

**ORDINANCE NO. (O)22-06**

**AN ORDINANCE OF THE TOWN OF ORO VALLEY, ARIZONA, AMENDING ORO VALLEY ZONING CODE CHAPTER 28, SIGNS, AND CHAPTER 31, DEFINITIONS, TO STANDARDIZE THE BANNER AND WINDOW SIGN REQUIREMENTS OF THE ZONING CODE BY SIMPLIFYING PROCESSES AND RULES WHILE CREATING EQUITY AMONG BUSINESSES**

**WHEREAS**, on March 31, 1981, the Mayor and Council approved Ordinance (O) 81-58, which adopted that certain document entitled “Oro Valley Zoning Code Revised” (OVZCR); and

**WHEREAS**, it is necessary to amend OVZCR Chapter 28, Signs, and Chapter 31, Definitions, to standardize the banner and window sign requirements of the zoning code by simplifying processes and rules while creating equity among businesses; and

**WHEREAS**, the Planning and Zoning Commission held a meeting on April 5, 2022 and voted to recommend approval of the amendments to OVZCR Chapter 28, Signs, and Chapter 31, Definitions; and

**WHEREAS**, the Mayor and Council have considered the proposed amendments and the Planning and Zoning Commission’s recommendation regarding the changes to OVZCR Chapter 28, Signs, and Chapter 31, Definitions and finds that they are in the best interest of the Town.

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

**SECTION 1.** Oro Valley Zoning Code Revised, Chapter 28, Signs, and Chapter 31, Definitions, are hereby amended as shown in the “Sign Code Amendments” declared a public record by Resolution No. (R)22-22 and incorporated herein by reference.

**SECTION 2.** All Oro Valley Ordinances, Resolutions, or Motions and part of Ordinances, Resolutions or Motions of the Council in conflict with the provisions of this Ordinance are hereby repealed.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 Mayor and Town Council of the Town of Oro Valley, Arizona, this 18<sup>th</sup> day of May, 2022.

**TOWN OF ORO VALLEY**

E-SIGNED by Joseph C. Winfield  
on 2022-05-19 17:10:08 GMT

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Joseph C. Winfield, Mayor

**ATTEST:**

E-SIGNED by Michael Standish  
on 2022-05-23 15:12:51 GMT

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Michael Standish, Town Clerk

**APPROVED AS TO FORM:**

E-SIGNED by Tobin Sidles  
on 2022-05-20 15:38:25 GMT

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Tobin Sidles, Legal Services Director

# EXHIBIT “A”

## CHAPTER 28

### SIGNS

Sections:

<b>Section 28.1</b>	<b>General Provisions</b>
<b>Section 28.2</b>	<b>Procedures and Enforcement</b>
<b>Section 28.3</b>	<b>General Sign Requirements</b>
<del><b>Section 28.4</b></del>	<del><b>Definitions and Sign Types</b></del>
<b>Section 28.5</b>	<b>Permanent Signs</b>
<b>Section 28.6</b>	<b>Temporary Signs</b>
<b>Section 28.7</b>	<b>Permanent Signs on Public Property</b>
<b>Section 28.8</b>	<b>Temporary Signs on Public Property</b>
<b>Section 28.9</b>	<b>Temporary Public and Quasi-Public Signs</b>
<del><b>Section 28.10</b></del>	<del><b>Prohibited Signs</b></del>
<del><b>Section 28.11</b></del>	<del><b>Exempted Signs</b></del>

Note to Code Publishing, the following notice is no longer needed

~~**Code reviser’s note:** Ordinance (O)15-13, Section 1, provides, “The enforcement of the content based signs and sign walkers within Chapter 28, Signs, of the Oro Valley Sign Code Revised and any noncomplying private property provisions, is hereby suspended.”~~

## Section 28.1 General Provisions

### A. Purpose

1. The purpose of this Chapter is to establish reasonable regulations for the design, construction, 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 quality of development within the community, as well as promote and aid the tourism industry, an important part of the Town's economy.
  - d. Promote the effectiveness of signs by preventing sign over-concentration, improper placement, excessive clutter, size, and number.
  - e. Safeguard and preserve the unique character of the Town and create an attractive and appealing community environment in which to live, work, and visit. Assure that the public benefits derived from 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. Nonconforming and Discontinued Signs*

##### *1. Signs Rendered Nonconforming*

- a. If, at the time of the adoption of this Chapter or amendment thereto, or of any extension of jurisdiction resulting from annexation, any permanent sign which is being used but does not conform to the provisions of this Chapter shall be deemed legal nonconforming.
- b. Any sign which becomes legally nonconforming 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;
- 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 subsection [C.2](#) of this section.

*c. Alteration or Removal of Nonconforming Signs*

- i. A nonconforming 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 nonconforming 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 percent (50%) 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 premises to remove any sign deemed discontinued subject to penalty as set forth in Section [30.2](#).

*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 nontransferable from one (1) owner to another.

b. A nonconforming 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 person, 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.

In the event that a commercial, industrial, or residential development and/or subdivision should fall under 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 any such sign standard, the provisions of this Chapter shall apply.

*F. Signs Prohibited by Omission*

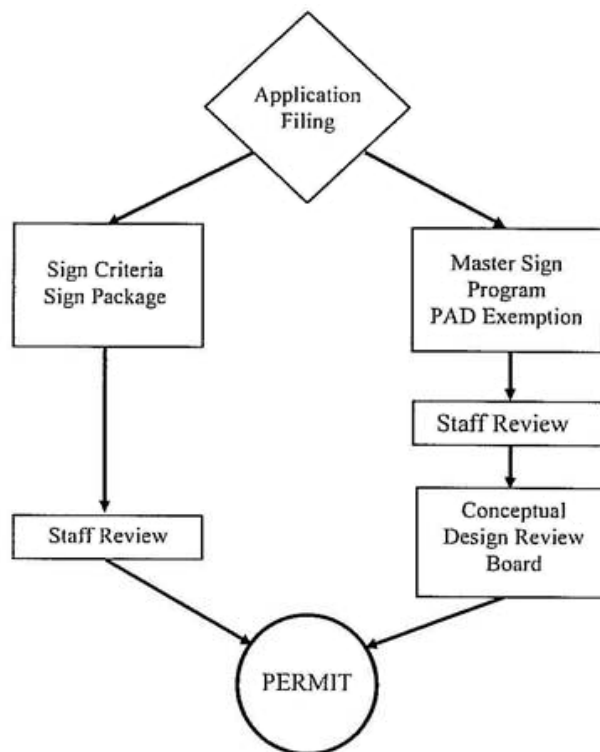
In addition to those signs, or sign types, specifically prohibited by Section [28.10](#), any sign, or type of sign, not specifically permitted under provisions of this code shall be prohibited.

((O)19-06, 07/31/19; (O)11-07, 03/16/11)

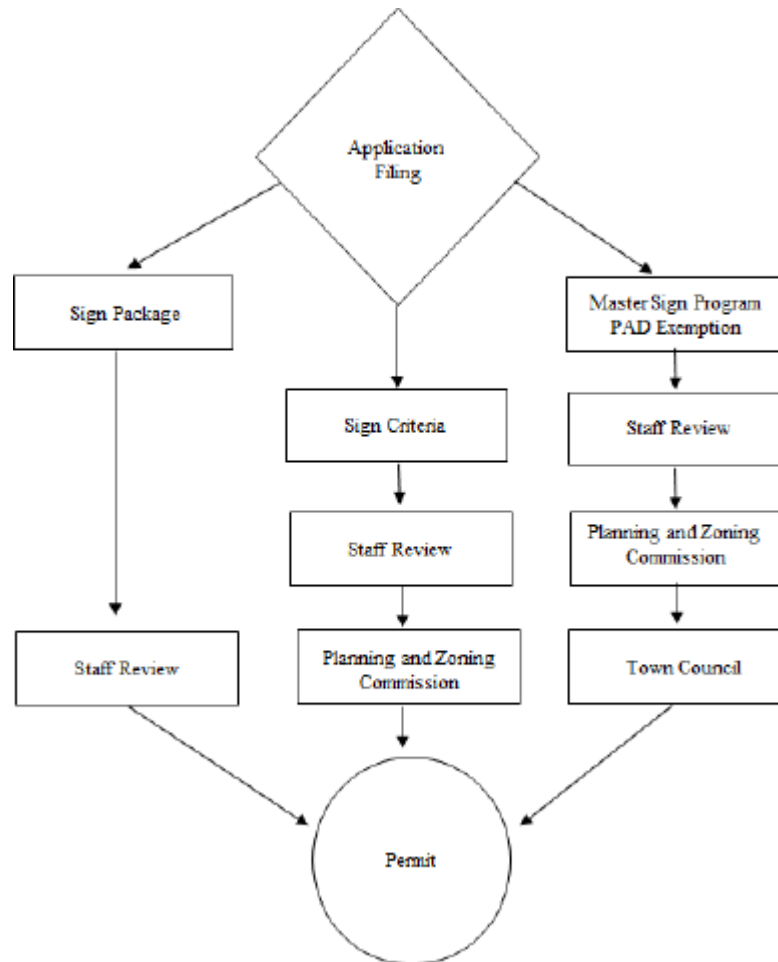
## Section 28.2 Procedures and Enforcement

The Planning and Zoning Administrator is responsible for enforcing this Chapter pursuant to Sections [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 Sections [28.2.C](#) through [F](#).

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



Replace this graphic with the following:



((O)17-05, 06/07/17)

*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.
2. Approval of all temporary sign permits shall be at the discretion of the Planning and Zoning Administrator or his/her designee.
3. 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 Master Sign Program, amendments thereto, or PAD exemption is subject to review by the Planning and Zoning Commission. Once sign applications have been approved, any issuance of sign permits shall meet the approved sign standards for that development.



4. All electrical work associated with the sign installation must conform to the currently adopted versions of the National Electrical Code and must be reflected on the application.
5. *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 nonconforming sign shall not be required to pay a fee for a permit to bring an existing sign into conformance with this code.
6. Application shall be in accordance with Town policy.
7. *Permit Expiration*
  - a. 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 shall be fifty percent (50%) of the amount required for a new permit for such work, provided no changes have been, or will be, made to 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, is deemed to be an illegal sign, and said sign must be removed in accordance with the requirements of this Chapter.

((O)17-05, 06/07/17)

*B. Sign Criteria, Master Sign Program and Sign Package*

Sign Criteria and Master Sign Programs are official documents that regulate 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) nonresidential 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 share 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 a 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 sign permit.

*1. Sign Package*

A sign package is comprised of a complete application for proposed permanent sign(s) for a single business. A sign package is required if a property does not have an approved sign criteria and/or Master Sign Program.

*2. Sign Criteria*

A Sign Criteria is a set of proposed sign standards for a development that complies with the provisions of this Chapter and Addendum A, Design Guidelines. Sign Criteria for areas within a PAD (Planned Area Development) shall comply with the provisions of the PAD.

*3. 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, and is intended to provide latitude in order to achieve variety and good design.
- b. 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 Addendum A, Design Guidelines.
- c. Master Sign Programs shall include only those sign types 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. Master Sign Programs require review by the Planning and Zoning Commission and approval by the Town Council.

- f. Compliance with these provisions does not guarantee approval by the Town Council.
4. Review of Sign Criteria and/or Master Sign Program shall be guided by the following:
  - a. Overall 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 criteria for the development.
5. Consistency of typeface, illumination, and color is preferred if sign criteria or Master Sign Program have been approved, and then all requirements of that criteria or program must be utilized.
6. Application for sign criteria and/or Master Sign Program shall be updated in accordance with subsection [A.5](#) of this section, Application, by the Planning and Zoning Administrator.

((O)17-05, 06/07/17)

### *C. PAD Exemption*

In the event that a Planned Area Development District (PAD) has established its own sign requirements, the owner of lands within 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 procedures set forth below:

1. A letter requesting exemption from the specific PAD sign regulations must be submitted by the property owner within the PAD with a list of all homeowner/master associations within the affected area. The request shall be reviewed by the Planning and Zoning Commission.
2. Not less than thirty (30) days prior to the Planning and Zoning Commission meeting, Town staff shall verify the list of homeowner associations for accuracy and completeness

and shall notify them by first class mail of the Planning and Zoning Commission hearing date.

3. The Planning and Zoning Commission shall forward a recommendation to Town Council. The Town Council shall approve, conditionally approve, or deny the request.

((O)17-05, 06/07/17)

#### *D. Violations*

##### *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 Chapter or the Oro Valley Town Code.

##### *2. Signs Placed in the Public Right-of-Way*

In the event that the requirements for temporary signs in the right-of-way are violated, the following procedures will be followed:

###### *a. First Violation*

The sign owner will be notified of the violation, the sign will be confiscated, and a recovery fee of twenty-five dollars (\$25) per sign will be assessed.

###### *b. Second Violation by the Same Sign Owner*

The sign owner will be notified of the violation. The sign will be confiscated and the sign owner will be assessed a fine of fifty dollars (\$50) per sign.

###### *c. Third Violation by the Same Owner within One Year*

The sign owner will be notified of the violation. The sign will be confiscated and the sign owner will be assessed a fine of one hundred dollars (\$100) per sign.

d. A maximum of five hundred dollars (\$500) in fines may be assessed to a sign owner per calendar year.

###### *e. Additional Violations*

- i. Any additional violation by the same sign owner 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.

### 3. *Sign Lighting*

- a. Documentation from the sign and/or sign lighting manufacturer, proving compliance with the lighting standards, shall be required at the time of permit submittal. Those documents will be kept on file at the Town as evidence of code compliance for follow-up inspections and complaints.

((O)19-06, 07/31/19; (O)16-05, 04/06/16)

#### *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 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 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 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.

((O)11-07, 03/16/11)

## 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 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. Nonstructural trim may be wood, metal, aluminum, approved plastics, 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.

((O)16-09, 09/07/16)

*B. Illumination*

1. Illumination of signs, when permitted by this chapter, may be accomplished only by the following methods:

a. Halo or internal illumination, to the extent that only the sign characters and logos emit light, unless otherwise approved by the Planning and Zoning Administrator or the Planning and Zoning Commission.

b. Sign lighting may include neon, light emitting diodes (LED) and other light sources, except where expressly prohibited in this chapter, in accordance with the following standards:

i. Light sources shall be spaced the maximum distance to obtain uniformity on the face material.

ii. Color temperature shall not exceed four thousand four hundred (4,400) kelvins.

c. Area lighting provided such lighting is in accordance with the Town of Oro Valley Lighting Code.

d. 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.

e. Electronic message boards such as LED, LCD, plasma screens and similar electronic message signs expressly permitted in this chapter shall meet the following standards:

i. Limited to two hundred (200) nits (candela per square meter), full white mode, from sunset to sunrise.

ii. Constant movement, blinking, flashing, high intensity, or animation caused by an LED or other electronic components of the sign is prohibited.

iii. Message shall not change more than once every twenty-four (24) hours or as State law requires the price of the product to change.

iv. Background of the electronic message board portion of the sign shall be black and no more than two (2) colors shall be allowed for words or numbers.

- f. Sign plans submitted for permitting shall be sufficiently complete to enable the Planning and Zoning Administrator to readily ascertain code compliance. The Planning and Zoning Administrator may require additional evidence of compliance such as cut sheets, manufacturer specifications and documentation from the sign and/or sign lighting manufacturer, proving compliance with the lighting standards, which will be kept on file at the Town as evidence of code compliance for follow up inspections and complaints.
- g. A label must be attached to the exterior of sign indicating compliance with maximum kelvin or nitrating.

## *2. Prohibited Sign Lighting*

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

- a. Exposed light source other than as expressly permitted in window signs, Section 28.4.B.14 ~~28.5.B.14~~, or as a component of an electronic message board.
- b. LED illuminated window sign display areas per Section ~~28.5.B.14.a.iv.d.3~~ 25.4.14.
- c. Blinking, flashing, rotating, constant movement and animated light sources.
- d. Search lights.
- e. An illuminated sign placed on the interior of a business which is visible from the exterior shall not be illuminated when the business is closed, except “closed for business” signs.

((O)18-08, 05/16/18; (O)17-05, 06/07/17; (O)16-05, 04/06/16)

## *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 sign criteria or Master Sign Program, are required to utilize only approved colors.

## *D. Location and Measurement Standards*



### *1. Location Standards*

A sign shall not be installed to cause the following:

- a. Obstruction of any door, window, or fire escape in any building.
- b. Interference with or to confuse traffic, present any traffic hazard or obstruct the vision of motorists.
- c. Projections over any public sidewalk, 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.
- d. Placement in a public right-of-way, except as permitted by Sections [28.7](#) and [28.8](#). The Planning and Zoning Administrator or Town Engineer may cause the removal of any unauthorized signs from public right-of-way.
- e. Obstruction of another sign, as determined by the Planning and Zoning Administrator.

### *2. Measurement Standards*

- 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 sign, shall be measured to encompass the overall height by overall length of the largest 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 roadway surface nearest the 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.

((O)19-06, 07/31/19)

#### *E. Inspections and Maintenance*

##### *1. Inspections*

The Building Official, 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.

((O)16-09, 09/07/16)

#### *F. Landscaping*

- 1. The base for all permanent freestanding signs shall be integrated into a landscaped 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.

((O)11-07, 03/16/11)

## **Section 28.4 Definitions and Sign Types (RELOCATED INTO CHAPTER 31)**

### *1. A-Frame Sign*

*A hinged or self-supporting upright sign constructed of durable materials and connected so as to maintain an "A" shape or similar structure.*

### *2. 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. Advertising*

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

### *4. Alteration*

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

### *5. 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.*

### *6. Awning Sign*

*Refer to Section 28.5.B.1.*

### *7. Balloon Sign*

*Refer to Section 28.6.B.7.*

### *8. Banner*

Refer to Section 28.6.B.1.

*9. — Billboard*

~~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.~~

*10. — 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.~~

*11. — 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.~~

Pill box signs

*12. — Change of Copy*

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

*13. — Character*

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

*14. — Color Temperature*

~~The warmth or coolness of white light source along the black body curve. The higher the color temperature (kelvin (k)) the cooler appearing (brighter) the white light appears.~~

*15. — Construction Sign*

Refer to Section 28.6.B.2.

*16. — Development Complex*

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

~~17. — *Development Sign*~~

~~Refer to Section 28.6.B.2.~~

~~18. — *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.~~

~~19. — *Directional Sign*~~

~~Refer to Section 28.5.B.2.~~

~~20. — *Directory Sign*~~

~~Refer to Section 28.5.B.3.~~

~~21. — *Display Area*~~

~~Refer to Section 28.5.B.14.~~

~~22. — *Double-Faced Sign*~~

A sign having two (2) display surfaces, one (1) (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.

~~23. — *Electronic Message Board*~~

~~A sign that permits the changing of messages by means of electronically controlled sign copy.~~

~~24. — *Entryway Sign*~~

~~Refer to Sections 28.5.B.4 and 28.5.C.1.~~

~~25. — *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.~~

~~26.—Flag~~

~~Refer to Section 28.6.B.3.~~

~~27.—Freestanding~~

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

~~28.—Garage/Yard/Estate Sale Sign~~

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

~~29.—Government Sign~~

~~A sign installed or required by a public agency such as traffic, public transit, public information, or similar government entity.~~

~~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.7.~~

~~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 reflected 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 premises where the sign is located.~~

~~37.—Illuminated Sign~~

~~A sign whose surface is lit internally or externally or has the potential or ability to be illuminated either by battery or electricity shall be considered an illuminated sign whether the sign is lit or unlit.~~

~~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.—Inflatable Sign~~

~~An object, device or structure capable of or designed to be inflated with air or lighter than air gas that is used for the purpose of attracting attention or to make something known to the public.~~

~~40.—Internal Illumination~~

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

~~41.—Kiosk Sign~~

~~A freestanding sign that contains directional placards. The kiosk is installed per a contract with an independent contractor who is responsible for the manufacture and maintenance of the signs.~~

~~42.—Logo~~

A graphic symbol representing a business. Logos shall be state or federally registered trademarks.

*43.—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 sign.

*44.—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.

*45.—Memorial Sign*

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

*46.—Menu Board*

Refer to Section 28.5.B.6.

*47.—Model Home Flags*

Refer to Section 28.6.C.3.

*48.—Modifier*

A word on a sign describing uses and activities other than the business name.

*49.—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.

*50.—Neon Sign*

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

*51.—Nit*



~~A unit of visible light intensity, commonly used to specify the brightness of an LED, cathode ray tube or liquid crystal display computer display. One (1) nit is equivalent to one (1) candela per square meter.~~

~~52.—*Nonconforming 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.~~

~~53.—*Nonilluminated Sign*~~

~~A sign that does not have the ability to be electrified or powered in any way. The components that enable the sign to be lit must be permanently disabled in order to be considered a nonilluminated sign.~~

~~54.—*Off-Site Sign*~~

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

~~55.—*On-Site Sign*~~

~~Any sign which is located on the premises or site of the use identified or advertised by the sign.~~

~~56.—*On-Site Subdivision Sign*~~

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

~~57.—*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. Lighting may be installed inside the pan to illuminate the face.~~

Note to Code Publishing: The below interpretation is no longer needed. The code was updated to accommodate.

Pill box signs

~~58.—Parapet~~

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

~~59.—Pedestrian Tenant Directory~~

~~Refer to Section 28.5.B.8.~~

~~60.—Pennants~~

~~Any lightweight plastic, fabric, or other material, containing multi-colors and that may contain a message of any kind, suspended from a rope, wires, or string, designed to move in the wind.~~

~~61.—Permanent Sign~~

~~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.~~

~~62.—Pole Cover~~

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

~~63.—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 the vehicles are used in normal day-to-day operations of the business.~~

~~64.—Posters~~

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

~~65.—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.~~

~~66.—Prohibited Use~~

~~Shall mean a use not specifically permitted.~~

~~67.—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.~~

~~68.—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.~~

~~69.—Real Estate Sign~~

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

~~70.—Reasonable Repairs~~

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

~~71.—Residential Sign~~

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

~~72.—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. Lighting may be installed inside the pan which creates a halo illumination.

