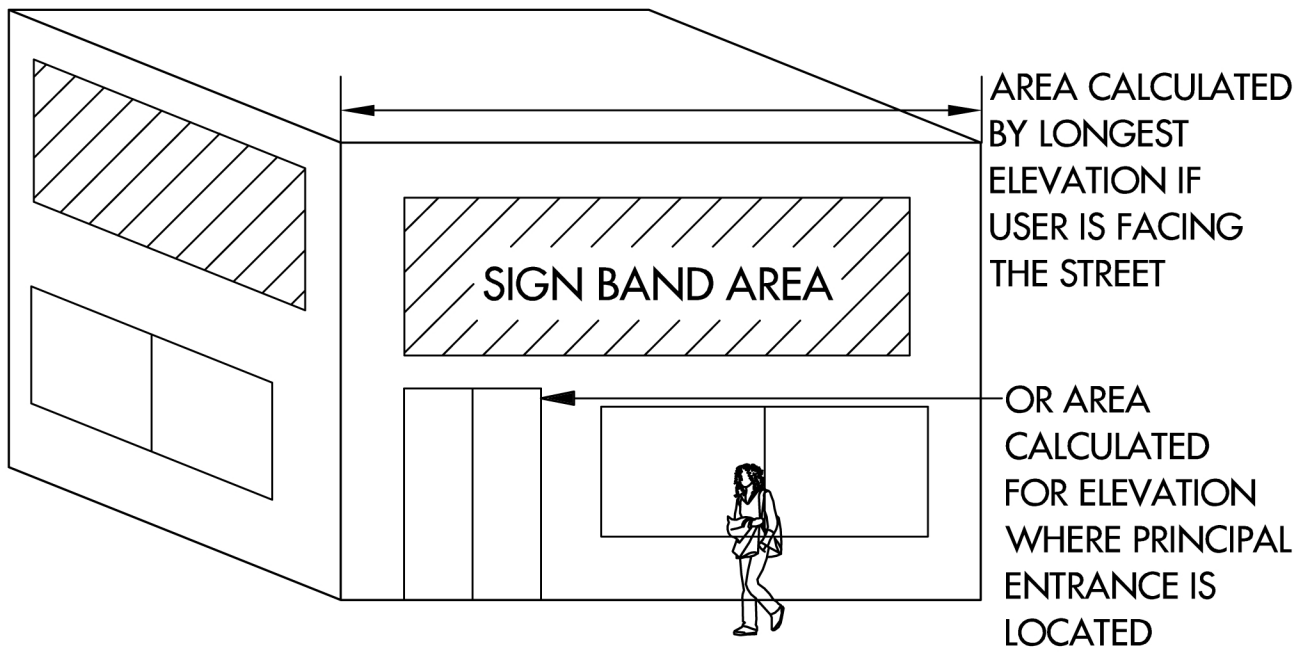
Graphic Revised 5/18/2017

**BUSINESSES WITH SINGLE FRONTAGE**

**MINIMUM OF 32 SQ. FT.  
FOR EACH BUSINESS**

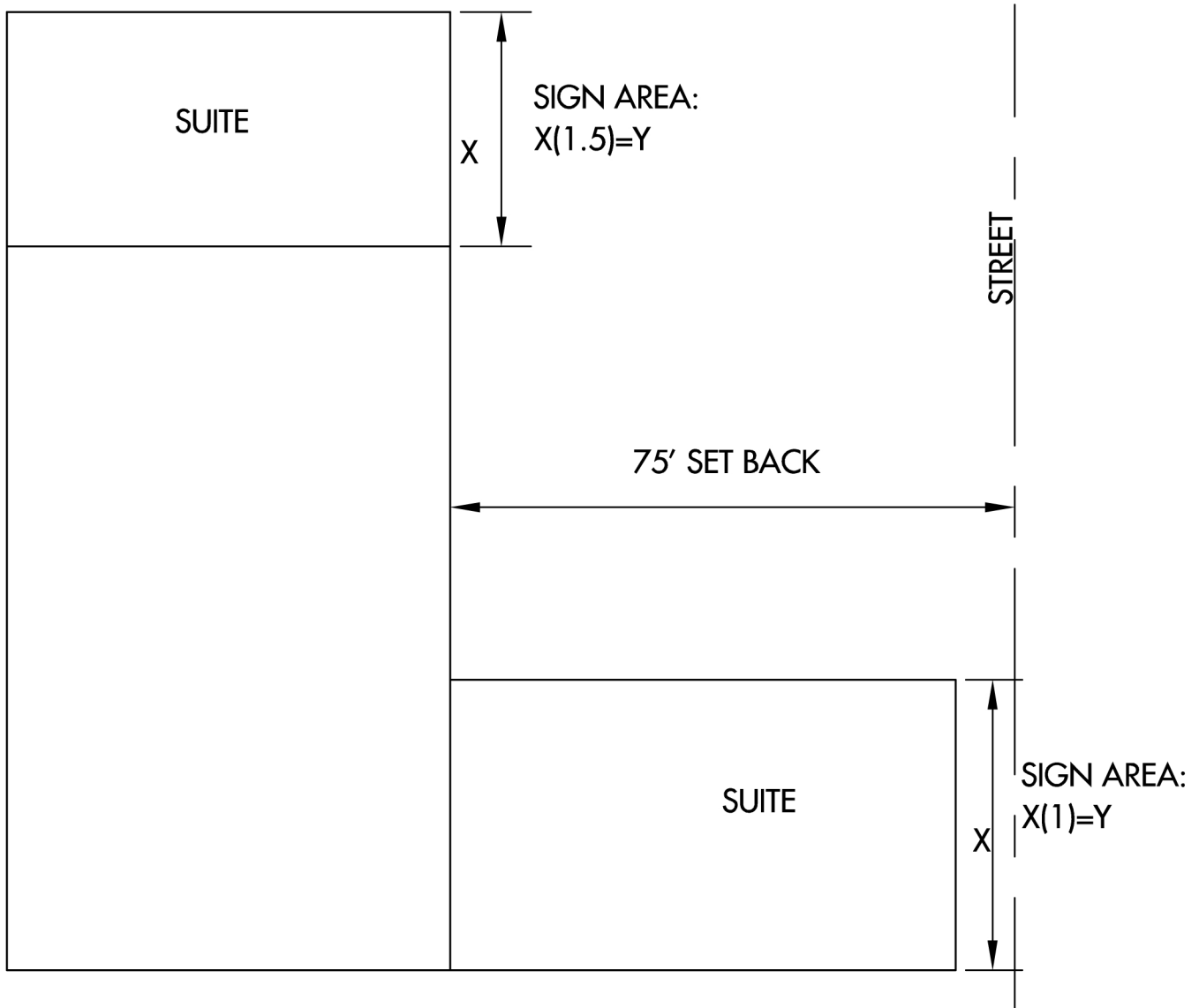


**BUSINESSES WITH DOUBLE FRONTAGE**



**Total Business