

**ORDINANCE NO. (O)11-07**

**AN ORDINANCE OF THE TOWN OF ORO VALLEY ARIZONA, ADOPTING A NEW ORO VALLEY ZONING CODE REVISED (OVZCR) CHAPTER 28, SIGNS AND REPEALING THE CURRENT OVZCR CHAPTER 28, SIGNS; REPEALING ALL RESOLUTIONS, ORDINANCES AND RULES OF THE TOWN OF ORO VALLEY IN CONFLICT THEREWITH; PRESERVING THE RIGHTS AND DUTIES THAT HAVE ALREADY MATURED AND PROCEEDINGS THAT HAVE ALREADY BEGUN THEREUNDER**

**WHEREAS**, the Town of Oro Valley is a political subdivision of the State of Arizona vested with all associated rights, privileges and benefits and is entitled to the immunities and exemptions granted municipalities and political subdivisions under the Constitution and laws of the State of Arizona and the United States; and

**WHEREAS**, on March 13, 1981, the Mayor and Council approved Ordinance (O) 81-58, which adopted that certain document entitled "Oro Valley Zoning Code Revised" (OVZCR); and

**WHEREAS**, on November 18, 2009, the Mayor and Council requested that the Sign Code Task Force make recommendations to the Mayor and Council regarding revisions to Chapter 28, Signs; and

**WHEREAS**, the Mayor and Council directed that the proposed Chapter 28, Signs, should include public notification, public outreach plans, neighborhood meetings and methods of ensuring opportunities for effective public participation; and

**WHEREAS**, the Planning and Zoning Commission reviewed the proposed Chapter 28, Signs, at a duly noticed public hearing on August 19, 2010 in accordance with State Statutes and recommended approval of the proposed new OVZCR, Chapter 28, Signs, to the Town Council; and

**WHEREAS**, the Oro Valley Town Council has considered the proposed OVZCR, Chapter 28, Signs, and the Planning and Zoning Commission's recommendation and finds it consistent with the Town's General Plan and other Town ordinances; and

**WHEREAS**, until the Conceptual Design Review Board (CDRB) is seated, the Development Review Board (DRB) will function in its capacity; and

**WHEREAS**, at a duly noticed Town Council Meeting on March 2, 2011, Chapter 28, Signs, was declared a public record by Mayor and Council.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Town of Oro Valley, Arizona that:

**SECTION 1.** The existing Chapter 28, Signs, of the Oro Valley Zoning Code Revised, is hereby repealed.

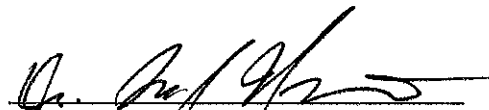
**SECTION 2.** That certain document entitled Chapter 28, Signs, of the Oro Valley Zoning Code Revised, attached hereto as Exhibit "A" and incorporated herein by this reference and declared a public record on March 2, 2011 is hereby adopted.

**SECTION 3.** All Oro Valley ordinances, resolutions, or motions and parts of ordinances, resolutions or motions of the Council in conflict with the provisions of this Ordinance are hereby repealed.

**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.

**PASSED AND ADOPTED** by the Mayor and Council of the Town of Oro Valley, Arizona this 16th day of March, 2011.

**TOWN OF ORO VALLEY**

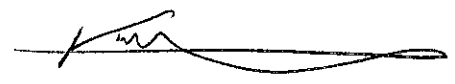
  
Dr. Satish I. Hiremath, Mayor

**ATTEST:**

  
Julie K. Bower, Town Clerk

Date: 3/17/11

**APPROVED AS TO FORM:**

  
Tobin Rosen, Town Attorney

Date: 3/16/11

PUBLISH: DAILY TERRITORIAL  
MARCH 22, 23, 24, 25, 2011

POSTED: 3/22/11 - 4/22/11

# EXHIBIT "A"

## EXHIBIT 'A'

### Chapter 28 SIGNS

**NOTE: Language to be added is ALL CAPS. Language to be deleted is struck**

**New punctuation indicated with an underline,**

#### **Section 28.1 General Provisions—Signs**

##### **A. Purpose**

1. The purpose of this Chapter is to establish reasonable regulations for the design, construction, ~~installation~~ LOCATION, and maintenance of all exterior signs in the Town of Oro Valley in order to:
  - a. Preserve and protect the public health, safety, welfare, and convenience. Protect the general public from injury or damage, which may be caused by faulty and uncontrolled construction or improper location of signs within the Town.
  - b. Provide for an effective form of communication while preserving the scenic beauty of the desert environment. Ensure that the signage is clear; compatible with the character of the adjacent architecture and neighborhoods; and provides the essential identity of, and direction to, facilities in the community.
  - c. Enhance the potential economic value and ~~encourage~~ quality OF development within the community, as well as, promote and aid the tourism industry, which is an important part of the economy of the Town'S economy.
  - d. Promote the effectiveness of signs by preventing ~~their~~ SIGN over-concentration, improper placement, excessive clutter, size, and number.
  - e. Safeguard and preserve the unique character of the Town AND creatingE an attractive and appealing community environment in which to live, work, and visit. Assure that the public benefits derived from ~~expenditures of the~~ EXPENDITURE OF public funds for the improvement and beautification of streets and other public structures and spaces shall be protected by exercising reasonable controls over the character and design of sign structures.
2. It is ~~not the purpose of this Chapter to repeal, abrogate, annul or in any way impair or interfere with existing provisions of other laws or ordinances, except those specifically repealed by this Chapter.~~

##### **B. Requirement for Conformity**

If any sign and/or sign structure is located, constructed, reconstructed, altered, repaired, converted or maintained in violation of this Chapter, the Town or any owner or tenant of real property aggrieved by the alleged violation, in addition to other remedies available at law, may institute appropriate injunction proceedings to correct the violation with the Oro Valley Magistrate Court.

##### **C. Non-Conforming and Discontinued Signs**

1. Signs Rendered Non-Conforming

- a. If, at the time of the adoption of this Chapter, or amendment thereto, or of any extension of jurisdiction resulting from annexation, ~~or of any amendment to the Oro Valley Zoning Code~~ or any permanent sign which is being used but does not conform to the provisions of this Chapter, shall be deemed legal non-conforming.
- b. Any sign which becomes legally non-conforming, shall be permitted to remain, provided the sign:
  - i. Is not increased in area or height
  - ii. Remains structurally unchanged, except for reasonable repairs or MINOR alteration; and
  - iii. If relocated, due to no fault of the owner, is placed in the same relative position on the remaining property that it occupied prior to the relocation
  - iv. Is relocated in a manner so as to comply with applicable safety requirements, and
  - v. Is not discontinued per Section 28.1.C.2.
- c. Alteration or Removal of Non-Conforming Signs
  - i. A non-conforming sign shall not be re-erected, relocated (except as permitted above), or replaced unless it is brought into compliance with the requirements of this Chapter.
  - ii. Any non-conforming sign shall be removed or rebuilt in full conformity to the terms of this Chapter if it is damaged or allowed to deteriorate to such extent that the cost of repair or restoration is FIFTY (50 %) percent or more of the costs and/or replacement of materials.

2. Signs Rendered Obsolete or Discontinued

- a. WITH THE EXCEPTION OF Lease, Rent, and For Sale Signs, any sign, which is located on a property, which becomes vacant and unoccupied for a period exceeding three (3) months, shall be deemed to have been discontinued.
- b. Sign structures, which remain vacant, unoccupied, obsolete, devoid of any message or display a message pertaining to a time, event, or purpose that no longer applies for more than three (3) months, shall be deemed discontinued.
- c. It shall be the responsibility of the owner of the premise to remove any sign deemed discontinued subject to penalty as set forth in Section 30.2 of the Oro Valley Zoning Code REVISED.

3. Change in Business

- a. When a business establishment closes, relocates, changes names, or abandons any sign or structure, the owner of the property shall remove the sign, or cause it to be removed, within THIRTY (30) days of the change of business. If the sign is to be immediately re-faced with a new business name, a new sign permit shall be required and applicable fees shall be paid. A permit shall be non-transferable from one OWNER to another.
- b. A non-conforming sign shall be brought into compliance with the requirements of this Chapter when a business establishment closes, relocates, changes names, or abandons any sign. A permit and applicable fees for the sign modifications are required.

**D. Liabilities for Insurance and Damages**

1. The provisions of this code shall not be construed to relieve or to limit in any way, the responsibility or liability of any persons, firm, or corporation which erects or owns any sign from personal injury or property damages caused by, OR attributed to, such sign. The provisions of this code shall not be construed to impose upon the Town of Oro Valley, its officers or its employees any responsibility or liability by reason of the approval of any sign under the provisions of this code.

#### **E. Prevailing Code**

In the event a provision established in this Chapter is found to be in conflict with another provision in the Oro Valley Zoning Code Revised, or any other Town Code, the more restrictive shall prevail.

~~If the Town adopted sign regulations/guidelines for any development, including Planned Area Developments, do not address specifically any such sign criteria, the provisions of this Chapter shall apply. (MOVED TO END OF E.)~~

In the event that a Commercial, Industrial, OR Residential, DEVELOPMENT and/or Subdivision should fall under a Zoning of a Planned Area Development (PAD), the rules and regulations of that PAD shall apply.

If the Town-adopted sign regulations/guidelines for any development PROJECT, including Planned Area Developments, do not SPECIFICALLY address specifically any such sign STANDARD criteria, the provisions of this Chapter shall apply.

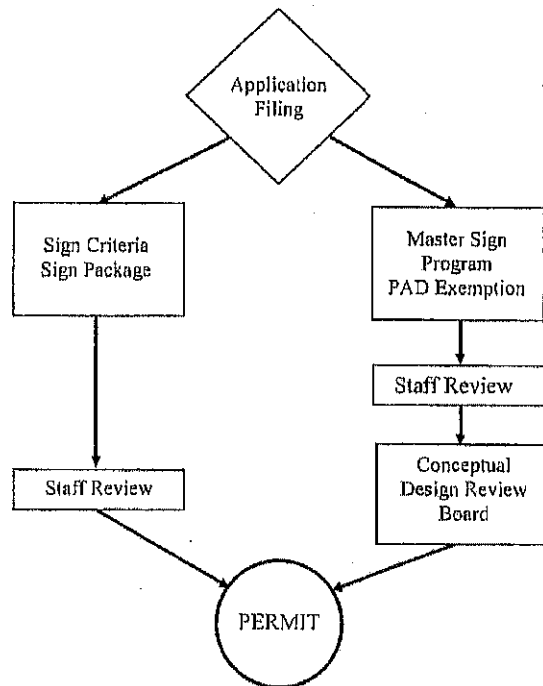
#### **F. Signs Prohibited by Omission**

In addition to those signs, or sign types, specifically prohibited by Section 28.9 of this Chapter, any sign, or type of sign, not specifically permitted under provisions of this code shall be prohibited.

### **Section 28.2 Procedures and Enforcement**

The Planning and Zoning Administrator is responsible for enforcing this Chapter pursuant to Section 21.2.B.7 and 21.4.B.10. The Planning and Zoning Administrator is, hereby authorized and empowered to ensure that all provisions of this Chapter are met in fact and intent. The Planning and Zoning Administrator may appoint a designee to assure code compliance. The procedures to be followed in exercising this authority are outlined in Section 28.2.C through 28.2.E.F.

Figure 28-1: Sign Criteria, Sign Package, and Master Sign Program Approval Process



**A. Sign Permits, Fees, and Application Procedures**

1. A sign permit shall be required in order to erect, install, relocate, modify, or change any sign within the Town of Oro Valley.
24. Approval of all temporary sign permits shall be at the discretion of the Planning and Zoning Administrator or his/her designee.
32. The Planning and Zoning Administrator or his/her designee shall authorize issuance of permits for permanent signs, after applications have been reviewed by staff for code compliance. Any proposed sign criteria, or MASTER Comprehensive Sign Programs, AMENDMENTS THERETO, OR PAD EXEMPTION for a new development IS are subject to review by the Conceptual Design Review Board. Once sign APPLICATIONS criteria have been approved for a new development, any issuance of sign permits shall be at the discretion of the Town, as along as the application meets the approved sign STANDARDS criteria set forth for that dDevelopment.
43. All electrical work associated with the sign installation must conform to the currently adopted versions of the 2002 National Electrical Code and must be reflected on the application.
54. Permit Fees
  - a. Upon approval of an application for the sign permit, the applicant shall be advised of the applicable fee. Permits will not be issued until all applicable fees have been collected. Fees shall be assessed according to a schedule adopted by the Town Council.
  - b. Exception: The owner of a non-conforming sign shall not be required to pay a fee for a permit to bring an existing sign into conformance with this code.
65. ~~Application Procedures~~ APPLICATION SHALL BE IN ACCORDANCE WITH TOWN POLICY.

~~b. Additional information as specified by the Planning and Zoning Administrator.~~

76. Permit Expiration

- a. ~~Every~~ ALL permits issued under this Chapter, UNLESS OTHERWISE STIPULATED, shall expire by limitation and become null and void if the work authorized by such permit is not completed within ONE HUNDRED EIGHTY (180) days from the date of such permit. Prior to expiration of the permit, the applicant may request an extension of the expiration date at the discretion of the Planning and Zoning Administrator and/or his/her appointee. Once the permit has expired, before such work can recommence, a new permit shall first be obtained and the fee ~~therefore~~ shall be FIFTY (50 %) percent of the amount required for a new permit for such work, provided no changes have been, or will be, made TO ~~in~~ the original plans and specifications.
- b. Any sign, for which renewal fees have not been paid, and said remittance is delinquent for FOURTEEN (14) OR MORE days ~~or more~~ is deemed to be an illegal sign, and said sign must be removed in accordance with the requirements of this Chapter.

**B. Sign Criteria, Master Sign Program AND SIGN PACKAGE**

Sign Criteria and Master Sign Programs are official documents that regulate all signage within a MULTI-BUSINESS SITE OR development. An approved Sign Criteria or Master Sign program is required prior to issuance of a sign permit for: (1) non-residential multiple-occupancy buildings; (2) commercial, office, resorts, and/or industrial centers.

Any development, including single-occupancy developments, within and/or adjacent to an existing development that shares access and/or parking with that development must: (1) follow the approved Sign Criteria or Master Sign Program for the existing development; or (2) submit an approved Sign Criteria or Master Sign Program. If the owner elects to follow the Criteria or Program of the existing center, no additional approvals are required prior to REVIEW AND issuance of THE a-sign permit.

~~A sign package for a commercial and/or industrial businesses, that has not been approved as part of a sign criteria and/or Master Sign Program shall be reviewed by the Development Review Board prior to the issuance of a permit. (MOVED TO 1.a.)~~

1. SIGN PACKAGE

A SIGN PACKAGE IS COMPRISED OF A COMPLETE APPLICATION FOR PROPOSED PERMANENT SIGN(S) FOR A SINGLE BUSINESS. ~~A sign package for a commercial and/or industrial businesses, shall be reviewed by the Development Review Board prior to the issuance of a permit.~~ A SIGN PACKAGE IS REQUIRED IF A PROPERTY DOES NOT HAVE AN APPROVED SIGN CRITERIA AND/OR MASTER SIGN PROGRAM.