*73.—Roofline*

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

*74.—Roof Sign*

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

*75.—Seasonal Sign*

Refer to Section 28.6.B.5.

*76.—Service Station/Fuel Sign*

Refer to Section 28.5.B.9.

*77.—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 located on the same property or lot.

*78.—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 making something known to the public.

*79.—Sign Area Allotment*

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

*80.—Sign Modification*

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

~~81.—*Sign Structure*~~

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

~~82.—*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.~~

~~83.—*Seasonal or Event Banner*~~

~~Refer to Section 28.6.B.1.c.~~

~~84.—*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.~~

**85.—*Symbol***

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

~~86.—*Tagline*~~

~~An accessory wall sign containing a grouping of letters or characters built into a single pan channel or reverse pan channel platform that contains modifiers or is used to convey information relating to the business such as goods, services, products or business associates.~~

~~87.—*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.~~

~~88.—*Theater Sign*~~

Refer to Section 28.5.B.10.

~~89.—Time and Temperature Sign~~

Refer to Section 28.5.B.11.

~~90.—Traffic Sign~~

~~An on-site or off-site sign 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.~~

~~91.—Under Canopy Sign~~

Refer to Section 28.5.B.12.

~~92.—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.~~

~~93.—Vehicle Sign~~

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

~~94.—Wall Sign~~

Refer to Section 28.5.B.13.

Code Publishing Note: The below interpretation is no longer needed. The code was changed to clarify.

Pill-box signs

~~95.—Window Sign~~

Refer to Section 28.5.B.14.

((O)19-06, 07/31/19; (O)18-08, 05/16/18; (O)17-02, 02/15/17; (O)16-09, 09/07/16; (O)16-05, 04/06/16; (O)15-08, 05/20/15; (O)11-07, 03/16/11)

## Section 28.4 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 School Zoning District and for religious institutions as specified herein:

#### 1. Awning Sign

~~a. 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.~~

~~A.b. Quantity: One (1) awning allowed per business.~~

~~B.e. Area of Sign Copy: Maximum twenty (20) square feet which shall count against the business's sign area allotment.~~

~~C.d. Height: Not to exceed the roofline of a building.~~

~~D.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 the close of business.~~

#### 2. Directional Sign

a. ~~Definition: A permanent 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 may only display written or graphic directions for traffic, name of the business and/or logo, and address and/or suite number.~~

~~A 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.~~

~~B c. Area of Sign: Six (6) square feet.~~

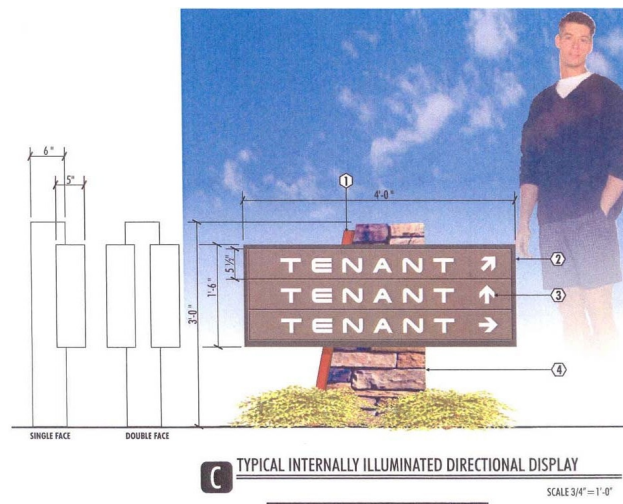
~~C d. Height: Not to exceed three (3) feet.~~

~~D e. Location: To be located at an access point to the property and/or interior to the property of the business.~~

~~E f. Setback: None unless otherwise required.~~

~~F g. Illumination: Internal illumination allowed; provided, that the sign is turned off at the close of business.~~

**Figure 28-3. Directional Sign**



### 3. Directory Sign



~~a. Definition: An on-site sign interior to a development 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.~~

~~A b. Quantity: Shall be determined and reviewed on an individual project basis by the Planning and Zoning Administrator, when applicable. The guidelines set forth under an approved sign criteria or Master Sign Program shall be followed.~~

~~B e. Area of Sign: Not to exceed forty (40) square feet, and not to exceed two (2) square feet for each business displayed on the sign.~~

~~C d. Height: Not to exceed eight (8) feet from grade.~~

~~D e. Location: Interior to the property or development, such as the parking area.~~

~~E f. Setback: Minimum forty (40) feet from the property line.~~

~~F g. Illumination: Internal illumination allowed; provided, that the sign is turned off by 11:00 p.m.~~

#### 4. *Entryway Sign*

~~a. Definition: A permanent sign identifying the entrance to a subdivision, complex, facility, or commercial development.~~

~~A b. Quantity: Maximum of two (2) per entryway with one (1) located on each side of entryway. If the linear frontage of the project exceeds six hundred (600) feet and there is more than one (1) entry point along that frontage, two (2) additional signs may be permitted at the second entryway on that frontage. For projects with multiple street frontages, entryway signs are permitted on each frontage in accordance with the quantity and spacing requirements listed above.~~

~~B e. Area of Sign: Thirty-two (32) square feet.~~

~~C d. Height: Not to exceed six (6) feet or the height of the entryway wall on which the sign is placed.~~

~~D e. Location: On private property, in a landscaped area at entryways, as described above.~~

E f. Setback: None unless otherwise required.

F g. Illumination: Halo illuminated letters or direct lighting that shall not project above the sign. 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**

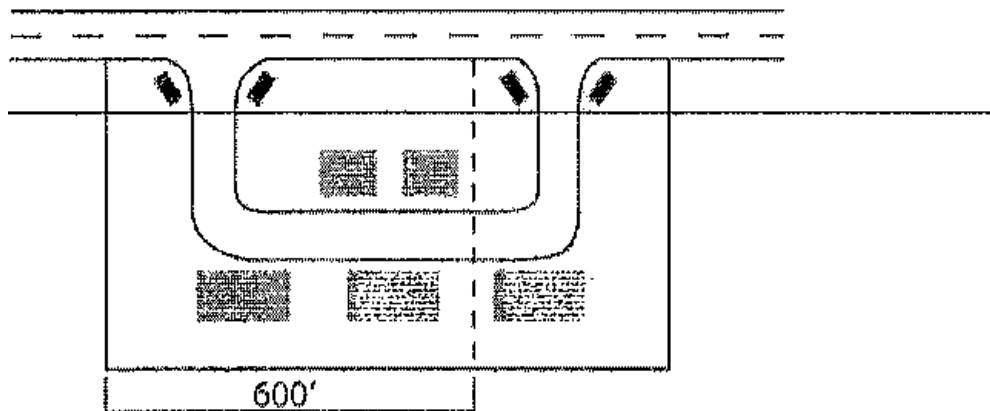
**Entryway Sign**

Up to 600' frontage:

Two (2) signs at one entryway

> 600' frontage:

Four (4) signs, two (2) additional at second entryway



5. (Repealed by (O)19-06, 07/31/19)

6. *Menu Board*

~~a. Definition: A monument style or wall-mounted sign providing a bill of fare for the purpose of placing orders at a drive-through, drive-in restaurant, or walk-up window.~~

~~A. b. Quantity: Two (2) per drive-through lane.~~

~~B. e. Area of Sign: Thirty-two (32) square feet.~~

~~C. d. Height: Not to exceed six (6) feet.~~

~~D. e. Location: Within a designated drive-through lane so as not to be visible from adjacent streets or property, or another location approved by the Town.~~

~~E. f. Setback: Must be on private property and shall not pose a safety hazard.~~

~~F. g. Illumination: May be internally illuminated provided the menu board is turned off no later than one (1) hour after business is closed.~~

7. *Monument Sign*

~~a. Definition: A permanent sign supported by structures, columns, uprights, and/or braces that are placed on, or anchored in, the ground independent of the building or business structure.~~

~~A. b. Quantity:~~

~~i. One (1) per street frontage.~~

~~ii. 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.~~

~~iii. For frontages greater than eight hundred (800) feet, additional signs may be approved by the Town.~~

~~iv. A corner sign with frontage on both streets may be utilized as an additional allowable sign.~~

~~B. e. Area of Sign:~~

~~i. Fifty (50) square feet for a single tenant or the development name.~~

- ii. Seventy-two (72) square feet for a multiple-tenant sign with tenant panels.

C d. Height:

- i. Not to exceed eight (8) feet from grade.
- ii. An architectural element of the sign, such as an arch or column, may exceed the height of the monument sign by twenty-five percent (25%); provided, that all text and logos are less than eight (8) feet in height from grade.

D e. Location: To be placed near the entrance or along a street frontage on private property.

E f. Setback: None unless otherwise required.

F g. Illumination:

- i. Illumination may be halo, internal, or a combination thereof.
- ii. Individual panels shall be opaque with copy that may be lit.
- iii. Unused tenant panels shall be opaque and designed to match the rest of the sign.
- iv. The sign may be turned on at 5:00 a.m. and shall be turned off no later than 11:00 p.m.

G h. Design:

- i. Blank tenant panels shall not be white.
- ii. The sign may be single- or double-faced, with all supporting structures concealed.
- iii. The sign may contain the name of the development and a maximum of eight (8) tenants, along with the property address.
- iv. No one (1) tenant may be displayed more than once in one (1) monument sign.

H i. Changeable Copy Standards for Monument Signs:

- i. Uses are limited to the following:

- a) Private schools.
  - b) Religious institutions.
  - c) Service stations, which are subject to subsection [B.9](#) of this section.
  - d) Theaters, which are subject to subsection [B.10](#) of this section.
  - e) Time/temperature, which are subject to subsection [B.11](#) of this section.
- ii. Quantity: One (1) allowed as an integrated part of a monument or wall sign.
  - iii. Size: Changeable copy portion of the sign shall not exceed fifty percent (50%) of the proposed sign area.
  - iv. Illumination: Standards of Section [28.3.B](#) shall apply.
  - v. Design:
    - a) Changeable copy may be done manually or with an electronic message board.
    - b) Electronic message boards shall be integrated into the monument sign.

*8. Pedestrian Tenant Directory*

~~a. Definition: An exterior, wall-mounted, or freestanding sign that lists only the names and locations of tenants of a complex or development for the sole purpose of directing pedestrians. The sign shall have a uniform background color and letter style.~~

A. ~~b.~~ Quantity: 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](#).

B. ~~e.~~ Area of Sign: Maximum four (4) square foot panel for the name of the complex and maximum two (2) square foot panel for each business or resident within the complex.

C. ~~d.~~ Height: Shall be at eye level for pedestrian traffic and not exceed the roofline of a building.

- D. e- Location: May be wall-mounted or freestanding at pedestrian entrance points to the complex and/or along pedestrian walkways.
- E. f. Illumination: Sign shall be nonilluminated.

**Figure 28-6. Pedestrian Tenant Directory**



9. *Service Station/Fuel Sign*

- a. ~~Definition: A permanent, two (2) component, monument style sign displaying fuel prices, fuel types, name of station, and/or logos.~~
- A. ~~b-~~ Quantity: One (1) per street frontage.
- B. ~~c-~~ Area of Sign: Thirty-two (32) square feet.
- C. ~~d-~~ Height: Not to exceed six (6) feet from grade.
- D. ~~e-~~ Location: On private property adjacent to an arterial or collector street only.
- E. ~~f-~~ Setback: None unless otherwise required.
- F. ~~g-~~ Illumination: Name and logo of the business may be internally illuminated.
- G. ~~h-~~ Changeable copy standards for service station/fuel signs:
- i. Uses are limited to the following:

- a) Fuel prices.
- b) Fuel types.
- ii. Size: Changeable copy portion of the sign shall not exceed fifty percent (50%) of the proposed sign area.
- iii. Illumination: Standards of Section [28.3.B](#) shall apply.
- iv. Design:
  - a) Changeable copy may be done manually or with an electronic message board.
  - b) Electronic message boards shall be integrated into the monument sign.

**Figure 28-7. Service Station/Fuel Sign**



#### 10. Theater Signs

- a. ~~Definition: A monument style or wall sign with changeable copy panels used to display the current movies and times they are playing within the theater.~~
- A. ~~b. Quantity: One (1) wall sign and one (1) monument style sign allowed.~~
- B. ~~e. Area of Sign: Fifty (50) square feet for a monument style sign and sixty-four (64) square feet for a wall sign.~~

C. ~~d~~. Height: Eight (8) feet for a monument style sign. A wall sign shall not extend above the roofline of a building.

D. ~~e~~. Location: A monument style sign shall be located on private property and a wall sign shall be displayed at the main entrance to the building.

E. ~~f~~. Setback: None unless otherwise required.

F. ~~g~~. Illumination: The sign may be internally illuminated or the copy may be electronically illuminated and shall meet the standards of Section [28.3.B](#). The sign may only display the current listing of movies and their times. No other advertising message is allowed. The sign shall be turned off one (1) hour after closing of theater.

**Figure 28-8. Theater Sign**



#### 11. Time and Temperature Signs

a. ~~Definition: An electronically controlled sign that provides the current time and/or temperature.~~

A. ~~b~~. Quantity: One (1) per development project.

B. ~~e~~. Area of Sign: A time and temperature sign may be a component of a monument style sign. Wall signs shall not exceed twenty (20) square feet.

C. ~~d~~. Height: Not to exceed the roofline of a building.

D. ~~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.

E. ~~f~~. Illumination: Shall meet the standards of Section [28.3.B](#).



## 12. *Under-Canopy Sign*

~~a. Definition: A wall-mounted or hanging sign which identifies 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. An under-canopy sign shall be located entirely under a covered porch, walkway, extended roof or similar structure and is solely for directing pedestrian traffic.~~

~~A. b. Quantity: One (1) per tenant space.~~

~~B. c. Area of Sign: Four (4) square feet.~~

~~C. 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.~~

~~D. e. Location: The sign shall be in front of the tenant space 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.~~

~~E. f. Illumination: Shall be nonilluminated.~~

## 13. *Wall Sign*

~~a. 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. i. A wall sign shall consist of individual character letters (pan channel or reverse pan channel).~~

~~i. —ii. Only individual logos may utilize cabinet sign type with a translucent sign face.~~

~~ii. —iii. Wall signs may include the name of the business, a trademarked logo, tagline, and modifiers, if needed, to further clarify the goods or services available on the premises.~~

~~b. Quantity:~~

- i. No more than two (2) elevations may contain a wall sign.
  - ii. If a single tenant occupies an end unit or entire freestanding building, there may be signs on three (3) elevations, but only two (2) elevations may have illuminated wall signs.
  - iii. "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:
- i. Twenty-four (24) square feet, with no single wall sign containing more than one (1) square foot of sign for each linear foot of building frontage, for a maximum sign area of one hundred fifty (150) square feet.
  - ii. Wall signs for building elevations further than three hundred (300) feet from the street may contain no more than one and one-half (1 1/2) square feet of sign area for each linear foot of frontage, for a maximum sign area of two hundred (200) square feet.
  - iii. Where businesses do not possess individual frontages, each may maintain an individual sign; however, the maximum wall sign square footage shall not be exceeded.
  - iv. Taglines are not to exceed thirty-five percent (35%) of the actual area of the main wall sign, as permitted in this section.
  - v. May not project more than eight (8) inches from the wall on which the sign is mounted.
- 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.
- f. Illumination:
- i. Individual letters may be nonilluminated, halo illuminated or internally illuminated.

- ii. Cabinet-type signs shall only emit light through the logo.
  - iii. Taglines may be halo or internally illuminated and shall only emit light through a translucent material over cut out letters or characters.
  - iv. The standards of Section [28.3.B](#) shall apply.
- g. Changeable copy standards for wall signs:
- i. Uses are limited to the following:
    - a) Private schools.
    - b) Religious institutions.
    - c) Theaters. See subsection [B.10](#) of this section.
    - d) Time/temperature. See subsection [B.11](#) of this section.
  - ii. Quantity: One (1) allowed as an integrated part of a wall sign if changeable copy is not used on a monument sign.
  - iii. Size: Changeable copy portion of the sign, including frame, shall not exceed fifty percent (50%) of the proposed sign area.
  - iv. Illumination: Internal.
  - v. Design:
    - a) Changeable copy may not be changed electronically.

### Figure 28-9. Wall Sign



#### 14. *Window Signs*

a. ~~Definition: Any form of advertisement and/or identification associated with the business that is affixed to the interior or exterior of a window, or 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 are divided into five (5) types of signs:~~

~~i. Business Name: Signs that identify the name of the business.~~

~~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.~~

~~d) Illumination: Business name shall be not illuminated except as provided in subsection [B.14.a.iv.d](#) of this section.~~

~~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) Location: The 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.~~
- ~~d) Illumination: Business hours shall not be illuminated.~~
- ~~-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) Area of Sign: A sign band shall not exceed a maximum of 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) Illumination: Sign band shall not be illuminated.~~
  - ~~-Additional Requirements:~~
    - ~~1) The band may include additional text, logos, or graphics that relate to the business within.~~
    - ~~2) Copy may not exceed fifty percent (50%) of the total band length.~~
- ~~-iv. Display Area: 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 and may include illumination. 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: Maximum of one (1) display area for any one (1) business and/or tenant space. For businesses that are corner tenants or individual properties with two (2) street frontages, may have one (1) display area per frontage. Businesses and/or tenants with building frontage in excess of forty (40) feet may have one (1) additional display area.~~

~~c) 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.~~

~~d) Illumination: A display area containing illumination shall meet the following standards:~~

~~1) Quantity: A maximum of one (1) display area containing illumination is allowed per business regardless of length of store front or corner location. A maximum of one (1) illuminated sign is allowed in the (1) one display area.~~

~~2) Location: On The first immediate window to the right, left or top of the primary entrance door only. Illuminated display areas shall not be located on the sides or rear of buildings.~~

~~3) Type: Internal or exposed neon. Sign shall not be externally illuminated or incorporate LED lighting.~~

~~4) Hours: Sign may only be turned on at 5:00 a.m. and shall be turned off at 11:00 p.m.~~

~~5) Movement: The sign shall not flash, blink, rotate, move or contain animation.~~

- ~~e) Color: All window signs shall utilize colors that are compatible with the architectural design of the building. Fluorescent or iridescent colors shall not be allowed.~~
- ~~v. Open/Closed Sign: A sign that identifies if the business is open or closed.~~
  - ~~a) Quantity: Maximum of one (1) for any one (1) business and/or tenant space per street frontage.~~
  - ~~b) Illumination: Open/closed sign may be illuminated. Open/closed sign containing illumination shall meet the following standards:
    - ~~1) Combinations: If the open/closed sign is part of or attached to a larger graphic or sign it is considered a display area and shall meet the standards of illuminated display area.~~
    - ~~2) Hours: Sign may only be turned on at 5:00 a.m. and shall be turned off at 11:00 p.m.~~
    - ~~3) Movement: The sign shall not flash, blink, rotate, move or contain animation.~~~~

a. General Requirements for All Window Signs:

- i. AS A CRIME PREVENTION MEASURE, WINDOW SECTIONS SHALL REMAIN VISUALLY UNOBSTRUCTED BETWEEN 36 INCHES AND 84 INCHES FROM THE BUILDING FLOOR IN THE FOLLOWING AREAS:
  - a) MAIN CUSTOMER DOORWAY
  - b) SALES TRANSACTION POINTS IF WITHIN SIGHT OF EXTERIOR

LETTERS, NUMBERS OR SYMBOLS NO MORE THAN THREE INCHES HIGH USED FOR THE BUSINESS NAME, CONTACT, HOURS OR REQUIRED PUBLIC NOTICES ARE EXEMPT.

## b. AREA OF SIGN:

- i. NO MORE THAN 30 PERCENT OF THE WINDOW ON WHICH THE SIGN IS DISPLAYED.
- ii. SIGN COPY ON A WINDOW SIGN WITH LETTERS OR SYMBOLS NO MORE THAN THREE INCHES HIGH SHALL NOT BE COUNTED AS PART OF THE SIGN AREA ALLOTMENT WHEN USED FOR THE BUSINESS NAME, CONTACT AND HOURS.

## c. LOCATION:

- i. FIRST FLOOR BUILDING WINDOWS ONLY

## d. Illumination:

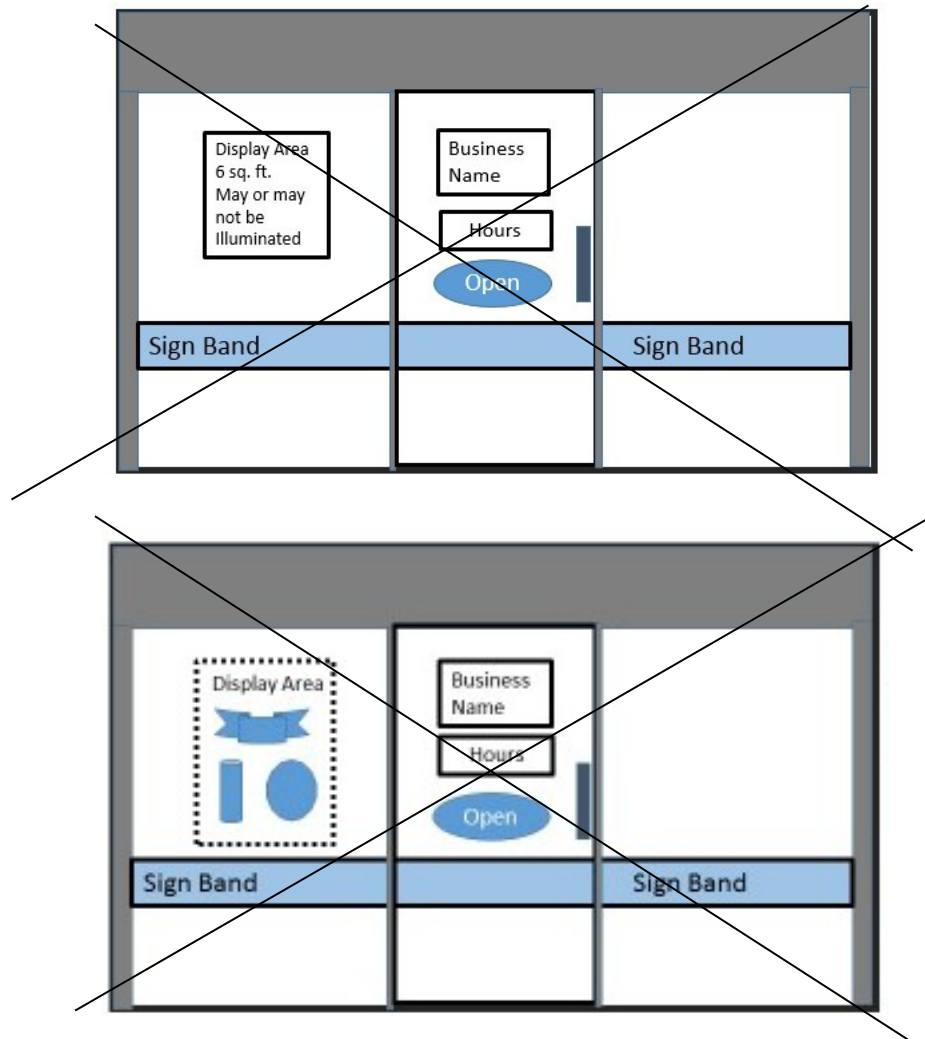
- i. Open/Closed signs may be illuminated
- ii. A maximum of one (1) six (6) square foot display area containing illumination is allowed per business regardless of length of store front or corner location.
- iii. Hours: Sign may only be turned on at 5:00 a.m. and shall be turned off at 11:00 p.m.
- iv. Movement: The sign shall not flash, blink, rotate, move or contain animation.