Wall Sign Area**  
**Fig. 17A- Section 4.409.B.3**

Graphic Revised 5/18/2017



Y=PERMITTED FOR EACH 1 LINEAL FOOT OF BUILDING ELEVATION  
ADJACENT TO THE SUITE

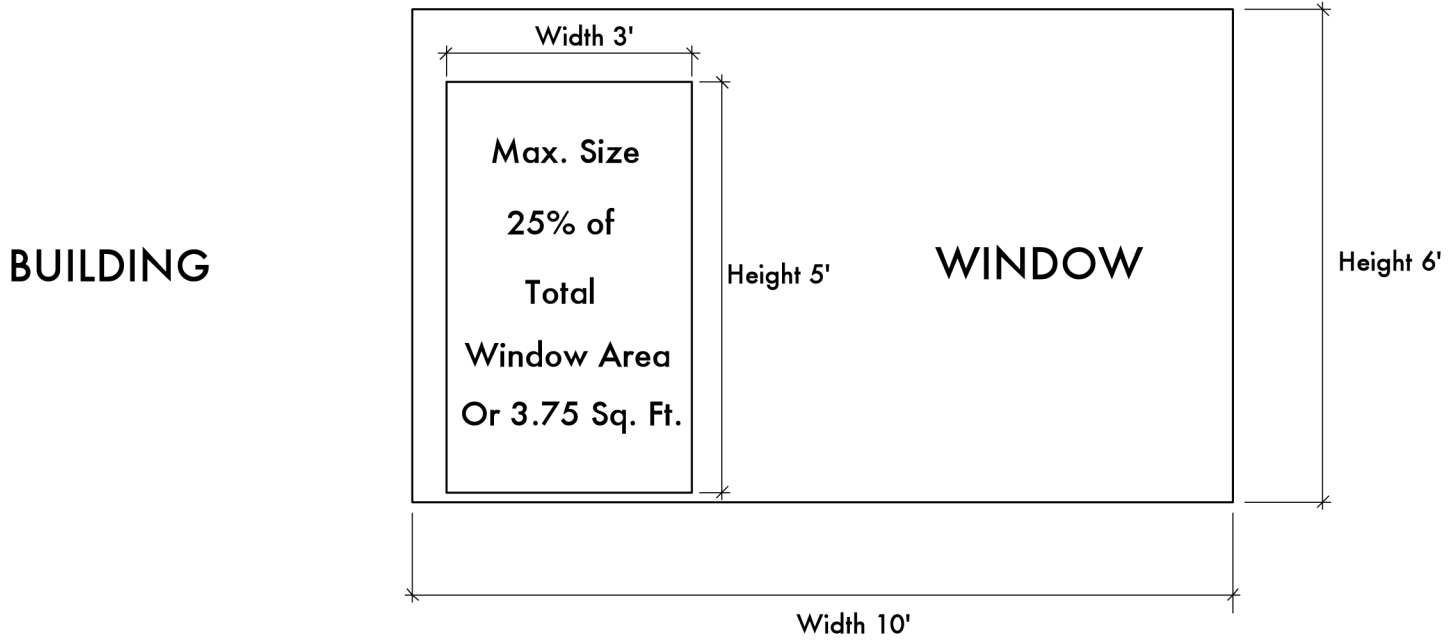
# Sign Area Allowances

Fig. 17B- Section 4.409.B.3