2. 4. Sign Criteria

A Sign Criteria IS A SET OF PROPOSED SIGN STANDARDS FOR A DEVELOPMENT THAT ~~shall be written in compliance~~ with the provisions of this Chapter and Addendum A, dDesign gGuidelines. Sign Criteria ~~shall be written in F~~for areas within a PAD (Planned Area Development), Sign Criteria ~~shall be written in~~ SHALL compliance with the provisions of the PAD.

~~c. Sign Criteria require the approval of the Development Review Board approval.~~

3. 2. Master Sign Program

- a. A Master Sign Program IS A SET OF PROPOSED SIGN STANDARDS FOR A DEVELOPMENT THAT PROPOSED ALTERNATIVES TO THE PROVISIONS OF THIS



~~CHAPTER is an alternative to the sign regulations herein, which~~ AND ARE INTENDED TO provide latitude in order to achieve variety and good design.

- b. a. Master Sign Programs shall be based on the provisions of this Chapter and shall conform to the purpose and intent of this Chapter and to the ~~guidelines in Addendum A,~~ DESIGN GUIDELINES.
  - c. b. Master Sign Programs shall include only those sign types ~~already permitted herein and~~ may allow adjustments to the standards of those types, provided they are justifiable.
  - d. MASTER SIGN PROGRAMS ARE INTENDED TO ALLOW ADJUSTMENTS TO THE STANDARDS OF MULTIPLE SIGN TYPES AND SHALL NOT BE USED FOR SINGLE-OCCUPANCY DEVELOPMENTS.
  - e.e. Master Sign Programs require review by the Conceptual Design Review Board and approval by the Town Council.
  - f. d. Compliance with these provisions does not necessarily guarantee approval by the Town Council.
4. 3. Review of Sign Criteria and/or Master Sign Program shall be guided by the following:
- a. Overall ~~presentation~~ CHARACTER of the entire development, including landscaping, architecture, topography, uses, and design.
  - b. Compliance with the criteria specified in Addendum A DESIGN GUIDELINES A-C.4 and the purpose statements of this Chapter.
  - c. Any other applicable information that may be useful in the overall presentation of the proposed ~~e~~Criteria for the development.
5. ~~C.3.~~ Consistency of typeface, illumination, and color is preferred if ~~established e~~Sign Criteria OR MASTER SIGN PROGRAM have been approved, and then all requirements of that criteria OR PROGRAM must be utilized.
6. Application for the Sign Criteria and/or Master SIGN Program shall be UPDATED "IN ACCORDANCE WITH A.5., APPLICATION" ~~submitted, with the required fee(s) as prescribed by the Planning and Zoning Administrator.~~

#### C. PAD Exemption

In the event that a Planned Area Development District (PAD) has established its own sign ~~r~~Requirements, the owner/~~residents~~ of lands within ~~identified planning areas~~ of the PAD, as determined by the Planning and Zoning Administrator, may elect to operate under all or a portion of THIS Chapter 28, Signs, in accordance with the ~~following~~ procedures set forth below:

1. A letter requesting exemption from the specific PAD Sign Regulations must be submitted by the property owner within the ~~planning area of the PAD.~~ The letter shall be accompanied by WITH a list of all Homeowners/Master Associations within the AFFECTED ~~subject~~ planning area. ~~Upon review by the PLANNING AND ZONING Administrator, (The request shall be scheduled for hearing before~~ REVIEWED BY THE CONCEPTUAL DESIGN REVIEW BOARD.
2. Not less than THIRTY (30) days prior to the CONCEPTUAL DESIGN ~~Development~~ Review Board MEETING ~~hearing~~, Town staff shall verify the list of HOMEOWNER Associations for accuracy and completeness and shall, NOTIFY THEM by first class mail, ~~notify them~~ of the CONCEPTUAL DESIGN ~~Development~~ Review Board hearing date.

3. ~~The Development Review Board shall consider the applicant's request for exemption from the PAD Sign Regulations and shall forward their recommendation to Town Council, which shall render a final decision. A favorable motion shall have the effect of applying all or A A portion of the rules and regulations set forth in this Chapter 28, Signs, to the applicant's particular project area.~~ THE CONCEPTUAL DESIGN REVIEW BOARD SHALL FORWARD A RECOMMENDATION TO TOWN COUNCIL. The Town Council shall approve, conditionally approve, or deny the request.

**D. VIOLATIONS ~~Revocation of Permit~~**

**1. REVOCATION OF PERMIT**

The Planning and Zoning Administrator may, in writing, suspend or revoke a permit issued under provisions of this Section whenever the permit is issued on the basis of a material omission or misstatement of fact, or is in violation of this ordinance or the Oro Valley Town Code.

**2. SIGNS PLACED IN THE PUBLIC RIGHT-OF-WAY**

- a. IN THE EVENT THAT THE REQUIREMENTS FOR OFF-SITE REAL ESTATE SIGNS ARE VIOLATED, THE FOLLOWING PROCEDURES WILL BE FOLLOWED:

FIRST VIOLATION: THE REAL ESTATE AGENT WILL BE NOTIFIED OF THE VIOLATION, THE SIGN WILL BE CONFISCATED, AND THE AGENT WILL BE ASSESSED A FEE OF TWENTY-FIVE (\$25) DOLLARS PER SIGN TO RECOVER THE SIGN.

- b. SECOND VIOLATION BY THE SAME AGENT: THE AGENT AND BROKER WILL BE NOTIFIED OF THE VIOLATION. THE SIGN WILL BE CONFISCATED AND THE AGENT WILL BE ASSESSED A FINE OF FIFTY (\$50) DOLLARS PER SIGN.
- c. THIRD VIOLATION BY THE SAME AGENT WITHIN ONE YEAR: THE REAL ESTATE AGENT AND BROKER WILL BE NOTIFIED OF THE VIOLATION. THE SIGN WILL BE CONFISCATED AND THE AGENT AND BROKER WILL EACH BE ASSESSED A FINE OF ONE HUNDRED (\$100) DOLLARS PER SIGN.
- d. A MAXIMUM OF FIVE HUNDRED (\$500) DOLLARS IN FINES MAY BE ASSESSED TO AN AGENT PER CALENDAR YEAR.
- e. ADDITIONAL VIOLATIONS
  - i. ANY ADDITIONAL VIOLATION BY THE SAME REAL ESTATE AGENT OR BROKER IS SUBJECT TO REVOCATION OF THE SIGN PERMIT.
  - ii. IF A SIGN PERMIT IS REVOKED DUE TO A VIOLATION, THE PERMIT FEE SHALL NOT BE REFUNDED.
- f. MODEL HOME SIGN VIOLATIONS IN THE PUBLIC RIGHT-OF-WAY WILL BE ENFORCED IN ACCORDANCE WITH REAL ESTATE SIGNS, SECTION 2.a. THRU d., ABOVE.

**E. Abandoned, Illegal, Prohibited, or Inadequately Maintained Signs**

If an abandoned, illegal, prohibited, or inadequately maintained sign is located within the Town, the Planning and Zoning Administrator shall be empowered to ~~authorize the Senior Zoning Inspector to~~ issue a citation. The Planning and Zoning Administrator may also require removal or repair of the sign and shall advise the owner of said sign, or as an alternative, the owner of the property where said sign has been posted, to correct whatever violation or inadequacy he/she deems to exist. All actual costs and expenses of any such removal or repair shall be borne by the property owner of such sign.

**F. Emergency Removals and/or Repair**

1. The Planning and Zoning Administrator is authorized to cause the immediate removal or repair of any sign or signs found to be unsafe or defective to the extent that it creates an immediate and emergency hazard to persons or property. The Planning and Zoning Administrator shall make reasonable effort to notify the property owner and/or lessee that the unsafe or defective sign must be removed or repaired immediately. The Planning and Zoning Administrator may cause any sign or advertising structure which is an immediate peril to persons or property to be removed ~~summarily~~ IMMEDIATELY after AN attempt IS MADE to reach the owner of the sign and the owner of the property, and without notice if the peril does not allow time for telephone ADDITIONAL notice.
2. All actual costs and expenses of any sign removal or repair shall be borne by the owner of such sign and by the owner of the premises on which the sign is located. Each of them shall be jointly and severally liable thereof, and an action for recovery thereof may be brought by the Town upon proper documentation of such cost and/or expenses by the Planning and Zoning Administrator. The Planning and Zoning Administrator shall provide written notification to the property owner, prior to the Town placing a lien on the property with the PIMA County Assessor's Office.

**G. ~~Variances~~**

~~The Board of Adjustment shall review any request for a variance to the standards contained in the Oro Valley Zoning Code Revised in accordance with Section 21.6~~

**Section 28.3 GENERAL SIGN Requirements**

**A. Construction**

1. Building Code

All signs shall be designed and constructed in conformity with the current Building Codes of the Town of Oro Valley.

2. Electrical Code

All signs requiring an electrical permit per Section 28.2.A shall be in conformance with the current 2002 National Electrical Code adopted by the Town of Oro Valley.

3. Permanent Sign Materials

All permanent signs shall be constructed using structural members of materials subject to approval of the Building Official and/or Town Engineer. Non-structural trim may be wood, metal, aluminum, approved plastics, ~~lexan~~, and/or a combination thereof.

4. Temporary Sign Materials

Materials proposed to be used in constructing Temporary signs shall be at the discretion of the fabricator but shall be stated in the application for the sign permit unless otherwise provided in this code. Adequacy of materials proposed from the standpoints of stability and safety and of composition and color shall be subject to approval by the Planning and Zoning Administrator, AND Building Official and/or his/her designee.

## B. Illumination

1. Illumination of signs, WHEN PERMITTED BY THIS CHAPTER, may be accomplished only by the following methods:
  - a. ~~Halo OR internal illumination-illumination, to the extent that only the sign characters and logos emit light, white neon only, unless otherwise approved by the Planning and Zoning Administrator or the Conceptual Design Review Board.~~
  - b. Area lighting provided such lighting is in accordance with the Town of Oro Valley Lighting Code.
  - c. ~~Internal illumination to the extent that only the sign characters and logos emit light (MOVED TO a.)~~
  - d. An illuminated wall signS MAY BE TURNED ON NO EARLIER THAN 5:00 A.M, AND SHALL BE TURNED OFF NO LATER THAN 11:00 P.M. OR WHEN THE BUSINESS CLOSES, WHICHEVER IS LATER, OR AS SPECIFIED IN THIS CHAPTER~~shall be turned off no later than one (1) hour after the closing of a business,~~
  - e. LOW INTENSITY LED lighting may be a component of a sign as specified~~deally called out under~~ IN this Chapter.
2. Prohibited Lighting

The following types of light sources are prohibited as means to illuminate or attract attention to any sign:

- a. Exposed neon and/or neon type tubing except for "open" and/or "closed" signs.
- b. Internal lighting other than that expressly permitted in Section 28.3.B.4.
- c. Blinking, flashing, rotating and animated light sources.
- d. Search lights.
- e. An illuminated sign placed on the interior of a business, which is visible from the EXTERIOR ~~outside, cannot~~ SHALL NOT be illuminated when the business is closed, EXCEPT 'CLOSED FOR BUSINESS' SIGNS.

## C. Colors

1. Various sign colors shall be permitted, except fluorescent or iridescent colors.
2. All developments, including those within a Planned Area Development (PAD) that have APPROVED established s-Sign eCriteria or Master Sign Program approved by the Development Review Board, shall ARE be required to utilize only those approved colors that were by the Development Review Board.
3. ~~Consistency of typeface, illumination, and color is preferred if established Sign Criteria have been approved, and then all requirements of that criteria must be utilized. (MOVED TO SEC. 28.2.B.4)~~

## D. Location and Measurement Standards

1. ~~The following shall apply for the~~ Location standards of a sign:

- 1a. No sign shall be installed so as to obstruct any door, window, or fire escape of any building.
  - 2b. No sign shall be erected in such a way as TO: a) ~~to~~ interfere with or to confuse traffic, b) ~~to~~ present any traffic hazard, OR c) ~~to~~ obstruct the vision of motorists.
  - 3e. No sign shall be erected in a manner which projects over any public sidewalks, street, alley, or public place unless otherwise approved by the Town Engineer and/or Planning and Zoning Administrator or is allowed by any portion of this Chapter.
  - 4d. No person shall place or maintain a sign in a public right-of-way, except as permitted by Sections 28.1.C, Non-Conforming and Discontinued Signs, 28.6.C.6., Real Estate Lease, Rent and For Sale Signs and 28.7, Temporary Signs on Public Property. The Planning and Zoning Administrator OR TOWN ENGINEER may cause the removal of any unauthorized signs from public right-of-way.
  - 5e. No sign shall be installed so as to OBSTRUCT ~~interfere with the essential identity of~~ another sign, AS DETERMINED BY THE PLANNING AND ZONING ADMINISTRATOR.
2. ~~The sign area shall be m~~ MEASUREMENT STANDARDS ~~ed in compliance with the following~~ guidelines:
- a. The area of a sign that consists of individual letters, words and symbols, which are placed upon a building wall or freestanding wall and are not encompassed by a frame or boundary, shall be measured by the overall height of the tallest letter by the overall length of the entire sign. The Planning and Zoning Administrator may approve the calculation of signs by measuring the sum of the smallest rectangular shape needed to enclose each letter or symbol if special circumstances arise that would warrant the need to calculate differently.
  - b. A sign that consists of multiple faces, such as a MONUMENT freestanding sign, shall be measured to encompass the overall height by overall length of THE LARGEST ~~one (1)~~ face.
  - c. The sign height shall be measured as the vertical distance from the average finished grade beneath the sign to the topmost feature of the sign. If the sign is located where the average finished grade is lower than the adjoining grade of the road, the sign height may be taken from the ~~top of the roadway, curb, SURFACE or crown of the road~~ nearest the property SIGN to the topmost portion of the sign.
  - d. Clearance is measured as the shortest distance between the underside of the sign and the average finished grade beneath the sign.
  - e. Setbacks for freestanding signs shall be measured from the edge of the sign structure closeSt to the property line.

## E. Inspections and Maintenance

### 1. Inspections

The Building Codes OFFICIAL Administrator, Planning and Zoning Administrator, and/or Town Engineer, or any such person officially designated by them, is hereby empowered to perform inspections, as deemed appropriate, to assure compliance with this code.

### 2. Maintenance

- a. Each sign shall be maintained in a new or like new condition at all times so as not to constitute a danger or hazard to public safety or become an eyesore to the community.

- b. Repainting/Resurfacing of Signs: Maintenance of signage, such as repainting or resurfacing shall not require any permits as long as the sign is in no way altered, changed, or modified from its previous state. (MOVED FROM SECTION 28.10.B.h.)

