

ORDINANCE NUMBER 601

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA, AMENDING THE CITY'S ZONING ORDINANCE BY AMENDING SECTIONS 405, B., DEFINITIONS, AND 405, E., 2., FLASHING SIGNS, AND ADDING A NEW SECTION 405., E. 16., ELECTRONIC MESSAGE DISPLAY SIGNS.

WHEREAS, the City of Cottonwood Planning and Zoning Commission has recommended that the City's Zoning Ordinance be amended to address electronic message display signs; and

WHEREAS, the City Council finds that the amendments as recommended by the Planning and Zoning Commission are appropriate and in the City's best interests;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA, AS FOLLOWS:

Section 1. That new definitions be added to Section 405 (Signs) B. Definitions of the Cottonwood Zoning Ordinance as follows:

NITS - Nits are the standard unit of brightness for electronic and digital signage. It is a measure of the light being emitted by the sign in contrast to footcandles which measure the brightness of the surface area or object that is being lighted.

SIGN, ELECTRONIC MESSAGE DISPLAY - An electrically activated changeable sign capable of displaying words, symbols, figures or graphic images and whose variable message and/or graphic presentation capability can be electronically programmed and changed by remote or automatic means Also known as an Electronic Message Center, typically uses light emitting diodes (LEDs) as a lighting source.

SIGN, FLASHING - Signs that have flashing lights or intermittent illumination shall be limited to emergency or warning signs installed for traffic control, including signs that draw attention to speed limits, stop signs, fire stations, school zones and similar governmental or public uses.

SIGN, TIME AND TEMPERATURE: Electronic sign that provides intermittent data regarding the current time and temperature by means of illuminated numbers.

Section 2. That existing Section 405.E.2. Flashing Signs, of the Cottonwood Zoning Ordinance be amended to read as follows:

2. Flashing Signs: Signs shall not be animated or have intermittent illumination or flashing lights, except where permitted for emergency signs.

Section 3. That a new Section 405. (SIGNS) E. (REGULATIONS APPLICABLE TO SIGNS IN ALL DISTRICTS) 16. Electronic Message Display Signs, be added to the Cottonwood Zoning Ordinance as follows:

16. Electronic Message Display Signs:

- a. Purpose: These regulations provide standards and procedures for the safe and appropriate use of electronic message display signs. The regulations are intended to ensure the use of such signs will not have a detrimental effect on the surrounding area or the public welfare, and will be consistent with the purpose and intent of this Ordinance.
- b. Procedures: Electronic message display signs shall be subject to Design Review approval.
- c. Modes: The following modes of operation are described for electronic message signs:
  - (1) Static. Signs which include no animation or effects simulating animation.
  - (2) Fade. Signs where static messages are changed by means of varying light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases in intensity to the point of legibility.
  - (3) Dissolve. Signs where static messages are changed by means of varying light intensity or pattern, where the first message gradually appears to dissipate and lose legibility simultaneous to the gradual appearance and legibility of the subsequent message.
  - (4) Traveling. Signs where the message is changed by the apparent horizontal movement of the letters or graphic elements of the message.
  - (5) Scrolling. Signs where the message is changed by the apparent vertical movement of the letters or graphic elements of the message.
- d. Standards: The following describes standards for the installation and use of electronic message display signs:
  - (1) Zoning Districts: Electronic message display signs shall be permitted in the C-1, C-2, I-1, I-2 and PAD Zoning Districts subject to meeting the standards and criteria described herein. Exceptions may be granted for churches,

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schools, government agencies and institutional uses located in any zoning district.