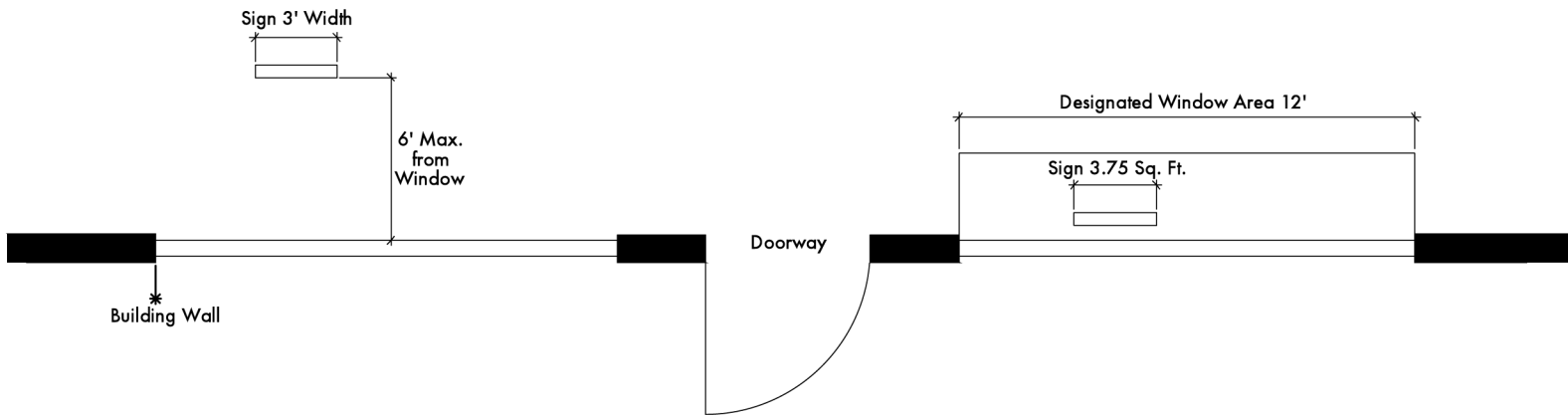
Graphic Revised 5/18/2017



# Area



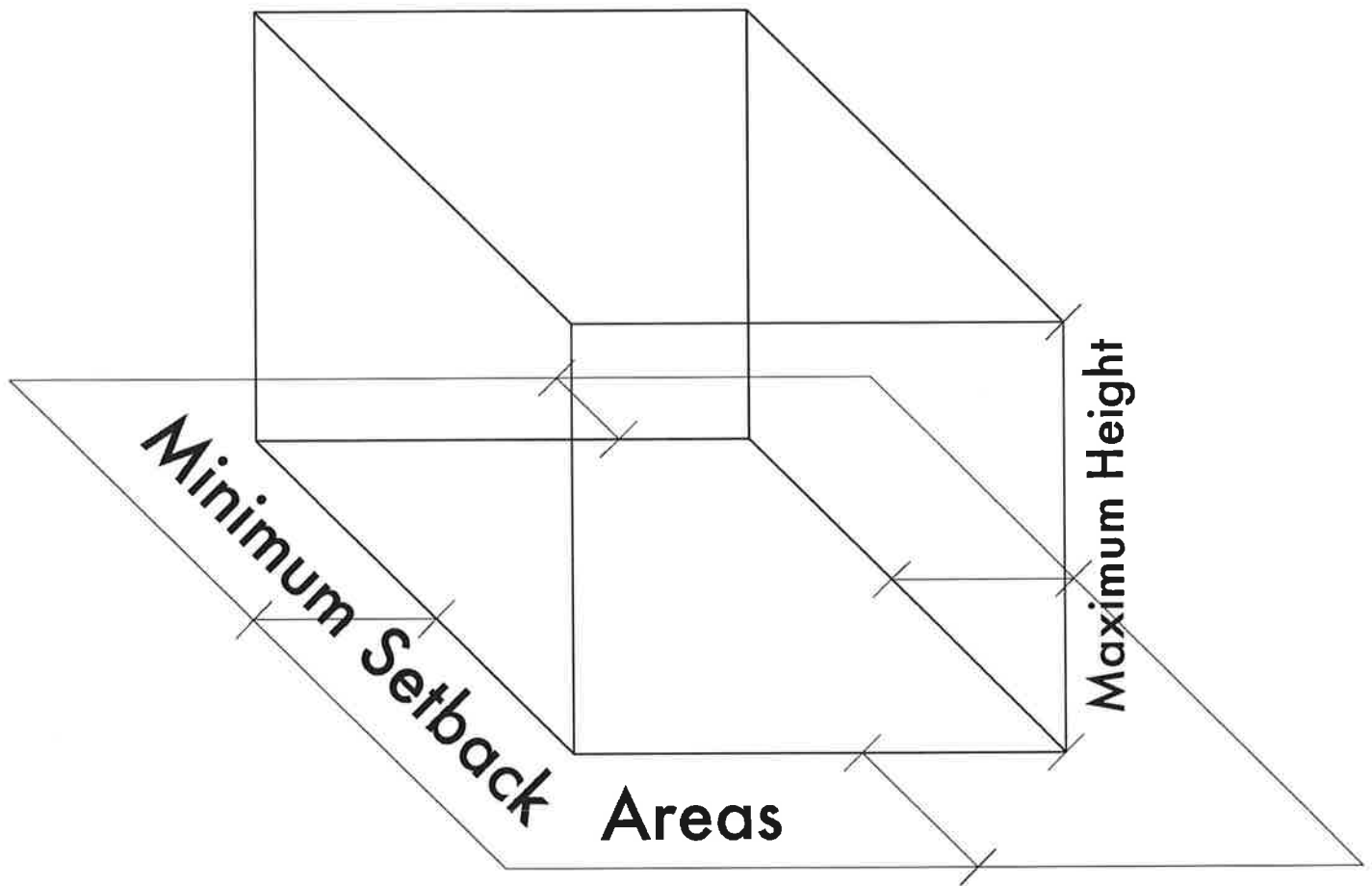
# Location



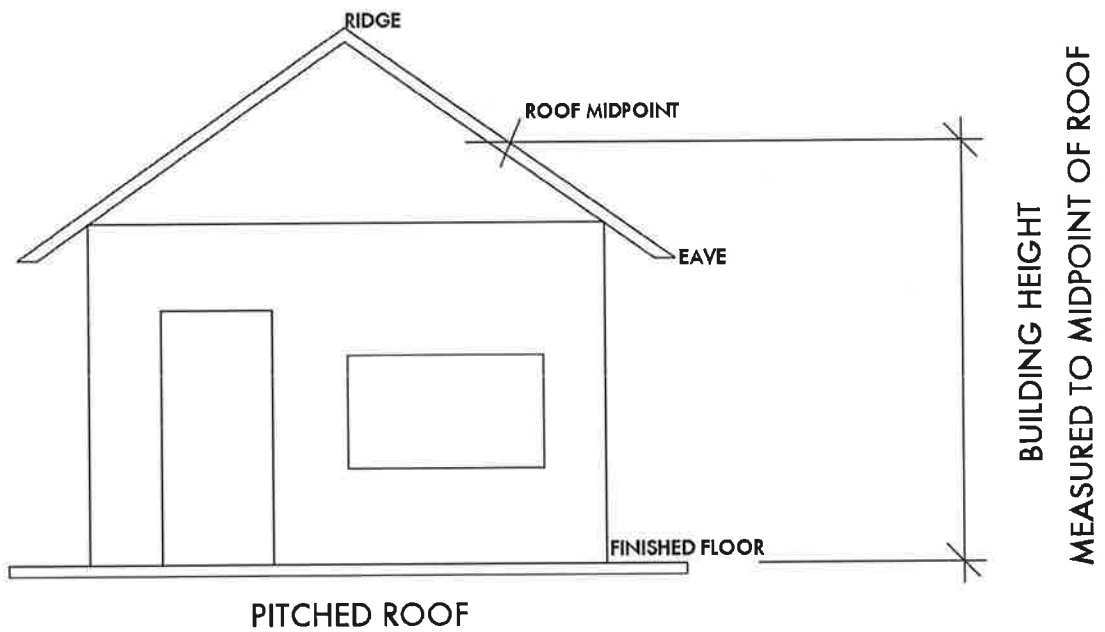
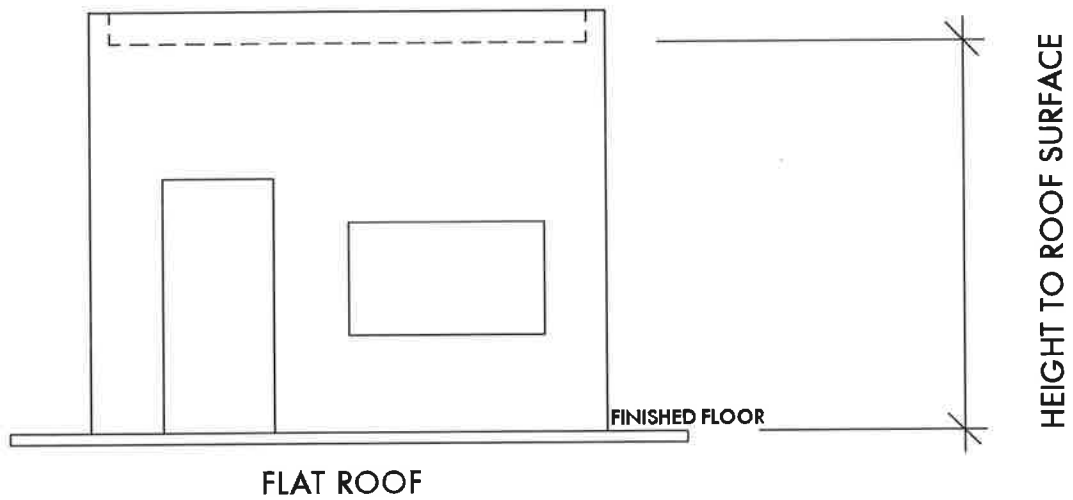
# Window Signs