#### F. Landscaping

1. The base for all permanent freestanding signs shall be integrated into a landscaped buffer area.
2. The landscaped area shall conform to the Town's landscape requirements and shall be maintained at all times.
3. The landscape design shall not permit plants that would obstruct the visibility of the sign face from the street.

### Section 28.4 Definitions and Sign Types

#### 1. A-FRAME SIGN

A HINGED SIGN CONSTRUCTED OF DURABLE MATERIALS AND CONNECTED SO AS TO MAINTAIN THE "A" SHAPE STRUCTURE OF THE SIGN.

#### ~~2.1-~~ Abandoned Sign

A sign which advertises, identifies or gives notice of a business which is no longer in operation or an activity which has already occurred.

#### ~~3.2-~~ Advertising

A sign primarily listing products sold or services offered, or products manufactured on the premises.

#### ~~4.3-~~ Alteration

Shall mean any change, addition, or modification in construction of an existing sign.

#### 4. Animation

The movement or optical illusion of movement of any part of a sign structure, design, or pictorial segment, including the movement of any illumination, flashing or varying of light intensity. The automatic changing of all or part of the facing of the sign. The movement of a sign set in motion by the atmosphere.

#### 5. Awning Sign

Refer to Section 28.5.B.1.

#### 6. Balloon Sign

An airtight bag filled with helium, gas, hot air or OTHER gas-like, causing it to rise, that is anchored to a building or structure with ropes, wires and/or string to attract attention to the public.

#### 7. Banner

Refer to Section 28.6.A.4.B.1.

8. Billboards

An off-site sign that is pasted, painted, or fastened on in a manner to allow for periodic replacement of messages that is not located on the property where the billboard is located.

9. Building Frontage

The measurement between two (2) straight lines projecting from the outermost edges of a building or tenant space wall, that are perpendicular to a straight line running along the ground level of the front of the measured wall.

10. Cabinet Sign

A three (3) dimensional structure which includes a frame, borders and sign panel face and may include internal illumination upon which the sign logos are placed or etched, and is architecturally integrated with the building.

11. Change of Copy

A replacement face(s) or material to an existing sign without changing any structural members, sizes, and/or heights.

12. Changeable Copy Sign

Refer to Section 28.5.B.2.

13. Character

Any letter, number, logo, and/or symbol as defined in this Section.

14. Construction Sign

Refer to Section 28.6.A.2.B.2.

15. Development Complex

A site, having common vehicular access points, which is subject to a development plan.

16. Development Sign

Refer to Section 28.6.A.3.B.2.

17. Direct Lighting

A source of external illumination located a distance away from the sign which lights the sign, but which itself, is not visible from any normal position or view.

18. Directional Sign

Refer to Section 28.5.B.3.

19. Directory Sign

Refer to Section 28.5.B.4.

20. DISPLAY AREA

REFER TO SECTION 28.5.B.16.

210. Double-Faced Sign

A sign having two (2) display surfaces, one (or more) support(s) of which is (are) shared by both surfaces. Hence, double-face signs include back-to-back signs, as well as V-shaped signs.

224. Electronic Message Sign

A sign that permits the movement or frequent changing of messages by means of electronically controlled sign copy.

~~232.~~ Entryway Sign

Refer to Section 28.5.B.5 and Section 28.5.eC.1.

~~243.~~ Fascia

A parapet-type wall used as part of the facade of a flat-roofed building and projecting from the building face immediately adjacent thereto. Such a wall shall enclose at least three (3) sides of the projecting flat roof.

~~254.~~ Flag

Refer to Section 28.6.A.4.B.3.

~~265.~~ Freestanding

Shall mean any structure, which is not attached to any other structure or portion of a structure.

~~26.~~ Freestanding Sign

~~Refer to Section 28.5.B.6.~~

27. Garage/YARD/ESTATE Sale Sign

An on-site or off-site, temporary sign made from paper, poster board, cardboard, or like material.

28. Government Sign

A sign installed or required by a public agency such as traffic, public, transit, public information, or SIMILAR GOVERNMENT ENTITY~~the like.~~

29. Grade

~~Shall mean the elevation of the ground surface, paving, or sidewalk.~~

30. Grand Opening Sign

An on-site sign advertising the opening of an establishment, expansion, or change of ownership of a commercial enterprise, new business, store, or office.

31. Ground or Monument Sign



Refer to Section 28.5.B.9-8.

32. Halo Illumination

Illumination produced by recessing a light source inside a hollow character with an open back or within the surface to which the sign letters are mounted. An outline glow around the characters is created by this light AS IT IS reflectEDing off the background to which the characters are attached.

33. Historical Marker

A sign marker locating and identifying a historical interest or site.

34. Home Occupation Sign

A sign that identifies a business or commercial activity that is conducted from the property zoned for residential use.

35. Human Signs

Any portable commercial advertisement that is held or worn by a person or persons to draw attention to or direct the public to a business or event.

36. Identification Sign

An on-site, permanent sign, which identifies the premise where the sign is located.

37. Illuminated Sign

A sign, whose surface is lit internally or externally.

38. Indirect Lighting

A source of external illumination located a distance away from the sign, but which is itself not visible from any normal position.

39. Internal Illumination

A source of illumination entirely within the sign wherein the source of the illumination is not visible.

40. Kiosk Sign

Refer to Section 28.5.B.67. AND 28.5.C.2.

41. Logo

A graphic symbol representing a business. Logos shall be STATE OR FEDERALLY registered trademarks.

42. Maintenance

The replacing or repairing of a part of a sign made usable, unsafe, or unattractive by ordinary wear, tear or damage THAT IS beyond the control of the owner, or the repainting of an existing sign without changing the wording, location, composition or color of THE said sign.

43. Marquee Sign

Any sign affixed to or constructed in a roof like structure or awning projecting over an entrance to a building, such as a theater.

44. Memorial Sign

A permanent sign, table, or plaque memorializing a person, event, structure, or site.

45. Menu-Board

Refer to Section 28.5.B.8.

46. Model Home Flags

Refer to Section 28.6.CB.3.

47. Modifier

A word ON A SIGN describing uses and activities other than the business name.

48. Moving or Animated Signs

Any sign or part of a sign which changes physical position, flashes, blinks lights, rotates or conveys the illusion of movement by mechanical means, illumination, and/or air movement.

49. Neon Sign

An illuminated, commercial display made up of glass tubes, shaped to form letters and designs.

50. Non-Conforming Sign

Any sign which does not conform to the provisions of this code but which, when first constructed, was legally allowed by the Town of Oro Valley or political subdivision then having control over signs.

51. ~~Obsolete~~

~~That which is no longer used.~~

52. Off-Site Sign

Any sign not located on the premises or site of the use identified or advertised by the sign.

53. On-Site Sign

Any sign, which is located on the premise or site of the use identified or advertised by the sign.

54. On-Site Subdivision Sign

An on-site, temporary, sign, located at the entrance to a subdivision.

55. Open House

A dwelling or office space to which the public is invited for walk-in inspections.

56. Pan-Channel Letter

A dimensional character fabricated to form a pan (i.e., a back and sides). The pan is formed in the shape of a character. The sides are strips of the same material fastened to the back. The open end of the pan is usually capped by a character cut from translucent acrylic, and is known as the face. Neon or low voltage lights are then installed inside the pan to illuminate the face.

57. Parapet

The top portion of the wall which extends above the roofline.

586. PEDESTRIAN Tenant Directory

Refer to Section 28.5.B.44.9.

598. Pennants

Any lightweight plastic, fabric, or other material, containing multi-colors and THAT MAY ~~whether or not~~ containing a message of any kind, suspended from a rope, wires, or string, designed to move in the wind.

6059. Permanent Sign

~~Any display of~~ Letters, numerals, symbols, and/or insignia that is intended to be displayed for an indefinite or long-lasting period and the lettering or message of which is intended to remain essentially unchanged, except for the maintenance against normal effects of exposure to weather.

610. Pole Cover

Covers made from various materials which enclose or conceal a pole or other structural supports or members to the sign.

624. Political Election Sign

A sign not permanently installed in the ground or attached to a building relating to the election of a person to a public office, or relating to a public party, or relating to a matter to be voted upon at an election called by a public body.

632. Portable Sign

Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be moved by means of wheels; signs converted into A-frames; menu and sandwich board signs; balloons used as signs; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said THE vehicles ARE ~~is~~ used in normal day-to-day operations of the business.

643. Posters

A large printed display or picture often posted in a public place as a notice or advertisement.

654. Premises

All contiguous land used and occupied by an establishment, whether owned or leased from another. Included are all buildings, storage and service areas, and private roads or driveways which are an integral part of the establishment.

665. Prohibited Use

Shall mean a use not specifically permitted.

676. Public Service Sign

A sign which provides directions to a public or quasi-public location such as community centers, schools, town facilities, and religious institutions.

687. Projecting Sign

An on-site sign attached to and extending more than TWELVE (12") inches from a structure not designed exclusively for the support of the sign and/or a sign which projects from the wall of a building or structure perpendicular to the wall surface.

698. Real Estate Sign

A sign pertaining to the sale, rent, or lease of the premise, or portion of the premise on which the sign is located.

7069. Reasonable Repairs

To restore an existing structure to a good or sound condition resulting from decay or damage.

710. Residential Sign

A sign on which is displayed the name and address of the occupant.

724. Reverse Channel Letter

A sign with dimensional character(s) fabricated from opaque material to form a pan, i.e., a front and sides. The pan is formed in the shape of a character. The sides are strips of material fastened to the front. The back remains open. Neon or low voltage lights may be installed inside the character which creates a halo illumination.

732. Roofline

The top edge of the roof or the top of the parapet, whichever forms the top line of the building silhouette.

743. Roof Sign

A sign that is mounted on, above, or over the roof of a building, so that its projects above the highest point of the roofline, parapet, or fascia of the building.

754. Seasonal Sign

Refer to Section 28.6.A.6.B.5.

765. Service Station/Fuel Sign

Refer to Section 28.5.B.10.

776. Setback

The shortest straight line distance in feet from the nearest property or lot boundary to the main accessory building, structure, sign, or SIMILAR FEATURES ~~the like~~, located on the same property or lot.

787. Sign

Every message, announcement, declaration, display, illustration, insignia, character, surface, or space erected, maintained or attached to any structure, surface, or thing and made visible for the purpose of attracting attention or to makINGe any-SOMEthing known to the public.

798. Sign Area Allotment

The permitted amount of identification sign area on ratio to the linear footage of building frontage.

8079. Sign Modification

Any change to an existing sign's copy, color, and/or supporting structures.

810. Sign Structure

A freestanding wall, pole, pedestal, or object erected for the purpose of supporting the sign.

824. Site Plan

A plan drawing of an individual site including the layout of buildings, circulation system, parking, walls, landscaping, open space, and any other appropriate information as required by the Town of Oro Valley to provide adequate review.

832. SEASONAL OR Special Event Sign BANNER

Refer to Section 28.6.A.7.B.1.c.

843. Subcontractor Sign

A temporary sign which identifies the firm, business, persons, or entity responsible for work or activity in progress at the location of the sign.

854. Symbol

A letter, figure, or other conventional mark designating an object, quantity, operation, function, or the like.

865. Temporary Sign

Any display in public view to advertise or convey information or direction which is intended to be displayed for a limited or finite period of time only. The type, quality, and materials of construction of which, although visually attractive and structurally sound, are not intended to be long lasting.

87. Theater Sign

Refer to Section 28.5.B.112.

88. Time and Temperature Sign

Refer to Section 28.5.B.123.

89. Traffic Sign

An on-site sign or off-site sign whose FOR WHICH THE sole purpose and placement are solely to define and streamline the flow of vehicular traffic so as to minimize congestion and promote safety.

90. Under-Canopy Sign

Refer to Section 28.5.B.134.

91. Unoccupied

A premises or structure which is not occupied or being put to those uses as authorized by the last business privilege license issued by the Town for that address and business or a premises or structure where the public utilities are not in service.

92. Vehicle Sign

A sign THAT IS mounted, painted, or erected upon trucks, cars, boats, trailers, or other motorized vehicles or equipment THAT and is parked for the primary purpose of functioning as a sign.

93. ~~Wall~~

~~Any structure or device required or allowed by the code forming a physical barrier which is so constructed that FIFTY (50%) percent or more of the vertical surface is closed and prevents the passage of light, air, and vision through said surface in the horizontal plane. This shall include concrete, concrete block, wood, or other materials that are solid and are so assembled SO as to form a screen. Where a solid wall is specified, ONE HUNDRED (100%) percent of the vertical surface shall be closed, except for approved gates or other access ways. Where a masonry wall is specified, said wall shall be concrete block, brick, stone, or other similar material and ONE HUNDRED (100%) percent of the vertical surface shall be closed, except for the approved gates and access ways. (DEFINITION IS ALREADY IN SECTION 31, DEFINITIONS)~~

93. 94. Wall Sign

Refer to Section 28.5.B.145.

94. 95. Window Sign

Refer to Section 28.5.B.156.

((O)07-33, Amended, 9/19/07)

## Section 28.5 Permanent Signs

### A. Identification Signs

1. The following signS shall be required for the purpose of identification:

a. Residential address

- b. Building address for multi-building development (Refer to the current Pima County Addressing Code Regulations)
- c. Names of streets, drives, circles, complexes, condominiums, etc.

**B. Permanent Signs in a Commercial/Industrial ZONING District**

The following permanent sign types shall be allowed within a Commercial, Industrial and/or Private Schools ZONING District.

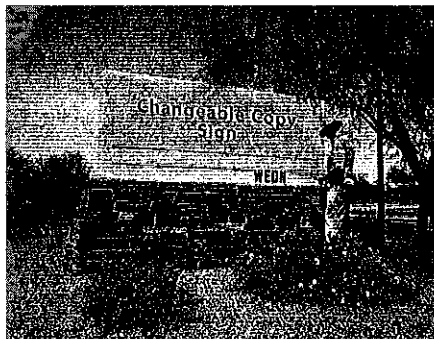
1. Awning Sign

- a. ~~Description~~ DEFINITION: A sign, which is placed on, or integrated into, fabric or other material canopies, which is mounted on the exterior wall of a building. Sign copy affixed to an awning may only display the name of the business and/or address.
- b. Quantity: One (1) awning allowed per business.
- c. Area of Sign Copy: Maximum TWENTY (20) square feet maximum which shall count against the businesses sign area allotment.
- d. Height: Not to exceed ~~above~~ the roofline of a building.
- e. Illumination: Internal illumination, fluorescent lamps, provided only the copy emits light. The background material shall be opaque. An awning sign must be turned off AT ~~one (1) hour~~ after THE closing of business.