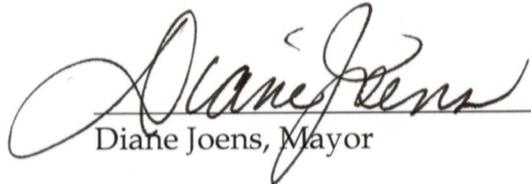
- (2) Transitions: Electronic message display signs shall be operated in static display mode only except for transitions between messages which shall be instantaneous. There shall be no video, animation, fades, dissolves, travelling or scrolling between messages.
- (3) Display Time: Electronic message display signs shall be permitted to change their message no more than once every sixty (60) seconds.
- (4) Size: The area of the electronic display panel shall not be more than eighteen (18) square feet in size or fifty (50) percent of the total area of the sign, whichever is more restrictive.
- (5) Height: The maximum height, as measured from the prevailing grade to the top of the electronic message display panel on a ground mounted or freestanding sign, shall vary according to the location, as follows:
  - a) Twelve (12) feet maximum height where located adjacent to arterial streets and highways, as described on the City of Cottonwood Street Classification Map.
  - b) Ten (10) feet maximum height where located adjacent to collector streets, as described on the Cottonwood Street Classification Map.
  - c) Eight (8) feet maximum height where located within 300 feet of any residential use or facility, or any hotel or lodging use, and where such sign is visible from such property as determined through the Design Review process.
  - d) The maximum height of such signs in any other location otherwise permitted by this Section shall be no greater than 10 feet in height to the top part of the electronic sign panel.
- (6) Hours of Operation: As per Section 408. Outdoor Lighting Code, all outdoor illuminated signs shall be turned off by 10:00 p.m. or when the business closes, whichever is later.
- (7) Sign Type: Electronic message display signs may be incorporated into freestanding signs or wall mounted signs;
- (8) Number: Only one (1) electronic message display sign shall be allowed as part of a shopping center sign and only one (1) such sign shall be permitted per street frontage for a shopping center. For individual uses, only one (1) electronic message display sign shall be permitted on the premises per use.

- (9) Distance from Residential Use: Electronic message displays signs shall not be located within 100 feet of any residence or residential zoning district as measured from the sign to the property line of the residential use.
  - (10) Distance from Other Signs: Electronic message display signs must be spaced a minimum of 150 feet from other electronic message display signs.
- e. Lighting Intensity and Color: Daytime lighting intensity must automatically re-set to a lower level for night time hours. To ensure compliance with this Section, the sign must have an automatic brightness control linked to ambient light levels.
- (1) Brightness. Electronic message display shall come equipped with dimming technology that automatically adjusts the display's brightness based on ambient light conditions and comply with maximum night time brightness level.
  - (2) Electronic message display signs shall be not exceed a maximum illumination of 300 NITS during nighttime hours (between dusk and dawn) and a maximum illumination of 5,000 NITS during daylight hours.
  - (3) Color: Electronic message display signs may be illuminated with Amber or Red color LED lighting sources only.
- f. Exemptions: The following shall not require a sign permit:
- (1) Temporary governmental signs, including emergency warning signs, traffic control signs, special event signs, temporary information signs or similar applications using electronic message displays.
  - (2) Electronic "Open" or "Closed" type signs displayed in windows of businesses provided they are no more than two (2) square feet in size.
- g. Exceptions: The following types of electronic signs shall be permitted for approved uses subject to obtaining a sign permit:
- (1) Gasoline price signs with electronic price numbers shall be permitted for service stations and fueling centers where incorporated into permitted on-premise signs.
  - (2) Time and temperature signs that provide illuminated numbers only may be located in commercial districts. Display may change between time and temperature every eight (8) seconds. Such signs may be integrated with signs that identify the primary property use or be installed as independent signs provided the electronic display panel does not exceed eight (8) square feet in area and is in conformance with height standards described in this Section.
- h. Prohibited Electronic Message Signs:

- (1) Electronic message display signs shall be prohibited within the Cottonwood Commercial Historic District, or any other districts or properties listed on the National Register of Historic Places or any locally designated historic landmark, unless determined as a contributing element to the historic district or landmark.
- (2) Off-premise signs, billboards, portable signs and temporary signs, except where permitted by this Ordinance.

Section 4. That if any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be unlawful, invalid or unenforceable by decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED AND ADOPTED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR OF THE CITY OF COTTONWOOD, ARIZONA, THIS 15TH DAY OF OCTOBER 2013.

  
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Diane Joens, Mayor

APPROVED AS TO FORM:

ATTEST:



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Steven B. Horton, Esq.  
City Attorney



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Marianne Jiménez, City Clerk

Publish: Verde Independent: October 20 & 27, 2013.