~~a) Permits are required for all window signs except for business name/hours of operation and open/closed signs.~~

~~b) No additional permits will be required to continually change the display area as long as the location of the original permitted area has not changed.~~

~~e) Any off-site advertisement displayed in a window is strictly prohibited unless otherwise specified in this chapter.~~



**Figure 28-10. Sample illustration showing placement of window signs**

Example of a display area containing multiple signs. Only one (1) sign in a single display area can be illuminated.

((O)19-06, 07/31/19; (O)18-08, 05/16/18; (O)17-02, 02/15/17; (O)16-05, 04/06/16; (O)15-08, 05/20/15)

### C. Permanent Signs within a Residential Zoning District

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

#### 1. Entryway Signs

Refer to subsection [B.4](#) of this section.

#### 2. Kiosk Signs

Refer to subsection [B.5](#) of this section.

3. Monument and wall signs for religious institutions, private schools and public institutions are permitted in residential districts subject to Town approval.

((O)18-08, 05/16/18; (O)11-07, 03/16/11)

## Section 28.6-5 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.

((O)16-09, 09/07/16)

### B. Temporary Signs in a Commercial/Industrial Zoning District

The following temporary sign types shall be allowed within a Commercial, Industrial District AND/OR PRIVATE SCHOOL ZONING DISTRICT AND FOR RELIGIOUS INSTITUTIONS AS SPECIFIED HEREIN:

#### 1. Banner

##### a. Requirements for All Banners

- i. ~~Definition: Any sign of light weight fabric or similar material that is temporarily mounted to a building or is freestanding.~~

##### iii. ~~Design Standards~~

- b. a) Installation: All banners shall be securely anchored to the wall and/or parapet wall of the building where the business is located. THE BANNER SHALL NOT BE HUNG AS TO OBSTRUCT A WALKWAY. IF ~~or, if freestanding,~~ THE BANNER MUST BE 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.
- c. b) Materials: Banners must be made of durable mylar, nylon fabric, or similar material.
- d. e) Banner lettering, images and background colors may be any color, including black or white, except fluorescent or iridescent colors.
- e. d) ~~Lettering shall be neat and legible copy.~~

E. THE SIGN APPEARANCE SHALL BE PROFESSIONAL, NEAT AND LEGIBLE (FIGURE 28.10).

Figure 28.10



~~b. New Business Banner~~

~~A banner may be utilized for the purpose of a new business opening or change of ownership to promote a new business. For seasonal or special event banner signs, see subsections B.1.c and d of this section.~~

~~i. Quantity: One (1) banner per street frontage, per business. No more than two (2) banners shall be issued to any one (1) new business.~~

~~ii. Area of Sign: Maximum sixty four (64) square feet.~~

~~iii. Height: Not to exceed the roofline of a building.~~

~~iv. Location: Must be installed on the site and/or tenant space of the business.~~

~~v. Duration: Banners are allowed 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) day expiration. No more than one (1) extension may be granted in a calendar year.~~

~~vi.—vii. Removal: A banner must be removed after thirty (30) days or if permanent signage has been installed prior to the expiration of a new business banner.~~

~~c.—Seasonal or Event Banner~~

~~i.—Definition: A seasonal or event banner may be used to advertise a seasonal or special event in any Commercial/Industrial Zoning District.~~

~~ii.—Quantity: One (1) freestanding sign per street frontage and/or one (1) wall sign. A business is allowed a maximum of four (4) permits per calendar year.~~

~~iii.—Area of Sign: Maximum sixteen (16) square feet for a freestanding sign and maximum twenty-four (24) square feet for a wall-mounted banner.~~

~~iv.—Height: Not to exceed four (4) feet from grade for a freestanding sign. Wall-mounted signs shall not exceed the roofline of a building.~~

~~v.—Location: On private property where the event is taking place and/or the merchandise is being sold.~~

~~vi.—Setback: None unless otherwise required.~~

~~vii.—Duration: Each permit shall not exceed thirty (30) days.~~

2. BANNER INSTALLED ON A BUILDING

a. QUANTITY: ONE (1) BANNER PER BUSINESS.

b. AREA OF SIGN: MAXIMUM SIXTY (60) SQUARE FEET.

c. Height: Not to exceed the roofline of a building.

d. LOCATION: MUST BE INSTALLED ON THE BUILDING AND/OR TENANT SPACE OF THE BUSINESS.

e. DURATION: THE COMBINED TOTAL TIME ALLOWED FOR BOTH WALL AND FREESTANDING BANNERS IS ONE HUNDRED AND TWENTY (120) DAYS PER CALENDAR YEAR. THE 120-DAY TIME PERIOD MAY BE DIVIDED INTO NOT LESS THAN THIRTY (30) CONSECUTIVE CALENDAR DAYS EXCLUDING SPECIAL EVENT BANNERS.

- f. REMOVAL: A BANNER MUST BE REMOVED BY THE EXPIRATION DATE OF THE PERMIT.
3. BANNER INSTALLED AS FREESTANDING SIGN
  - a. Quantity: One (1) freestanding sign per business
  - b. Area of Sign: Maximum sixteen (16) square feet
  - c. Height: Not to exceed four (4) feet from grade for a freestanding sign.
  - d. Location: On private property where the event is taking place and/or the merchandise is being sold. Banner is not allowed in the right-of-way.
  - e. Setback: None unless otherwise required.
  - f. DURATION: THE COMBINED TOTAL TIME ALLOWED FOR BOTH WALL AND FREESTANDING BANNERS IS ONE HUNDRED AND TWENTY (120) DAYS PER CALENDAR YEAR. THE 120-DAY TIME PERIOD MAY BE DIVIDED INTO NOT LESS THAN THIRTY (30) CONSECUTIVE CALENDAR DAYS EXCLUDING SPECIAL EVENT BANNERS.
  - g. REMOVAL: A BANNER MUST BE REMOVED BY THE EXPIRATION DATE OF THE PERMIT.
4. *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.~~
  - a. Quantity: One (1) per street frontage. Not to exceed four (4) permits per calendar year.
  - b. Area of Sign: Maximum ~~sixty four (64)~~ SIXTY (60) square feet.
  - c. Height: Maximum four (4) feet from grade for a freestanding sign. Wall-mounted signs shall not exceed the building roofline.
  - d. Location: On private property where the event is taking place and/or the merchandise is being sold.
  - e. Setback: None unless otherwise required for public safety purposes.

f. DURATION: EACH PERMIT SHALL NOT EXCEED THREE (3) CONSECUTIVE DAYS.

5. *Construction/Development Sign*

a. ~~Definition: A construction sign may only contain the names of the architects, engineers, contractors, or similar artisans, as well as the owners, financial supporters and similar individuals or firms associated with the project.~~

A. ~~b.~~ Quantity: One (1) per street frontage. No one (1) development may have more than one (1) construction sign on a single street frontage.

B. ~~e.~~ Area of Sign: Maximum thirty-two (32) square feet.

C. ~~d.~~ Height: Not to exceed eight (8) feet from grade.

D. ~~e.~~ Location: On the property that is being developed.

E. ~~f.~~ Setback: None unless otherwise required for public safety purposes.

F. ~~g.~~ Removal: All signs must be removed upon the completion of ninety-five percent (95%) of the development, or within three (3) years from date of permit issuance, whichever comes first.

6. *Flags*

a. ~~Definition: Any flag containing distinctive colors, patterns, or symbols, used as a symbol of government or a political entity.~~ All national and state flags shall be allowed.

a. ~~b.~~ Quantity: Two (2) flag poles for each development and/or individual property.

b. ~~e.~~ Flag Size: The length of the flag shall be no greater than one-quarter (1/4) of the height of the flag pole.

c. ~~d.~~ Flag Pole Height: No greater than 1.25 times the height of the nearest primary building.

d. ~~e.~~ Location: Permitted in any zoning district and only on private property.

e. ~~f.~~ Setback: Located so that the flag does not overhang public right-of-way or create a public safety hazard.

*f. ~~g.~~ Additional Requirements*

- i. A building permit for the flag pole shall be obtained.
- ii. A site plan shall be submitted for review of location and adequate setbacks.
- iii. The use of flags for the purpose of advertising or with intent to advertise is strictly prohibited unless otherwise specified by this Chapter.

*7. Real Estate, Lease, Rent and For Sale Signs*

- a. ~~Definition: Any sign pertaining to the sale, rent, or lease of the premises or portion of a premises.~~ The sign may be freestanding or wall-mounted, single- and/or double-faced.
- A. Quantity: One (1) sign per street frontage.
- B. Area of Sign: Maximum sixteen (16) square feet.
- C. Height: Not to exceed eight (8) feet from grade.
- D. Location: Upon the property that is being sold, rented or leased.
- E. Setback: None unless otherwise required.
- F. Permit: Sign permits for real estate, lease, rent, and for sale signs are valid for one (1) year. The permit may be re-issued in one (1) year increments.
- G. Removal: Must be removed within seven (7) days upon the sale, rent, or lease of the property or expiration of the sign permit.

*8. Seasonal Signs*

- a. ~~Definition: Seasonal signs may include decorations, holiday lights, garland, or similar treatment oriented toward a holiday event. Holiday banners are allowed in accordance with subsection [B.1.c](#) of this section, Seasonal Banners. Seasonal signs and decorations shall be temporarily displayed for traditionally accepted civic, patriotic, or religious holidays.~~
- A. ~~b.~~ Location: On private property and shall not be displayed in such a manner as to constitute a traffic hazard.



B. e- Removal: Must be removed within ten (10) days of the subject holiday.

C. d- Additional Requirements: A permit is required for all event-related signage under this Chapter. A permit is not required for any other seasonal decoration.

9. *Road Construction Sign*

a. ~~Definition: Temporary business identification signage to enhance visibility of properties with commercial, multifamily or religious institutions during road construction projects.~~

a. b- Applicability: Areas that will be directly impacted by a road construction project as determined by the Town Engineer and Planning and Zoning Administrator.

b. e- Type:

i. Sign may be a banner or rigid material such as wood, metal or similar material.

ii. Single or double faced.

iii. Copy may be modified after issuance of permit within the parameters set forth in the code.

iv. Any change in sign location will require a new permit.

v. Size of copy must be approved by the Town Engineer to assure safety.

c. d- Quantity:

i. One (1) sign for the commercial property per street frontage impacted by the road construction.

ii. 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.

iii. If frontage is greater than eight hundred (800) feet, one (1) additional sign may be installed.

d. e- Area of sign:

- i. Thirty-two (32) square feet for a commercial property with one (1) to four (4) owners or business lessees.
- ii. Sixty-four (64) square feet for a commercial property with five (5) or more owners or business lessees.
- e. ~~f.~~ Height: Ten (10) feet.
- f. ~~g.~~ Location: On private property where the business is located.
- g. ~~h.~~ Setback: None, unless additional area is required for utility or road work. Town Engineer must determine if proposed location is safe and does not interfere with construction.
- h. ~~i.~~ Illumination: None.
- i. ~~j.~~ Color: Lettering and background may be any color except fluorescent or iridescent.
- j. ~~k.~~ Duration: Length of time the sign is permitted will be determined by the Town Engineer and Planning and Zoning Administrator and shall not exceed substantial completion of the road construction project.
- k. ~~l.~~ The Town Engineer and Planning and Zoning Administrator shall be permitted to administratively approve modifications to road construction signage if each of the following criteria have been satisfied:
  - i. There are unique circumstances due to road design or construction.
  - ii. The proposed changes do not have a greater overall impact than the allowed sign type.
  - iii. The proposed changes are based on existing standards from an allowed sign type in the zoning code.

10. *Balloon(s)*

- a. ~~Definition: An airtight bag made of thin rubber or other lightweight material inflated with air or lighter than air gas that is anchored to the ground, a building or structure with ropes, a post, wires and/or string to attract attention to the public.~~

A. ~~b~~. Use: Allowed for a new business opening or change of ownership to promote a new business.

B. ~~c~~. Quantity: Unlimited.

C. ~~d~~. Area of Sign: Maximum eighteen (18) inches tall and standard round balloon shape.

D. ~~e~~. Height: Not to exceed eight (8) feet in height (eight (8) feet includes balloon and tethering device) or shall not exceed a cumulative height of fifteen (15) feet from grade if the balloon is attached to a permanent structure such as a wall or monument sign. Balloons shall not be attached to the roof of a building.

E. ~~f~~. Location: On private property where the business is located.

F. ~~g~~. Duration: Maximum of five (5) consecutive days from the date of grand opening or issuance of sign permit related to change of ownership.

G. ~~h~~. Color: Balloon and copy may be any color.

H. ~~i~~. Illumination: None.

I. ~~j~~. *Additional Requirements*

i. Balloons shall not interfere with sight visibility or vehicular and/or pedestrian access and shall be secured at all times.

ii. Balloons shall be kept under control at all times and not allowed to be released into the sky.

iii. Littering laws as detailed in Town Code Article 9-4 shall apply to any balloon released into the sky and/or allowed to deflate onto the ground.

#### 11. *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.

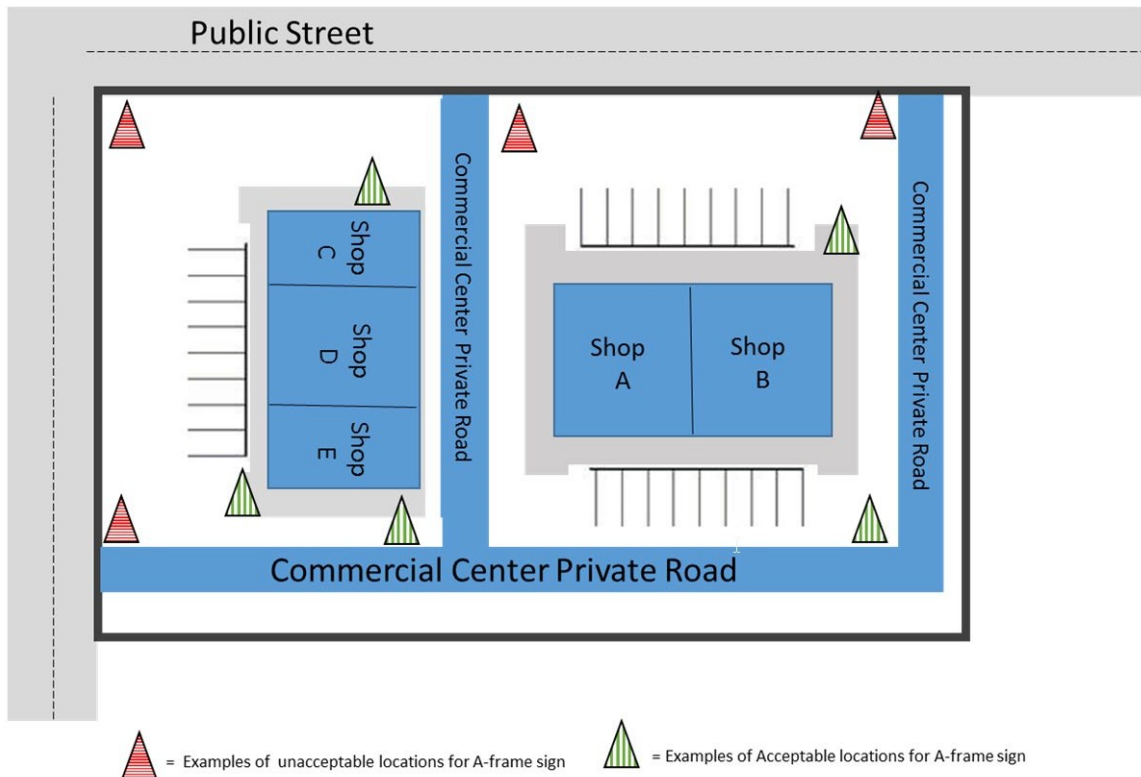
c. Area of Sign: Maximum six (6) square feet per side. Maximum of two (2) sides.

- d. Height: Not to exceed forty-two (42) inches.
- e. Location: On private property where the business is located within a commercial development with shared parking and access or a single parcel.
- f. *Additional Requirements*
  - i. Placement of sign shall allow for a four (4) foot unobstructed pathway for pedestrians.
  - ii. The sign shall not be placed in such a manner as to attract vehicular traffic from public roads (Figure 28.4412).
  - iii. The sign shall not be displayed in a manner that will create a public safety hazard.
  - iv. Access ramps or vehicular sight lines shall not be obstructed.
  - v. Landscaping shall not be removed, altered or damaged by the placement of the signs.
- g. Illumination: None.
- h. Hours: During operating hours of the associated business.
- i. Design:
  - i. The sign shall be self-supporting and not be attached to railings, posts, fencing or other structures.
  - ii. Carts, wheels or other devices that will make the A-frame mobile shall not be attached to the sign.
  - iii. Attachments such as flags, pennants, balloons or additional signs shall not be affixed to the A-frame.
  - iv. The sign appearance shall be professional and may not contain cloth or paper surfaces.
  - v. The sign shall be neat and legible. (FIGURE 28-11)

Figure 28-11



Figure 28.11-12. A-Frame Sign Locations



((O)17-08, 10/18/17; (O)16-09, 09/07/16; (O)15-08, 05/20/15; (O)14-14,)

*C. Temporary Signs in a Residential Zoning District*

The following temporary signs shall be allowed within a residential zoning district.

1. Flags (Refer to subsection [B.3](#) of this section, Flags)
2. MODEL HOME/CUSTOM HOME SALES LOT SUBDIVISION SIGNS.
  - a. Construction/Development signs (refer to subsection B.5 of this section).
  - b. Off-site Real Estates signs (refer to subsection 28.7 6 of this section).

1. Kiosk signs (refer to subsection 28.6 of this section)

*2. Model Home Banners*

~~a. Definition: Banners for a model home may be utilized for the sole purpose of a sales event or to identify a new model home. Three (3) day, seasonal or event banners~~

are permitted at model homes in accordance with subsections [B.1.c](#) and d of this section.

b. ~~Quantity: One (1) banner per model home.~~

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 shall not extend above the roofline. A freestanding banner shall not exceed five (5) feet from grade.~~

f. ~~Setback: None for a freestanding banner unless otherwise specified for public safety purposes.~~

g. ~~Duration: The banner shall be mounted only on Saturdays and Sundays for one hundred 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 not more than one (1) day before the advertised event, and must be removed within one (1) day after the event.~~

### 3. *Model Home Complex or Custom Home Lot Sales Office Signs*

In addition to model home banners (subsection [B.2](#) of this section), the following types of signs are permitted for model home complexes or custom home lot sales offices:

#### *a. Model Home On-Site Signs*

i. ~~Definition: Individual model units may have a single model identification sign and/or an informational sign for the model home complex or custom home lot sales office, and a directional sign 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 subsection [B.2.c](#) of this section, Construction/Development Signs, subject to the standards of subsection [A.4](#) of this section.~~

ii. ~~Quantity: One (1) identification sign for model home units, one (1) construction/development sign, and one (1) parking lot directional sign.~~

iii. ~~Area of Signs: Individual model units maximum four (4) square feet. Model home complex/custom home lot sales office maximum sixteen (16) square feet. Parking lot directional sign maximum six (6) square feet.~~

iv. ~~Height: Individual model units maximum three (3) feet; informational model home complex/custom home lot sales office maximum five (5) feet; parking directional sign maximum 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.~~

~~*b. Model Home Off-Site Signs (Interior and Exterior to the Subdivision)*~~

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

~~*i. Off-Site within the Subdivision*~~

~~a) Definition: Signs within a subdivision which direct traffic to the model home complex or custom home lot sales office.~~

~~b) 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 or Town Engineer.~~

~~c) Area of Sign: Maximum one and one-half (1-1/2) feet by two (2) feet, or three (3) square feet.~~

~~d) Height: Maximum allowable height thirty (30) inches.~~

~~e) Location: An interior, off-site sign shall be located along streets within the subdivision. Such signs shall be located on private property with the permission of the property owner.~~



~~f) Setback: None unless otherwise required.~~

~~g) Removal: All signs shall be removed within seven (7) days of the closure of the sales office or model home office.~~

#### ~~4. Model Home Complex Flags~~

~~a. Definition: Individual flags, attached to freestanding poles that may be multi-colored and/or contain the corporate logo for a model home complex sales office.~~

~~A. b. Quantity: Maximum of four (4) poles/flags.~~

~~B. c. Area of Flag: Maximum fifteen (15) square feet.~~

~~C. d. Height: Flag poles shall not exceed twenty (20) feet from grade.~~

~~D. e. Location: Flag poles may be located within the model home complex or parking area, subject to Town Engineer approval.~~

~~E. f. Setback: Minimum five (5) feet from the property line or determined by the Town Engineer.~~

~~F. g. Removal: All flags and flag poles must be removed within seven (7) days after the closing of the model home office.~~

#### ~~G. 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. 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 essential contact information for the developer or agent. All other associated agencies or firms may be displayed on the sign, such as the engineer, architects, or firms providing financing, and principal contracting firms.~~

- ~~b. Quantity: One (1) freestanding sign per subdivision. The Planning and Zoning Administrator may approve a second on-site subdivision sign if deemed necessary.~~
- ~~c. Area of Sign: Maximum forty (40) square feet.~~
- ~~d. Height: Maximum of ten (10) feet. The height may be increased to twelve (12) feet by approval of the Planning and Zoning Administrator if visibility of the sign is obstructed.~~
- ~~e. Location: Must be located at the access point on private property with the permission from the property owner.~~
- ~~f. Setback: None unless otherwise required for public safety purposes.~~
- ~~g. Removal: Within seven (7) days of the sale of one hundred percent (100%) of the lots of the subdivision or one hundred eighty (180) days after closure of sales office, whichever comes first. Signs may remain on unsold lots in accordance with subsection [C.6](#) of this section.~~

### 3. MODEL HOME COMPLEX BANNERS

- A. THREE (3) DAY, SEASONAL OR EVENT BANNERS IN ACCORDANCE WITH SUBSECTIONS 28.5 OF THIS SECTION.
- B. SATURDAY AND SUNDAY BANNERS ARE PERMITTED AT MODEL HOME COMPLEXES
  - 1. QUANTITY: ONE (1) PER MODEL HOME.
  - 2. AREA: MAXIMUM THIRTY-TWO (32) SQUARE FEET.
  - 3. LOCATION: SHALL BE ON PRIVATE PROPERTY OF THE MODEL HOME COMPLEX. MAY BE WALL-MOUNTED OR FREESTANDING.
  - 4. HEIGHT: WALL MOUNTED SHALL NOT EXTEND ABOVE THE ROOFLINE. FREESTANDING SHALL NOT EXCEED FIVE (5) FEET FROM GRADE.
  - 5. SETBACK: NONE.
  - 6. DURATION:
    - a) SHALL BE MOUNTED ONLY ON SATURDAYS AND SUNDAYS FOR ONE HUNDRED FOUR (104) DAYS.