2. Changeable Copy Sign

- a. ~~Description~~ DEFINITION: A sign or portion thereof with characters, letters, or illustrations that can be changed or re-arranged without altering the face or surface of the sign. Changeable copy signs are limited to and/or restricted to ~~theater, service station/fuel signs,~~ schools, and religious institutions. STANDARDS FOR CHANGEABLE COPY SIGNS FOR THEATERS ARE IN SECTION 28.5.B.10 AND FOR SERVICE STATION/FUEL SIGNS IN SECTION 28.5.B.12. Such signs shall be integrated into MONUMENT STYLE OR ~~freestanding and/or~~ wall-mounted type signs and may be illuminated. Changeable copy may not be changed electronically, except for ~~those AS SPECIFIED IN~~ specifically called-out ~~under~~ this ordinance.
- b. Quantity: One (1) allowed as part of a MONUMENT STYLE OR ~~freestanding or~~ wall sign.
- c. Area of Sign: To be included as a component of a MONUMENT STYLE OR ~~freestanding or~~ wall sign.

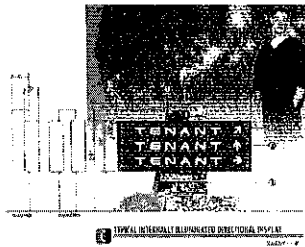
Figure 28-2: Changeable Copy Sign



### 3. Directional Sign

- a. ~~Description~~ DEFINITION: A permanent freestanding, on-site sign that is placed solely to define location and streamline the flow of vehicular and/or pedestrian traffic so as to minimize congestion and promote safety. A directional sign ~~can~~ MAY only display ~~one of the following: "exit," "enter,"~~ WRITTEN OR GRAPHIC DIRECTIONS FOR TRAFFIC; name of the business and/or logo, ~~"AND address and/or suite NUMBER#,"~~ along with an arrow directing traffic.
- b. Quantity: One (1) single- or double-faced directional sign per individual, freestanding, business that is not part of a Master Sign Program. Businesses that have drive-thrOUGH lanes shall be allowed one (1) additional directional sign.
- c. Area of Sign: Six (6) square feet.
- d. Height: Not to exceed three (3) feet.
- e. Location: To be located at an access point to the property and/or interior to the property of the business.
- f. Setback: ~~A zero (0) foot setback from property line~~ NONE unless otherwise required.
- g. Illumination: Internal illumination allowed provided that the sign is turned off AT ~~one (1) hour~~ after the CLOSE OF business ~~has closed~~.

Figure 28-3: Directional Sign



### 4. Directory Sign

- a. ~~Description~~ DEFINITION: An on-site, freestanding sign, interior to a Ddevelopment, that lists only names and locations of the businesses or activities within a building or multi-tenant complex. A directory sign shall help to direct vehicular and/or pedestrian traffic.
- b. Quantity: Shall be determined and reviewed ON AN INDIVIDUAL PROJECT BASIS BY THE PLANNING AND ZONING ADMINISTRATOR, WHEN APPLICABLE. ~~by the Town. Applicant shall follow~~ †The guidelines set forth under AN APPROVED SIGN CRITERIA OR a Master Sign Program, ~~Section 28.2.B.~~ SHALL BE FOLLOWED.
- c. Area of Sign: Not to exceed FORTY (40) square feet, AND not to exceed two (2) square feet ~~FOR eEach business displayed on the sign shall not exceed two (2) square feet.~~
- d. Height: Not to exceed eight (8) feet from grade.
- e. Location: Interior to the property or development, such as the parking area.
- f. Setback: Minimum FORTY (40) feet from the property line.



- g. Illumination: Internal illumination allowed provided that the sign is turned off at BY 11:00 P.M.

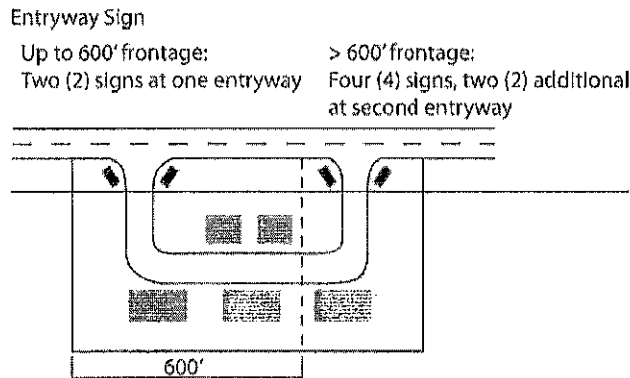
5. Entryway Sign

- a. ~~Description~~ DEFINITION: A permanent sign identifying the entrance to a subdivision, complex, facility, or commercial development.
- b. Quantity: MAXIMUM OF TWO ~~One (1)~~ (2) per entryWAY WITH ONE (1) wall LOCATED ON EACH SIDE OF ENTRYWAY ~~per street frontage~~. If the linear FRONTAGE dimension of the project exceeds SIX HUNDRED (600) feet and there is more than one (1) entry point along that frontage, TWO (2) ADDITIONAL ~~a second entryway signS~~ may be permitted AT THE a second entryway on that frontage. ~~A corner wall that fronts both streets may be utilized as an allowable sign. A property may utilize a combination of entryway signs and freestanding signs so long as the property does not exceed a maximum of three (3) for any one project.~~ FOR PROJECTS WITH MULTIPLE STREET FRONTAGES, ENTRYWAY SIGNS ARE PERMITTED ON EACH FRONTAGE IN ACCORDANCE WITH THE QUANTITY AND SPACING REQUIREMENTS LISTED ABOVE.
- c. Area of Sign: THIRTY-TWO (32) square feet.
- d. Height: Not to exceed SIX (6) FEET OR the height of the entryway wall on which the sign is placed.
- e. Location: ~~At the main entrance ON PRIVATE PROPERTY, in a landscaped area setting AT ENTRYWAYS, AS DESCRIBED ABOVE, either on the ground or in raised planters, which extends a minimum of three (3) feet from all sides of the sign visible from the street.~~
- f. Setback: A ~~zero (0) foot setback from property line~~ NONE unless otherwise required.
- g. Illumination: Halo illuminated letters, ~~(white neon or amber LED)~~ or direct lighting that shall not project above the SIGN wall. THE SIGN MAY BE TURNED ON AT 5:00 A.M AND SHALL BE TURNED OFF BY 11:00 P.M.

Figure 28-4: Entryway Sign



Figure 28-5: Allowed Entryway Signs



6- Freestanding (MOVED TO 8.)

6.7. Kiosk Identification Signs

All kiosk signs shall be governed by the following sign program:

- a. ~~Description~~ DEFINITION: A SIGN IDENTIFYING SUBDIVISIONS, BUILDERS, MODEL HOMES AND TOWN FACILITIES. The Town shall contract with an independent contractor who will coordinate a subdivision tract and apartment sign program within the Town limits. The contractor shall be responsible for the manufacture of all kiosks and tract signs. All signs shall be built in accordance with the contract; AND specifications of the International Building Code and ~~specifications of the Town's Building~~ OFFICIAL Safety Division.
- b. Quantity: Provided in the contract approved by the Town.
- c. Area of Sign: Each sign panel shall not exceed a maximum of eight (8) inches IN WIDTH by four (4) feet in length.
- d. Height and Width: ~~Each kiosk shall not exceed a~~ Maximum five (5) feet in width and eight (8) feet in height FOR EACH KIOSK
- e. Location:
  - i. ~~Kiosks shall~~ MAY be approved ON an aArterial or cCollector street in any zoneING DISTRICT. ~~within the Town, provided they are located on.~~
  - ii. THE TOWN ENGINEER SHALL REVIEW ALL KIOSK APPLICATIONS AND CONFIRM THAT KIOSKS DO NOT OBSTRUCT THE VIEW OF THE TRAVELING PUBLIC OR POSE A PUBLIC SAFETY HAZARD.
- f. ~~Standards: Planning and Zoning, along with Public Works, shall review all applications for the location of the kiosks.~~
  - i. ~~There shall be no more than four (4) kiosks to any application;~~(MOVED TO h.i.)
  - ii. ~~An encroachment permit shall be issued for any kiosk proposed in public right-of-way.~~ (MOVED TO h.ii.)
  - iii. ~~Kiosks shall not obstruct the view of the traveling public.~~

- ~~iv. Kiosk signs shall only display and give direction to, the name of a subdivision.~~
- fg. Illumination: Shall be non-illuminated.
- gh. Removal: Any kiosk containing less than three (3) panels, for a period of NINETY (90) days, shall be removed by the contractor.
- h. ~~There shall be no more than four (4) kiosks to any application.~~
- i ii. ~~An RIGHT-OF-WAY PERMIT IS REQUIRED encroachment permit shall be issued for any kiosk proposed in THE public right-of-way.~~

#### 7. ~~8.~~ Menu-Board

- a. ~~Description DEFINITION: A sign that may be freestanding MONUMENT STYLE or wall-mounted. A menu board is SIGN for the purpose of placing orders and providing a list of bill of fare FOR THE PURPOSE OF PLACING ORDERS AT of a drive-thrOuGH, or drive-in restaurant, OR WALK UP WINDOW.~~
- b. Quantity: ~~One (1) TWO (2) per individual business-DRIVE-THROUGH LANE.~~
- c. Area of Sign: THIRTY-TWO (32) square feet.
- d. Height: Not to exceed six (6) feet.
- e. Location: ~~To be placed wWithin a designated drive-thrOuGH lane so as not to be VISIBLE readable from a street or an adjacent STREETS OR property, OR ANOTHER LOCATION APPROVED BY THE TOWN.~~
- f. Setback: Must be on private property and shall not ~~interfere with flow of traffic or obstruct the vision of a motorist. POSE A SAFETY HAZARD.~~
- g. Illumination: Shall MAY be internally illuminated provided the menu-board is turned off no later than one (1) hour after business is closed.

#### 8. ~~Freestanding MONUMENT Sign~~

- a. ~~Description DEFINITION: A permanent, freestanding style sign supported by structures, supports, columns, uprights, and/or braces, that are placed on, or anchored in, the ground and is independent of the building or business STRUCTURE. The sign may be single- or double-faced, WITH ALL SUPPORTING STRUCTURES CONCEALED. The sign may contain the name of the development and a maximum of six (6) EIGHT (8) anchor tenants, along with the PROPERTY address of the property. No individual tenant may be displayed on more than one (1) freestanding sign per street frontage. NO ONE TENANT MAY BE DISPLAYED MORE THAN ONCE IN ONE MONUMENT SIGN. A theater, service station/fuel, religious institution, or school sign may display their name and/or logo along with changeable copy panels.~~
- b. Quantity: One (1) per STREET FRONTAGE. IF FRONTAGE IS GREATER THAN SIX HUNDRED (600) FEET and there is more than one (1) entrance to the development, A SECOND SIGN IS PERMITTED. FOR FRONTAGES GREATER THAN EIGHT HUNDRED (800) FEET, ADDITIONAL SIGNS MAY BE APPROVED BY THE TOWN. ~~entrance to a development. If the linear frontage of the development exceeds 600 feet, a second freestanding sign shall be allowed on that frontage. A corner sign that fronts WITH FRONTAGE ON both streets frontages may be utilized as an ADDITIONAL allowable sign. A property may utilize a combination of entryway signs and freestanding signs so long as the property does not exceed a maximum of three (3) for any one project.~~

- c. Area of Sign: FIFTY (50) square feet FOR A SINGLE TENANT OR THE DEVELOPMENT NAME AND SEVENTY-TWO (72') SQUARE FEET FOR A MULTIPLE-TENANT SIGN WITH TENANT PANELS.
  - d. Height: Not to exceed eight (8) feet from grade. AN ARCHITECTURAL ELEMENT OF ~~TO~~ THE SIGN, SUCH AS AN ARCH OR COLUMN, MAY EXCEED THE HEIGHT OF THE MONUMENT SIGN BY TWENTY-FIVE (25%) PERCENT, PROVIDED THAT ALL TEXT AND LOGOS ARE LESS THAN THE EIGHT (8') FEET IN HEIGHT FROM GRADE.
  - e. Location: To be placed at NEAR the entrance OR ALONG A STREET FRONTAGE ON PRIVATE ~~to a development or individual~~ property.
  - f. Setback: A zero (0) foot setback from property line NONE unless otherwise required.
  - g. Illumination: ILLUMINATION MAY BE HALO, INTERNAL, OR A COMBINATION THEREOF. Individual letters ~~to be halo illuminated (white neon or amber LED)~~. Individual panels ~~are to~~ SHALL be opaque with ~~reuted copy in which the copy THAT may be lit. internally or a combination thereof.~~ UNUSED TENANT PANELS SHALL BE OPAQUE AND DESIGNED TO MATCH THE REST OF THE SIGN. The sign MAY ~~shall~~ be turned ON AT 5:00 A.M. AND SHALL BE TURNED off no later than 11:00 p.m.
- H. BLANK TENANT PANELS SHALL NOT BE WHITE.

9. ~~Monument/Ground Sign~~ (Name "Monument" replaces "Freestanding", Section 28.6.B.6.)

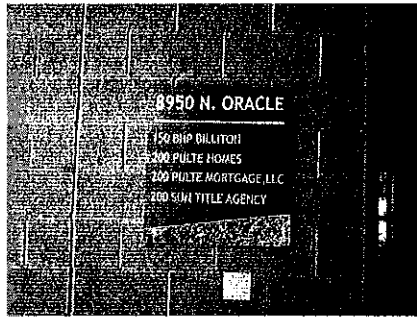
- a. ~~Description: A monolith type, freestanding sign attached to a freestanding masonry wall or supported by structures, supports, columns, and/or braces that are concealed by a pole cover or masonry base. The sign may be single or double faced and shall only consist of the name of the individual business, building or building complex, along with the address of the property.~~
- b. ~~Quantity: One (1) per individual property.~~
- c. ~~Area of Sign: 32 square feet.~~
- d. ~~Height: Not to exceed a maximum of six (6) feet.~~
- e. ~~Location: On private property where the business is located.~~
- f. ~~Setback: A zero (0) foot setback from property line unless otherwise required.~~
- g. ~~Illumination: Halo illumination (white neon or amber LED only), internal illumination, (provided that only the characters emit light) or a combination thereof, provided that the sign is turned off one (1) hour after business is closed.~~

9.44. PEDESTRIAN Tenant Directory

- a. ~~Description~~ DEFINITION: An exterior, wall-mounted, OR FREESTANDING sign that lists only the names and locations of TENANTS ~~those residing within~~ OF a complex or development and ~~its~~ FOR THE sole purpose OF DIRECTING ~~is for~~ pedestrianS traffic only. The sign shall HAVE ~~consist of~~ a uniform background color and letter styles.
- b. ~~Quantity: Shall be determined and reviewed by the Town. ONE (1) PER BUILDING ENTRANCE, OR AS APPROVED BY THE TOWN. IF APPLICABLE, Applicant shall follow the guidelines set forth under a Master Sign Program, Section 28.2.B.~~
- c. Area of Sign: ~~The sign shall consist of a~~ MAXIMUM four (4) square foot panel for the name of the complex AND ~~each business or residents within the complex shall be allowed~~ a maximum two (2) square foot panel FOR Each business or resident within the complex.

