

ORDINANCE NO. (O)12-04

AN ORDINANCE OF THE TOWN OF ORO VALLEY, ARIZONA, AMENDING THE ORO VALLEY ZONING CODE REVISED, CHAPTER 28, SIGNS, SECTION 28.7.A., ADDING NEW SUBSECTION 28.7.A.6. COMMUNITY EVENT SIGN; AND AMENDING SECTION 28.9.A., PROHIBITED PERMANENT AND TEMPORARY SIGNS, AND SECTION 28.6.B.1., BANNER; 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, the amendment to Chapter 28, Signs, adds new Subsection 28.7.A.6. that establishes standards for community event signs; and

WHEREAS, the amendment to Chapter 28, Signs, Section 28.9.A. amends the standards for event signs; and

WHEREAS, the amendment to Chapter 28, Section 28.6.B.1. amends the colors allowed for banners; and

WHEREAS, the Planning and Zoning Commission reviewed the proposed amendments to Chapter 28, Signs, Sections 28.7.A., Permitted Temporary Signs on Public Property, 28.9.A. and 28.6.B.1, Banner at a duly noticed public hearings on January 3, 2012 and February 7, 2012 in accordance with State Statutes and recommended approval to the Town Council; and

WHEREAS, the Oro Valley Town Council has considered the proposed amendments to Chapter 28, Signs, Section 28.7.A., Permitted Temporary Signs on Public Property, Section 28.9.A. and Section 28.6.B.1, Banner and the Planning and Zoning Commission's recommendation and finds that they are consistent with the Town's General Plan and other Town ordinances.

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

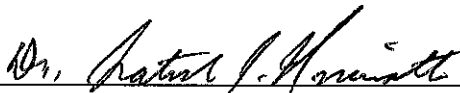
SECTION 1. Chapter 28, Signs, Section 28.7.A., Permitted Temporary Signs on Public Property, Section 28.9.A., Prohibited Permanent and Temporary Signs and Section 28.6.B.1, Banner, attached hereto as Attachment "1", are hereby amended with additions being shown in ALL CAPS and deletions being shown in ~~strikethrough~~ text.

SECTION 2. 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 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 7th day of March, 2012.

TOWN OF ORO VALLEY



Dr. Satish I. Hiremath, Mayor

ATTEST:



Julie K. Bower, Town Clerk

Date: 3/9/12

PUBLISH: DAILY TERRITORIAL
MARCH 13, 14, 15, 16, 2012

APPROVED AS TO FORM:



Tobin Rosen, Town Attorney

Date: 3/7/12

POSTED: 3/12/12 - 4/12/12

ATTACHMENT 1

Note: Uppercase font denotes new text, strikethrough font denoted text to be deleted.

Chapter 28 Signs

...

Section 28.7.A. Permitted Temporary Signs on Public Property

...

6. COMMUNITY EVENT SIGN

- A. DEFINITION: A SIGN DISPLAYED BY A COMMUNITY ASSOCIATION TO ADVERTISE A COMMUNITY EVENT WITHIN THAT COMMUNITY. COMMUNITY EVENT SHALL MEAN AN EVENT, ACTIVITY, OR MEETING CONDUCTED BY A HOMEOWNERS' ASSOCIATION, COMMUNITY ASSOCIATION OR MAJORITY OF RESIDENTS WITHIN A SUBDIVISION OR DEFINED GEOGRAPHICAL AREA.
- B. COMMUNITY ASSOCIATIONS, FOR THE PURPOSE OF THIS SUBSECTION SHALL BE LIMITED TO HOMEOWNERS ASSOCIATIONS, NEIGHBORHOOD ASSOCIATIONS, OR PROPERTY OWNER(S) WHICH FORMALLY REPRESENT A MAJORITY OF THE PROPERTY OWNERS WITHIN A SUBDIVISION OR DEFINED GEOGRAPHICAL AREA.
- C. QUANTITY: THE NUMBER OF SIGNS ALLOWED IS BASED ON THE NUMBER OF INTERSECTIONS OR CHANGES OF DIRECTION OF SUBDIVISION STREETS, AS APPROVED AND DEEMED NECESSARY BY THE PLANNING AND ZONING ADMINISTRATOR AND TOWN ENGINEER.
- D. AREA OF SIGN: A MAXIMUM OF FIVE (5) SQUARE FEET PER SIGN.
- E. HEIGHT: A MAXIMUM OF THIRTY (30) INCHES ABOVE GRADE.
- F. LOCATION: SIGNS ARE PERMITTED ON HOA OR OTHER PRIVATE PROPERTY. SIGNS ARE PERMITTED IN THE TOWN RIGHT-OF-WAY IN ACCORDANCE WITH THE PROVISIONS OF SECTION 28.7.A.3.E. AND WITH THE APPROVAL OF THE TOWN ENGINEER. NO SIGN MAY BE PLACED IN A LOCATION THAT CREATES A PUBLIC SAFETY HAZARD AS DETERMINED BY THE TOWN ENGINEER. SIGNS MAY BE PLACED WITHIN THE

DEVELOPMENT, OR THE IMMEDIATELY ADJACENT RIGHT-OF-WAY.

- G. DURATION: NO MORE THAN TWELVE (12) EVENTS PER COMMUNITY PER CALENDAR YEAR, FIVE (5) CONTINUOUS DAYS PER EVENT.
- H. SIGNS SHALL NOT BE HAND DRAWN AND SHALL BE PROFESSIONAL.

...

Section 28.9.A. Prohibited Permanent and Temporary Signs

...

- 1. A-frame signs, other than as specified in Section 28.7.A.3 and SECTION 28.7.A.6;
- ...
- 7. Garage sale signs, EXCEPT AS PROVIDED BY SECTION 28.7.A.6;

Section 28.6.B.1. Banner

a.ii.c). ~~Background color shall be white or beige.~~ BANNER LETTERING, IMAGES AND BACKGROUND COLORS MAY BE ANY COLOR, INCLUDING BLACK OR WHITE, EXCEPT FLORESCENT OR IRIDESCENT COLORS.

...