- b) MAY BE PERMITTED FOR AN ADDITIONAL SIXTEEN (16) DAYS FOR THE PURPOSE OF OPENING THE MODEL HOME OR MODEL HOME COMPLEX.
- 7. REMOVAL: MAY BE PLACED NOT MORE THAN ONE (1) DAY BEFORE THE ADVERTISED EVENT AND MUST BE REMOVED WITHIN ONE (1) DAY AFTER THE EVENT.

#### **4. MODEL HOME COMPLEX ADVERTISING FLAGS**

- a. QUANTITY: MAXIMUM OF FOUR (4) POLES/FLAGS.
- b. AREA OF FLAG: MAXIMUM FIFTEEN (15) SQUARE FEET.
- c. HEIGHT: POLES SHALL NOT EXCEED TWENTY (20) FEET FROM GRADE.
- d. LOCATION: MAY BE LOCATED WITHIN THE MODEL HOME COMPLEX OR PARKING AREA, SUBJECT TO TOWN ENGINEER APPROVAL.
- e. SETBACK: MINIMUM FIVE (5) FEET FROM THE PROPERTY LINE OR DETERMINED BY THE TOWN ENGINEER.
- f. REMOVAL: MUST BE REMOVED WITHIN SEVEN (7) DAYS AFTER THE CLOSING OF THE MODEL HOME OFFICE.
- g. ADDITIONAL REQUIREMENTS
  - a) A BUILDING PERMIT MUST BE OBTAINED FOR FLAG POLES.
  - b) MAY NOT BE ILLUMINATED.

#### **5. MODEL HOME COMPLEX ON-SITE SIGNS**

- a. 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. SIGNS MAY BE FREESTANDING, WALL-MOUNTED, OR INTEGRATED INTO AN AWNING TYPE STRUCTURE.
- b. REMOVAL: ALL SIGNS MUST BE REMOVED WITHIN SEVEN (7) DAYS AFTER THE CLOSING OF THE SALES OFFICE OR MODEL HOME OFFICE.

#### **6. INDIVIDUAL MODEL UNIT IDENTIFICATION SIGN**

- a. QUANTITY: ONE (1) IDENTIFICATION SIGN FOR MODEL HOME UNITS
- b. AREA OF SIGNS: INDIVIDUAL MODEL UNITS MAXIMUM FOUR (4) SQUARE FEET
- c. HEIGHT: MAXIMUM THREE (3) FEET;

**7. INFORMATIONAL SIGN**

- a. QUANTITY: 1 PER MODEL HOME COMPLEX
- b. AREA: MAXIMUM SIXTEEN (16) SQUARE FEET
- c. HEIGHT: MAXIMUM FIVE (5) FEET

**8. PARKING LOT DIRECTIONAL SIGN**

- a. QUANTITY: ONE (1) PARKING LOT DIRECTIONAL SIGN.
- b. AREA: MAXIMUM SIX (6) SQUARE FEET.
- c. HEIGHT: MAXIMUM THREE (3) FEET FROM GRADE.
- d. LOCATION: SHALL BE LOCATED AT THE DRIVEWAY ENTRANCE TO THE DESIGNATED PARKING AREA.

**9. OFF-SITE SIGNS (INTERIOR TO THE SUBDIVISION)**

- a. 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 OR TOWN ENGINEER.
- b. AREA OF SIGN: ONE AND ONE-HALF (1-1/2) FEET BY TWO (2) FEET, OR THREE (3) SQUARE FEET.
- c. HEIGHT: HEIGHT THIRTY (30) INCHES.
- d. LOCATION: AN INTERIOR, OFF-SITE SIGN SHALL BE LOCATED ALONG STREETS WITHIN THE SUBDIVISION. SUCH SIGNS SHALL BE LOCATED ON PRIVATE PROPERTY WITH THE PERMISSION OF THE PROPERTY OWNER.
- e. SETBACK: NONE UNLESS OTHERWISE REQUIRED.
- f. REMOVAL: ALL SIGNS SHALL BE REMOVED WITHIN SEVEN (7) DAYS OF THE CLOSURE OF THE SALES OFFICE OR MODEL HOME OFFICE.

**10. ON-SITE SUBDIVISION SIGNS**

- a. QUANTITY: ONE (1) FREESTANDING SIGN PER SUBDIVISION. THE PLANNING AND ZONING ADMINISTRATOR MAY APPROVE A SECOND ON-SITE SUBDIVISION SIGN IF DEEMED NECESSARY.
- b. AREA OF SIGN: FORTY (40) SQUARE FEET.

- c. HEIGHT: TEN (10) FEET. THE HEIGHT MAY BE INCREASED TO TWELVE (12) FEET BY APPROVAL OF THE PLANNING AND ZONING ADMINISTRATOR IF VISIBILITY OF THE SIGN IS OBSTRUCTED.
- d. LOCATION: AT THE ACCESS POINT ON PRIVATE PROPERTY WITH THE PERMISSION FROM THE PROPERTY OWNER.
- e. SETBACK: NONE.
- f. REMOVAL: WITHIN SEVEN (7) DAYS OF THE SALE OF ONE HUNDRED PERCENT (100%) OF THE LOTS OF THE SUBDIVISION OR ONE HUNDRED EIGHTY (180) DAYS AFTER CLOSURE OF SALES OFFICE, WHICHEVER COMES FIRST. SIGNS MAY REMAIN ON UNSOLD LOTS IN ACCORDANCE WITH SUBSECTION C.6 OF THIS SECTION.

### *11. Real Estate, Lease, Rent, and For Sale Signs*

#### *a. ~~On-Site Signs~~*

~~i. 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.~~

- a. ~~ii.~~ Quantity: One (1) for each street frontage which abuts the property.
- b. ~~iii.~~ Area of Sign: Four (4) square feet.
- c. ~~iv.~~ Height: Maximum of six (6) feet from grade. The Planning and Zoning Administrator may approve heights up to ten (10) feet, if warranted.
- d. ~~v.~~ Location: Only on the lot or site of the dwelling offered for sale, lease, or rent.
- e. ~~vi.~~ Setback: None unless otherwise required.
- f. ~~vii.~~ Permit: Sign permits for real estate, lease, rent, and for sale signs are valid for one (1) year. The permit may be re-issued.
- g. ~~viii.~~ Removal: Within seven (7) days upon the sale, lease, or rent of the property.

((O)19-06, 07/31/19; (O)12-04, 03/07/12; (O)11-24, 10/05/11; (O)11-07, 03/16/11)

## Section 28.7 6 Permanent Signs on Public Property

### A. Permitted Permanent Signs on Public Property

Sign Type	Location	Quantity	Size	Maximum Height	Illumination	Duration	Permit Required/Permit Type	Additional Standards
Kiosk	Right-of-way of an arterial or collector street	Per the contract approved by the Town	Panels: 8" wide by 4' long Base: 5' wide	Base 8'	None	Until less than 3 placards are on the sign	Yes: ROW permit	Per contract
Monument or Entryway	Right-of-way of a major or minor arterial road as defined in the Town's General Plan	One of the signs allowed by Section <a href="#">28.4 5.B.4</a> or <a href="#">28.4 5.B.7</a> may be located in the right-of-way of each street frontage	Refer to Section <a href="#">28.4 5.B.4</a> , Entryway sign, or <a href="#">28.4 5.B.7</a> , Monument sign			N/A	Yes: <ul style="list-style-type: none"> <li>• License agreement</li> <li>• Council approval</li> <li>• Sign permit</li> <li>• ADOT approval if applicable</li> </ul>	Refer to subsection <a href="#">B</a> of this section.

### B. Monument or Entryway Sign Standards for Location in the Right-of-Way

#### 1. Location Standards

- a. A right-of-way depth of at least one hundred (100) feet shall be required between the paved surface of the road (including turn lane and shoulder) and the subject property line. Areas where the right-of-way depth changes for drainage ways, bridges and similar structures shall not be included in the one hundred (100) foot minimum.

- b. Sufficient evidence shall be provided demonstrating that sign locations normally allowed by the Zoning Code do not provide effective and safe wayfinding as detailed in the intersection site distance detail of the Town of [Oro Valley's Subdivision Street Standards](#) and Policies Manual.
- c. The one hundred (100) foot depth requirement, between the paved surface and the subject property line, may be reduced to not less than twenty (20) feet if the following conditions apply:
- i. The vehicular speed of the road combined with the clear zones and adequate visibility defined by the Town's sight visibility triangle criteria are met.
  - ii. The intersection sight distance table demonstrates the sign could not be safely seen. Self-imposed conditions, such as built structures built on the site, will not qualify for a reduction of the distance requirement.
- d. The sign shall be located no more than fifty (50) feet from either side of an entrance to the property associated with the sign.
- e. No electronic message boards shall be placed on a sign in the right-of-way.
2. Upon satisfaction of the Town Engineer and Planning and Zoning Administrator that the sign has met all safety and location requirements, the request will be forwarded for review and approval by the Planning and Zoning Commission and the Town Council, in addition to the required license agreement, for placement in the right-of-way.

((O)19-06, 07/31/19)

## Section 28.8 7 Temporary Signs on Public Property

**Table 28-1. Permitted Temporary Signs on Public Property**

Size (Maximums)	Location	Quantity	Maximum Height from Grade	Duration	Permit Type Required	Applicable Standards

Size (Maximums)	Location	Quantity	Maximum Height from Grade	Duration	Permit Type Required	Applicable Standards
4 square feet	Right-of-way	1 per change of direction	30"	7:00 a.m. to 7:00 p.m.	Right-of-way permit 3-day, 120-day, annual	Refer to subsections <a href="#">A</a> through <a href="#">E</a> and <a href="#">G</a> of this section
9 square feet	Designated sign zones only	1 per sign zone	3' 6"	N/A	No	Refer to subsections <a href="#">A</a> and <a href="#">D</a> through <a href="#">G</a> of this section
16 square feet	Right-of-way	4 at any given time	5'	16 days	Yes: ROW permit and installation request	A sign 5 square feet or less will not require installation by the Town. Also refer to subsections <a href="#">A</a> through <a href="#">E</a> and <a href="#">G</a> of this section
Sign walker 20 square feet maximum, 4 square feet minimum	Right-of-way	N/A	N/A	8:00 a.m. to 5:00 p.m.	No	Refer to subsections <a href="#">B.1.a</a> , <a href="#">B.1.c</a> and <a href="#">B.1.d</a> of this section  Sign walker per the standards of the Arizona State Statute

*A. General Requirements for All Temporary Signs in the Right-of-Way*

1. A sign that penetrates the ground is subject to Blue Stake verification.



2. Temporary signs shall not obscure, be attached to or mimic public traffic control devices, signage, public property 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.
5. Any sign that would require installation by the Public Works Department is also subject to installation fees.
6. Signs that require a permit must have the permit number written on the sign.

*B. Location*

1. Signs shall not be placed:
  - a. Within a median.
  - b. On a sidewalk, multi-use path or pedestrian access ramp.
  - c. In a construction zone.
  - d. In any area that may cause or create a traffic hazard or obscure any sight distances and must maintain the required “clear zone” as approved by the Town Engineer.
  - e. No signs may be placed in a right-of-way controlled by the Arizona Department of Transportation (ADOT).

*C. Setback*

1. Temporary signs shall be placed a minimum of ten (10) feet from the paved surface of the roadway.
  - a. If a sidewalk, multi-use path or trail is located within that ten (10) foot setback, the sign must be placed along the outside edge of the sidewalk, multi-use path or trail without projecting over the said trail/path.
2. Temporary signs placed next to a street with a speed limit of twenty-five (25) miles per hour or less may:

- a. Be placed no closer than five (5) feet from paved surface of roadway.
- b. If a sidewalk, multi-use path or trail is within the five (5) foot setback, the sign must be placed along the outside edge of the sidewalk, multi-use path or trail without projecting over the said trail/path.

*D. Illumination*

1. None.

*E. Design*

1. May be single- or double-faced.
2. Must be clear and legible.
3. Shall be neat and professional in appearance.
4. May include H-frame, I-frame and A-frame sign types.

*F. Designated Sign Zone Requirements*

1. Temporary sign zones as established by the Town are three hundred (300) to five hundred (500) square feet in size and no more than two (2) zones may be located at or near the intersection.

- a. 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 fifty (150) feet of any entrance to the Town Hall Complex.

- b. At or near Town parks: temporary sign zones shall not be located within one hundred fifty (150) feet of any entrance to Town parks.

- c. Approved temporary sign zones are depicted on the "Temporary Sign Zone Map."

G. Signs protected by the Arizona Revised Statutes shall be allowed within the limits of the State Statute.

((O)19-06, 07/31/19)

## Section 28.9 Temporary Public and Quasi-Public Signs

### *A.—Definition*

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 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.—Quantity*

Each institution is allowed one (1) wall sign and one (1) announcement sign per street frontage. Each institution may also apply for one (1) wall and one (1) freestanding, special event sign per street frontage.

### *C.—Area of Sign*

A religious institution wall-mounted temporary sign shall not exceed thirty (30) square feet. A religious institution announcement sign shall not exceed twenty-four (24) square feet. Other public institutions shall be allowed a temporary wall sign of thirty (30) square feet and an announcement sign of twenty-four (24) square feet. Institutional special event signs shall not exceed thirty (30) square feet.

### *D.—Height*

All wall-mounted signs shall not exceed the roofline of a building. All 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.—Location*

All signs shall be placed on private property. Special event signs shall be located on the premises of the institution or organization having the event.

### *F.—Setback*

None unless otherwise specified.

~~G. 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. The application for a public or quasi-public sign shall 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 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 a special event shall be removed within one (1) day after the event is completed.~~

## Section 28.98 Temporary Public and Quasi-Public Signs

A. Duration:

- i. A permit for a public or quasi-public sign shall be valid for no more than two (2) weeks.
- ii. No more than three (3) permits shall be issued to any institution or organization in a calendar year.

B. Design: 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 28.56.B.1.a and c, Banners. All copy, color, and design shall not adversely affect the order, amenity, or residential enjoyment of the neighborhood.

C. Wall sign

1. Quantity: One (1) per street frontage

2. Area of sign for religious institution: Thirty (30) square feet
  3. Height: Shall not exceed the roofline of the building
- D. Announcement sign
1. Quantity: One (1) per street frontage
  2. Area of sign for religious institution: Twenty-four (24) square feet
  3. Area of sign for other public institutions: Twenty-four (24) square feet
  4. Height: Shall not exceed eight (8) feet from grade
- E. Special Event
1. Quantity: One (1) wall sign
  2. Quantity: One (1) freestanding sign
  3. Area of sign for institutional: Thirty (30) square feet
  4. Height: Six (6) feet from grade
- F. Location: All signs shall be placed on private property. Special event signs shall be located on the premises of the institution or organization having the event.
- G. Setback: None

*G. 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. The application for a public or quasi-public sign shall 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.

*H. Removal*

Any signs announcing a special event shall be removed within one (1) day after the event is completed.

## Section 28.10 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. Billboards;
2. Electronic message centers, except as provided by Sections [28.4 5.B.7](#), [9](#), [10](#) and [11](#);
3. Exposed neon signs, except as provided by Section [28.4 5.B.14](#);
4. Flashing lights;
5. Garage sale signs, except as provided by Section [28.7](#);
6. Inflatable signs, except as provided by Section [28.5 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 [28.5 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.

((O)19-06, 07/31/19; (O)18-08, 05/16/18; (O)16-09, 09/07/16; (O)15-08, 05/20/15; (O)12-04, 03/07/12; (O)11-07, 03/16/11. Formerly 28.9)

## Section 28.11 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.
  - 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 Chapter, although an electrical or building permit may be required:
  - a. Address Identification Signs: Signs which display numerals, street names, drives, circles, or similar information which gives direction to residents, buildings, complexes, apartments, commercial sites, tenants spaces or other locations.
  - b. Governmental signs for identification of public agencies such as traffic, public transit, and public information.

- c. Historical Marker: A sign locating and identifying a historical interest or site.
- d. Informational/service signs including official notices of court; public office and legal notices posted for Town meetings; as well as safety-related informational signs located on service station pumps.
- 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 by the public.
- f. Memorial Sign: A sign, table, or plaque memorializing a person, event, or site.
- g. Noncommercial signs on private property that are not related to business or commerce and are no more than nine (9) square feet in area and three (3) feet in height.
- h. Residential Signs: Name and address of occupants.
- i. 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.
- j. Warning Signs: Warning and instructional signs such as “No Trespassing” shall be exempt from permits and shall not be installed on utility poles or similar structures. ((O)19-06, 07/31/19; (O)11-07, 03/16/11. Formerly 28.10)





## CHAPTER 31

### DEFINITIONS

For the purpose of this ordinance, certain terms and words are hereby defined. Words used in the present tense shall include the future; the singular number shall include the plural and the plural shall include the singular; the word “building” shall include the word “structure,” the word “lot” shall include the word “plot”; the word “may” is permissive and the word “shall” is mandatory, further, the word “or” shall mean “either” and the word “and” shall mean “in conjunction with.” Zone shall mean district.

#### *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.

#### *Abutting*

The condition of two (2) adjoining properties having a common property line or boundary including cases where two (2) or more lots adjoining only a corner or corners, but not including cases where adjoining lots are separated by a street or alley.

#### *Access or Access Way*

The place, means, or way by which pedestrians and vehicles shall have safe, adequate, and usable ingress and egress to a property or use as required by this ordinance.

#### *Access Drive*

The drive that allows vehicles ingress and egress from a site.

#### *Access Road*

A road within one (1) mile of the grading site, designated on the approved grading plan, and used during grading, for the transport of grading equipment, hauling of fill and other equivalent traffic to and from the grading site.

#### *Accessory Building*

A building, the use of which is customarily incidental to that of a dominant use by the occupants of the main building or by their non-paying guests and employees.

[Building Heights for Accessory Buildings](#)*Accessory Use*

A use customarily subordinate to the main use of the lot or building.

[Land Use for a Distribution Center](#)[Food Trucks](#)*Acre*

A land area measuring forty three thousand five hundred sixty (43,560) square feet.

*Active Restoration*

The process of taking specific and intentional actions to re-establish natural processes, vegetation, and habitat of an ecosystem.

((O)11-01, 02/16/11)

*Adjacent*

The condition of being near to or close to, but not necessarily having a common dividing line (e.g., two (2) properties that are separated only by a street or alley shall be considered as adjacent to one another).

*Adjusted Gross Acreage*

The total acreage contained within a development, less acreage in required arterial streets, drainageways, and existing permanent land uses.

*AEZ*

An abbreviation for the Airport Environs Zone as established by the Compatible Use Zone Map.

*A-FRAME SIGN*

A HINGED OR SELF-SUPPORTING UPRIGHT SIGN CONSTRUCTED OF DURABLE MATERIALS AND CONNECTED SO AS TO MAINTAIN AN "A" SHAPE OR SIMILAR STRUCTURE.

*ADVERTISING*

A SIGN PRIMARILY LISTING PRODUCTS SOLD OR SERVICES OFFERED, OR PRODUCTS MANUFACTURED ON THE PREMISES.

*Agricultural Building*

A structure designed and constructed to only house farm implements, hay, grain, poultry, live-stock, or other horticultural products. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated, or packaged; nor shall it be a place used by the public.

*Aircraft*

An airborne vehicle capable of carrying at least one (1) person and shall include, but not be limited to, airplanes, helicopters, rotorcraft, gliders, hang-gliders, motorized or non-motorized balloons, dirigibles, and blimps.

*Airport/Airstrip*

An area which is used, or is intended to be used, primarily for the takeoff and landing of aircraft and any appurtenant areas which are used, or intended to be used, for airport buildings or facilities, including open spaces, taxiways and tie-down areas, hangars and other accessory buildings.