- d. Height: SHALL be at eye level for pedestrian traffic and shall not exceed the roofline of a building.
- e. Location: MAY BE wall-mounted OR FREESTANDING to a wall at PEDESTRIAN entrance points to the complex AND/OR ALONG pedestrian walkways, and the like.
- f. Illumination: Sign shall be non-illuminated.

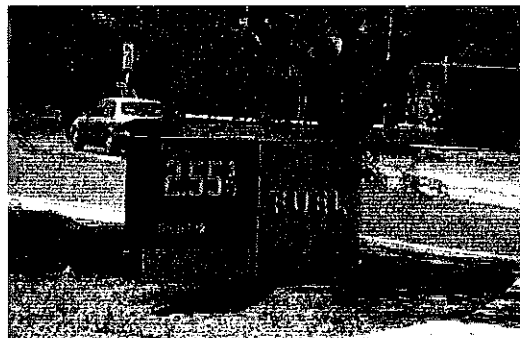
Figure 28-6: Pedestrian Tenant Directory



10. Service Station/Fuel Sign

- a. Description DEFINITION: A permanent, two (2) component, MONUMENT STYLE freestanding sign, displaying the CHANGEABLE current fuel prices, fuel types, name of the station, and/or any logos.
- b. Quantity: One (1) per street frontage.
- c. Area of Sign: THIRTY-TWO (32) square feet.
- d. Height: Not to exceed six (6) feet from grade.
- e. Location: On private property on ADJACENT TO an arterial or collector street only.
- f. Setback: A zero (0) foot setback from property line NONE unless otherwise required.
- g. Illumination: Name AND LOGO of the business along with AND logo's, shall MAY be internally illuminated. Current fuel prices and fuel types may be internally illuminated or may be electronically illuminated by means of LED, provided the light is low in-intensity. Any constant movement, blinking, flashing, HIGH INTENSITY, or animation caused by an LED is prohibited.

Figure 28-7: Service Station/Fuel Sign



41. PEDESTRIAN Tenant Directory (MOVED to 9.)

112. Theater Signs

- a. ~~Description~~ DEFINITION: A freestanding MONUMENT STYLE or wall sign with changeable copy panels, used to display the current movies and times that they are playing within the theater.
- b. Quantity: One (1) wall sign and (1) freestanding MONUMENT STYLE sign allowed.
- c. Area of Sign: FIFTY (50) square feet for a freestanding MONUMENT STYLE sign AND SIXTY-FOUR (64) square feet for a wall sign.
- d. Height: Eight (8) feet for a freestanding MONUMENT STYLE sign. A wall sign shall not extend above the roofline of a building.
- e. Location: A freestanding MONUMENT STYLE sign shall be located on private property and a wall sign shall be displayed at the main entrance to the building.
- f. Setback: A zero (0) foot setback from property line NONE unless otherwise required.
- g. Illumination: The sign may be internally illuminated or the copy may be electronically illuminated by means of an LED. The sign may only display the current listing of movies and their times. No other advertising message is allowed. Any constant movement, blinking, flashing, or animation is strictly prohibited. The sign shall be turned off one (1) hour after closing of theater.

Figure 28-8: Theater Sign

DESIGNATED AREA	PG	1005	315	515	515	1005
DESIGNATED AREA (2)	PG	1100	600	100	200	900
SCREEN USE	P13	1005	100	115	605	240
IDENTIFIER	P13	1005	100	100	500	510
		100	100	100		
REAR AND FLIGHT	PG	1100				
FRONT & LED	P13	1005	100	100	100	100
LED ILLUMINATION	PG	1005	100	100		

123. Time and Temperature Signs

- a. ~~Description~~ DEFINITION: An electronically controlled sign THAT provides the current time and/OR temperature.
- b. Quantity: One (1) per premise DEVELOPMENT PROJECT.
- c. Area of Sign: A time and temperature sign may be a component of a freestanding MONUMENT STYLE sign. Wall signs shall not exceed TWENTY (20) square feet.
- d. Height: Not to exceed the roofline of a building.
- e. Location: ON PRIVATE PROPERTY AND shall not be located within SIX HUNDRED (600) feet of another time and temperature sign, not including an analog mounted on a wall.
- f. Illumination: May be ILLUMINATED electronically controlled by means of an LOW INTENSITY LED OR OTHER INTERNAL LIGHT SOURCE.

134. Under-Canopy Sign

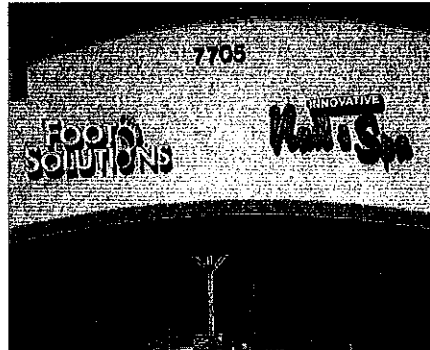
- a. ~~Description~~ DEFINITION: A wall-mounted or hanging sign which identifies ~~the name of~~ the business name and/or logo. Under-canopy signs shall be consistent in color, SHAPE, DESIGN, and materials, IF THE DEVELOPMENT HAS AN APPROVED SIGN CRITERIA OR MASTER SIGN PROGRAM ~~within a sign criteria approved by the Town of Ore Valley.~~ An under-canopy sign SHALL ~~is to be~~ located entirely under a covered porch, walkway, extended roof or SIMILAR STRUCTURE ~~the like~~ and is solely used for DIRECTING pedestrian traffic ~~only~~
- b. Quantity: One (1) per tenant space.
- c. Area of Sign: Four (4) square feet.
- d. Height: A minimum clearance of seven (7) feet shall be maintained beneath the sign and shall not extend above a roofline of the building.
- e. Location: The sign shall be in front of the tenant space ~~that it is identifying~~ and shall be suspended from a roof overhang, above a walkway or porch, or may be perpendicular to the street and attached to the fascia of the building.
- f. Illumination: Shall be non-illuminated.

145. Wall Sign

- a. ~~Description~~ DEFINITION: Any sign which is fastened, attached, connected, or supported in whole or in part by a building or structure other than a sign structure which is supported wholly by the ground with the exposed face of the sign in a plane parallel to the plane of the wall. A wall sign may SHALL consist of individual character letters (pan channel or reverse PAN channel). ONLY Individual logos may UTILIZE ~~consist of cabinet~~ SIGN TYPE with a translucent ~~type~~ SIGN face. Wall signs may include the name of the business, a trademarked logo, and modifiers, if needed, to further clarify the goods or services available on the premise.
- b. Quantity: No more than two (2) elevations may contain a wall sign. IF A SINGLE TENANT OCCUPIES AN END UNIT OR ENTIRE FREESTANDING BUILDING, THERE MAY BE SIGNS ON THREE ELEVATIONS, BUT ONLY TWO ELEVATIONS MAY HAVE ILLUMINATED WALL SIGNS. END UNIT REFERS TO THE END UNIT OF A BUILDING IN THE FINAL PHASE OF A DEVELOPMENT.
- c. Area of Sign: For building elevations containing wall signs, a sign may be TWENTY-FOUR (24) square feet ~~by right~~, with no single wall sign containing more than one (1) square foot of sign for each linear foot of building frontage, FOR ~~not to exceed~~ a maximum sign area of ONE HUNDRED FIFTY (150) square feet. Wall signs for building elevations further than THREE HUNDRED (300) feet from the street, may contain no more than 1-1/2 square feet of sign area for each linear foot of frontage, FOR ~~not to exceed~~ a maximum sign area of TWO HUNDRED (200) square feet. Where businesses do not possess individual frontages, each may maintain an individual sign; however, the maximum wall sign square footage shall not be exceeded.
- d. Height: No wall sign shall extend above the roofline of a building.
- e. Location: Shall only be placed on the building elevations or at the main entrance of a business, which the sign identifies, and may not project more than eight (8) inches from the wall on which the sign is mounted.
- f. Illumination: INDIVIDUAL LETTERS ~~m~~May be non-illuminated, halo illuminated (~~white neon or amber LED~~) or internally illuminated for cabinet- type signs IN WHICH ONLY THE LOGO EMITS LIGHT. The sign MAY BE TURNED ON AT 5:00 A.M. AND shall be turned

off AT 11:00 P.M. OR WHEN THE BUSINESS CLOSES, WHICHEVER IS LATER ~~one (1)~~  
~~hour after the closing of the business.~~

Figure 28-9: Wall Sign



#### 156. Window Signs

- a. ~~Description~~ DEFINITION: Any form of advertisement and/or identification associated with the business that is affixed to the interior or exterior of a window, or ~~one that is placed immediately behind a window so as to inform or attract attention to the public outside of the building and/or tenant space. Window signs shall be~~ ARE divided into FOUR (4) ~~three (3)~~ types of signs:
- i. ~~Business Name/Hours of Operations:~~ Signs THAT shall identify the name of the business ~~along with hours in which the business is open and/or closed for operation.~~(MOVED to ii.)
    - (a). AREA OF SIGN: MAXIMUM TWO (2) SQUARE FEET
    - (b) QUANTITY: MAXIMUM OF ONE (1) SIGN FOR ANY ONE (1) BUSINESS AND/OR TENANT SPACE. FOR BUSINESSES THAT ARE CORNER TENANTS OR INDIVIDUAL PROPERTIES HAVING TWO (2) STREET FRONTAGES, THE SAME SHALL APPLY ON BOTH SIDES.
    - (c) LOCATION: THE BUSINESS NAME SIGN SHALL BE LOCATED ON THE ENTRANCE DOOR TO THE ESTABLISHMENT. IF AN ENTRANCE DOOR CanNOT BE UTILIZED, THEN THE SIGN MAY BE LOCATED WHERE IT WILL NOT INTERFERE WITH ANY OTHER SIGN TYPES, UNDER THIS PROVISION.
  - ii. BUSINESS hours of operation SIGNS that identify the business is open and/or closed for operation.
    - (a) AREA OF SIGN: "HOURS OF OPERATION" SHALL NOT EXCEED A MAXIMUM OF ONE (1) SQUARE FOOT.
    - (b) QUANTITY: MAXIMUM OF ONE (1) SIGN FOR ANY ONE (1) BUSINESS AND/OR TENANT SPACE. FOR BUSINESSES THAT ARE CORNER TENANTS OR INDIVIDUAL PROPERTIES HAVING TWO (2) STREET FRONTAGES, THE SAME SHALL APPLY ON BOTH SIDES.
    - (c)i.—LOCATION: The "Business-Name/Hours of Operation" shall be located on the entrance door to the establishment. If an entrance door cannot be utilized, then the sign may be located within another area that will not interfere with any other sign types, under this provision.



iii. Sign Band: A thin band which stretches the overall length of the windows of a building front and/or tenant space and displays either the name of the business or logo in multiple successions.

(a) ~~ii.~~ AREA OF SIGN: A "Sign Band" shall not exceed a maximum of ~~six (6) inches~~ ONE (1') FOOT in height by the overall length of the building frontage and/or tenant space.

(b) QUANTITY: A MAXIMUM OF ONE (1) SIGN BAND PER WINDOW.

(c) HEIGHT: THE SIGN BAND SHALL BE NO HIGHER THAN THE MIDPOINT OF THE OVERALL HEIGHT OF THE WINDOWS FROM GRADE.

(d). ADDITIONAL REQUIREMENTS:

(i) THE BAND MAY INCLUDE ADDITIONAL TEXT, LOGOS, OR GRAPHICS THAT RELATE TO THE BUSINESS WITHIN.

(ii) COPY MAY NOT EXCEED FIFTY (50%) PERCENT OF THE TOTAL BAND LENGTH.

iv. Display Area: Shall be defined as, an area for the purpose of displaying miscellaneous items such as posters, menus, promotional items or the like which pertain to the business itself, in a defined location. Note: Window displays such as mannequins, three (3) dimensional figures, clothing and the like, which do not contain advertisement, shall not be considered a window type sign as described above.

(a). AREA OF SIGN: MAXIMUM OF SIX (6) SQUARE FEET.

(b). Quantity: A ~~maximum~~ of one (1) sign type each for any one (1) business and/or tenant space. For businesses that are corner tenants or individual properties WITH having two (2) street frontages, MAY HAVE ONE (1) DISPLAY AREA PER FRONTAGE ~~the same shall apply on both sides.~~ Businesses and/or tenants WITH ~~who have a~~ building frontAGE in excess of FORTY (40) feet MAY HAVE ~~shall be allowed~~ one (1) additional "Display Area."

(c).iii. LOCATION: The "Display Area" shall be located on the first immediate window to the right ~~or~~ left of the entrance door. For tenants having a corner space, the "Display Area" shall be located so as to not interfere with visibility pertaining to safety issues or interfere with any other sign types under this provision.

~~c. Area of Sign: Each sign type shall be allowed the following:~~

~~i. "Business Name/Hours of Operation" shall not exceed a maximum of three (3) square feet.~~

~~ii. A "Sign Band" shall not exceed a maximum of six (6) inches in height by the overall length of the building frontage and/or tenant space.~~

~~iii. A "Display Area" shall not exceed a maximum of six (6) square feet.~~

~~d. Height: The "Sign Band" shall be placed no higher than half the distance of the overall height of the windows from grade. No height restrictions apply for the other available sign types.~~

~~e. Location: All sign types shall be subject to the following locations:~~

- ~~i. The "Business Name/Hours of Operation" shall be located on the entrance door to the establishment. If an entrance door cannot be utilized, then the sign may be located within another area that will not interfere with any other sign types, under this provision. (MOVED TO a.2.c.)~~
  - ~~ii. The "Sign Band" shall be located across all windows, the full length of the building frontage and/or tenant space.~~
  - ~~iii. The "Display Area" shall be located on the first immediate window to the right of left of the entrance door. For tenants having a corner space, the "Display Area" shall be located so as to not interfere with visibility pertaining to safety issues or interfere with any other sign types under this provision. (MOVE TO 3.C.)~~
- bf. Illumination: All Window signs shall contain no illumination except for an open/closed sign.
- c.g. ~~Additional Requirements: COLOR: All window signs shall utilize colors that are compatible with the character of the land and/or architectureAL DESIGN OF THE BUILDING. Fluorescent or iridescent colors shall not be allowed.~~
- d. ADDITIONAL REQUIREMENTS:
- i. Permits are required for all window signs.
  - ii. Business Name/Hours of Operation and open/closed signs shall be exempt from obtaining a permit.
  - iii. No additional permits will be required to continually change the "Display Area" so AS long as, the location of the original permitted area did not change.
  - iv. Any off-site advertisement displayed in a window is strictly prohibited unless otherwise specified in this ordinance.

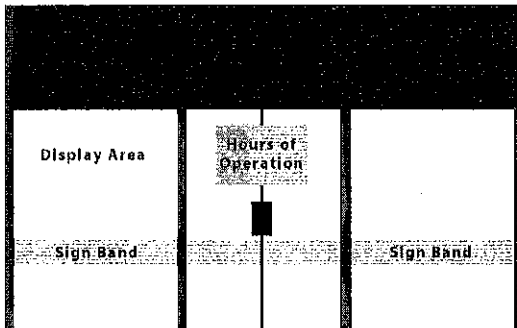


Figure 28.10: Sample illustration showing placement of Window Signs for business or tenant with more than 40 feet of building frontage.