Fig. 18 - Sections 4.408.A & 4.409.B.8

Graphic Revised 5/18/2017

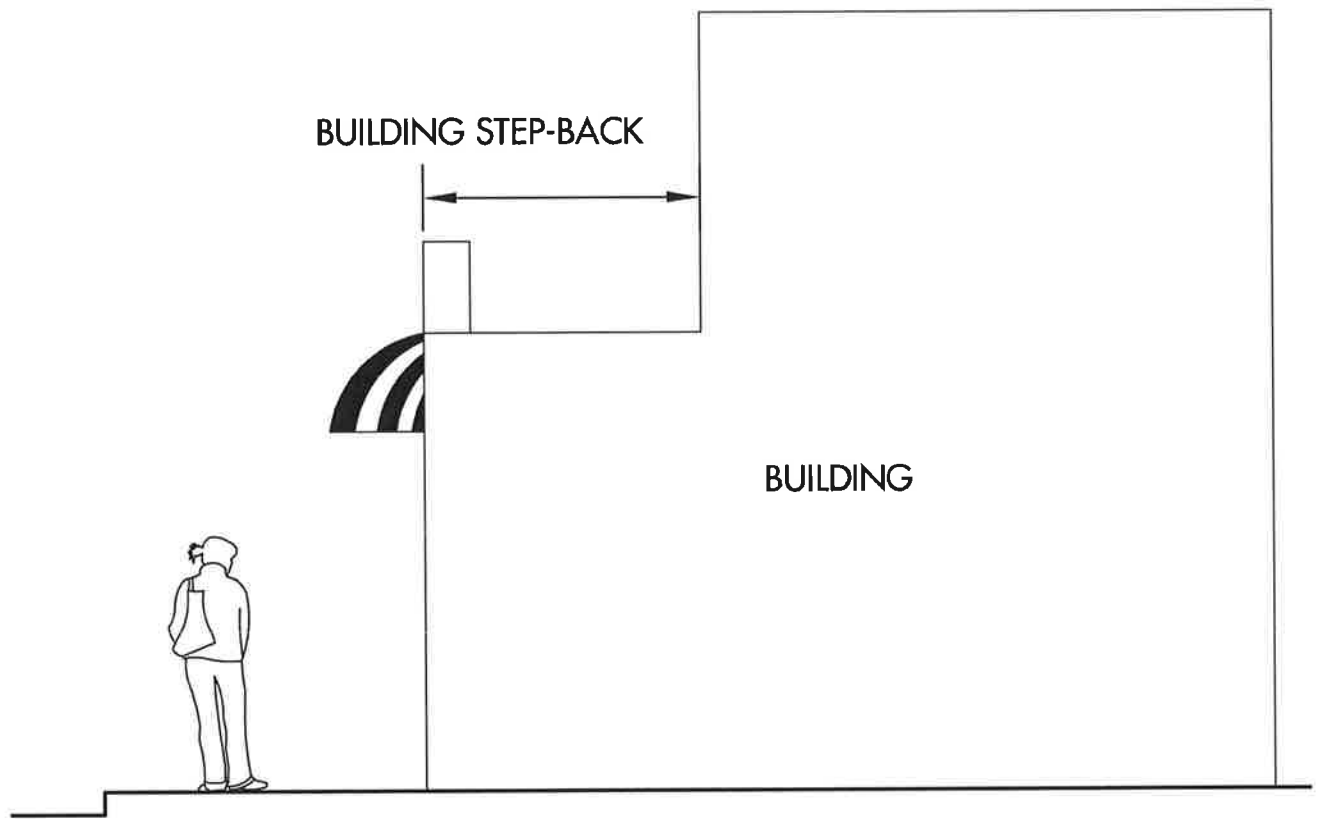


**Glossary of General Terms- Building  
Envelope  
Fig. 19**



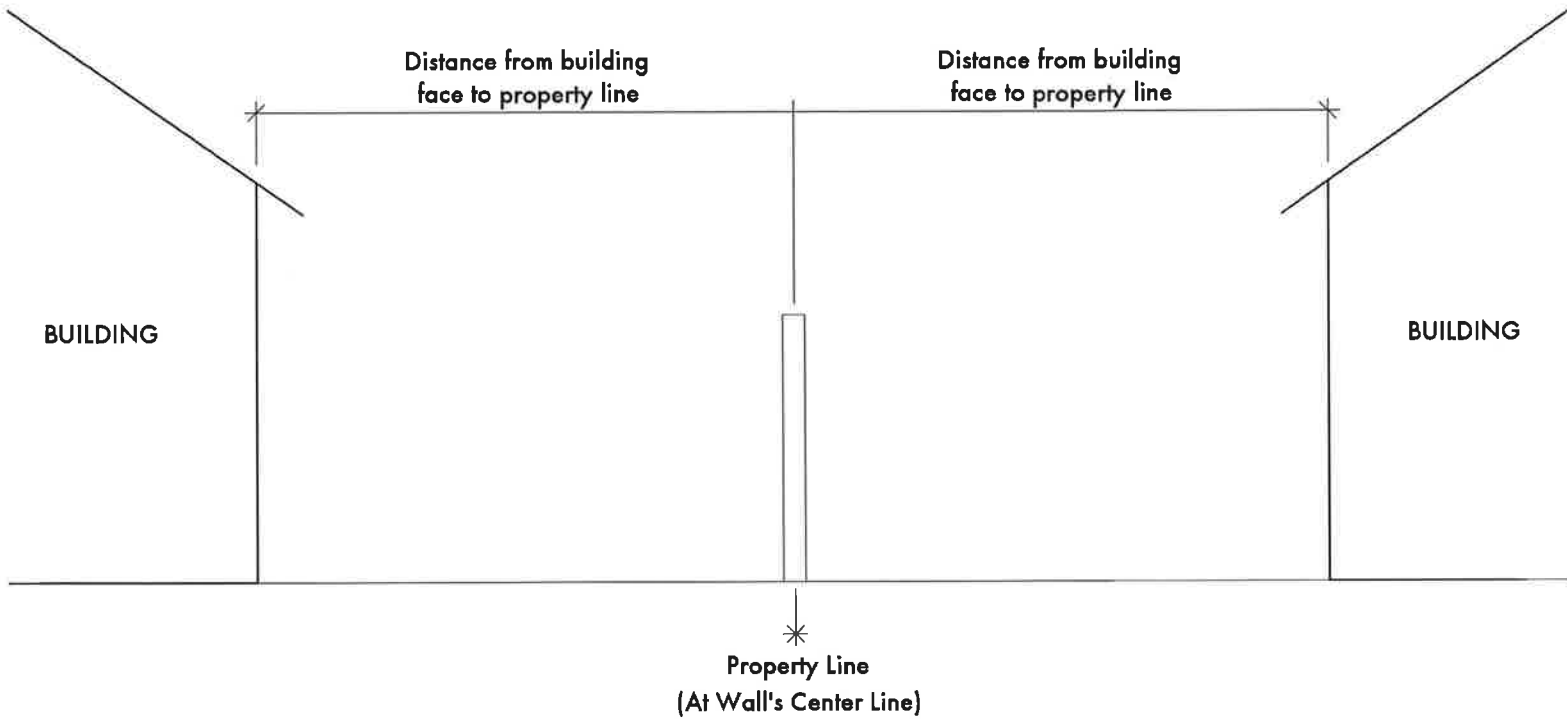
# Glossary of General Terms: Building Height