*Alley*

A public way, which affords only a secondary means of vehicular access to abutting property and is not intended for general traffic circulation. An alley line shall mean the centerline of an alley right-of-way as determined by the Town Engineer.

*Alteration*

A change, addition, or modification in construction, structure, or occupancy.

*Amateur Radio Operator*

A Federally licensed member of the amateur radio service, which is a voluntary, noncommercial communication service, particularly with respect to providing emergency communications.

*Ambient Sound*

Sound from all normal existing sources near and far at a given location, including the noise source being evaluated.

*Amendment*

A change in the wording, context, or substance of this code, an addition or deletion or a change in the district boundaries or classification upon the district map which imposes any regulation not heretofore imposed or removed or modifies any such regulations heretofore imposed.

*Analogous Use*

A use which is substantially similar to the permitted uses.

*Ancillary*

Uses, whether permitted or conditional, subordinate or secondary to primary, permitted land uses.

*Animal Services*

A service providing for the care and well-being of animals or pets, which may include veterinary services (including ancillary short-term boarding and lodging), pet grooming, and the sale of pets and pet-related products.

*Animation*

The movement or the optical illusion of movement of a design, or pictorial segment, including the movement of any illumination or the 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.

*Antenna*

A system of poles, panels, rods, reflecting discs or similar devices used for the transmission or reception of radio frequency signals. Any device, including DBS satellite dishes, used to receive signals from direct broadcast satellites (DBS); multi-channel multi-point distribution providers (MMDS); and television broadcast stations (TVBS).

*Antenna, Ground-Mounted*

An antenna with its supports placed directly on the ground.

*Apartments*

A residential use which is occupied as the home or residence of three (3) or more families living independently of each other.

*Approval*

Written notice by the Town accepting the design, progress or completion of work.

*Approved Plan*

The most current plan which bears the authorized signature of review and acceptance by the Town.

*Approved Testing Agency*

A testing lab equipped to perform and certify the tests required by this code and whose testing operations are controlled and monitored by a civil engineer.

*Area Lighting*

Lighting designed primarily to illuminate an area of a development and may coincidentally illuminate one (1) or more sign faces.

*Art Gallery*

An establishment for the display and/or sale of fine art, crafts, photography, or other art-related work.

*Artifact*

An object which is a product of human modification, or objects which have been transported to a site by people. In this Town, artifacts over fifty (50) years are protected by Section [27.10](#).

*Artist*

An individual generally recognized by critics and peers as a professional, full-time practitioner of the visual arts, as judged by the quality of that professional practitioner's body of work, education, experience, past commissions, exhibition record, publications, and production of artwork.

((O)14-02, 01/15/14; (O)08-23, 12/03/08)

*Arts and Culture Use*

A use providing display or collection of historical, artistic, literary, and/or scientific, or other similar objects for public appreciation, including museums or art galleries. Cultural uses may include an ancillary restaurant or gift shop.

*Assisted Living Home*

A dwelling unit used as a primary residence for ten (10) or fewer residents who receive supervisory care services, personal care services or directed care services on a continual basis.

((O)15-16, 11/08/15)

*Assurances*

Monies or third party agreement with an agency authorized to do business in the State of Arizona guaranteeing the performance on the installation of all required improvements.

*Attached*

Structural roof components, of the same type and color of roofing material, that joins, ties or connects one structure to another.

((O)18-15, 10/03/18)

*Average Cross Slope*

The calculated average of slopes across a lot or parcel, not including slopes in excess of fifteen percent (15%).

**AWNING SIGN**

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.

*Background Sound*

Sound from all existing sources near and far that may interfere with a sound pressure level measurement, not to include the noise source being evaluated.

((O)20-07, 09/16/20)

*Balcony*

A portion of a building projecting into the required yard with a floor height of not less than four (4) feet above grade.

**BALLOON(S)**

DEFINITION: AN AIRTIGHT BAG MADE OF THIN RUBBER OR OTHER LIGHTWEIGHT MATERIAL INFLATED WITH AIR OR LIGHTER-THAN-AIR GAS THAT IS ANCHORED TO THE GROUND, A BUILDING OR STRUCTURE WITH ROPES, A POST, WIRES AND/OR STRING TO ATTRACT ATTENTION TO THE PUBLIC.

*Bank*

See “Financial Services.”

### *BANNER*

DEFINITION: ANY SIGN OF LIGHT-WEIGHT FABRIC OR SIMILAR MATERIAL THAT IS TEMPORARILY MOUNTED TO A BUILDING OR IS FREESTANDING.

### *Bar*

An establishment possessing a series 6 or series 7 liquor license and primarily serving alcoholic beverages to the public for consumption on the premises.

### *Barn*

A building used for the storage of farm products, feed and farm equipment and the housing of farm animals.

### *Base Zoning Dwelling Count*

The maximum number of minimum lot size dwellings permitted on a parcel of land.

((O)11-01, 02/16/11)

### *Basement*

The portion of a building underground and having at least one-half (1/2) of its height measured from its floor to its ceiling below grade. A basement shall be counted as a story if the vertical distance from grade to its ceiling is more than two (2) feet.

### *Bicycle Parking Facility*

A structure that provides temporary placement for bicycles.

#### Class 1:

A facility designed for temporary storage of an entire bicycle and its components and accessories and to provide protection against inclement weather, the extreme heat of the desert climate, and theft. The facility may include bicycle lockers, check-in facilities, monitored parking, restricted access parking, or other means which provide the above level of security as approved by the Planning and Zoning Administrator.

#### Class 2:



The facility provides a stationary object enabling the operator to lock the bicycle frame and both wheels with a user-provided U-shaped lock or a cable and lock.

*Bicycle Parking Space*

An area designated within a facility for the use of an individual bicycle.

**BILLBOARD**

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.

*Block*

A piece or parcel of land or group of lots entirely surrounded by public streets, streams, railroads or parks or a combination thereof.

*Boardinghouse or Lodging House*

A structure(s) used for multiple human occupancy where individuals do not have common access to all living, eating, kitchen, and storage areas within said structure(s).

*Borrow*

Earth material acquired from an off-site location for use in grading a site.

*Brushing*

The selective removal of vegetation.

*Buffer Area*

Open spaces, landscaped areas, fences, walls, beams or any combination thereof used to physically separate or screen one (1) use or property from another.

*Buffer Yard*

A yard containing only native desert or landscaping, including organic and inorganic materials, for the purpose of providing separation between adjacent land or along roadways.

*Buildable Area*

The area where a building can be placed after the designation of natural open space.

*Building*

A structure for the shelter, housing, or enclosure of persons, animals, chattels, or property of any kind with the exception of doghouses, play houses and similar structures. Each portion of a

building separated by dividing wall or walls without openings may be deemed as a separate building for the purpose of issuing building permits.

*BUILDING FRONTAGE*

THE MAXIMUM DIMENSION OF THE BUILDING FRONT PROJECT TO A STRAIGHT LINE PARALLEL TO THE STREET.

*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.

*Building Height*

The vertical distance of a structure.

*Slopes Less Than Six Percent*

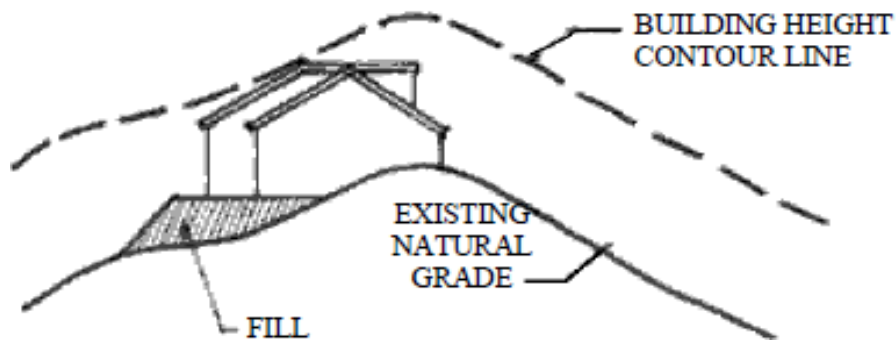
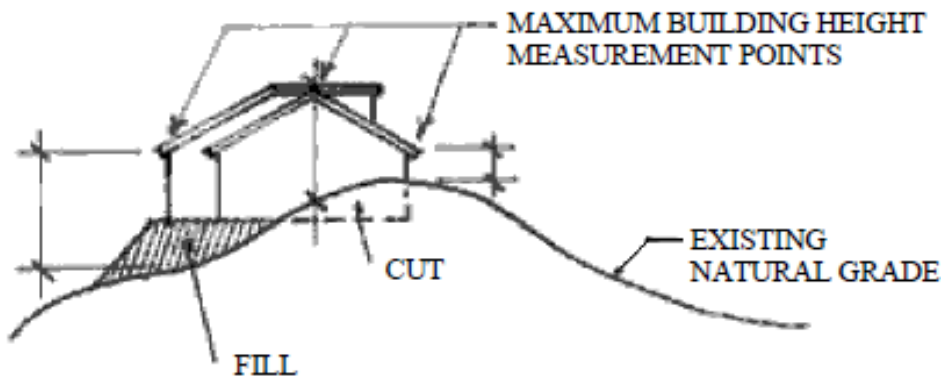
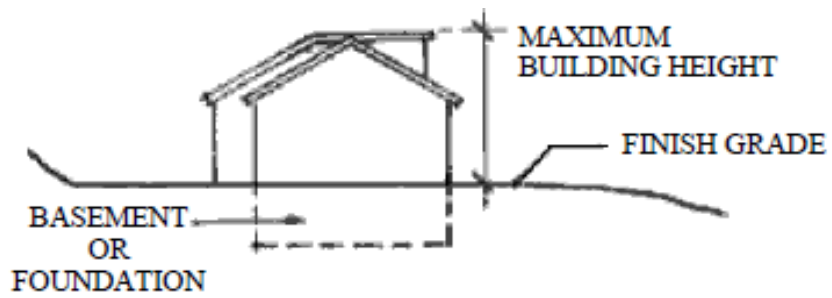
The vertical distance measured from the grade found along the outside walls of a building to the highest point of the building, excluding any chimney.

*Slopes Greater Than Six Percent*

The maximum vertical distance measured from natural grade to the highest point of the building directly above, excluding any chimney.

*Building Height Contour Line*

The area located at the building height permitted by Oro Valley zoning above the existing pre-development grade and parallel to the contour of the existing pre-development grade.



*Building Line*

A line where no building or structure, or portion thereof, shall be erected, constructed, or otherwise established any closer to the street right-of-way line.

*Building-Mounted Antenna*

An antenna that is attached to the walls of, or integrated into, buildings, religious institution steeples, cooling towers, elevator bulkheads, parapets, penthouses, fire towers, tanks, and water towers, or other structures.

((O)07-33, 09/19/07)

*Building Segment*

A portion of a building which has a single finish floor elevation.

*Building Site*

The area of a building together with associated parking areas and open space required by this code. A building site may encompass more than one (1) lot.

*Business Frontage*

The lineal distance of the building space occupied by the particular business projected to a straight line parallel to the face of the building in which the main entrance into that particular business is located.

**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.

*Car Wash*

See "Vehicle Wash."

*Carport*

An accessory building or portion of a main building with one (1) side totally open and one (1) or more partially open sides designated or used for the parking of motor vehicles. Enclosed storage facilities may be provided as part of a carport.

*Cellar*

The portion of a building between floor and ceiling which is seventy-five percent (75%) or more below grade and is not habitable space.

*Cemetery*

A parcel of land or structure dedicated to, and at least a portion of which is being used for, the interment of human or animal remains. A cemetery may include crematories, mausoleums, and columbaria.

*CHANGE OF COPY*

A REPLACEMENT FACE(S) OR MATERIAL TO AN EXISTING SIGN WITHOUT CHANGING ANY STRUCTURAL MEMBERS, SIZES, AND/OR HEIGHTS.

*Character*

A letter, number, logo (as defined in this Chapter) or symbol.

*Clearing*

The substantial removal of vegetation by manual or mechanical means.

*Collocation*

The use of a single mount and/or site by more than one (1) wireless communications service provider.

*COLOR TEMPERATURE*

THE WARMTH OR COOLNESS OF WHITE LIGHT SOURCE ALONG THE BLACK BODY CURVE. THE HIGHER THE COLOR TEMPERATURE (KELVIN (K)) THE COOLER APPEARING (BRIGHTER) THE WHITE LIGHT APPEARS.

*Commission*

The Planning and Zoning Commission of the Town of Oro Valley unless the context indicates otherwise.

*Communication Studios*

An establishment used for the creation, development and/or broadcast of radio or television programs or products, not including towers or communication facilities.

*Communications Nuisance*

A use which creates interference with radio communications and electronic navigational aids or devices, including instrument landing systems, for aircraft using the airport.

*Conceptual Architectural Design Plan*

The conceptual architectural elevations prepared in accordance with this Code and an element of the conceptual design review process.

((O)11-15, 05/18/11)

*Conceptual Design Review*

The concurrent review and approval process for conceptual site plan, conceptual landscape plan, conceptual public artwork plan and conceptual architectural plan by Town staff, the Planning and Zoning Commission, and the Town Council.

((O)17-05, 06/07/17; (O)11-15, 05/18/11)

*Conceptual Design Review Submittal*

The conceptual design review submittal package consisting of the conceptual site plan, conceptual landscape plan, conceptual architectural design plan and the conceptual public art plan submittals.

((O)11-15, 05/18/11)

*Conceptual Public Artwork Plan*

The conceptual art plan prepared in accordance with Section [27.3.G](#) and an element of the conceptual design review process.

((O)11-15, 05/18/11)

*Conceptual Site Plan*

The conceptual plan for a residential or non-residential development, including the items required in Section [22.9.D](#) and as specified by current Town policy.

((O)11-15, 05/18/11)

*Conditional Approval*

An affirmative action by the Board of Adjustments, Planning and Zoning Commission or Town Council indicating that approval will be forthcoming upon satisfaction of certain specified stipulations.

((O)17-05, 06/07/17; (O)11-15, 05/18/11)

### *Conditional Use Permit*

See "Use Permit."

### *Condominium*

An estate in real property consisting of an undivided interest in common in a portion of said real property together with the right of exclusive occupancy of a unit located thereon.

### *Conservation*

The use and management of land to eliminate waste and maximize efficiency of use while yielding the highest sustainable benefit to present generations and maintaining the natural resources in such a state that they remain biologically viable and they can provide for the benefit of future generations.

((O)11-01, 02/16/11)

### *Conservation Easement*

An easement delineating an area that will be kept in its natural state.

### *Construction Drawings*

All documents required for construction that depict all elements of the final layout and design at construction-level detail. The construction drawings include the final site plan based on the approved conceptual site plan, as well as the native plant preservation, salvage and mitigation plan and landscape, irrigation, and buffer yard plans, final public art plans, final architecture plans, building plans and improvement plans.

((O)11-15, 05/18/11)

## **CONSTRUCTION SIGN**

A CONSTRUCTION SIGN MAY ONLY CONTAIN THE NAMES OF THE ARCHITECTS, ENGINEERS, CONTRACTORS, OR SIMILAR ARTISANS, AS WELL AS THE OWNERS, FINANCIAL SUPPORTERS AND SIMILAR INDIVIDUALS OR FIRMS ASSOCIATED WITH THE PROJECT.

### *Convenience Markets*

A convenience use store less than seven thousand five hundred (7,500) square feet where food and drink, which may include packaged alcoholic beverages, are sold primarily for consumption off premises.

#### *Convenience Use*

A use by which the method of operation produces a moderate or high level of traffic and impacts on surrounding uses. The following are considered convenience uses:

1. Gas stations
2. Drive-thru uses, not including banks
3. Convenience markets
4. Vehicle (car) washes

[Oro Valley Town Center PAD Convenience Use requirements](#)

#### *Corral Fence*

A fence-type structure consisting of vertical posts and horizontal members and so constructed that seventy-five percent (75%) or more of the vertical surface is open. Chain link or other similar types of wire fences are not intended to be included in this definition and shall be classified as a fence or wall.

#### *Council*

The common Town Council of the Town of Oro Valley.

#### *Covered Porch*

An exterior covered structure attached to a building, including associated roof eaves or overhangs, that is supported by posts or columns and is open on three (3) sides.

((O)18-15, 10/03/18)

#### *Crime Prevention Through Environmental Design (CPTED)*

A multidisciplinary approach to deterring criminal behavior through environmental design. The environmental design should encourage desirable behavior and functionality. CPTED emphasizes surveillance, access control, and definition of ownership.



((O)11-05, 04/20/11)

*Cul-de-Sac*

A street with no outlet which terminates in a circular right-of-way. Cul-de-sacs shall be developed in accordance with the [Oro Valley's Subdivision Street Standards](#).

*Cultural Resource*

A prehistoric or historic site or object having historical, architectural, archaeological, or community importance, including artifacts, records, and material remains related to such property or resource.

((O)11-01, 02/16/11)

*Cultural Resource Professional*

An archaeologist, architect, architectural historian or historian who meets the minimum professional qualifications established by the Secretary of the Interior's Professional Qualification Standards.

((O)11-01, 02/16/11)

*Cultural Resources Survey*

An activity with the purpose of locating and identifying cultural resources without causing any disturbance of the ground.

((O)11-01, 02/16/11)

*Custom Home Subdivision*

A subdivision in which all homes are designed individually and no model homes are constructed.

*Cut*

Vertical removal of earthen material.

*Dangerous Activity, Hazard or Obstruction*

An activity, structure, vegetation or other use which is dangerous to persons or aircraft using the airport or which is an obstruction or hazard to air navigation.

*Day Care*

A public or private establishment providing care and supervision for five (5) or more children not related to the proprietor.

*Decibel (dB)*

A unit of level which denotes the ratio of two (2) quantities that are proportional to power as defined in the noise abatement technical bulletin.

((O)20-07, 09/16/20)

*Dedication*

Is a conveyance of fee simple or property rights to Oro Valley or another public agency.

*Density*

A ratio of the number of dwelling units to the gross land area unless otherwise stated.

*Density-Based Land Uses*

Those land uses of a residential nature.

*Desert Varnish*

A black or brown shiny crust on rocks, which consists mainly of iron and manganese oxides.

*Design Review*

The complete two (2) stage process of development review, including all elements, requirements, reviews, approvals and processes related to conceptual design review and final design review by the Planning and Zoning Commission, staff and Town Council.

((O)17-05, 06/07/17; (O)11-15, 05/18/11)

*Developer*

An individual, firm, corporation, partnership, association, syndication, trust or other legal entity, or representative thereof, that files the application and initiates proceedings for the development of land in accordance with the provisions of Sections [22.5](#) and [22.9](#) and the developer need not be the owner of the property.

*Development Committee*

The personnel designated to meet with a developer during the development plan, subdivision, and platting process.

**DEVELOPMENT COMPLEX**

A SITE HAVING COMMON VEHICULAR ACCESS POINTS, WHICH IS SUBJECT TO A DEVELOPMENT PLAN.

**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.

**DIRECTIONAL SIGN**

A PERMANENT 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 MAY ONLY DISPLAY WRITTEN OR GRAPHIC DIRECTIONS FOR TRAFFIC, NAME OF THE BUSINESS AND/OR LOGO, AND ADDRESS AND/OR SUITE NUMBER.

**DIRECTORY SIGN**

AN ON-SITE SIGN INTERIOR TO A DEVELOPMENT 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.

**Disability**

A physical or mental impairment which substantially limits one (1) or more of a person's major life activities, impairs their ability to live independently or a record of having such an impairment, or being regarded as having such an impairment, but such term does not include current use of, nor addiction to, a controlled substance.

**DISPLAY AREA**

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 AND MAY INCLUDE ILLUMINATION. 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.

*Distillery*

A building or use that has a Series 18 liquor license and produces no more than twenty thousand (20,000) gallons of distilled spirits annually.

((O)20-06, 07/15/20)

*District*

A zone as shown on the Zoning Map of the Town of Oro Valley for which there are uniform regulations governing the use of buildings and premises or the height and area of buildings.

*District Map*

The official zoning map of the Town of Oro Valley, which is a part of the zoning ordinance of the Town of Oro Valley.

*DOUBLE-FACED SIGN*

*A SIGN HAVING TWO (2) DISPLAY SURFACES, ONE (1) (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.*

*Drainage Swale*

A designed invert that collects site drainage and directs it to a point of discharge.

*Drive-Thru Use*

A use which has a drive-thru lane as a functional component of the business.

*Driveway*

The principal access route from a roadway to the lot's primary off-street parking area.

[Grading requirements for driveway improvements](#)

*Dwelling*

A building, or portion thereof, designed exclusively for residential purposes.

*Multiple*

A building, or portion thereof, designed for occupancy by three (3) or more families.

*Single-Family*

A building designed for occupancy by one (1) family.

*Two-Family (Duplex)*

A building designed for occupancy by two (2) families.

*Dwelling Unit*

A building, or portion of a building, arranged, designed or used as living quarters, including bathroom and kitchen facilities, sleeping and living areas, for a family.

*Easement*

A grant by the owner of the use of a strip of land by the public, a corporation, or persons for specific uses and purposes and is so designated.

[Front Lot Line for Lindbergh Drive Property](#)

*Electronic Message Board*

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

*Emergency*

An unforeseen event requiring prompt action.

*Encroachment*

To go into or over a specified line such as a setback.

((O)18-15, 10/03/18)

*Engineering Plan*

Plans, profiles, cross sections, and other required details for the construction of public improvements prepared by a registered engineer in accordance with the approved preliminary plat and in compliance with standards of design and construction approved by the Town Council.

*Entertainment at Bars, Restaurants or Private Clubs*

An activity intended for entertainment, including live musicians, disc jockeys, musical or artistic performances, etc.

*ENTRYWAY SIGN*

A PERMANENT SIGN IDENTIFYING THE ENTRANCE TO A SUBDIVISION, COMPLEX, FACILITY, OR COMMERCIAL DEVELOPMENT.

*Envelope, Development*

The sum of the areas of the permit holder's land to be graded, including the building envelope, accessory buildings, and areas of related parking, driveways, swimming pools, walls and other accessory structures, but excluding individual sewage disposal systems.

