

ORDINANCE NO. (O)17-07

AN ORDINANCE OF THE TOWN OF ORO VALLEY, ARIZONA, AMENDING THE ORO VALLEY ZONING CODE REVISED, BY AMENDING CHAPTER 25, USE REGULATIONS, SECTION 25.1.A.4, OUTDOOR STORAGE AND ACTIVITIES; 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 25, Use Regulations, Section 25.1.A.4, Outdoor Storage and Activities will modify the standards of Outdoor Displays to create more flexibility in the placement of the displays; and

WHEREAS, the Planning and Zoning Commission reviewed the proposed amendments at duly noticed public hearing on September 5, 2017 in accordance with State statutes and recommended approval of the proposed amendments to the Town Council; and

WHEREAS, the Oro Valley Town Council has considered the proposed amendments to Chapter 25, Use Regulations, Section 25.1.A.4, Outdoor Storage and Activities, 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,

SECTION 1. That certain document entitled Chapter 25, Use Regulations, Section 25.1.A.4, Outdoor Storage and Activities, attached hereto as Exhibit "A" and incorporated herein by this reference, are hereby amended with additions being shown in ALL CAPS and deletions in ~~strike through~~ 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of Ordinances, Resolutions, or Motions of the Council in conflict with the provisions of this Ordinance are hereby repealed.

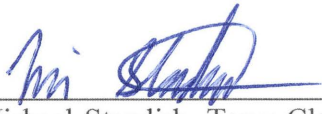
SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the Mayor and Council of the Town of Oro Valley, Arizona, this 18th day of October, 2017.

TOWN OF ORO VALLEY


Dr. Satish I. Hiremath, Mayor

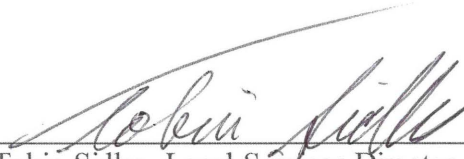
ATTEST:


Michael Standish, Town Clerk

Date: 10/20/17

PUBLIS: DAILY TERRITORIAL
OCTOBER 24, 25, 26, 27, 2017

APPROVED AS TO FORM:


Tobin Sidles, Legal Services Director

Date: 10/20/17

POSTED: 10/24/17 - 11/23/17

EXHIBIT "A"

Additions shown in ALL CAPS, Deletions shown in strikethrough

25.1.A.4. Outdoor Storage and Activities

d. Outdoor display of merchandise shall meet the following standards:

i. Location:

a) The display area shall be located directly adjacent to the primary building where the merchandise is sold.

b) The display area shall not be placed in a manner that will constitute a public hazard to pedestrian or vehicular traffic or interfere with bicycle parking areas and other EGRESS/INGRESS accessES. (Figure 25.1). People standing in driveways or blocking doorways while viewing outdoor display are considered a hazard

~~1) A minimum of four (4) feet shall be maintained from all doors.~~

2) A minimum of four (4) feet shall be maintained from any adjacent road curb.

3) The display area shall not interfere with sidewalk function.

4) ~~and must maintain~~ A four foot (4) clear path SHALL BE MAINTAINED. ~~around display at all times.~~

5) Access to all doors shall be kept clear at all times.

6) The display area shall not be located in parking areas, drive aisles or landscape areas.

ii. Size:

~~a) The display area for store fronts with less than fifty (50) linear feet of building frontage shall not exceed twenty five (25) square feet.~~

b) The display area for store fronts with greater than fifty (50) linear feet of building frontage shall not exceed fifty percent (50%) of the LINEAR BUILDING frontage WHERE THE DISPLAY IS LOCATED; up to a maximum of one hundred fifty (150) linear feet.

iii. Quantity:

a) Display areas are limited to one (1) facade of the building.

iv. Signs:

a) Price tags shall be no larger than one (1) square foot.

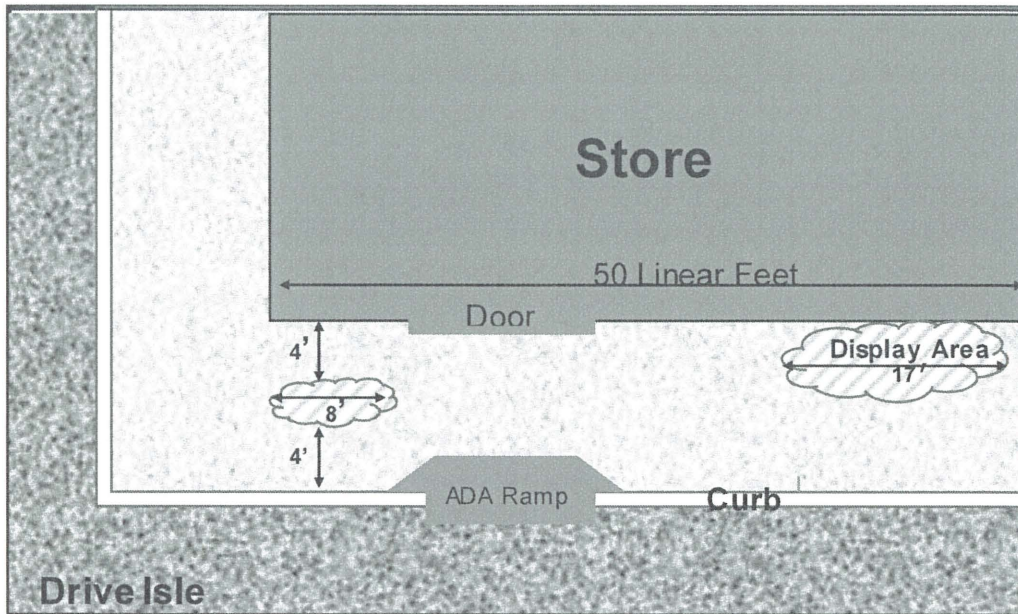


Figure 25.1 Outdoor Display Locations