

ORDINANCE NO. (O)16-09

AN ORDINANCE OF THE TOWN OF ORO VALLEY, ARIZONA, AMENDING CHAPTER 28, SIGNS, SECTION 28.3, GENERAL SIGN REQUIREMENTS; SECTION 28.4, DEFINITIONS AND SIGN TYPES; SECTION 28.6, TEMPORARY SIGNS; AND SECTION 28.9 PROHIBITED SIGNS, RELATED TO A-FRAME SIGNS, OF THE ORO VALLEY ZONING CODE REVISED; 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, 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 proposed amendments to Chapter 28, Signs, Section 28.3 General Sign Requirements, Section 28.4 Definitions and Sign Types, Section 28.6 Temporary Signs, and Section 28.9 Prohibited Signs will change A-Frame signs from a temporary allowance to permanent code; and

WHEREAS, the Planning and Zoning Commission reviewed the proposed amendment at a duly noticed public hearing on August 2, 2016, in accordance with State Statutes and the OVZCR, and recommended approval of the proposed amendment to the Town Council, including a sunset clause of December 31, 2017, with review of the code prior to the expiration date; and

WHEREAS, the Mayor and Council have considered the proposed amendments to Chapter 28, Signs, Section 28.3, General Sign Requirements, Section 28.4 Definitions and Sign Types, Section 28.6 Temporary Signs, and Section 28.9 Prohibited Signs, and the Planning and Zoning Commission’s recommendation and finds that they are 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. That certain document entitled, Chapter 28, Signs, Section 28.3, General Sign Requirements, Section 28.4 Definitions and Sign Types, Section 28.6 Temporary Signs, and Section 28.9 Prohibited Signs, attached hereto as Exhibit “A” and incorporated herein by this reference, are hereby amended.


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parts of ordinances, resolutions or motions of the Council in conflict with the provision of this Ordinance are hereby repealed.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 7th day of September, 2016.

TOWN OF ORO VALLEY



Dr. Satish I. Hiremath, Mayor

ATTEST:



Michael Standish, Town Clerk

Date: 9/9/16

APPROVED AS TO FORM:



Tobin Sidles, Legal Services Director

Date: 9/8/16

**PUBLISH: DAILY TERRITORIAL
SEPTEMBER 13, 14, 15, 16, 2016**

POSTED: 9/13/16 - 10/13/16

EXHIBIT "A"

A frame signs

New language is in ALL CAPS, ~~striketrough~~ used for code language to be removed

Section 28.3 General Sign Requirements

A.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.

E.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.

Section 28.4 Definitions and Sign Types

1. A-Frame Sign

A hinged OR SELF-SUPPORTING UPRIGHT sign constructed of durable materials and connected so as to maintain the AN "A" shape OR SIMILAR structure. ~~of the sign.~~

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. Temporary Signs in a Commercial/Industrial Zoning District

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

8. A-FRAME SIGNS

- A. USE: INTENDED TO DIRECT PEDESTRIAN TRAFFIC AND SHALL NOT BE SOLELY ORIENTED TOWARD VEHICULAR TRAFFIC.
- B. QUANTITY: ONE (1) PER BUSINESS.
- C. AREA OF SIGN: MAXIMUM SIX (6) SQUARE FEET PER SIDE. MAXIMUM OF (2) SIDES.
- D. HEIGHT: NOT TO EXCEED 42".
- E. LOCATION: ON PRIVATE PROPERTY WHERE THE BUSINESS IS LOCATED.
- F. ADDITIONAL REQUIREMENTS:
 - I. SIGN SHALL NOT BE LOCATED MORE THAN TWENTY FEET (20') FROM THE ENTRY DOOR OF THE ASSOCIATED BUSINESS OR THE NEAREST ENTRY STAIRWAY/ELEVATOR FOR A SECOND STORY BUSINESSES.
 - II. SIGN SHALL NOT BE LOCATED CLOSER THAN 4' TO A CURB.
 - III. PLACEMENT OF SIGN SHALL ALLOW FOR A FOUR FOOT (4') UNOBSTRUCTED PATHWAY FOR PEDESTRIANS.
 - IV. THE SIGN SHALL NOT BE DISPLAYED IN A MANNER THAT WILL CREATE A PUBLIC SAFETY HAZARD.
 - V. ACCESS RAMPS OR VEHICULAR SIGHT LINES SHALL NOT BE OBSTRUCTED.
- G. ILLUMINATION: NONE.
- H. HOURS: DURING OPERATING HOURS OF THE ASSOCIATED BUSINESS.
- I. DESIGN:
 - II. THE SIGN SHALL BE SELF-SUPPORTING AND NOT BE ATTACHED TO RAILINGS, POSTS, FENCING OR OTHER STRUCTURES.
 - III. CARTS, WHEELS OR OTHER DEVICES THAT WILL MAKE THE A-FRAME MOBILE SHALL NOT BE ATTACHED TO THE SIGN.
 - IV. ATTACHMENTS SUCH AS FLAGS, PENNANTS, BALLOONS OR ADDITIONAL SIGNS SHALL NOT BE AFFIXED TO THE A-FRAME.
 - V. THE SIGN APPEARANCE SHALL BE PROFESSIONAL AND MAY NOT CONTAIN CLOTH OR PAPER SURFACES.

VI. THE SIGN SHALL BE NEAT AND LEGIBLE.

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 are prohibited unless otherwise specified within this chapter.

1. ~~A frame signs, other than as specified in Sections 28.7.A.3 and 28.7.A.6;~~
1. Billboards;
2. Electronic message centers;
3. Exposed neon signs, except as provided by Section 28.5.B.15;
4. Flashing lights;
5. Garage sale signs, except as provided by Section 28.7.A.6;
6. Inflatable signs, except as provided by Section 28.6.B.7;
7. Marquee signs;
8. Moving/animated signs; except barber-type animated signs are allowed for barbershops during business hours only;
9. Obscene signs;
10. Off-site advertising on public property;
11. Off-site signs;
12. Pennant signs;
13. Portable signs (sandwich board, etc., EXCEPT AS PROVIDED IN SECTION 28.6.B.8);
14. Projecting signs;
15. Roof signs;
16. Search lights;
17. Signs attached to any physical public property;
18. Signs in the median;
19. Vehicle signs.