## Fig. 20



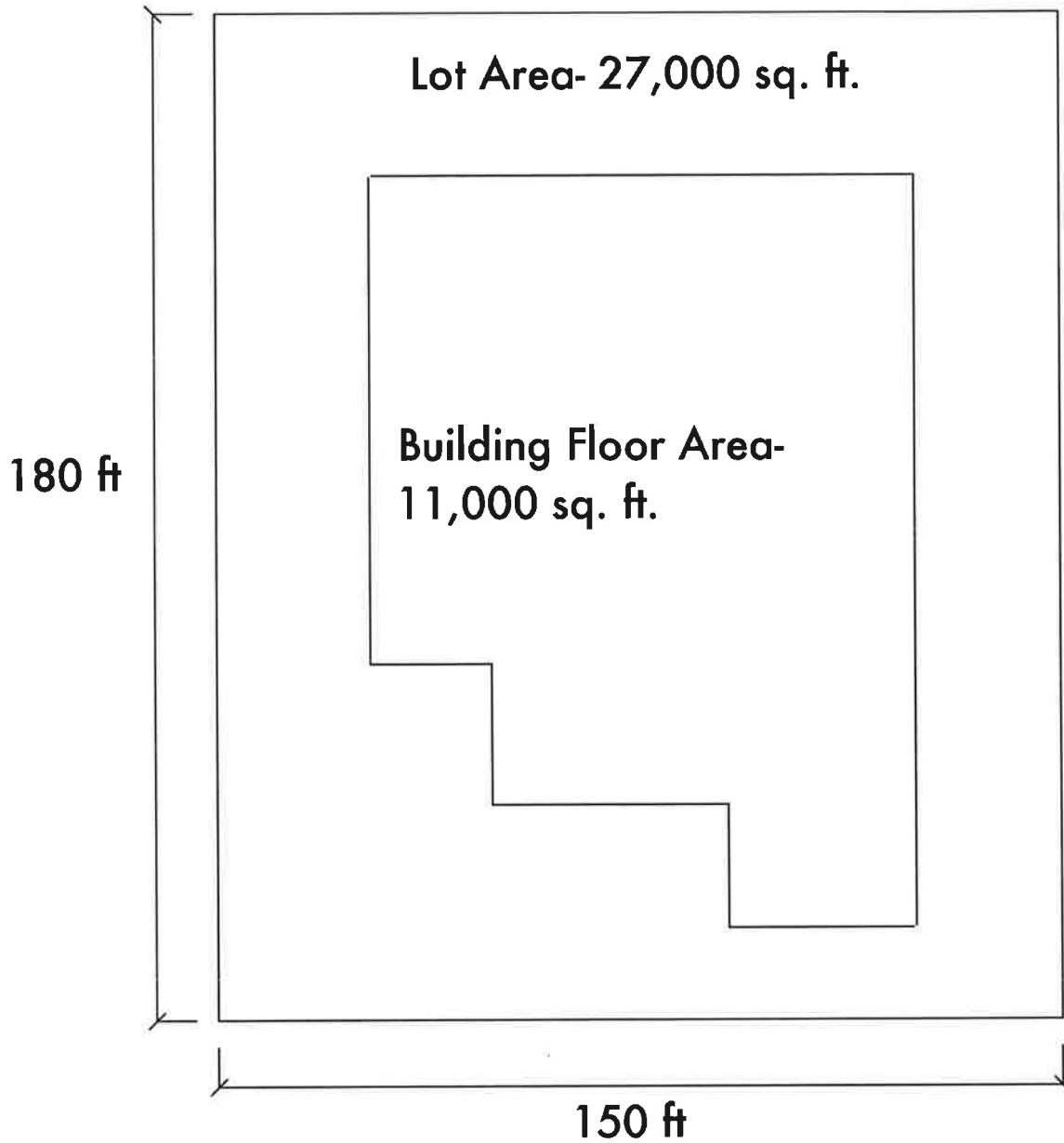
# Glossary of General Terms: Building Step-Back

Fig. 21



# Glossary of General Terms - Build to Line

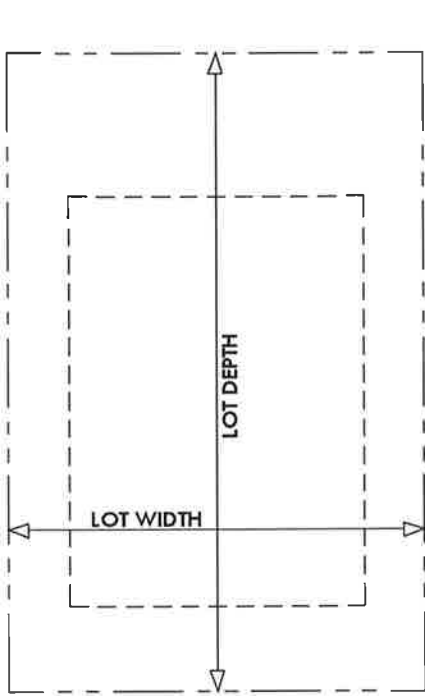
## Fig 22



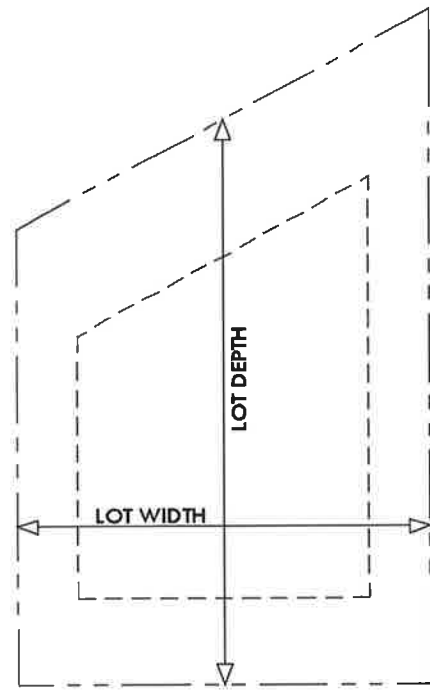
$$\frac{11,000 \text{ sq. ft.}}{27,000 \text{ sq. ft.}} = .41 \text{ Floor Area Ratio}$$