### C. PERMANENT Permitted Signs WITHIN A for Residential/Subdivisions ZONING DISTRICT

The following permanent signs shall be allowed within a Residential District:

1. Entryway Signs

Refer to Section 28.5.B.5.

2. Kiosk Signs

Refer to Section 28.5.B.6.

3. CHANGEABLE COPY, MONUMENT, AND WALL SIGNS FOR CHURCHES, SCHOOLS, AND PUBLIC INSTITUTIONS ARE PERMITTED IN RESIDENTIAL DISTRICTS SUBJECT TO TOWN APPROVAL.

## Section 28.6 Temporary Signs

### A. REQUIREMENTS FOR ALL TEMPORARY SIGNS

1. ANY SIGN THAT PENETRATES THE GROUND IS SUBJECT TO BLUE STAKE REQUIREMENTS.
2. TEMPORARY SIGNS SHALL NOT OBSCURE, BE ATTACHED TO OR MIMIC PUBLIC TRAFFIC CONTROL DEVICES, SIGNAGE, OR APPURTENANCES.
3. ANY DAMAGE TO PUBLIC OR PRIVATE PROPERTY CAUSED BY SIGNS PLACED WITHIN THE RIGHT-OF-WAY SHALL BE THE SOLE RESPONSIBILITY OF THE SIGN OWNER.
4. STANDARDS FOR TEMPORARY SIGN MATERIALS ARE PROVIDED IN SECTION 28.3.A.4., GENERAL SIGN REQUIREMENTS.

### B. A. TEMPORARY Permitted Signs in a Commercial/Industrial ZONING District

The following temporary sign types shall be allowed within a Commercial and/or Industrial District.

1.-Banner

a. REQUIREMENTS FOR ALL BANNERS

- i. DEFINITION: Any sign of light-weight fabric or similar material that is temporarily mounted to a pole or building OR IS FREESTANDING.

ii. DESIGN STANDARDS:

- (a). INSTALLATION: ALL BANNERS SHALL BE SECURELY ANCHORED TO THE WALL, AND/OR PARAPET WALL OF THE BUILDING WHERE THE BUSINESS IS LOCATED OR IF FREESTANDING, ATTACHED TO A SOLID PERIMETER FRAME THAT MATCHES THE BANNER COLOR. THE FRAME SHALL BE ANCHORED BY POSTS WITH EYELETS FASTENING THE BANNER TO THE FRAME AT TWO (2') FOOT MAXIMUM SPACING, OR IN SUCH A MANNER THAT THE BANNER IS TAUT AND DOES NOT FOLD OVER. BANNERS SHALL NOT BE HUNG FROM ANOTHER SIGN STRUCTURE, LANDSCAPING, UTILITY POLE, OR SIMILAR STRUCTURE.
- (b). MATERIALS: BANNERS MUST BE MADE OF DURABLE MYLAR, NYLON FABRIC, OR SIMILAR MATERIAL.

(c). BACKGROUND COLOR SHALL BE WHITE OR BEIGE.

(d). LETTERING SHALL BE NEAT AND LEGIBLE COPY

b. NEW BUSINESS Banner

- i. ~~a. DESCRIPTION: Any sign of light weight fabric or similar material that is temporarily mounted to a pole or building~~ A banner may be utilized for the purpose of A NEW BUSINESS OPENING "grand opening," "coming soon," or change of ownership to promote a new business. ~~The words "grand opening" and/or "coming soon," along with other copy, shall be displayed on the banner, based on the event taking place. FOR SEASONAL OR SPECIAL EVENT BANNER SIGNS, SEE SECTIONS 28.6.B.1.c. & d., BELOW.~~
- ii. Quantity: One (1) banner per street frontage, per business. No more than two (2) banners shall be issued to any one (1) NEW business within one (1) calendar year.
- iii. Area of Sign: Maximum SIXTY-FOUR (64) square feet.
- iv. Height: Not to exceed the roofline of a building.
- v. Location: Must be installed on the site and/or tenant space in which OF the BUSINESS event is taking place.
- vi. Duration: Banners are ALLOWED good for a period of THIRTY (30) days. One (1) extension for an additional THIRTY (30) days may be granted by the Planning and Zoning Administrator, due to extenuating circumstances. A written request must be submitted prior to the first THIRTY (30) days expirATING. No more than one (1) extension may be granted in a calendar year.
- vii. REMOVALAdditional Requirements: A banner must be removed immediately after THIRTY (30) days or it must be removed if permanent signage has been installed prior to the expiration of a NEW BUSINESS "coming soon" banner. A banner shall be securely anchored to the wall of the business. No banner AND is NOT allowed to be hung from any freestanding sign structure, utility pole, or the like.

c.7. SEASONAL OR Special-Event BANNER

- i. Description DEFINITION: A SEASONAL OR special event BANNER OR sign MAY shall be used to advertise a SEASONAL holiday sale and/or special event, including civic, public, religious, philanthropic, or educational events. Such signs are permitted in any COMMERCIAL/INDUSTRIAL zoning DISTRICT and are not to be used for Model Home Sales.
- ii. Quantity: One (1) freestanding sign per street frontage and/or one (1) wall sign. One (1) A business is allowed to have a maximum of FOUR (4) permits, per calendar year, with each permit not exceeding 30 days.
- iii. Area of Sign: Maximum SIXTEEN (16) square feet for a freestanding style sign AND MMmaximum twenty-four (24) square feet for a wall-MOUNTED BANNER sign.
- iv. Height: Not to exceed FOUR (45) feet from grade for a freestanding sign. Wall-MOUNTED signs shall not exceed the roofline of a building.
- v. Location: On private property and located where the event is taking place and/or the merchandise is being sold.
- vi. Setback: A zero foot setback from property line NONE unless otherwise required.
- vii. DURATION: EACH PERMIT SHALL NOT EXCEED THIRTY (30) DAYS.

d. THREE-DAY SPECIAL EVENT BANNER

- i. DEFINITION: A BANNER MAY BE PERMITTED ON THE DAY(S) OF A SPECIAL EVENT, BUT SHALL NOT BE USED TO ADVERTISE ANY EVENT THAT EXCEEDS THREE (3) DAYS IN DURATION.
- ii. QUANTITY: ONE (1) PER STREET FRONTAGE. NOT TO EXCEED FOUR (4) PERMITS PER CALENDAR YEAR.
- iii. AREA OF SIGN: MAXIMUM SIXTY-FOUR (64) SQUARE FEET.
- iv. HEIGHT: MAXIMUM FOUR (4) FEET FROM GRADE FOR A FREE-STANDING SIGN. WALL-MOUNTED SIGNS SHALL NOT EXCEED THE BUILDING ROOFLINE.
- v. LOCATION: ON PRIVATE PROPERTY WHERE THE EVENT IS TAKING PLACE AND/OR THE MERCHANDISE IS BEING SOLD.
- vi. SETBACK: NONE UNLESS OTHERWISE REQUIRED FOR PUBLIC SAFETY PURPOSES.
- ~~g. Removal: Shall not exceed the event advertised by more than 3 weeks, and all signs shall be removed within 48 hours after the event.~~
- ~~h. Additional Permitted Signage: One temporary banner may be allowed in addition to the above signage on the day of the event only.~~
- ~~i. Maximum allowable size for a banner shall not exceed 64 square feet.~~

2. Construction/Development Sign

- a. ~~Description~~ DEFINITION: A construction sign shall MAY ONLY contain the name of the architects, engineers, contractors, or similar artisans, as well as, the owners, financial supporters and similar individuals or firms that are associated with the project.
- b. Quantity: One (1) per street frontage. No one (1) development may have more than one (1) construction sign or development sign on a single street frontage.
- c. Area of Sign: Maximum THIRTY-TWO (32) square feet.
- d. Height: Not to exceed eight (8) feet from grade.
- e. Location: On the property that is being developed.
- f. Setback: A zero (0) foot setback from property line NONE unless otherwise required FOR PUBLIC SAFETY PURPOSES.
- g. Removal: All signs must be removed upon the completion of NINETY-FIVE (95) percent of the development, OR WITHIN THREE (3) YEARS FROM DATE OF PERMIT ISSUANCE, WHICHEVER COMES FIRST.

~~3. Development Sign~~

- ~~a. Description: A development sign shall identify the name of the Development in progress or one in prospect. The sign shall contain the DEVELOPMENT name of the Development along with AND the words "coming soon."~~
- ~~b. Quantity: One (1) per street frontage. No one (1) development may have more than one (1) development sign or construction sign on a single street frontage.~~

- e. ~~Area of Sign: Maximum THIRTY-TWO (32) square feet.~~
- d. ~~Height: Not to exceed eight (8) feet.~~
- e. ~~Location: On the property that it is identifying.~~
- f. ~~Setback: A zero (0) foot setback from proper line unless otherwise required.~~
- g. ~~Removal: Sign must be removed when permanent signage has been installed on the site or when the project has been completed, whichever comes first.~~

#### 4.3. Flags

- a. ~~Description DEFINITION: Any flag containing distinctive colors, patterns, or symbols, used as a symbol of government or a political entity. All nNational and sState flags shall be allowed within a commercial, industrial or residential district.~~
- b. ~~Quantity: TWO (2) One (1) flag poleS FOR EACH ~~per~~ development and/or individual property.~~
- c. ~~Flag SIZE: The length of the flag shall be no greater than ONE QUARTER (1/4) OF the height of the flag pole.~~
- d. ~~FLAG POLE Height: No greater than 1.25 times the height of the nearest adjacent PRIMARY building.~~
- e. ~~Location: PERMITTED IN ANY ZONING DISTRICT AND ONLY ~~O~~n private property.~~
- f. ~~Setback: to be llocated accordingly so that the flag does not overhang public right-of-way OR CREATE A PUBLIC SAFETY HAZARD.~~
- g. ~~Additional Requirements:~~
  - i. ~~A BUILDING permit for the flag pole shall be obtained. through the Building Department and~~
  - ii. ~~A site plan shall be submitted to the Zoning Department for review of location and ADEQUATE setbacks. Any~~
  - iii. ~~THE USE OF flags used for the purpose of advertising or WITH INattent to advertisEing, is strictly prohibited unless otherwise specified by this Oerdinance.~~

#### 5.4. Real Estate, Lease, Rent and For Sale Signs

- a. ~~Description DEFINITION: Any sign pertaining to the sale, rent, or lease of the premise or portion of a premise. The sign may be freestanding or wall-mounted, single-, and/or double-faced.~~
- b. ~~Quantity: One (1) sign per street frontage.~~
- c. ~~Area of Sign: Maximum SIXTEEN (16) square feet.~~
- d. ~~Height: Not to exceed EIGHT five (85) feet FROM above grade. The height may be increased up to ten (10) feet by the Senior Zoning Inspector, if warranted.~~
- e. ~~Location: Upon the property that is being sold, rented or leased.~~
- f. ~~Setback: A zero (0) foot setback from property line NONE unless otherwise required.~~

g. PERMIT: SIGN PERMITS FOR REAL ESTATE, LEASE, RENT, AND FOR SALE SIGNS ARE VALID FOR ONE YEAR. THE PERMIT MAY BE RE-ISSUED IN ONE-YEAR INCREMENTS.

h. ~~g~~ Removal: Must be removed within seven (7) days upon the sale, rent, or lease of the property OR EXPIRATION OF THE SIGN PERMIT.

6-5. Seasonal Signs

a. ~~Description~~ DEFINITION: Seasonal signs may include decorations, holiday lights, garland, or SIMILAR TREATMENT and are oriented toward a holiday ~~type~~ event. Holiday banners are allowed IN ACCORDANCE WITH SECTION 28.6.B.1.c, SEASONAL BANNERS. ~~WHEN provided they are approved under a Special Use permit.~~ Seasonal signs and decorations shall be ~~displayed temporarily~~ displayed for traditionally accepted civic, patriotic, or religious holidays.

b. Location: On private property and shall not be displayed in such a manner as to constitute a traffic hazard.

c. Removal: ~~All decorations and/or signs m~~ Must be removed WITHIN TEN (10) days after OF the subject holiday.

d. Additional Requirements: A PERMIT IS REQUIRED FOR All EVENT-RELATED signage ~~related to the event must obtain~~ REQUIRES a permit under this ordinance. A PERMIT IS NOT REQUIRED FOR Any other style SEASONAL decoration ~~shall not require a permit and shall be exempt.~~

~~7. Special Event Signs (MOVED TO 4-2.c.)~~

**CB. Permitted TEMPORARY Signs in a Residential/~~Subdivision~~ ZONING District**

The following temporary signs shall be allowed within a residential ~~and/or subdivision~~ ZONING district.

1. Flags (Refer to Section 28.6.B.3., TEMPORARY SIGNS IN COMMERCIAL ZONING DISTRICTS):

2. Model Home Banners

a. ~~Description~~ DEFINITION: Banners for a Model Home Complex shall MAY be utilized for the sole purpose of a ~~special sales event~~ OR TO IDENTIFY A NEW MODEL HOME. THREE-DAY, SEASONAL OR EVENT BANNERS ARE PERMITTED AT MODEL HOMES IN ACCORDANCE WITH SECTION 28.6.B.1.c AND d.

b. Quantity: One (1) banner per model home complex. ~~The banner may be wall mounted or freestanding and shall be good for 16 days per calendar year.~~

c. Area of Banner: Maximum THIRTY-TWO (32) square feet.

d. Location: Shall be on private property where the model home complex is located. THE BANNER MAY BE WALL-MOUNTED OR FREESTANDING.

e. Height: A banner attached to the model home ~~complex~~ shall not extend above the roofline. A freestanding banner shall not exceed five (5) feet from grade.

f. Setback: ~~A zero (0) foot setback from property line~~ NONE for a freestanding style banner unless otherwise specified FOR PUBLIC SAFETY PURPOSES.