*Commercial Building*

The main building and all attached roofed structures.

*Residential Building*

A dwelling unit and all attached roofed structures, including carports or patio ramadas.

*Environmentally Sensitive Lands*

Lands that contribute to the aesthetic character of the immediate area, such as unique or heavy plant, tree or cacti growth or species, including, but not limited to, those lands restricted by additional overlay districts.

*Environmentally Sensitive Open Space (ESOS)*

Lands designated as permanent, natural open space in accordance with the requirements of Section [27.10](#).

((O)11-01, 02/16/11)

*Equipment Building or Structure*

An accessory building or structure used to house necessary equipment used by communication providers at a facility.

*Erosion*

The wearing away of the ground surface as a result of the movement of wind, water or ice.

*Exaction*

A condition placed on land development requiring dedication of infrastructure and/or real property that is necessary to serve a proposed development and is imposed on a parcel of land for the purpose of mitigating the anticipated negative impacts and infrastructure needs created by the development.

*Excavation*

The mechanical, manual, blasting, or other such means for removal of earth material.

*Exception*

A parcel of land that is within the boundaries of the subdivision but is not owned by the subdivider.

*Exposed*

The result of causing something to be open to view.

*Extension*

A portion of a building that may or may not have a location on the ground that projects out from a building.

((O)18-15, 10/03/18)

*Family*

A person living alone, up to but no more than ten (10) persons unrelated to each other by blood, marriage or legal adoption, living together in a dwelling unit existing solely as a single housekeeping unit, with common access to all living, eating, kitchen and storage areas within the dwelling unit.

*Farm*

An area used for the production of farm products.

*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.

*Fill*

The vertical addition of earthen material.

*Filter Fabric*

A woven or non-woven water-permeable material generally made of synthetic products, such as polypropylene, used in stormwater management and erosion and sediment control applications to trap sediment or prevent the clogging of aggregates by fine soil particles.

*Final Design Review*

The review and approval process for construction drawings, including final site plan and/or final plat, and subject to approval by Town staff and Town Council for final plats.

((O)11-15, 05/18/11)

*Final Inspection*

Field inspection conducted by the Town prior to project acceptance of release of assurances.

*Final Plat Approval*

An unconditional approval of the final plat by the Town Council, as evidenced by certification on the plat by the Mayor and constitutes authorization to record a plat.

*Financial Services*

An establishment providing management or exchange of money, assets or other fiduciary services, including banks, credit unions, savings and loans, mortgage and/or title companies.

[Oro Valley Town Center PAD Convenience Use requirements](#)

*Fitness Center*

A place or building where exercises and related activities are performed for the purpose of weight control and/or physical fitness.

*Flag*

A fabric, banner, or bunting containing distinctive colors, patterns, or symbols, used as a symbol of a government, political subdivision, or other entity.

*Floodplain*

The relatively flat areas or low lands adjoining the channel of a watercourse, or areas where drainage is or may be restricted by manmade structures which have been or may be covered partially or wholly by floodwater.

*Floor Area Ratio*



The ratio of gross building floor area to the net lot area of the building site.

*Food Processing*

A use engaged in the production of food products.

*Artisanal*

A use engaged in the production of food products intended for consumption off premises for sale directly to individual consumers.

*Large Scale*

A use engaged in the production of food products intended for wholesale distribution to licensed retailers.

*Food Truck*

See "Mobile Food Unit."

((O)18-14, 10/03/18)

*Freestanding*

A structure which is not attached to any other structure or portion of a structure. Structures, which are linked by pedestrian walkways, are deemed to be freestanding. Freestanding shall also apply to sole uses on an individual parcel.

*Frontage*

All property on one (1) side of a street between two (2) intersecting streets (crossing or terminating) measured along the line of the street, or, if the street is a dead end, then all of the property abutting on one (1) side between an intersecting street and the dead end of the street, including property fronting on a cul-de-sac.

*Full Cutoff (FCO) Light Fixture*

A light fixture which is installed or designed to emit no direct upright above the horizontal.

*Funeral Services*

An establishment engaged in the preparation and/or burial of the dead, including funeral chapels, crematoriums, and mortuaries.

*Garage, Parking*

See “Vehicle Storage Facility.”

*GARAGE/YARD/ESTATE SALE SIGN*

*AN ON-SITE OR OFF-SITE, TEMPORARY SIGN MADE FROM PAPER, POSTER BOARD, CARDBOARD, OR LIKE MATERIAL.*

*Gas Station*

A convenience use engaged in the sale and distribution of fuel for motor vehicles.

*General Aviation*

The operation of non-commercial aircraft, including storage (hangars), maintenance and airstrips.

*General Plan*

The General Plan of the Town of Oro Valley, or any part thereof, as adopted by the Town Council and as hereinafter amended.

*Golf Course*

A facility other than a miniature golf course for the playing of golf at which there may be a clubhouse including restrooms and locker rooms. A golf course may provide additional services customarily furnished, such as swimming, outdoor recreation and related retail sales that may include a restaurant and cocktail lounge if approved as a part of the required use permit.

*Golf Safety Net*

A structure made of netting material supported by vertical poles, which is erected for the purposes of protecting life and property from errant golf balls.

*Government Services*

A use engaged in providing services to the general public and recognized as a political subdivision of the State, including City or Town agencies, emergency services, fire services, school districts, etc.

*GOVERNMENT SIGN*

*A SIGN INSTALLED OR REQUIRED BY A PUBLIC AGENCY SUCH AS TRAFFIC, PUBLIC TRANSIT, PUBLIC INFORMATION, OR SIMILAR GOVERNMENT ENTITY.*

***Grade***

The elevation of the ground surface, paving, or sidewalk.

***Existing***

The actual, current ground surface before the issuance of a grading permit.

***Finished***

The final grade conforming to the approved plan.

***Natural***

The topographic configuration of land, prior to any grading or disturbance of the site.

***Rough***

The stage at which grading substantially conforms to the approved grading plan.

***Grading***

The initial clearing, brushing or grubbing, and subsequent excavating or filling of a site.

***Grading Permit***

An official document issued by the Town authorizing the grading activity specified by the grading permit conditions.

***Grading Permit Conditions***

The specifications and requirements of the approved grading plan, soils report, or other documents necessary for grading permit approval.

***Grand Opening***

The introduction, promotion or announcement of a new business, store, shopping center, or office, or the announcement, introduction or promotion of an established business changing ownership.

***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.*

***Grocery Store***

An establishment primarily engaged in the sale of food products including packaged goods, produce and meat products, which may include on-site food preparation such as bakeries, delis and other related services.

#### *Gross Floor Area*

Is the sum of the gross areas of the several floors of a building or buildings, measured from the exterior faces of exterior walls or from the centerlines of walls separating two (2) buildings.

Gross floor area shall not include:

- a. Underground parking space
- b. Uncovered steps
- c. Exterior balconies

#### *Gross Land Area*

The area of a parcel of land excluding all streets and alleyways in existence at the time the development plan is submitted. Those portions of such parcels which subsequently may be designated as streets or alleyways, whether dedicated or not, shall be included in the determination of gross land area.

#### *Grubbing*

The removal of trees and other large plants including their roots.

#### *Guest House*

An attached or detached accessory building used to house guests of the occupants of the principal building. A guest house providing kitchen facilities shall be considered a dwelling unit.

#### *Guest Ranch*

A ranch that provides lodging and activities to guests.

#### *Habitat*

The place or type of site where a plant or animal naturally or normally grows and lives.

#### *Halo Illumination*

Illumination produced by recessing a light source inside a hollow **SIGN** character with an open back or within the mounting surface. An outline glow around the characters is created by this light reflecting off the background to which the characters are attached.

*Health Studio or Health Spa*

See “Personal Services.”

((O)06-06, 04/19/06)

*Heliport*

An area that is used or intended to be used for the landing and takeoff of helicopters and may include any or all of the areas of buildings which are appropriate to accomplish these functions.

*High-Rise Building*

A building that exceeds thirty (30) feet in height as defined herein.

*Hillside Conservation Area*

Land area designated for conservation of natural slopes greater than fifteen percent (15%).

((O)11-01, 02/16/11)

*Hillside Development Zone*

An area providing additional regulations for hillside development.

*Hillside Development Zone Subdivision*

A subdivision or that portion of a subdivision located within the Town’s Hillside development zone.

*Hillside View Conservation Area*

The visually significant slopes and ridges of the site designated as environmentally sensitive open space. Visually significant slopes and ridges are identified by the Scenic Resources category of the ESL regulations.

((O)11-01, 02/16/11)

*HISTORICAL MARKER*

*A SIGN MARKER LOCATING AND IDENTIFYING A HISTORICAL INTEREST OR SITE.*

*Home Occupation*

Business or commercial activity that is conducted from property zoned for residential use.

((O)16-11, 09/07/16)

### *HOME OCCUPATION SIGN*

*A SIGN THAT IDENTIFIES A BUSINESS OR COMMERCIAL ACTIVITY THAT IS CONDUCTED FROM THE PROPERTY ZONED FOR RESIDENTIAL USE.*

#### *Hospital*

A facility for the general and emergency treatment of human ailments with bed care including a sanitarium or clinic.

((O)15-16, 11/08/15)

#### *Hotel*

An establishment that offers temporary lodging in rooms, for less than one (1) month (30 days), that has interior common corridor access to rooms, may include a restaurant and accessory uses and services, including, without limitation, newsstands, gift shops, and similar incidental uses conducted entirely within the principal building.

#### *Household Services*

An establishment providing repair or maintenance of residential goods or properties including appliance repair shop, pest prevention services, etc.

#### *Human Burials*

Human remains, including human skeletal remains, cremations, and/or ceremonial objects and funerary objects.

### *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.*

#### *Hydrological Study*

A report designed to show the effects of surface water on a specific area.

### *IDENTIFICATION SIGN*

*AN ON-SITE, PERMANENT SIGN WHICH IDENTIFIES THE PREMISES WHERE THE SIGN IS LOCATED.*

*Illumination Nuisance*

A use which creates difficulty for pilots to distinguish between navigational lights or markers and other lights.

*ILLUMINATED SIGN*

*A SIGN WHOSE SURFACE IS LIT INTERNALLY OR EXTERNALLY OR HAS THE POTENTIAL OR ABILITY TO BE ILLUMINATED EITHER BY BATTERY OR ELECTRICITY SHALL BE CONSIDERED AN ILLUMINATED SIGN WHETHER THE SIGN IS LIT OR UNLIT.*

*Improvements*

A street, sewer, electric, gas and water utilities, drainage and flood control facilities or any other improvement or structure including all necessary engineering, construction, and inspection costs for the same for which the Town of Oro Valley may ultimately assume responsibility for maintenance and operation.

*Impulsive Sound*

Sound that is characterized by brief disturbances of sound pressure, typically less than one (1) second, when peak sound pressure exceeds the background sound pressure.

*Highly*

Impulsive sound having very rapid onset rate (greater than one hundred fifty (150) dB per second) typically resulting from impact processes including, but not limited to: metal hammering, wood hammering, drop hammering, pile driving, drop forging, pneumatic hammering, pickleball paddle and ball impacts, pavement breaking, metal impacts and riveting.

*Regular*

Impulsive sound that is not highly impulsive sound. This includes speech and music.

((O)20-07, 09/16/20)

*Incidental Retail Item*

An item customarily subordinate or directly related to the operation of a mobile food unit.

((O)18-14, 10/03/18)

*INDIRECT LIGHTING*

*A SOURCE OF EXTERNAL ILLUMINATION LOCATED A DISTANCE AWAY FROM THE SIGN, BUT WHICH IS ITSELF NOT VISIBLE FROM ANY NORMAL POSITION.*

*INFLATABLE SIGN*

*AN OBJECT, DEVICE OR STRUCTURE CAPABLE OF OR DESIGNED TO BE INFLATED WITH AIR OR LIGHTER-THAN-AIR GAS THAT IS USED FOR THE PURPOSE OF ATTRACTING ATTENTION OR TO MAKE SOMETHING KNOWN TO THE PUBLIC.*

*Inspector*

A person authorized by the Town to perform inspection on grading work.

*Institution*

A building or buildings occupied by a nonprofit corporation or a nonprofit establishment for public use.

*Institutional*

An organizational facility used for social, educational, or religious purposes such as a school, religious institution, hospital, or reformatory.

((O)07-33, 09/19/07)

*Integrated*

An element of a project that is an aesthetic or functional part of a structure or design. The integrated element is not intended to appear as an added or attached feature of the overall project.

((O)18-08, 05/16/18)

**Internal Illumination**



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

*Irrigation Facility*

Canals, laterals, ditches, conduits, gates, pumps, and allied equipment necessary for the supply, delivery, and drainage of irrigation water and the construction, operation and maintenance thereof.

*Irrigation System*

An underground watering system, which consists of heads, valves, pipes, etc., used for the sole purpose of sustaining and promoting plant life.

*Kennel*

A use where six (6) or more dogs or cats are bred, boarded, and/or trained, not including ancillary pet boarding.

*KIOSK SIGN*

*A FREESTANDING SIGN THAT CONTAINS DIRECTIONAL PLACARDS. THE KIOSK IS INSTALLED PER A CONTRACT WITH AN INDEPENDENT CONTRACTOR WHO IS RESPONSIBLE FOR THE MANUFACTURE AND MAINTENANCE OF THE SIGNS.*

*Land Division, Minor*

A division of improved or unimproved land for the purpose of financing sale or lease, whether immediate or future, into one (1) or more lots, not including any division of land defined as "subdivision."

*Landscape*

A combination of trees, shrubs, flowers, or other horticultural elements, decorative stonework, paving, screening or other architectural elements designed to enhance the visual amenity of a property and/or to provide a screen to mitigate any objectionable aspects that may detrimentally affect adjacent land.

*Landscape Island*

A landscaped area defined by a header and/or curb commonly found in a parking lot or cul-de-sac.

*Landscape Screen*

An area of landscaping intended to provide a visual screen between adjacent areas.

*Light Trespass*

The portion of the measurable light distribution that extends beyond the property line.

*Linear Park*

See "Park, Linear."

((O)11-05, 04/20/11)

*Loading Space*

A permanently maintained space on the same lot as the main building accessible to a street or alley, which provides an area for delivery trucks and other similar activities to serve the building.

*LOGO*

*A GRAPHIC SYMBOL REPRESENTING A BUSINESS. LOGOS SHALL BE STATE OR FEDERALLY REGISTERED TRADEMARKS.*

*Long Term*

A period of time exceeding seven (7) days.

*Lot*

A parcel of land created by a legal subdivision bounded on all sides by property lines of sufficient size to meet minimum zoning requirements for use, coverage, area, setbacks, and other areas as required by this code, with legal access to a public street.

*Corner*

A lot adjoining two (2) or more streets at their intersection.

*Interior*

A lot other than a corner lot or key lot.

*Key*

A lot adjacent to a corner lot that shares its side lot line with the rear lot line of the corner lot and fronts on the street which forms the side boundary of the corner lot.

*Reverse Frontage*

A lot having frontage on two (2) non-intersecting streets. The front of the lot shall be considered facing the interior street.

*Lot Area*

See "Net Lot Area."

*Lot Coverage*

The area of land that is covered by a building on a particular site.

*Lot, Depth of*

The horizontal distance between the front and rear lot lines.

*Lot Lines*

The lines which form the boundary of a lot.

*Front*

The line along the street on which the lot is addressed for residential lots, or the major street as determined by the Town Engineer for commercial lots.

*Rear*

The line that is opposite and most distant from the front lot line.

*Side*

All lot lines not front or rear are side lot lines.

[Front Lot Line for Lindbergh Drive Property](#)

*Lot of Record*

A lot that is a part of a subdivision, the plat of which has been recorded in the office of the Pima County Recorder; or parcel of land, the deed of which is recorded in the office of the County Recorder.

*Lot Width*

The width of the lot determined as follows:

- a. If the side property lines are parallel, the shortest distance between these side lines;

- b. If the side property lines are not parallel, the width of the lot shall be the length of a line at right angles to the axis of the lot at a distance equal to the required front or rear building setback line, whichever is the lesser. The axis of a lot shall be a line generally perpendicular to the fronting street, which divides the lot into two (2) equal parts.

*Lumen*

A unit of light output from a source; used to measure the amount of light emitted by lamps.

*Luminaire*

The complete lighting assembly, not including the support assembly.

*Maintenance*

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

*Manufactured Home*

A structure, transportable in one (1) or more sections, which, in the traveling mode, is eight (8) feet or more wide or forty (40) feet or more in length, or when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent foundation and contains plumbing, heating, air cooling, and electrical systems.

*Manufacturing Services*

An establishment whose primary business is the compounding, processing, fabricating or assembling, packaging or testing of goods or equipment.

*Heavy*

A manufacturing service which may have a negative impact on adjacent properties and that does not comply with Section [25.1.B.17](#).

*Light*

A manufacturing service which does not have a negative impact on adjacent properties in accordance with Section [25.1.B.17](#).

((O)20-06, 07/15/20)

*Marijuana Establishment*

An entity licensed by the State of Arizona Department of Health Services or its successor agency to acquire, possess, cultivate, manufacture, supply, sell or dispense marijuana and marijuana products.

Types of establishments include:

*Designated Caregiver Cultivation Location*

An enclosed facility, that does not exceed two hundred fifty (250) square feet of cultivation space, where a designated caregiver, as defined by A.R.S. Section [36-2801\(5\)](#), cultivates marijuana if the designated caregiver's registry identification card provides that the designated caregiver is authorized to cultivate marijuana.

*Nonprofit Medical Marijuana Dispensary*

A nonprofit entity that acquires, possesses, cultivates, manufactures, supplies, sells or dispenses marijuana or related supplies and educational materials to cardholders.

*Recreational Marijuana Dispensary*

A single retail location, in cooperation with a medical marijuana dispensary, that acquires, possesses, cultivates, manufactures and sells marijuana and marijuana products to consumers.

*Dispensary Off-Site Cultivation Location*

A single off-site location where marijuana or marijuana products are cultivated, processed, packaged, stored or manufactured by a marijuana dispensary, but from which marijuana and marijuana products may not be transferred or sold to consumers.

*Qualifying Patient Cultivation Location*

An enclosed facility that does not exceed fifty (50) square feet of cultivation space for each location, where a qualifying patient, as defined by A.R.S. Section [36-2801\(13\)](#), cultivates marijuana if the qualifying patient's registry identification card states that the qualifying patient is authorized to cultivate marijuana.

((O)20-10, 11/04/20; (O)10-13, 10/27/10)

*Marijuana Use*

Marijuana is all parts of the plant of the genus Cannabis, as defined in A.R.S. Section [13-3401](#), whether growing or not, as well as the seeds from the plant, the resin extracted from any part

of the plant, and every compound, manufacture, salt, derivative, mixture or preparation of the plant or its seeds or resin.

Marijuana does not include industrial hemp, the fiber produced from the stalks of the plant of the genus Cannabis, oil or cake made from the seeds of the plant, sterilized seeds of the plant that are incapable of germination, or the weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink or other products.

Types of marijuana uses include:

*Medical Marijuana*

Marijuana used for a medical use as those terms are defined in A.R.S. Section [36-2081\(11\)](#).

*Recreational Marijuana*

Marijuana used for enjoyment rather than as a medical treatment.

((O)20-10, 11/04/20; (O)10-13, 10/27/10)

*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.*

*Mass Grading*

Grading of the subdivision building site, in its entirety, during the initial development process, as authorized by the approved plans. Mass grading shall only be permitted for new residential subdivisions, with an average lot size of fifteen thousand (15,000) square feet or less.

((O)20-05, 09/16/20)

*Master Planned Development*

A large, multi-use development planned and developed in a comprehensive manner.

((O)20-06, 07/15/20)

*Mature Trees*

Healthy, full-bodied trees with a shape characteristic of the species and of the following minimum sizes:

Ten (10) to twelve (12) foot height by six (6) to eight (8) inch wide; or two (2) inch single trunk caliper; or one (1) inch average trunk caliper for multiple trunk trees; or eight (8) foot trunk height for palms.

#### *Mechanical Equipment*

All devices, appliances, and apparatus involved in the maintenance of environmental conditions within a building or recreational structure, such as a swimming pool or spa. Mechanical equipment shall include HVAC units, air conditioners, pool heaters, pool filters, and pool circulation pumps, among others.

#### *Medical Services*

An establishment providing inpatient or outpatient medical care and/or treatment to patients, including hospitals, surgery centers or urgent care facilities.

((O)20-06, 07/15/20)

#### *MEMORIAL SIGN*

*A PERMANENT SIGN, TABLE, OR PLAQUE MEMORIALIZING A PERSON, EVENT, STRUCTURE, OR SITE.*

#### *Mezzanine or Mezzanine Floor*

An intermediate floor placed in any room.

#### *MENU BOARD*

*A MONUMENT STYLE OR WALL-MOUNTED SIGN PROVIDING A BILL OF FARE FOR THE PURPOSE OF PLACING ORDERS AT A DRIVE-THROUGH, DRIVE-IN RESTAURANT, OR WALK UP WINDOW.*

#### *MODEL HOME FLAGS*

*INDIVIDUAL FLAGS, ATTACHED TO FREESTANDING POLES THAT MAY BE MULTI-COLORED AND/OR CONTAIN THE CORPORATE LOGO FOR A MODEL HOME COMPLEX SALES OFFICE.*

#### *MODEL HOME OFF SITE SIGNS*

*DEFINITION: SIGNS WITHIN A SUBDIVISION WHICH DIRECT TRAFFIC TO THE MODEL HOME COMPLEX OR CUSTOM HOME LOT SALES OFFICE.*

*Microbrewery*

A building or use that has a series 3 liquor license and which produces beer in the amount between ten thousand (10,000) and three hundred thousand (300,000) gallons annually.

*Minor Land Division*

A division of improved or unimproved land for the purpose of financing sale or lease, whether immediate or future, into one (1) or more lots. A minor land division shall not include any division of land defined as a “subdivision.”

*Mobile Food Unit*

A food establishment that is licensed by this State, that is readily movable and that dispenses food or beverages for immediate service and consumption and other incidental retail items as defined in this section.