# Glossary of General Terms- Floor Area Ratio (FAR)

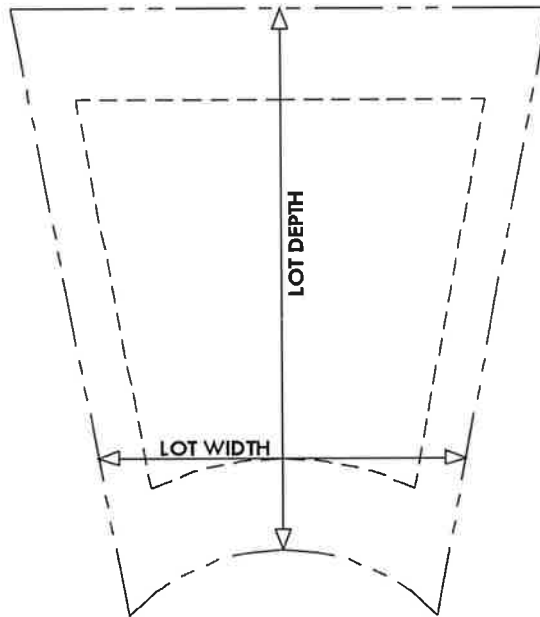
Fig. 23



RECTANGULAR LOT



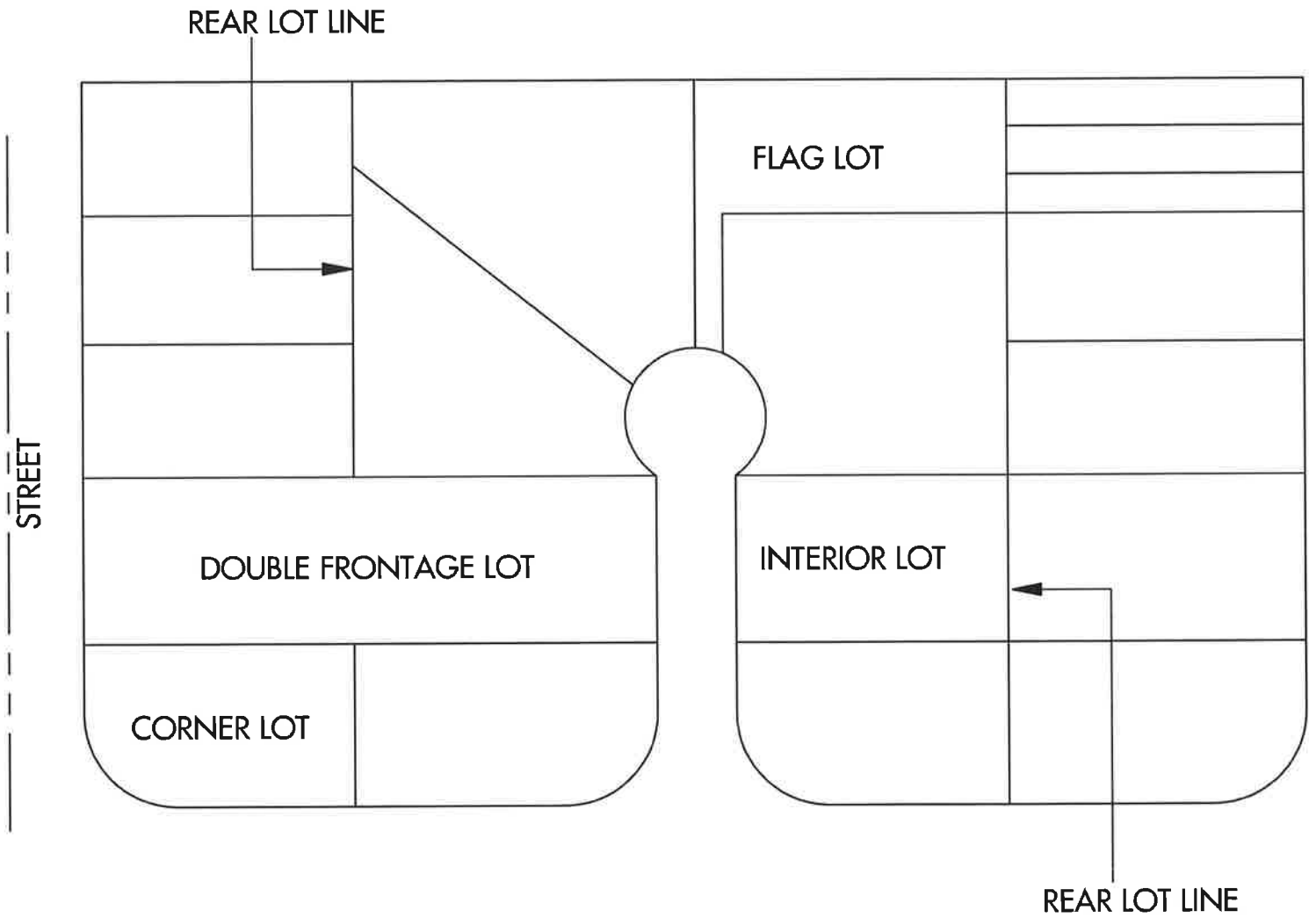
TRAPEZOIDAL LOT



CUL-DE-SAC LOT