- g. DURATION: THE BANNER SHALL BE MOUNTED ONLY ON SATURDAYS AND SUNDAYS FOR ONE HUNDRED AND FOUR (104) DAYS. THE BANNER MAY BE PERMITTED for AN ADDITIONAL SIXTEEN (16) DAYS FOR THE PURPOSE OF OPENING THE MODEL HOME OR MODEL HOME COMPLEX.
- h. Removal: THE BANNER MAY BE PLACED ~~placement or erection of the banner shall not precede the event by more than one (1) day~~ BEFORE THE ADVERTISED EVENT, and ~~all signs must be removed within one (1) day after the event.~~

3. Model Home Complex, OR Custom Home Lot Sales Office Signs

~~The purpose of the Model Home Complex/Custom Home Lot Sales Office Signs is to provide specific guidelines for the size, number, and location of on-site signs. Such signs shall identify and give direction to individual model home complexes or custom home lot sales offices.~~

IN ADDITION TO MODEL HOME BANNERS (SECTION 28.6.B.2) ABOVE, ~~the~~ the following types of signs are permitted for Model Home Complexes or Custom Home Lot Sales Offices:

a. MODEL HOME On-Site Signs

- i. ~~Description~~ DEFINITION: Individual Model Units may have a single model identification sign and/or an informational sign ~~may be provided for the model home complex or custom home lot sales office, and a~~ A ~~One (1) single parking lot directional sign may be included to direct people to available parking at, or near, the model home/custom home sales office.~~ SEASONAL EVENT AND MODEL HOME BANNERS ARE PERMITTED FOR MODEL HOME COMPLEXES OR HOME LOT SALES OFFICES IN ACCORDANCE WITH SECTION 28.6.B.2.c. CONSTRUCTION/DEVELOPMENT ~~Developer, Contractor and/or Sub-Contractor~~ ID-IDENTIFICATION signs, subject to the standards of Section 28.6.A.4.
- ii. Quantity: One (1) identification sign for Model Home Units, ~~One (1) CONSTRUCTION/DEVELOPMENT informational sign for Model Home Complex/Custom Home lot Sales Office, and one (1) parking lot directional sign. (Signs may be freestanding, wall-mounted or integrated into an awning type structure.)~~ (MOVED TO v.)
- iii. Area of Signs: Individual Model units MAXIMUM ~~shall be four (4) square feet. Model Home Complex/Custom Home Lot Sales Office signs MAXIMUM shall be SIXTEEN (16) square feet. and a~~ parking lot directional sign ~~shall not exceed a maximum of six (6) square feet.~~
- iv. Height: Individual Model Units MAXIMUM ~~not to exceed three (3) feet, INFORMATIONAL Model Home Complex/Custom Home Lot Sales Office MAXIMUM not to exceed five (5) feet and the~~ parking directional sign ~~not to exceed a maximum of three (3) feet from grade.~~
- v. Location: Within the Model Home Complex/Custom Home Lot Sales Office and shall be located so as to not interfere with the flow of traffic or within a sight visibility triangle. The parking directional sign shall be located at the driveway entrance to the designated parking area. Signs may be freestanding, wall-mounted, or integrated into an awning type structure.
- vi. Removal: All signs must be removed WITHIN SEVEN (7) DAYS AFTER THE CLOSING OF THE SALES OFFICE OR MODEL HOME OFFICE. ~~upon the completion of 95 percent of the development and/or subdivision.~~

b. ~~Minor~~-MODEL HOME Off-Site Signs (interior and exterior TO THE SUBDIVISION)

The following off-site signs are allowed interior to a subdivision:



I. OFFSITE WITHIN THE SUBDIVISION

- (A).i. ~~Description~~ DEFINITION: Signs WITHIN A SUBDIVISION which direct traffic to the Model Home Complex or Custom Home Lot Sales Office.
- (B).ii. Quantity: The number of signs allowed is based on the number of intersections or changeS of direction oFñ subdivision streets, as approved and deemed necessary by the PLANNING AND ZONING ADMINISTRATOR OR TOWN ENGINEER ~~Senior Zoning Inspector~~.
- (C).iii. Area of Sign: ~~Maximum size allowed is ONE AND A HALF (1.5) feet x BY TWO (2.0) feet, OR THREE (3.0) square feet.~~
- (D).iv. Height: ~~Maximum allowable height shall not exceed THIRTY (30" )(3.0) INCHES feet from grade.~~
- (E).v. Location: An interior, off-site sign shall be located along streets within the subdivision ~~being developed~~. Such signs shall be located ~~only at each intersection or each change of direction ofñ subdivision streets and shall be located on private property with the permission of the PROPERTY owner of that property~~. PROPOSED PLACEMENT IN THE PUBLIC RIGHT-OF-WAY IS SUBJECT TO TOWN ENGINEER APPROVAL AND SHALL COMPLY WITH SECTION 28.7.B.5.
- (F).vi. Setback: ~~A zero (0) foot setback from the property line~~ NONE unless otherwise required.
- (G).vii. Removal: All signs shall be removed WITHIN SEVEN (7) DAYS OF THE CLOSURE OF THE SALES OFFICE OR MODEL HOME OFFICE ~~upon the completion of 95 percent of the subdivision or development.~~

ii. SEE SECTION 28.7.B. FOR MODEL HOME COMPLEX OR SALES OFFICE SIGNS ALLOWED IN PUBLIC RIGHT-OF-WAY ~~(former Section 28.6.B.3.b.viii. through xiv. replaced by Section 28.7.B)~~

~~The following off-site signs are allowed exterior to the subdivision.~~

- ~~viii. Description: Signs which direct traffic to the Model Home Complex Custom Home Lot Sales Office.~~
- ~~ix. Quantity: One (1) exterior directional sign is allowed. The Senior Zoning Inspector may approve a second exterior directional sign if necessary.~~
- ~~x. Area of Sign: Maximum (4) size allowed is 2.0 feet x 3.0 feet (6.0 square feet).~~
- ~~xi. Height: Maximum allowable height shall not exceed four (4) feet from grade.~~
- ~~xii. Location: An exterior, off-site sign shall be located at the intersection of an Arterial Roadway and subdivision street, as long as no other Town approved kiosk sign exists. The sign must be located on private property with the permission of the owner of the premise.~~
- ~~xiii. Setback: Zero (0) foot setback from property line unless otherwise required.~~
- ~~xiv. Removal: All signs shall be removed upon the completion of 95 percent of the subdivision or development.~~

4. Model Home COMPLEX Flags

- a. ~~Description~~ DEFINITION: Individual flags, attached to ~~individual~~, freestanding poles that may be multi-colored and/or contain the corporate logo for a Model Home Complex Sales Office.
  - b. Quantity: ~~A~~ Maximum of four (4) poles/flags ~~are allowed~~.
  - c. Area of Flag: ~~Not to exceed~~ MAXIMUM FIFTEEN (15) square feet.
  - d. Height: ~~The~~ Flag poles shall not exceed TWENTY (20) feet from grade.
  - e. Location: ~~At the main drive parking lot to identify the vehicular entrance to the Model Home sales Office.~~ FLAG POLES MAY BE LOCATED WITHIN THE MODEL HOME COMPLEX OR PARKING AREA, SUBJECT TO TOWN ENGINEER APPROVAL.
  - f. Setback: Minimum five (5) feet from the property line OR DETERMINED BY THE TOWN ENGINEER.
  - ~~g. Additional Requirements: Flag poles shall obtain a permit from the building department and no flag is allowed to be illuminated.~~
  - g. Removal: All flags and flag poles must be removed within seven (7) days after the closing of the ~~sales office or~~ model home office.
  - h. ADDITIONAL REQUIREMENTS:
    - i. A BUILDING PERMIT MUST BE OBTAINED FOR FLAG POLES.
    - ii. FLAG POLES MAY NOT BE ILLUMINATED.
5. On-Site Subdivision Signs
- a. ~~Description~~ DEFINITION: The sign shall identify a development in progress AND MAY include: the name of the development and/or subdivision; the name and phone number of the developer or agent; price range, RESIDENTIAL TYPE, AND NUMBER of units to be available and ~~information essential to contacting~~ INFORMATION FOR the developer or agent. All OTHER ASSOCIATED agencies or firms ~~desiring to be identified~~ shall MAY be displayed on the ~~same~~ sign, such as the developer, engineer, architects, or firms providing financing, AND principal contracting firms, ~~residential type, and number of units available.~~
  - b. Quantity: One (1) freestanding sign per subdivision. The PLANNING AND ZONING ADMINISTRATOR ~~Senior Zoning Inspector~~ may approve a second on-site subdivision sign if deemed necessary.
  - c. Area of Sign: Maximum FORTY (40) square feet.
  - d. Height: ~~Not to exceed a~~ Maximum of ten (10) feet ~~from grade.~~ The height may be increased to a ~~maximum~~ TWELVE (12 feet) ~~should~~ BY APPROVAL OF THE PLANNING AND ZONING ADMINISTRATOR IF ~~a wall or fence obstruct~~ visibility of the sign IS OBSTRUCTED. ~~Such an increase will warrant a review by the Senior Zoning Inspector for compliance.~~
  - e. Location: Must be located at the ACCESS POINT ~~intersection of an arterial roadway and subdivision street and on private property with the permission from the PROPERTY owner of the premise.~~
  - f. Setback: ~~A zero (0) foot setback from property line~~ NONE unless otherwise required FOR PUBLIC SAFETY PURPOSES.
  - g. Removal: ~~Any sign that lists an individual developer, contractor and/or sub-contractor, must be removed~~ WITHIN SEVEN (7) DAYS OF THE SALE OF ONE HUNDRED (100)

PERCENT OF THE LOTS OF THE SUBDIVISION OR ONE HUNDRED AND EIGHTY (180) DAYS AFTER CLOSURE OF SALES OFFICE, WHICHEVER COMES FIRST, ~~upon completion of 95 percent of the subdivision or development.~~ SIGNS MAY REMAIN ON UNSOLD LOTS IN ACCORDANCE WITH SECTION 28.6.C.6., BELOW.

6. Real Estate, Lease, Rent, and For Sale Signs ~~(including off-premise open-house directional signs for re-sale homes)~~

a. On-Site Signs:

- i. ~~Description~~ DEFINITION: Signs to advertise existing individual single-family residences for sale, lease, or rent. The sign may be a single or double-faced, freestanding sign.
- ii. Quantity: One (1) for each street frontage which abuts the property.
- iii. Area of Sign: Four (4) square feet.
- iv. Height: A ~~M~~maximum of five (5) feet from grade. The Planning and Zoning Administrator ~~may approve heights up to ten (10) feet, if warranted.~~
- v. Location: Only on the LOT OR site of the dwelling offered for sale, lease, or rent.
- vi. Setback: ~~A Zero (0) foot setback~~ NONE unless otherwise required.
- vii. PERMIT: SIGN PERMITS FOR REAL ESTATE, LEASE, RENT, AND FOR SALE SIGNS ARE VALID FOR ONE YEAR. THE PERMIT MAY BE RE-ISSUED.
- viii. Removal: Within seven (7) days upon the sale, lease, or rent of the property.

b. Off-Site Signs: SEE SECTION 28.7.A.2.B., OFFSITE REAL ESTATE SIGNS

- ~~i. Description: Used only to advertise an open-house event, for a re-sale home being offered for re-sale, lease, or rent. The purpose and intent of the off-site signs, is to direct the public to the re-sale of individual homes, and shall not be applied to model homes. The signs may be freestanding, single, or double faced.~~
- ~~ii. Quantity: Based on the number of each major change of direction.~~
- ~~iii. Area of Sign: A maximum of four (4) square feet.~~
- ~~iv. Height: Not to exceed 30 inches.~~
- ~~v. Location: Off-site, open-house signs may be located at each major change of direction and shall follow regulations set forth in Section 28.7.A.2, Annual or 120 Consecutive Day Right-Of-Way Permit. Different owners or realtors may place one (1) sign each at the same corner.~~
- ~~vi. Setback: Signs must be placed a minimum of one (1) foot from any private property line.~~
- ~~vi. Removal: All signs are to be removed immediately after the open-house event.~~

## Section 28.7 Temporary Signs on Public Property

### A. Permitted Temporary Signs on Public Property

A1. NON-COMMERCIAL Temporary Signs IN SIGN ZONES

- a. ~~Description~~ DEFINITION: A temporary sign NOT INTENDED FOR COMMERCIAL PURPOSES SUCH AS A CAMPAIGN SIGN, AND not permanently installed in the ground or attached to a building.
- b. ~~Quantity: No more than~~ MAXIMUM one (1) single- or double-faced sign per temporary sign zone ~~is allowed.~~
- c. ~~Area of Sign: The area of the sign shall not exceed a~~ Mmaximum of nine (9) square feet within a Temporary Sign Zone or if placed with the appropriate right-of-way permit shall not exceed a maximum of four (4) square feet.
- d. ~~Height: Not to exceed a~~ Mmaximum of three (3) feet, six (6) inches from grade within Temporary Sign Zones or THIRTY (30) inches if placed with an authorized right-of-way permit.
- e. Location: TEMPORARY SIGN ZONES ARE ESTABLISHED BY TOWN COUNCIL FOR PLACEMENT OF NON-COMMERCIAL, TEMPORARY SIGNS:
  - i. Within the Public Right-of-Way: Zones of three hundred (300) to five hundred (500) SQUARE feet in size MAY BE ESTABLISHED, and, in the event that the zones are established at an intersection, no more than two (2) zones may be located at or near the intersection.
  - ii. Within the Town Hall Complex: such zone shall be no greater than TWO HUNDRED (200) square feet. Moreover, Temporary Sign Zones shall not be located within ONE HUNDRED AND FIFTY (150 feet) of any entrance to the Town Hall Complex.
  - iii. At or Near Town Parks: Temporary Sign Zones shall not be located within ONE HUNDRED FIFTY (150) feet of any entrance to Town Parks.
  - iv. APPROVED TEMPORARY SIGN ZONES ARE DEPICTED ON THE "TEMPORARY SIGN ZONE MAP."
- f. All-Commercial signage within a temporary sign zone ~~IS shall be~~ prohibited.

2. ~~Annual or 120 Consecutive Day Right-Of-Way Permit~~NON-COMMERCIAL TEMPORARY SIGNS IN RIGHT-OF-WAY

- a. ~~Description~~ DEFINITION: Temporary signs, which may be located in the Town's right-of-way with an approved ANNUAL OR ONE HUNDRED TWENTY (120) DAY right-of-way permit (MOVED TO f.) from the Public Works Department.
- b. Quantity: AS APPROVED BY THE PLANNING AND ZONING ADMINISTRATOR. ~~Unlimited number of uses. No individual sign permit for such signs will be required. (MOVED TO i.)~~
- c. Area of Sign: Shall not exceed a Mmaximum of four (4) square feet.
- d. Height: The sign shall not exceed THIRTY (30) inches in height.
- e. Location: No sign shall be placed within a median, in any area that may cause or create a traffic hazard, OR obscure any site distances and must maintain the required "Clear Zone" as approved by the Town Engineer.
- f. Setback: Signs shall be placed a minimum of ten (10) feet from the paved surface of the roadway.
- g. Duration: Signs shall be displayed during the hours of 7:00 a.m. to 7:00 p.m.

- h. Additional requirements: All commercial signage shall be prohibited unless otherwise specified within this Chapter. In addition, all right-of-way permits are subject to blue stake requirements for any sign that penetrates the ground. Any sign that would require installation by the Public Works Department is also subject to installation fees.
- i. PERMIT: With an approved ANNUAL OR ONE HUNDRED TWENTY (120) DAY right-of-way permit. ~~No individual sign permit for such signs will be required.~~

B2. OFF-SITE REAL ESTATE SIGNS

1. DEFINITION: TEMPORARY SIGNS LOCATED IN THE PUBLIC RIGHT-OF-WAY PROVIDING DIRECTION TO A DWELLING FOR SALE OR RENT INCLUDING A MODEL HOME.

