

ORDINANCE NO. (O)11-24

AN ORDINANCE OF THE TOWN OF ORO VALLEY, ARIZONA, AMENDING CHAPTER 28, SIGNS, SECTION 28.6, TEMPORARY SIGNS, OF THE ORO VALLEY ZONING CODE REVISED, TO INCREASE ON-SITE REAL ESTATE SIGNS TO A MAXIMUM OF SIX FEET IN HEIGHT; 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, local real estate professionals have requested the Town to allow six (6) foot on-site real estate signs to reflect the changing industry standard; and

WHEREAS, Town staff reviewed on-site real estate sign standards for several local jurisdictions and found that six (6) feet is a typical standard sign height; and

WHEREAS, pursuant to Section 28.6(C)(6)(a)(iv) of the OVZCR, the current maximum height for on-site real estates signs is five (5) feet; and

WHEREAS, the proposed amendment to Section 28.6(C)(6)(a)(iv) of the OVZCR would allow the maximum height for the signs to be increased to six (6) feet; and

WHEREAS, the Planning and Zoning Commission reviewed the proposed amendment at a duly noticed public hearing on September 6, 2011, in accordance with State Statutes and the OVZCR, and recommended approval of the proposed amendment to the Town Council; and

WHEREAS, the Mayor and Council have considered the proposed amendment permitting the height of on-site real estates signs to be increased to six (6) feet and finds that it is consistent with the Town's General Plan and other Town ordinances and is in the best interest of the Town.

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

SECTION 1. Section 28.6(C)(6)(a)(iv) of the Oro Valley Zoning Code Revised is hereby amended with additions in ALL CAPS and deletions in ~~strikethrough text~~:

Section 28.6(C) Temporary Signs in a Residential Zoning District

...

6. Real Estate, Lease, Rent and For Sale Signs

a. On-Site Signs

...

- iv. Height: Maximum of ~~five (5)~~ SIX (6) feet from grade. The Planning and Zoning Administrator may approve heights up to ten (10) feet, if warranted.

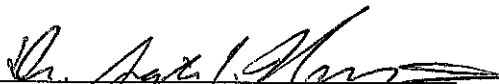
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SECTION 2. All Oro Valley ordinances, resolutions or motions and parts of ordinances, resolutions or motions of the Council in conflict with the provision of this Ordinance are hereby repealed.

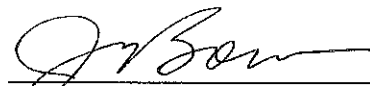
SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the Mayor and Council of the Town of Oro Valley, Arizona this 5th day of October, 2011.

TOWN OF ORO VALLEY

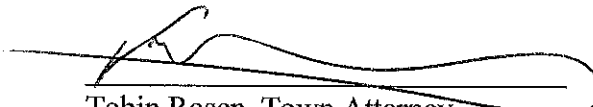

Dr. Satish I. Hiremath, Mayor

ATTEST:


Julie K. Bower, Town Clerk

Date: 10/6/11

APPROVED AS TO FORM:


Tobin Rosen, Town Attorney

Date: 10/5/11

PUBLISH: DAILY TERRITORIAL
OCTOBER 11, 12, 13, 14, 2011

POSTED: 10/7/11 - 11/7/11

Exhibit "A"-DRAFT Zoning Code Amendment

Language to be added is in **BOLD AND ALL CAPS**

Language to be deleted has been ~~struck~~

Section 28.6.C Temporary Signs in a Residential Zoning District

...

6. Real Estate, Lease, Rent, and For Sale Signs

a. On-Site Signs ...

- iv. Height: Maximum of ~~five (5)~~ **SIX (6)** feet from grade. The Planning and Zoning Administrator may approve heights up to ten (10) feet, if warranted.