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2017-26635 MISCELLANEOUS
10/24/2017 09:56:39 AM Pages: 3 Fees: \$8.00
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CAPTION HEADING:

Ordinance No. 367

Administration of Sign Regulations – variances to allow relief from design standards



Ordinance

NO. 367

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SAN LUIS, ARIZONA, AMENDING THE SAN LUIS CITY CODE, CHAPTER 152 ZONING REGULATIONS SECTION 152.262, ADMINISTRATION OF SIGN REGULATIONS, SUBSECTION 152.262 (F) VARIANCES TO ALLOW THE USE OF CONDITIONAL USE PERMITS IN ADDITION TO VARIANCES TO ALLOW RELIEF FROM DESIGN STANDARDS; REPEALING ANY CONFLICTING PROVISIONS; AND PROVIDING FOR SEVERABILITY

WHERE AS it is necessary to amend the zoning ordinance to allow the use of conditional use permits as an alternative procedure to provide relief from design standards of the sign code;

BE IT ORDAINED by the Mayor and City Council of the City of San Luis, Arizona as follows:

SECTION 1: Subsection 152.262 (F) of the San Luis City Code entitled "Variances" is hereby amended to read as follows:

(F) Variances and Conditional Use Permits. Variances or Conditional Use Permits may be granted by the appropriate City Board as specified herein, to allow relief from the design standards specified by this chapter. However, no relief shall be granted to permit the erection of signs which are prohibited by §§ 152.256(D) and 152.260(D).

(1) Requests for variances from the design criteria of this chapter, such as, but not limited to, the setback, size, height, location, spacing, and number of signs, as well as the requirements pertaining to the manner of keeping, shall be considered by the City of San Luis Board of Adjustment. Such variance requests, as well as any appeal from an interpretation made by the Zoning Administrator, shall be considered in accordance with the requirements and criteria of the zoning ordinance. However, since it is the intent of this chapter to secure the gradual and eventual elimination, rather than expansion, of nonconforming signs and sign structures, the Board of Adjustment shall not grant any variance to increase the degree of nonconformity for any existing signage.

(2) Requests for variances from the structural or mechanical requirements of any building code as may be adopted by the city, or any appeal from an interpretation made by the Building Official, shall be considered by the appropriate board, such as the Board of Appeals or the Planning and Zoning Commission in accordance with their adopted procedures.

(3) Request for a conditional use permit shall be considered by the City Council in accordance with §152.043. A conditional use permit to allow a sign projecting above the roofline of a building shall be permitted only after review and approval by the City Council.

SECTION 2: In the event of a conflict between the provisions of this Ordinance and any other ordinance, resolution, regulation, or policy of the City of San Luis, the conflicting provisions are hereby repealed, superseded, and replaced, and the provisions of this ordinance shall govern.

SECTION 3. 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.

PASSED AND ADOPTED by the Mayor and Council of the City of San Luis, Arizona, this 11th day of October, 2017.



Gerardo Sanchez, Mayor

ATTEST:



Sonia Cornelio, City Clerk

APPROVED AS TO FORM:



Kay Macuil, City Attorney