((O)18-14, 10/03/18)

*Mobile Home*

A structure, transportable in one (1) or more sections, which, in the traveling mode, is eight (8) feet or more in width or forty (40) feet or more in length, or when erected on site is three hundred twenty (320) or more square feet and which is built on a permanent chassis and designed to be used as a dwelling.

*Mobile Home Park*

A lot, tract, or parcel of land used or offered for use, in whole or in part, with or without charge, for parking of mobile homes or trailer coaches used for sleeping or household purposes.

*Mobile Home Space*

A plot of ground within a mobile home park designed for the accommodation of one (1) mobile home or trailer coach.

*Model Home*

An unoccupied home intended for use as a representation for homebuyers of a particular home product.

**MODEL HOME BANNERS**



*DEFINITION: BANNERS FOR A MODEL HOME MAY BE UTILIZED FOR THE SOLE PURPOSE OF A SALES EVENT OR TO IDENTIFY A NEW MODEL HOME.*

*Modifier*

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

*Monitoring, Archaeological*

The observation after commencement of a disturbance to determine if archaeological resources exist in an area or, when such resources are known to exist, the observation, recording, and incidental recovery of site features and materials to preserve a record of the affected portion of the site. Monitoring is applicable in locations where sites or features may occur but are generally not expected to be of such importance, size or complexity as to require lengthy work or project delays for archaeological investigations.

*Monopole*

A facility used exclusively for wireless communication facility mounts and is self-supporting with a single shaft of steel, concrete or wood. This does not include flagpoles.

*MONUMENT SIGN*

*A PERMANENT SIGN SUPPORTED BY STRUCTURES, COLUMNS, UPRIGHTS, AND/OR BRACES THAT ARE PLACED ON, OR ANCHORED IN, THE GROUND INDEPENDENT OF THE BUILDING OR BUSINESS STRUCTURE.*

*Motel*

A building or group of buildings containing guest rooms or dwelling units, some or all of which have a separate entrance leading directly from the outside of the building, with the garage or parking space located on the lot and designed, used or intended wholly, or in part, for the accommodation of automobile transients. Motel includes motor court, motor lodge and tourist court, but not a mobile home park.

*Moving Services*

A use where trucks, trailers or other similar equipment intended for use in moving households or businesses is available for hire, purchase or rent.

*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.*

*Multiple Tenant Commercial Building*

A structure that houses or is intended to house a variety of separate commercial activities.

*Native Vegetation*

Vegetation which is indigenous to the specific site or to areas contiguous to a parcel being developed.

*Natural Cross-Slope*

The slope of the topographic configuration of land, graphically represented by contour lines, prior to any grading or other disturbance of the site.

*Natural Grade*

The topographic configuration of land prior to any grading or other human disturbance of the site.

*NEON SIGN*

*AN ILLUMINATED, COMMERCIAL DISPLAY MADE UP OF GLASS TUBES, SHAPED TO FORM LETTERS AND DESIGNS.*

*Net Floor Area*

The total floor area of a building measured from the interior faces of load-bearing walls excluding air shafts, stairwells, elevator shafts, restrooms, and mechanical equipment rooms.

*Net Lighting Acre*

An acre of the remaining ground area after deleting all portions for proposed and existing public and private street rights-of-way within a development, parcel, or subdivision. If there are any E1 lighting zones on the property, then they shall also be excluded from the calculations of net lighting acre.

*Net Lot Area*

The area included within lot lines after all right-of-way dedications have been made as required by the Town of Oro Valley.

***NEW BUSINESS BANNER***

*A BANNER MAY BE UTILIZED FOR THE PURPOSE OF A NEW BUSINESS OPENING OR CHANGE OF OWNERSHIP TO PROMOTE A NEW BUSINESS.*

***NIT***

*A UNIT OF VISIBLE-LIGHT INTENSITY, COMMONLY USED TO SPECIFY THE BRIGHTNESS OF AN LED, CATHODE RAY TUBE OR LIQUID CRYSTAL DISPLAY COMPUTER DISPLAY. ONE (1) NIT IS EQUIVALENT TO ONE (1) CANDELA PER SQUARE METER.*

***Noise***

Any sound which annoys or disturbs humans or which causes or tends to cause an adverse effect on humans, domesticated animals or livestock.

((O)20-07, 09/16/20)

***Noise Abatement Plan***

A detailed plan demonstrating the mitigation measures to be taken in order to meet the noise requirements of this code.

((O)20-07, 09/16/20)

***Noise Impact Study***

An analysis performed by a qualified acoustical engineer which determines the potential noise impacts of a proposed use.

((O)20-07, 09/16/20)

***Nonconforming Building***

A building or portion of which was lawful when established but does not conform to a subsequently established district or district regulations.

***Nonconforming Lot***

A parcel of land having less area, frontage, or dimensions than required in the district in which it is located.

#### *NONCONFORMING 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.*

#### *Nonconforming Use*

A building or land, lawfully occupied by a use at the time of passage of this code or code amendment, that does not conform after passage of this code or code amendment with the use regulations of the district in which it is located.

#### *Non-Density-Based Land Uses*

Those land uses of a non-residential nature.

#### *NON-ILLUMINATED SIGN*

*A SIGN THAT DOES NOT HAVE THE ABILITY TO BE ELECTRIFIED OR POWERED IN ANY WAY. THE COMPONENTS THAT ENABLE THE SIGN TO BE LIT MUST BE PERMANENTLY DISABLED IN ORDER TO BE CONSIDERED A NONILLUMINATED SIGN.*

#### *Non-Ionizing Electromagnetic Radiation (NIER)*

Is electromagnetic radiation primarily in the visible, infrared, and radio frequency portions of the electromagnetic spectrum.

#### *Occupancy*

The purpose for which a building, or part thereof, is used or intended to be used.

#### *OFF-SITE SIGN*

*ANY SIGN NOT LOCATED ON THE PREMISES OR SITE OF THE USE IDENTIFIED OR ADVERTISED BY THE SIGN.*

#### *Office*

A building or part thereof, designed, intended or used for the practice of a profession, including medical, the carrying on of a business, the conduct of public administration, or, where not conducted on the site thereof, the administration of an industry, but shall not include a retail commercial use, any industrial use, financial institution, place of amusement, or place of assembly.

*Office Park*

A group of offices planned and designed for the site on which it is built, functioning as a unit, with off-street parking and landscaping provided on the property as an integral part of the unit.

*ON-SITE SIGN*

*ANY SIGN WHICH IS LOCATED ON THE PREMISES OR SITE OF THE USE IDENTIFIED OR ADVERTISED BY THE SIGN.*

*ON-SITE SUBDIVISION SIGN*

*AN ON-SITE, TEMPORARY SIGN LOCATED AT THE ENTRANCE TO A SUBDIVISION.*

*Open House*

A dwelling or office space that is for sale or for lease to which the public is invited for walk-in inspection.

*Open Space*

An area meant to provide a natural or garden environment.

*Common*

A landscape or natural open space, other than frontage open space, intended for use by all occupants of a development.

*Frontage*

The landscaped or natural open space between the right-of-way line of a dedicated street and any perimeter structure(s) within the development except that this space may extend between structures or between a structure and a side property line to a depth of not more than one-half (1/2) the width of the opening.

*Landscaped*

An area improved through the harmonious combination of natural desert growth with the introduction of trees, shrubs, and groundcover the purpose of which is to enhance the visual and aesthetic quality of any structure or development.

*Natural*

A natural, completely undisturbed, desert area.

*Outdoor Display*

An arrangement of merchandise sold on the property in such a way to give special prominence and designed to attract buyers.

((O)16-10, 09/07/16)

*Outdoor Light Fixture*

An outdoor illuminating device, outdoor lighting or reflective surface, lamp or similar device, permanently installed or portable, used for illumination. Such devices include, but are not limited to:

- a. Parking lot lighting
- b. On-site circulation lighting
- c. Building and structural lighting
- d. Landscape lighting
- e. Recreational lighting
- f. Product display area lighting
- g. Building overhangs and open canopies
- h. Security lighting

*Outdoor Storage*

The supply, stock of merchandise, materials or similar items accumulated in an area outside of the business.

((O)16-10, 09/07/16)

*Outdoor Type Business*

A business, all or most of whose activities are conducted, or items displayed, in an open area.

*Overlay District*

A zoning district that provides supplemental regulations to be applied in addition to those of the original zone, or provides for density transfers, or for coordinated development of several uses and shall include the Hillside Development Zone, Planned Residential Development District, and Planned Area Development District. Any applicable regulations superimposed by the Floodplain Management Code shall be in addition to the requirements of this zoning code.

*Owner*

The person or persons holding title by deed to land or holding title as vendees under land contract or holding any other title of record.

*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. LIGHTING MAY BE INSTALLED INSIDE THE PAN TO ILLUMINATE THE FACE.*

*Parapet Wall*

A wall extending above the plate line of a building.

*Parcel*

An area within legally described boundaries under common ownership and capable of being separately conveyed. A lot within a subdivision is a parcel.

*Park*

An area of land designated and used for recreation purposes.

*Linear*

A park that has a much greater length than width.

*Private*

An area of land designated and used for active and/or passive recreation intended for use by residents of the subdivision or complex in which the park is located.

*Public*

An area of land designated and used by the public for active and/or passive recreation.

*Parking Aisle*

The aisle on which vehicles are allowed access to the individual parking stalls and are characterized by slow speeds and high turning movements.

*Parking Area*

A public or private land area designed and used for off-street parking.

*Private*

A parking area for the private use of the owners or occupants of the lot on which the parking area is located; this does not include parking on sidewalks or streets; this does include “reserved” designations.

*Public*

A parking area available to the public, with or without compensation, used to accommodate clients, customers, employees, guests, or visitors.

*Parking Bay*

A parking module consisting of one (1) or two (2) rows of parking spaces and the aisle from which vehicles enter and leave the spaces.

*Parking Lot*

A parcel of land devoted to parking spaces as set forth by the parking standards of the Town of Oro Valley.

*Commercial*

A lot available to the general public, who may be required to pay a charge or fee for said usage to the owner of the lot or his agent.

*Parking Space*



The space for the parking of a vehicle within a public or private parking area.

*Parking Structure*

A building designed for temporary storage of motor vehicles.

*Party Wall*

A single common wall between two (2) adjacent units.

*Patio Home*

An attached or detached single-family dwelling constructed with no side yard on one (1) side of the lot.

*PEDESTRIAN TENANT DIRECTORY*

*AN EXTERIOR, WALL-MOUNTED, OR FREESTANDING SIGN THAT LISTS ONLY THE NAMES AND LOCATIONS OF TENANTS OF A COMPLEX OR DEVELOPMENT FOR THE SOLE PURPOSE OF DIRECTING PEDESTRIANS. THE SIGN SHALL HAVE A UNIFORM BACKGROUND COLOR AND LETTER STYLE.*

*Pedestrian Way*

A public walk dedicated entirely through a block, from street to street, or providing access to a school, park, recreation area, or shopping center.

*Pennant*

A lightweight fabric or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, designed to attract attention.

*Perimeter Roads*

The roads along the perimeter of buildings and at the ends of parking aisles where they abut property lines and provide customer drop-off and pickup as well as emergency access to the building.

*PERMANENT SIGN*

*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.*

*Permitted Use*

A use specifically permitted or a use analogous to those specifically permitted.

*Personal Services*

An establishment where individual services are provided, including, but not limited to, barber shops, salons, health/days spas including massage, dry cleaners and laundromats (not including industrial cleaners), and teaching studios.

*Pet*

A non-hooved animal generally recognized as a domestic household animal.

*Planning and Zoning Commission*

The Planning and Zoning Commission of the Town of Oro Valley.

*Plant Nursery*

A place where young trees and/or other plants are raised for transplanting or for sale.

*Plat*

A map of a subdivision:

- a. Final Plat shall mean a map of all or part of a subdivision providing substantial conformance to an approved preliminary plat prepared by a registered civil engineer or a registered land surveyor in accordance with Section [22.9.D](#) of this code.
- b. Recorded Plat shall mean a final plat bearing all of the certificates of approval required in Section [22.9.F](#) of this code and duly recorded in the Pima County Recorder's Office.

*Plate Line*

The point at which the bottom of the main roof structure first touches or bears upon an external wall.

*POLE COVER*

*COVERS MADE FROM VARIOUS MATERIALS WHICH ENCLOSE OR CONCEAL A POLE OR OTHER STRUCTURAL SUPPORTS OR MEMBERS TO THE SIGN.*

*Political Subdivision*

A separate legal entity of the State, including counties, cities, school districts or public fire or emergency services, etc.

#### *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 THE VEHICLES ARE USED IN NORMAL DAY-TO-DAY OPERATIONS OF THE BUSINESS.*

#### *POSTERS*

*A LARGE PRINTED DISPLAY OR PICTURE OFTEN POSTED IN A PUBLIC PLACE AS A NOTICE OR ADVERTISEMENT.*

#### *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.*

#### *Preschool*

See "Day care."

#### *Preservation*

In the context of the environmentally sensitive lands conservation system, the attempt to maintain land in its current condition to protect the area from negative human influence.

((O)11-01, 02/16/11)

#### *Private Club*

An establishment, which may possess a series 14 liquor license, primarily organized for some common social purpose, including veterans of foreign wars, American Legion and other similar social organizations.

*Prohibited Use*

A use not specifically permitted or a use analogous to those not specifically permitted.

*Projection*

To jut out or hang over without supporting structural elements.

((O)18-15, 10/03/18)

*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.*

*Public Artwork*

Artwork that is accessible to the community and the general public. It may be privately funded and owned or it may be fully funded by public agencies for public benefit. Public artwork adds aesthetic appeal, draws visitors and improves the image of the Town. It entails the application of skill and taste by an artist in creating an original work of art. Privately funded and owned public artwork may not include: directional graphics or color-coded location indicators, mass-produced or standard “off-the-shelf” items, including playground equipment, fountains, or statuary, and most art reproductions.

((O)14-02, 01/15/14; (O)08-23, 12/03/08)

*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.*

*QUASI-PUBLIC SIGNS*

*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 OR RESIDENTIAL DISTRICT.*

*Qualified Habitat Restoration Specialist*

A person with a minimum of a Bachelor's degree in a natural resources-related field, and five (5) years of experience in the field of habitat biology.

((O)11-01, 02/16/11)

*Ranch*

An area of ten (10) or more contiguous acres that is used for the raising of livestock on a commercial basis.

*REAL ESTATE SIGN*

*A SIGN PERTAINING TO THE SALE, RENT, OR LEASE OF THE PREMISES OR PORTION OF THE PREMISES ON WHICH THE SIGN IS LOCATED.*

*REASONABLE REPAIRS*

*TO RESTORE AN EXISTING STRUCTURE TO A GOOD OR SOUND CONDITION RESULTING FROM DECAY OR DAMAGE.*

*Recreation Area*

A land area that is designated for recreation or contains specific facilities such as community recreational centers, pedestrian ways, swimming pools, picnic facilities, basketball and sport courts, playground equipment and exercise equipment.

*Active*

An area delineated for formal activities, which may or may not require equipment and take place on a prescribed field. Active recreational areas include, but are not limited to, tennis, volleyball, bocce ball and other court games, baseball, soccer and other field sports, swimming pools, track and improved playground activity areas.

*Passive*

An area delineated for activities that involve relatively inactive or less energetic activities, such as walking, sitting, picnicking, card games, checkers, and similar table games. Passive recreational areas also include natural open space, which contain nature walks and observation areas.

*Recreational Building*

A building of which the primary use and function is for recreational activities.

*Recreational Facilities*

A place designed and equipped for the conduct of sports, exercise, and/or leisure-time activities.

*Religious Institution*

A place of gathering or assembly with the primary purpose of religious worship. Typical religious uses include, but are not limited to, churches, synagogues, mosques and temples.

((O)07-33, 09/19/07)

*Research and Development*

The conducting of research of a commercial, industrial, or scientific nature, including analytic, diagnostic, processing, testing or experimentation and other types of laboratory services but not for the manufacture or sale of products except as incidental to the main purpose of the laboratory.

((O)20-06, 07/15/20)

*RESIDENTIAL SIGN*

*A SIGN ON WHICH IS DISPLAYED THE NAME AND ADDRESS OF THE OCCUPANT.*

*Resort*

A group or groups of buildings containing more than five (5) dwelling units and/or guest rooms and providing outdoor recreational activities, which may include golf, horseback riding, swimming, shuffleboard, tennis, and other similar activities, including associated lighting. A resort may furnish services customarily furnished by a hotel including a restaurant, bar, specialty retail shops, and convention facilities.

*Restaurant*

An establishment primarily engaged in the serving of food to the public.

*Drive-In*

A building or structure where food and drink are served for consumption on the premises by order from the service to a vehicular passenger outside the structure.

*Drive-Through*

A building or structure where food and drink are served for consumption within the building or off the premises by order from vehicular passengers outside the structure including, but not limited to, services from an outdoor service window.

*Retail*

A sale for any purpose in the form of tangible personal property.

*General*

An establishment primarily engaged in the sale of goods or products to the end consumer, not including wholesale, manufacturing or other similar types of sales.

*Retaining Wall*

A wall designed to withstand lateral and hydrostatic pressures and built to keep earth from sliding.

*Revegetation*

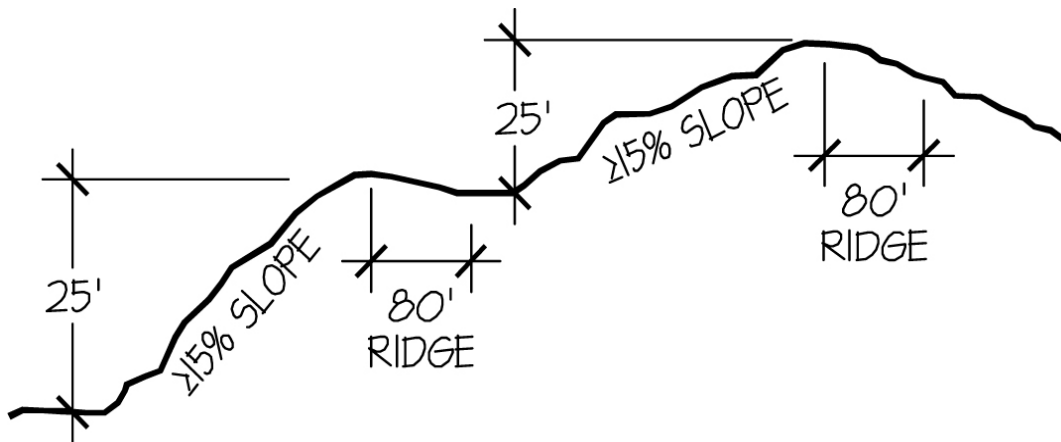
Placement of living plant materials including, but not limited to, seed on sites or cut-and-fill slopes where the natural vegetation has been removed.

*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. LIGHTING MAY BE INSTALLED INSIDE THE PAN WHICH CREATES A HALO ILLUMINATION.*

*Ridge*

A topographic feature above sloped areas fifteen percent (15%) and greater that forms a crest or hilltop of at least eighty (80) feet in width. Ridges may include sloped areas as illustrated below.



((O)11-01, 02/16/11)

### *Ring Road*

A road that typically provides unimpeded access to the parking aisles from the access drives and performs a collector function. A ring road is not primarily adjacent to the buildings except in service areas.

### *Rip-Rap*

A bed or wall consisting of stones placed in an irregular fashion.

#### *Grouted*

Rip-rap that is held together with or placed in cementitious material.

### *Riparian Habitats*

Biological communities occurring in association with any spring, cienega, lake, watercourse, river, stream, creek, wash, arroyo, or other body of water, either surface or subsurface, or any channel having banks and beds through which water flows, at least periodically. Riparian habitats may be generally characterized or distinguished into three (3) classes, hydriparian, mesoriparian, and xeroriparian, by a difference in plant species composition, or an increase in the size and/or density of vegetation, as compared to upland areas, as follows:

#### *a. Hydriparian Habitats*



Riparian habitats generally associated with perennial water- courses, with plant communities dominated by obligate or preferential wetland plant species, such as willow and cottonwood.

*b. Mesoriparian Habitats*

Riparian habitats generally associated with perennial or intermittent flows, or shallow ground water, with plant communities dominated by species that may also be found in drier habitats, but contain some preferential riparian plant species, such as ash or netleaf hackberry. The mesquite bosque and sycamore/ash association are examples of this community type.

*c. Xeroriparian Habitats*

Xeroriparian habitats are supported by intermittent or ephemeral stream flows. Typical species associated with this habitat type include mesquite, blue palo verde, desert willow, catclaw acacia, whitehorn acacia, desert hackberry, and ironwood. Actual species composition is typically a function of the extent and frequency of stream flow. Xeroriparian habitats are present along washes throughout the Town of Oro Valley.

For the purposes of this classification system, xeroriparian habitats are further divided into the following subcategories:

*1. High Xeroriparian A Habitats*

Generally associated with well-developed water- courses. The trees present are generally sixteen (16) feet to twenty (20) feet tall or taller. The vegetative volume per unit area within this habitat type is approximately 0.850 M<sup>3</sup>/M<sup>2</sup> with much of the volume present within the dense over-story.

The diversity of species is relatively greater than that associated with intermediate xeroriparian b and low riparian c habitat types. Mesquite, desert willow, blue palo verde, and desert hackberry are representative tree species within High Xeroriparian A Habitat areas.

*2. Intermediate Xeroriparian B Habitats*

Typically occur along well-developed water- courses. The principal distinction between Xeroriparian A and Xeroriparian B Habitats is that of plant size (height, trunk size, and

total vegetative volume). Trees in this habitat type generally range from six (6) feet to fifteen (15) feet tall. The under-story is often more extensive than Xeroriparian A Habitats due to a more open over-story canopy.

Within Intermediate Xeroriparian B Habitats, the vegetative volume per unit area is typically 0.675 M<sup>3</sup>/M<sup>2</sup>. Mesquite, ironwood, blue palo verde, catclaw acacia, desert broom, and desert hackberry are representative of this habitat type.

