

ORDINANCE NO. 2805 NEW SERIES

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING THE ZONING ORDINANCE OF THE CITY OF GLENDALE, ARIZONA, FOR BILLBOARDS AS FOLLOWS: ARTICLE 2 (DEFINITIONS AND RULES OF CONSTRUCTION), SEC. 2.300 (DEFINITIONS); AND ARTICLE 7 (GENERAL DEVELOPMENT STANDARDS), SECS. 7.103(F) AND (K), 7.106, AND 7.110; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, the City of Glendale Planning Commission held a public hearing on March 1, 2012 in Zoning Text Amendment Case No. ZTA11-01 in the manner prescribed by law for the purpose of amending various sections of the zoning ordinance for billboards;

WHEREAS, due and proper notice of such Public Hearing was given in the time, form, substance and manner provided by law including publication of such notice in *The Glendale Star* on February 9, 2012; and

WHEREAS, the City of Glendale Planning Commission has recommended to the Mayor and the Council a denial of the Zoning Text Amendment; however, the Mayor and the Council desire to amend various sections of the zoning ordinance for billboards.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLENDALE as follows:

SECTION 1. That the Zoning Ordinance of the City of Glendale, Arizona, Article 2 (Definitions and Rules of Construction), Sec. 2.300 (Definitions) is hereby amended by adding the following definition to read as follows:

...

Sign, Digital Billboard: An identification sign or a sign which is intended to advertise a business, commodity, service, entertainment, product, or attraction sold, offered, or existing on or elsewhere than on the property where the sign is located and intended to be viewed primarily from SR 101. A Digital Billboard shall be internally illuminated, and not capable of movement.

...

SECTION 2. That the Zoning Ordinance of the City of Glendale, Arizona, Article 7 (General Development Standards), Secs. 7.103(F), 7.103(K) and 7.106(A) are hereby amended to read as follows:

[Additions are indicated by underline; deletions by ~~strikeout~~.]

...

Sec. 7.103. Prohibited signs.

Any sign not specifically listed as permitted by this ordinance is prohibited, including, but not limited to the following:

...

- F. Signs with intermittent or flashing illumination, except Digital Billboard Signs, and animated or moving signs.

...

- K. Reader panel signs except as specifically authorized herein. Any sign which permits the change of electronic or manual copy and is changed more frequently than on a daily basis which is not a Digital Billboard Sign shall be considered a reader panel sign.

...

Sec. 7.106. Billboards.

- A. Billboards are permitted only in the ~~C-3~~, M-1, and M-2 zoning districts.

...

SECTION 3. That the Zoning Ordinance of the City of Glendale, Arizona, Article 7 (General Development Standards) is hereby amended by adding a new Sec. 7.110 to read as follows:

Sec. 7.110. Digital Billboard Signs.

Digital Billboard Signs are permitted subject to the regulations noted below.

- A. Placing a Digital Billboard Sign requires that the zoning of the lot on which the Digital Billboard Sign is located must be Planned Area Development (PAD).
- B. Placing a Digital Billboard Sign requires the approved Planned Area Development (PAD) to be located in Township 2 North, Range 1 East, Gila and Salt River Base and Meridian, and to have a minimum of one thousand (1,000) feet of lineal frontage adjacent to SR 101 (Agua Fria Freeway).

[Additions are indicated by underline; deletions by ~~strikeout~~.]

- C. The Digital Billboard Sign must be located within three hundred (300) feet of the freeway right-of-way.
- D. There shall be a minimum distance of one thousand seven hundred sixty (1,760) feet between all Digital Billboard Signs on any single Planned Area Development.
- E. All Digital Billboard Signs must be set back a minimum of three hundred thirty (330) feet from the property line of any adjacent property not a part of the same approved Planned Area Development having frontage on SR 101 (Agua Fria Freeway).
- F. Maximum sign height, including any supporting structures, for a Digital Billboard Sign must be no more than sixty (60) feet.
- G. Maximum Digital Billboard Sign width must be no more than fifty (50) feet.
- H. Maximum Digital Billboard Sign area must not exceed six hundred seventy-five (675) square feet.
- I. The message or image of the Digital Billboard Sign may be static or change at specific or programmed time intervals. The change in message or images shall occur no more frequently than once every eight (8) seconds and shall not have fade or dissolve transitions, or full animation or video, or similar subtle transitions or frame effects that have the appearance of moving text or images. A default black display shall be required in the event of malfunction.
- J. Message sequencing, the use of multiple Digital Billboards in a row to convey a message, shall be prohibited.
- K. Advertisements shall be limited to single frames.
- L. Provisions in this section supplement and do not supersede provisions of any PAD in existence before the effective date of this ordinance.
- M. Design Review approval is required to allow any Digital Billboard Sign.
- N. No Digital Billboard shall be located within one thousand (1000) feet of any single residence zoning district including RR-90, RR-45, SR-30, SR-17, SR-12, R1-10, R1-8, R1-7, R1-6, R1-4, R-2, R-3, or property within unincorporated Maricopa County for which a plat was filed and recorded prior to January 1, 2000.
- O. One Digital Billboard is permitted as a prelude to other development on a PAD. All additional Digital Billboard Signs shall be integrated into the PAD and have a relationship to the development, including common design elements such as styles

[Additions are indicated by underline; deletions by ~~strikeout~~.]

and materials, and a functional relationship to the structures, parking, and open spaces in the development. The height, location, materials, color, texture, setbacks, and mass of the additional Digital Billboard Signs must be appropriate to the development, the neighborhood, and the community. The architectural character of the proposed additional Digital Billboard Sign shall be in harmony with, and compatible to, structures in the neighboring environment and the architectural character desired for the city, avoiding excessive variety or monotonous repetition. All additional Digital Billboard Signs shall be reviewed only as part of the review of the Master Development Plan of the property and integrated with surrounding buildings and landscaping. Additional Digital Billboard Signs will be permitted only as part of a comprehensive sign package for the entire PAD which includes common design elements. Digital Billboards must be fully integrated into this comprehensive sign package.

- P. Digital Billboard Sign illumination must be extinguished between 11:00 p.m. and sunrise. The only exception to this will be for amber alerts and other governmental emergencies.
- Q. All illuminated Digital Billboard Signs shall be limited to a surface luminosity limit of 5,000 nits during daytime hours and a surface luminosity limit of 150 nits during nighttime hours.
- R. All Digital Billboard Signs shall provide for automatic dimming based upon ambient lighting conditions, including evening and overcast weather.
- S. It shall be unlawful for any Digital Billboard Sign to have an illuminance greater than 1.0 foot candle at the property line of any adjacent property.
- T. Any approved Digital Billboard Sign shall adhere to new safety requirements if conclusive research findings develop.
- U. Only one Digital Billboard Sign shall be erected prior to the first phase of development on a PAD.
- V. All Digital Billboard Signs shall receive all required licenses prior to approval.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance 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 5. That the provisions of this ordinance shall become effective thirty (30) days after adoption and approval by the Mayor and Council.

[Additions are indicated by underline; deletions by ~~strikeout~~.]

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this 26th day of June, 2012.

Elaine M. Scruggs
M A Y O R

ATTEST:

Pamela Hanna
City Clerk (SEAL)

APPROVED AS TO FORM:

Craig Tindall
City Attorney

REVIEWED BY:

Horatio Skeete
Acting City Manager

[Additions are indicated by underline; deletions by ~~strikeout~~.]