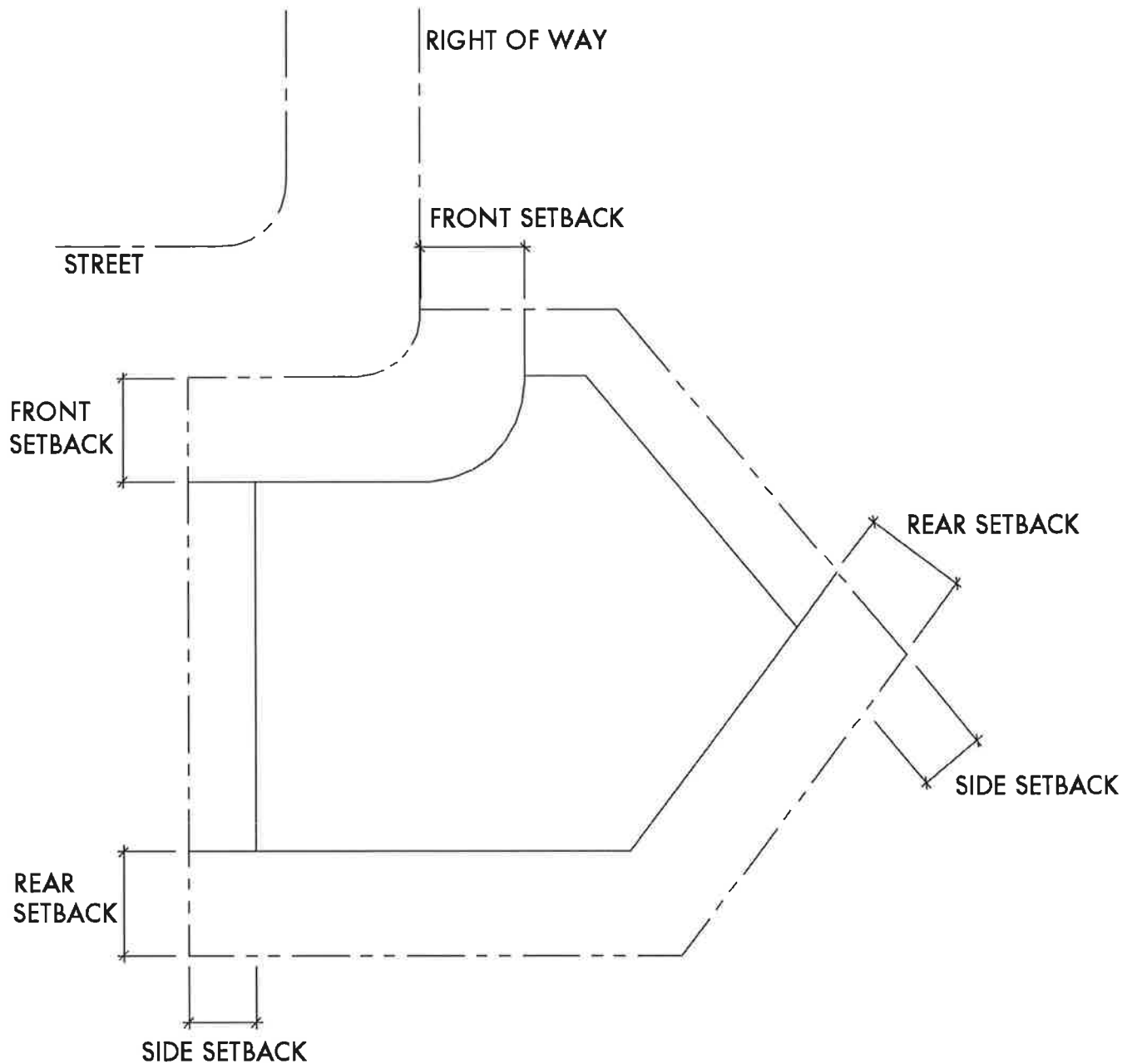
# Glossary of General Terms: Lot Width / Lot Depth

Fig. 24



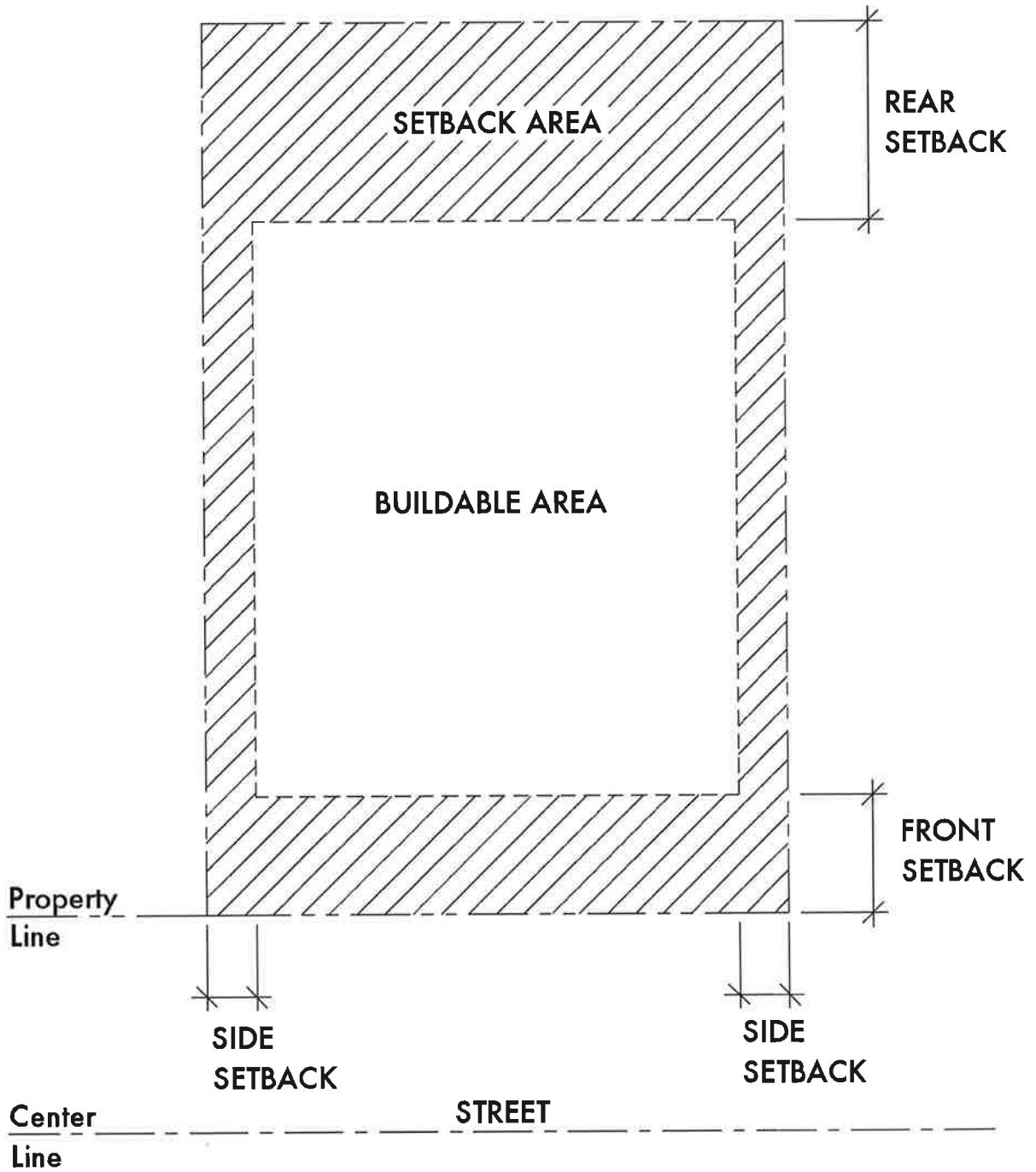
**Glossary of Terms: Lot Line and Lot Types**  
 Fig. 25