2. QUANTITY: NO MORE THAN ONE (1) SIGN PER CHANGE OF ROAD DIRECTION

3. Area of sign: maximum four (4) square feet.

4. Height: maximum thirty (30) inches.

5. LOCATION:

a. AN OFF-SITE SIGN IN THE RIGHT-OF-WAY SHALL NOT BE LOCATED:

i. WITHIN A MEDIAN

ii. IN ANY AREA THAT MAY CAUSE OR CREATE A HAZARD ON A SIDEWALK, MULTI-USE PATH OR PEDESTRIAN ACCESS RAMP

iii. WHERE ANY SIGHT DISTANCES OR TOWN APPROVED "CLEAR ZONES" ARE OBSCURED, AS DETERMINED BY THE TOWN ENGINEER.

b. SIGNS LOCATED IN PUBLIC RIGHT-OF-WAY SHALL BE PLACED AS FOLLOWS, OR AS DIRECTED BY TOWN ENGINEER:

i. STREETS WITH A POSTED SPEED LIMIT OF GREATER THAN TWENTY (25) MILES PER HOUR

(a) WHERE NO SIDEWALK OR MULTI-USE PATH EXISTS ALONG THE STREET, A MINIMUM OF TEN (10) FEET FROM THE PAVED SURFACE OF ROADWAY.

(b) FOR LOCATIONS WITH SIDEWALK OR MULTI-USE PATH ALONG THE STREET, SIGN SHALL BE PLACED NO CLOSER TO THE STREET THAN THE EDGE OF THE WALK/PATH FARTHEST FROM THE STREET UNLESS THERE IS ADEQUATE DISTANCE BETWEEN THE STREET AND WALK/PATH TO MAINTAIN A TEN (10) FOOT SETBACK FOR THE SIGN FROM THE EDGE OF ROADWAY PAVEMENT.

(c) CLOSER PLACEMENT TO PAVEMENT REQUIRES PRE-APPROVAL BY TOWN ENGINEER BASED ON SIGN CONSTRUCTION TYPE AND STABILITY OF SIGN IN WINDY AND INCLEMENT WEATHER. "A" FRAME SIGNS DO NOT QUALIFY FOR CLOSER PAVEMENT.

(d) NO SIGNS MAY BE PLACED IN THE RIGHT-OF-WAY OF ORACLE ROAD OR THE EASTERN PORTION OF TANGERINE ROAD WITHIN ONE THOUSAND (1,000) FEET WEST OF THE INTERSECTION OF RANCHO VISTOSO BOULEVARD AND FIRST AVENUE WITHOUT APPROVAL FROM THE ARIZONA DEPARTMENT OF TRANSPORTATION.

ii. STREETS WITH POSTED SPEED OF TWENTY-FIVE (25) MILES PER HOUR OR LESS:

(a) WHERE NO SIDEWALK OR MULTIUSE PATH EXISTS ALONG STREET, SIGNS SHALL BE PLACED A MINIMUM OF FIVE (5) FEET FROM PAVED SURFACE OF ROADWAY.

(b) FOR LOCATIONS WITH SIDEWALK OR MULTI-USE PATH ALONG STREET, SIGN SHALL BE PLACED NO CLOSER TO THE STREET THAN THE EDGE OF SAID WALK/PATH FARTHEST FROM THE STREET.

(c) CLOSER PLACEMENT TO THE PAVEMENT THAN LISTED ABOVE REQUIRES PRE-APPROVAL BY TOWN ENGINEER BASED ON SITE CONDITIONS.

~~a. Description: Temporary signs, which may be located in the Town's right-of-way with an approved right-of-way permit from the Public Works Department.~~

~~b. Quantity: Unlimited number of uses. No individual sign permit for such signs will be required.~~

~~c. Area of Sign: Shall not exceed a maximum of four (4) square feet. (MOVED TO B.3.)~~

~~d. Height: The sign shall not exceed 30 inches in height (MOVED TO B.4.)~~

~~e. Location: No sign shall be placed within a median, in any area that may cause or create a traffic hazard, obscure any site distances and must maintain the required "Clear Zone" as approved by the Town Engineer.~~

~~f. Setback: Signs shall be placed a minimum of ten (10) feet from the paved surface of the roadway.~~

6.g. Duration: Signs shall MAY be displayed ONLY BETWEEN during the hours of 7:00 a.m. to 7:00 p.m.

7.h. Additional Requirements

~~i. All commercial signage shall be prohibited unless otherwise specified within this Chapter.~~

~~ii. All right-of-way permits are subject to Blue Stake requirements for any sign that penetrates the ground.~~

~~iii. Any sign that would require installation by the Public Works Department is also subject to installation fees.~~

### C3. Special Event Signs on Public Property

1. ~~Description~~ DEFINITION: A temporary sign THAT which may be located within the Town's right-of-way with an approved right-of-way permit from the TOWN ENGINEER Public Works Department. The signs may publicizeS civic, public, religious, arts, philanthropic or educational events that are sponsored or sanctioned by the Town of Oro Valley. Each application is subject to approval and interpretation by the Town Manager and/or designee in regards to the type of event being held.

2. Quantity: Four (4) event signs maximum for any one event.

3. Area of Sign: A maximum of SIXTEEN (16) square feet per sign.

4. Height: Shall not exceed five (5) feet from grade to top of sign.

5. Location: TOWN RIGHT-OF-WAY IN ACCORDANCE WITH SECTION 28.7.B.5 AND WITH APPROVAL OF THE TOWN ENGINEER. No sign may be placed within a median or in any area that may ~~cause or create a traffic~~ PUBLIC SAFETY hazard.

6. Duration: The sign may be installed two (2) weeks prior to the event and must be removed within FORTY-EIGHT (48) hours after the event.
7. ~~Additional Requirements: TEMPORARY SIGNS SHALL NOT OBSCURE, BE ATTACHED TO, OR MIMIC PUBLIC TRAFFIC CONTROL DEVICES, SIGNAGE OR APPURTENANCES. All signs, which penetrate the ground, are subject to Blue Stake requirements and installation fees by the TOWN ENGINEER Public Works Department.~~

D4. Sign Walker/Human Signs

- 1.a. Description/Definition: A commercial sign that is held, worn, or balanced by an individual.
- 2.b. Quantity: No more than two (2) human signs permitted per business/organization. Only one (1) permit shall be allowed within a ninety (90) day period.
3. AREA OF SIGN: MAXIMUM TWENTY (20) SQUARE FEET AND MINIMUM FOUR (4) SQUARE FEET MEASURED BY MULTIPLYING OVERALL WIDTH AND LENGTH OF SIGN.
- 4.c. Location
  - a. No human or freestanding sign shall be held within a median or in the intersection sight triangle in a manner that obstructs the required clear space view for drivers and cyclists. Human signs:
  - b.i. Human signs are prohibited within construction zones;
  - ii. ~~Shall be held relatively still at all times;~~
  - c.ii. No more than two (2) human signs per street corner;
  - d.iv. May not be located within twenty (20) feet of another human sign;
  - e.v. Must be located not farther than the nearest arterial intersection from the business advertised by the sign.
5. d. ~~Size: Maximum of twenty (20) square feet and a minimum of four (4) square feet. The sign is measured by multiplying the overall width and overall length of the sign.~~
- 6.e. Duration: Signs may be displayed during the hours of 8:00 a.m. to 5:00 p.m.
- 7.f. Setback: Signs shall be held a minimum of ten (10) feet from the paved surface of a roadway.
- 8.g. Additional Requirements: Permit:
  - a. A a three (3) day right-of-way (R.O.W.) permit IS REQUIRED, with a FEE price as specified in the current development fee schedule. ~~Only one (1) permit shall be allowed within a ninety (90) day period. (MOVED TO D.2.)~~
  - h. Additional Requirements: Permit is required.
    - b. SIGN HOLDERS SHALL HOLD THE SIGNS RELATIVELY STILL AT ALL TIMES.
- 9.i. Sign walkers for non-commercial purposes are exempt from this subsection D.A.4.

((O)09-07, Amended, 5/20/09; (O)08-25, Amended, 12/17/08)

## Section 28.8 TEMPORARY Public and Quasi-Public Signs

### A. ~~Permitted Temporary Signs~~

- A.1. ~~Description~~ DEFINITION: ~~Bulletin boards or~~ Announcement signs, along with special event type signs shall be allowed for religious institutions, schools, community centers and any other public or institutional buildings within a commercial and/or residential district. Signs may be freestanding and/or wall-mounted, made of paper, cardboard, plastic, or fabric. BANNERS USED FOR PUBLIC AND QUASI-PUBLIC PURPOSES SHALL COMPLY WITH SECTIONS 28.6.B.1.a AND c, BANNERS. All copy, color, and design shall not adversely affect the order, amenity, or residential enjoyment of the neighborhood.
- B.2. Quantity: Each institution is allowed one (1) wall sign and (1) ANNOUNCEMENT SIGN ~~bulletin board~~ per street frontage. Each institution may also apply for one (1) wall and one (1) freestanding, special event sign per street frontage.
- C.3. Area of Sign: A religious institution wall-mounted TEMPORARY sign shall not exceed THIRTY (30) square feet. A religious institution ANNOUNCEMENT SIGN ~~bulletin board~~ shall not exceed TWENTY-FOUR (24) square feet. Other public institutionS ~~signs~~ shall be allowed a TEMPORARY wall sign at OF THIRTY (30) square feet and an ANNOUNCEMENT SIGN ~~bulletin board~~ at OF TWENTY-FOUR (24) square feet. All ~~institutionALs applying for a special event signS~~ shall not exceed THIRTY (30) square feet.
- D.4. Height: All wall-mountED signs shall not exceed the roofline of a building. All ~~ground#~~freestanding signs shall not exceed eight (8) feet from grade. All special event signs shall not exceed a maximum height of six (6) feet from grade.
- E.5. Location: All signs shall be placed on private property. Special event signs shall be located on the premise of the institution or organization having the event.
- F.6. Setback: All ~~signs may have a~~ ~~Zzero (0) foot setback from property line~~ NONE unless otherwise specified.
- G.7. Additional Requirements:
1. Any sign may be single\_ or double-faced.
  2. No sign shall be allowed to illuminate.
  3. All signs shall be soundly constructed and neat in appearance.
  4. ~~Upon~~ THE application for a PUBLIC OR QUASI-PUBLIC ~~special event sign,~~ the applicant shall ~~submit~~ INCLUDE a statement and diagram noting the nature of the special event and shall indicate the location, size, copy, and colors of the proposed sign.
  5. A permit for a PUBLIC OR QUASI-PUBLIC ~~special event sign~~ shall be valid for no more than two (2) weeks. No more than three (3) permits shall be issued to any institution or organization in a calendar year.
- H. Removal: Any signs announcing any A temporary SPECIAL event shall be removed within one (1) day after the event is completed.

((O)07-33, Amended, 9/19/07)

## Section 28.9 Prohibited Signs

### A. Prohibited Permanent and Temporary Signs



The following permanent and temporary signs shall not be allowed on any property or public right-of-way and shall be deemed ARE prohibited unless otherwise specified within this Chapter.

1. A-FRAME SIGNS, OTHER THAN AS SPECIFIED IN SECTION 28.7.B.
2. ~~4.~~ Balloon signs, balloons;
3. ~~2.~~ Billboards;
4. ~~3.~~ Electronic message centers;
5. ~~4.~~ Exposed neon sign;
6. ~~5.~~ Flashing lights;
7. ~~6.~~ Garage sale signs;
8. ~~7.~~ Marquee signs;
9. ~~8.~~ Moving/animated signs; EXCEPT BARBER-TYPE ANIMATED SIGNS ARE ALLOWED FOR BARBERSHOPS DURING BUSINESS HOURS ONLY.
10. ~~9.~~ Obscene signs;
11. ~~10.~~ Off-site advertising on public property;
12. ~~4.~~ Off-site signs;
13. PENNANT SIGNS
14. ~~2.~~ Portable signs (A-frame signs, sandwich board, etc.);
15. ~~3.~~ Posters that do not advertise or refer to the business;
16. ~~4.~~ Projecting signs;
17. ~~5.~~ Roof signs;
18. ~~6.~~ Search lights;
19. ~~7.~~ Signs attached to any physical public property;
20. ~~8.~~ Signs in the median;
21. ~~9.~~ Vehicle signs;
22. ~~10.~~ Any sign greater than nine (9) square feet or taller than three (3) feet overall height.

((O)08-25, Amended, 12/17/08)

## **Section 28.10 Exempted Signs**

### **A. Code Limitations**

1. Nothing contained herein shall prevent the erection, construction and maintenance of the following:

- a. Official traffic, street identification, or roadway improvement signs.
- b. Fire or police signs; signals; or devices to alert the public of safety hazards.
- c. Markings of the State of Arizona and/or Town of Oro Valley or other AUTHORIZED AGENCY competent public authority.
- d. Official notices as required by law.

**B. Exempted Permanent and Temporary Signs**

1. The following signs shall be exempt from the application and permit regulations of this ordinance, although an electrical or building permit may be required:
  - a. Address Identification Signs: Signs which display numerals, street names, drives, circles, or ~~the like~~, SIMILAR INFORMATION which giveS direction to residents, buildings, complexes, apartments, commercial sites, tenants spaces or OTHER LOCATIONS the like.
  - b. Governmental Signs: ~~for identification for~~ of public agencies such as traffic, public transit, AND public information, ~~and the like~~.
  - c. Historical Marker: A sign locating and identifying a historical interest or site.
  - d. Informational/Service Sign: s Signs which ~~may~~ includINGe official notices of court; ~~or~~ public office and legal notices posted for Town meetings; as well as, SAFETY-RELATED INFORMATIONAL signs located on service station pumps ~~at a service station~~.
  - e. Interior Signs: Signs which are displayed within a concealed area, such as a tenant space or building and cannot be seen FROM THE exterior ~~to~~ BY the public.
  - f. Memorial Sign: A sign, table, or plaque memorializing a person, event, or site.
  - g. Non-Commercial Signs on private property: ~~Signs that are not related to business or commerce and that are no more than NINE (9) square feet in area and THREE (3) feet in height.~~
  - ~~h. Repainting/Resurfacing of Signs: Maintenance of signage, such as repainting or resurfacing shall not require any permits as long as the sign is in no way altered, changed, or modified from its previous state. (MOVED TO 28.3.E.2.)~~
  - i. Residential Signs: Name and address of occupants.
  - j. Temporary Signs on Public Property: Per Section 28.7.A.1 and Section 28.9.A.21.
  - k. Traffic Sign: A sign used solely to define and streamline the flow of vehicular or pedestrian traffic so as to minimize congestion and promote safety.
  - l. Warning Signs: Warning and instructional signs such as "No Trespassing" shall be exempt from permits. ~~Said signs~~ AND shall not be installed on utility poles or SIMILAR STRUCTURES the like.