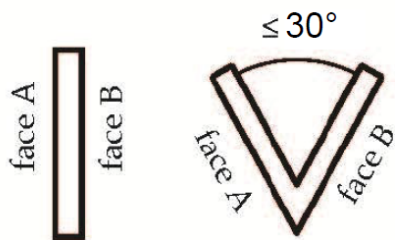
## Glossary of General Terms: Setback (irregular lot)

Fig. 26

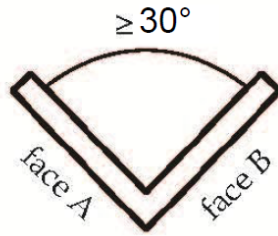


# Glossary of General Terms: Setback Area

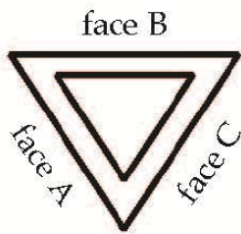
Fig. 27



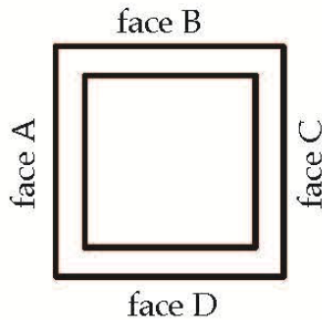
Total Sign Area =  
A or B



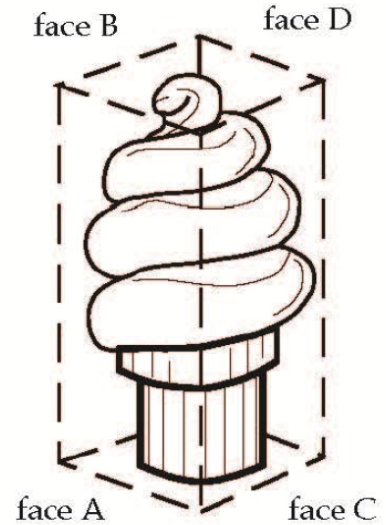
Total Sign Area =  
A + B



Total Sign Area =  
(A + B + C) ÷ 2



Total Sign Area =  
(A + B + C + D) ÷ 2

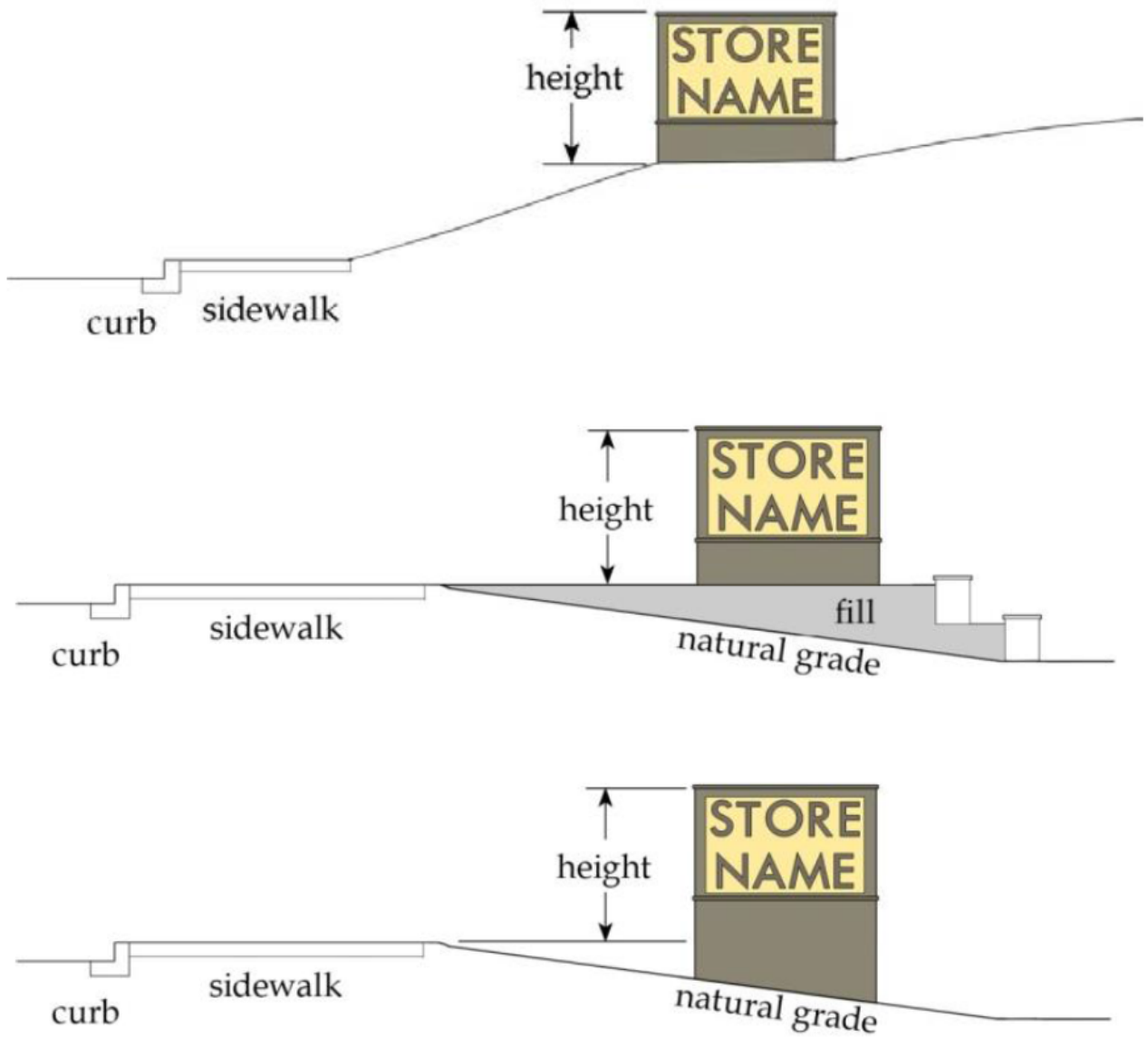


Total Sign Area =  
(A + B + C + D) ÷ 2

Graphic Added 5/18/2017

## Measurement of Sign Size (Sign Area)

Fig. 28 - Section 4.407.I.1.



Graphic Added 5/18/2017

## Measurement of Sign Height

Fig. 28 - Section 4.407.I.2.