### *3. Low Xeroriparian C Habitats*

Typically occur along minor watercourses and along the peripheral edges of major watercourses. The typical vegetative volume per unit area in this habitat type is between 0.500 and 0.675 M<sup>3</sup>/M<sup>2</sup>. Whitethorn acacia, catclaw acacia, desert creosote bush, bunchgrasses, and bursage are typically found within Low Xeroriparian C Habitats.

### *4. Regional Drainageway*

Not a single habitat type, but rather an aggregation of the habitat types described above distributed continuously along a regional drainage-way. The regional drainageway is significant in that it typically extends for lengths of several miles and may extend from the urbanized portions of the Town into large tracts of undeveloped public lands. Within the current boundaries of Oro Valley, this habitat feature occurs along the Canada del Oro Wash and Big Wash.

The regional drainageway typically consists of patches of Xeroriparian A, B, and C.

Habitats, separated by areas of sparsely vegetated or nonvegetated wash bottom all of which is within the undeveloped floodplain.

The high habitat value associated with regional drainageways stems from their length (which can be uninterrupted for lengths of several miles), their width (which provides habitat areas that are relatively isolated from adjacent urban developments), and their configuration (which provides connections between various tributary channels and, in some instances, connections to tracts of preserved natural open space).

## *ROAD CONSTRUCTION SIGN*

*TEMPORARY BUSINESS IDENTIFICATION SIGNAGE TO ENHANCE VISIBILITY OF PROPERTIES WITH COMMERCIAL, MULTIFAMILY OR RELIGIOUS INSTITUTIONS DURING ROAD CONSTRUCTION PROJECTS.*

*ROOFLINE*

*THE TOP EDGE OF THE ROOF OR THE TOP OF THE PARAPET, WHICHEVER FORMS THE TOP LINE OF THE BUILDING SILHOUETTE.*

*ROOF SIGN*

*A SIGN THAT IS MOUNTED ON, ABOVE, OR OVER THE ROOF OF A BUILDING, SO THAT IT PROJECTS ABOVE THE HIGHEST POINT OF THE ROOFLINE, PARAPET, OR FASCIA OF THE BUILDING.*

*Scenic Resource Conservation Area*

Lands adjacent to designated scenic corridors where the land use and design requirements of the ESL scenic resources category apply.

((O)11-01, 02/16/11)

*School*

A place of general instruction.

*Private*

A place of general instruction, such as private academies, business schools or colleges that are not a charter school or part of a public school system.

*Public*

A place of general instruction which are recognized by the Arizona Department of Education as a charter school or as part of a public school system.

*Screen*

An opaque barrier designed and installed to conceal areas used for storage, refuse, mechanical equipment, parking or delivery service loading bays from street and public view, or to buffer adjacent uses.

*Screen Wall*

An opaque wall at least six (6) feet in height located along the perimeter of a said use that abuts a residential use, the purpose of which is to minimize any impacts associated with contiguous or adjacent land uses.

((O)11-15, 05/18/11)

#### *Sculptured Rock*

A soil stabilization treatment using a material, such as concrete or gunite, which is sculpted to resemble natural stone.

#### *SEASONAL SIGN*

*SEASONAL SIGNS MAY INCLUDE DECORATIONS, HOLIDAY LIGHTS, GARLAND, OR SIMILAR TREATMENT ORIENTED TOWARD A HOLIDAY EVENT. HOLIDAY BANNERS ARE ALLOWED IN ACCORDANCE WITH SUBSECTION 28.6.B.1.C OF THIS SECTION, SEASONAL BANNERS. SEASONAL SIGNS AND DECORATIONS SHALL BE TEMPORARILY DISPLAYED FOR TRADITIONALLY ACCEPTED CIVIC, PATRIOTIC, OR RELIGIOUS HOLIDAYS.*

#### *SEASONAL OR EVENT BANNER*

*A SEASONAL OR EVENT BANNER MAY BE USED TO ADVERTISE A SEASONAL OR SPECIAL EVENT IN ANY COMMERCIAL/INDUSTRIAL ZONING DISTRICT.*

#### *Self Storage*

An establishment providing temporary storage facilities to one (1) or more individuals as a primary use.

#### *Senior Care Facility*

A health care facility providing single or multiple types of senior care, including independent living facilities or facilities defined and licensed by the State of Arizona as an assisted living facility, hospice in-patient facility, nursing care institution or similarly licensed facilities.

[Sanatoriums and Senior Care Facilities](#)

((O)15-16, 11/08/15)

#### *Setback*

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

[Nakoma Sky Setback Measurement](#)

[Covered Porch in Front Setback](#)

*SERVICE STATION/FUEL SIGN*

*A PERMANENT, TWO (2) COMPONENT, MONUMENT STYLE SIGN DISPLAYING FUEL PRICES, FUEL TYPES, NAME OF STATION, AND/OR LOGOS.*

*Sexually Oriented Business*

Classified as the following:

- a. Adult arcades;
- b. Adult bookstores, adult novelty shops or adult video stores;
- c. Adult cabarets;
- d. Adult motels;
- e. Adult motion picture theaters;
- f. Adult theaters;
- g. Adult vending machines;
- h. Escort agencies;
- i. Nude model studios; and
- j. Sexual encounter centers.

Refer to the Oro Valley Town Code Section [8-4-1](#) for further definition of the above listed classifications.

((O)06-06, 04/19/06)

*Shared Access*

Shared ingress/egress points for vehicular circulation purposes.

*Shopping Center*

A group of stores planned and designed for the site on which it is built, functioning as a unit, with common points of ingress and egress.

*Short Term*

A time period no more than seven (7) days.

*Short-Term Rental Property*

A building(s) of a residential character other than a hotel or motel compatible with the neighborhood offering temporary lodging for less than one (1) month (30 days).

*Significant Vegetation (SV)*

Specific plant communities, and/or unique plant occurrences, and/or unique individual specimens that demonstrate, through the presence of certain criteria areas, special value to the Sonoran desert ecosystem:

- a. Plant community is an area of vegetation dominated by one (1) or more species. Climate, elevation, soil types and other factors ultimately determine the limits and boundaries of particular plant communities. Examples of a plant community dominated by one (1) species are desert grassland and creosote bush association, or a grove of trees, for example mesquite bosque. These communities can form almost pure stands of single species. Examples of co-dominant plant communities are cottonwood-willow and palo verde-saguaro association. Plant communities create an environment that is beneficial, unique, and/or valuable to the desert ecosystem.
- b. Unique plant occurrences are areas of vegetation that exist in contrast to the majority of the surrounding vegetative community due to either microclimates or availability of water sources. Examples are stands of ironwood trees or riparian areas.
- c. Unique plant refers to any native tree, shrub, or cacti with extraordinary characteristics such as, but not limited to, age, size, shape, form, canopy cover, or aesthetic value. An example may be crested saguaros, a rare, massive ancient tree, or tree with unusual shape.

*Signs*

See Chapter [28](#) for definitions and requirements.

## *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 MAKING SOMETHING KNOWN TO THE PUBLIC.*

## *SIGN AREA ALLOTMENT*

*THE PERMITTED AMOUNT OF IDENTIFICATION SIGN AREA ON RATIO TO THE LINEAR FOOTAGE OF BUILDING FRONTAGE.*

## *SIGN MODIFICATION*

*ANY CHANGE TO AN EXISTING SIGN'S COPY, COLOR, AND/OR SUPPORTING STRUCTURES.*

## *SIGN STRUCTURE*

*A FREESTANDING WALL, POLE, PEDESTAL, OR OBJECT ERECTED FOR THE PURPOSE OF SUPPORTING THE SIGN.*

## *Site*

A land area designated for development as a single entity, exclusive of any public right-of-way or property, which consists of one (1) parcel or any number of contiguous parcels.

## *Site-Delivered Dwelling*

A dwelling that is not constructed on the site on which it is located. Site-delivered homes include prefabricated housing, manufactured housing, and mobile homes. Site-delivered homes do not include recreation vehicles.

## *Site Perimeter Setback*

Measured from the property line of the outer edge of a development envelope containing all of the buildings.

((O)20-06, 07/15/20)

## *Site Plan*

A plan drawing of an individual site (see definition, "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 public review.

#### *Site Resource Inventory*

A primary evaluative design tool upon which site design and salvage plans are based. The information contained in the site resource inventory shall be utilized for purposes of site planning and design, and shall describe and identify natural characteristics of the site, including areas of significant vegetation. Preservation of protected natural area and significant vegetation shall be a primary consideration.

#### *Sleeping Unit*

A room or space arranged, designed or used as living quarters, with sleeping and living areas and bathroom facilities, without full kitchen facilities.

((O)09-05, 06/17/09)

#### *Slope*

Degree of deviation of a surface from the horizontal; measured as a numerical ratio, percent, or in degrees. Expressed as a ratio, the first number is the horizontal distance (run) and the second is the vertical distance (rise), as 2:1. A 2:1 slope is a fifty percent (50%) slope. Expressed in degrees, the slope is the angle from the horizontal plane, with a ninety (90)-degree slope being vertical (maximum) and forty-five (45) degrees being a 1:1 or one hundred percent (100%) slope.

#### *Slope, Exposed, Height of*

Vertical dimension of the exposed slope, measured from the top of the adjacent finished grade to the point where the cut or fill slope intercepts the natural grade.

#### *Slope Interceptor Drain*

A drainage swale designed to collect and divert the flow of water.

#### *Small Cell Wireless Facility*

A wireless facility that meets both of the following:

- a. All antennas are located inside an enclosure of not more than six (6) cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of the



antenna's exposed elements could fit within an imaginary enclosure of not more than six (6) cubic feet in volume.

b. All other wireless equipment associated with the facility is cumulatively not more than twenty-eight (28) cubic feet in volume, or fifty (50) cubic feet in volume if the equipment was ground-mounted before August 9, 2017. The following types of associated ancillary equipment are not included in the calculation of equipment volume pursuant to this subdivision:

- i. An electric meter;
- ii. Concealment elements;
- iii. A telecommunications demarcation box;
- iv. Grounding equipment;
- v. A power transfer switch;
- vi. A cutoff switch;
- vii. Vertical cable runs for the connection of power and other services.

((O)18-02, 01/17/18)

### *Soil*

Naturally occurring deposits overlying bedrock.

### *Soils Engineer of Record*

A person whose discipline is soils engineering, who has prepared and sealed a geotechnical report for a specific property.

### *Sound Exposure Level*

A descriptor for characterizing the sound from individual acoustical events.

#### *A-Weighted Sound Exposure Level*

A sound exposure level obtained from an A-weighted sound pressure level.

((O)20-07, 09/16/20)

*Sound Pressure*

A disturbance of the atmospheric pressure with respect to the mean barometric pressure producing the sensation of hearing or vibration measured in units of pascal (Pa).

*Peak Sound Pressure*

The largest absolute value of the instantaneous sound pressure in pascals (Pa) in a stated frequency band during a specified time interval.

*Sound Pressure Level*

The sound pressure expressed as a decibel.

*A-Weighted Sound Pressure Level*

Sound pressure level obtained using an “A” frequency weighting filter as defined in the Town of Oro Valley noise abatement technical bulletin.

*Equivalent Continuous Sound Pressure Level*

The sound pressure level of a steady, continuous sound having the same sound energy as the time varying sound measured.

((O)20-07, 09/16/20)

*Sound Level Meter (SLM), Type 1*

An instrument used to measure sound pressure levels meeting the standards for accuracy established in the Town of Oro Valley noise abatement technical bulletin.

((O)20-07, 09/16/20)

*Soundproof*

A condition where no noise, to a reasonable person, would be discernible at the nearest property line.

*Special Use*

A temporary use of a property for a special event, which may or may not be in compliance with the standards of the zoning district in which it is to be located. Said uses, which may be public or private, may include, but are not limited to, civic, philanthropic, educational, religious, sporting, and/or social events, fundraisers, or holiday sales, or any other special temporary use, as may be deemed analogous to these examples by the Planning and Zoning Administrator.

## [Food Trucks](#)

### *Sport Court*

A surface prepared for the purpose of playing sporting activities including tennis, basketball, volleyball, croquet, shuffleboard, bocce, pickle ball and/or other similar activities.

### *Stabilization*

Treatment with mitigation measures in accordance with the erosion or siltation resistance, or the structural strength, of a graded area.

### *Stable*

An area used for the storage and keeping of horses, mules or ponies.

#### *Commercial*

An area of ten (10) or more contiguous acres containing a stable for horses, mules, or ponies that are hired, bred, shown, or boarded on a commercial basis. Commercial stables must meet the conditions of Section [25.1.B.4](#) of this Code.

#### *Private*

A detached accessory building for the keeping of horses, mules, or ponies owned by the occupants of the premises and not kept for remuneration, hire, or sale.

### *Stockpile*

The storage of uncompacted earth material.

### *Story*

That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above.

### *Street*

A street, avenue, boulevard, road, lane, parkway, place, alley easement for access, viaduct or bridge and approaches thereto. A street includes the land between the right-of-way lines whether improved or unimproved and may comprise pavements, shoulders, curbs, gutters, sidewalks, parking areas and lawns.

#### *a. Arterial Route (principal arterial)*

Those Interstate, State, or County highways, freeways, expressways, and major thoroughfares having regional continuity.

*b. Collector Street*

Those streets providing the traffic movement within neighborhoods of the Town and between major streets and local streets and for direct access to abutting property.

*c. Local Street*

Those streets providing direct access to residential, commercial, or other abutting land or for local traffic movements and connects to collector or major streets.

*d. Frontage Street*

A local street parallel and adjacent to an arterial route which intercepts local streets and controls access to an arterial route.

*e. Cul-de-Sac*

A short local street permanently terminated in a vehicular turnaround.

*f. Alley*

A public service way used to provide secondary vehicular access to properties otherwise abutting upon a street.

[Front Lot Line for Lindbergh Drive Property](#)

*Street Centerline*

The centerline of a street right-of-way as determined by the Town Engineer.

*Street Line*

A dividing line between a lot, tract or parcel of land and a contiguous street (right-of-way).

[Front Lot Line for Lindbergh Drive Property](#)

*Structural Alterations*

A change in the supporting members of a building such as bearing walls or partitions, columns, beams or girders or any complete rebuilding of a roof.

*Structure*

A piece of work constructed or erected, the use of which requires a location on the ground or attached to something having a location on the ground, but not including a tent, vehicle, trailer coach, or mobile homes.

*Structure, Temporary*

A piece of work that is readily movable and used or intended to be used for a period not to exceed ninety (90) consecutive days. Such structure shall be subject to all applicable property development standards for the district in which it is located.

*Studio, Commercial or Fine Arts*

A studio used for professional work or the teaching of any form of commercial or fine arts.

*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.*

*Subdivider*

An individual, firm, corporation, partnership, association, syndication, trust or other legal entity that files the application and initiates proceedings for the subdivision of land in accordance with the provisions of this code; and the subdivider need not be the owner of the property.

*Subdivision*

Improved or unimproved land or lands divided for the purpose of financing sale or lease, whether immediate or future, into four (4) or more lots, tracts or parcels of land or, if a new street is involved, any such property which is divided into two (2) or more lots, tracts or parcels of land or any such property, the boundaries of which have been fixed by recorded plat which is divided into more than two (2) parts.

“Subdivision” shall also include any condominium, cooperative, community apartment, townhouse or similar project containing four (4) or more parcels in which an undivided interest in the land is coupled with the right of exclusive occupancy of any unit located thereon, but

plats of such projects need not show the buildings or the manner in which the buildings or air space above the property shown on the plat are to be divided.

“Subdivision” shall not include the following:

- a. The sale or exchange of parcels of land to or between adjoining property owners if such sale or exchange does not create additional lots.
- b. The partitioning of land in accordance with other statutes regulating the partitioning of land held in common ownership.
- c. The leasing of apartments, offices, stores, or similar space within a building or trailer park, nor to mineral, oil, or gas leases.

#### *Survey*

An activity with the purpose of locating, identifying, and evaluating cultural or archaeological sites without causing any disturbance of the ground.

#### *Swimming Pool*

A contained body of water used for swimming or bathing purposes either above ground level or below ground level with the depth of the container being more than eighteen (18) inches in depth or the area being more than thirty-eight (38) square feet.

#### *Private*

A pool established or maintained on any premises by an individual for his own or his family’s use or for guests of the household.

#### *Public*

A municipal, county, or commercial pool, admission to which may be gained by the general public with or without payment of a fee.

#### *Semi-Public*

A membership pool or cooperative pool or a pool at an establishment such as a resort, motel, apartment building or other places where the primary business of the establishment is not the operation of swimming facilities and where admission to use the pool is included in consideration given for the primary use of the premises.

#### *SYMBOL*

*A LETTER, FIGURE, OR OTHER CONVENTIONAL MARK DESIGNATING AN OBJECT, QUANTITY, OPERATION, FUNCTION, OR THE LIKE.*

#### *TAGLINE*

*AN ACCESSORY WALL SIGN CONTAINING A GROUPING OF LETTERS OR CHARACTERS BUILT INTO A SINGLE PAN CHANNEL OR REVERSE PAN CHANNEL PLATFORM THAT CONTAINS MODIFIERS OR IS USED TO CONVEY INFORMATION RELATING TO THE BUSINESS SUCH AS GOODS, SERVICES, PRODUCTS OR BUSINESS ASSOCIATES.*

#### *Technical and Professional Standards and Guidelines*

All aspects of the archaeological mitigation and data recovery efforts shall be conducted by a professional archaeologist using accepted professional standards and practices consistent with guidelines included in the Advisory Town Council on Historic Preservation 1980 Handbook; Guidelines for Recovery of Scientific, Prehistoric, Historic, and Archaeological Data: Methods, Standards, and Reporting Requirements ([36 CFR 66](#), dated January 28, 1977); the Standards of Research Performance of the Society of Professional Archaeologists; and the Secretary of the Interior's Standards and Guidelines for Archaeological Documentation (Federal Register, dated September 29, 1983).

#### *Technical Services*

An establishment providing services to businesses or individuals of a technical nature, including mail service, printing, photocopying, data and computer access centers.

((O)20-06, 07/15/20)

#### *Temporary Fencing*

A light, temporary barrier, as approved by the Town, that clearly and conspicuously delineates areas designated to remain undisturbed or that are to be protected during construction.

#### *Temporary Lighting*

Lighting used for a limited duration; for example, holiday decorations, civic events, or construction projects.

#### *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.*

#### *Terrace*

A relatively level step construction in the face of a graded slope surface for drainage and maintenance purposes.

#### *Testing, Archaeological*

The limited subsurface excavation or remote sensing of a proposed disturbance (or portion thereof) to determine the potential, type, or extent of the archaeological site. Testing may include trenching and establishing archaeological excavation units and will include the screening of excavated material for artifact recovery.

#### *Theater*

An establishment where primarily movies, shows or performances are shown or conducted, including movie theaters, playhouses and other performing arts centers.

#### *THEATER SIGN*

*A MONUMENT STYLE OR WALL SIGN WITH CHANGEABLE COPY PANELS USED TO DISPLAY THE CURRENT MOVIES AND TIMES THEY ARE PLAYING WITHIN THE THEATER.*

#### *THREE-DAY SPECIAL EVENT BANNER*

*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.*

#### *TIME AND TEMPERATURE SIGN*

*AN ELECTRONICALLY CONTROLLED SIGN THAT PROVIDES THE CURRENT TIME AND/OR TEMPERATURE.*

#### *Timeshare Plan*

A plan or program in which the use, occupancy, or possession of one (1) or more time-share units circulates among various persons for less than a sixty (60)-day period in any year, for any



occupant. The timeshare plan includes both timeshare ownership plans and timeshare use plans, as follows:

*a. Ownership Plan*

Any arrangement whether by tenancy in common, sale, deed, or other means whereby the purchaser receives any ownership interest and the right to use the property for a specific or discernible period by temporal division; and

*b. Use Plan*

Any arrangement, excluding normal hotel operations, whether by membership agreement, lease rental agreement, license, use agreement, security or other means, whereby the purchaser receives a right to use accommodations or facilities, or both, in a timeshare unit for a specific or discernible period by temporal division, but does not receive an ownership interest.

*Timeshare Unit*

The accommodations and related facilities which are the subject of a timeshare plan.

*Tonal Sound*

Sound having one (1) or more single frequency oscillations (pure tones) or that is confined to a narrow band of frequencies meeting the criteria for tonal prominence.

((O)20-07, 09/16/20)

*Tot Lot*

A small (typically less than one-half (1/2) acre) recreational area primarily intended for young children (ages eight (8) and under), with a primary emphasis on playground equipment and supporting amenities and infrastructure.

((O)11-05, 04/20/11)

*Tower*

A facility used for wireless communication facility mounts and consists of more than a single shaft of steel or concrete.

*Town*

The Town of Oro Valley.

*Town Council*

The Town Council of the Town of Oro Valley.

*Townhouse*

A dwelling with party walls and no side yards between abutting dwellings.

((O)18-12, 07/18/18)

*TRAFFIC SIGN*

*AN ON-SITE OR OFF-SITE SIGN 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.*

*Transportation Plan*

A plan that provides for the development of a system of streets and highways including the location and alignment of existing and proposed thoroughfares, bicycle paths, frontage roads, and limited access to Oracle Road.

*Treatment Plan*

A plan prepared by a qualified cultural resource professional for the preservation, data recovery, excavation, archiving, monitoring, adaptive reuse, curation, and/or documentation of one (1) or more significant archaeological resources, buildings, structures, sites, landscapes, or artifacts.

((O)11-01, 02/16/11)

*Turnover*

The number of different vehicles that park in a given space during an average day.

*UNDER-CANOPY SIGN*

*A WALL-MOUNTED OR HANGING SIGN WHICH IDENTIFIES 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. AN UNDER-CANOPY SIGN SHALL BE LOCATED ENTIRELY UNDER A COVERED PORCH, WALKWAY, EXTENDED ROOF OR SIMILAR STRUCTURE AND IS SOLELY FOR DIRECTING PEDESTRIAN TRAFFIC.*

### *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.

### *Unshielded Light Fixture*

A luminary without all of the shielding necessary to be defined as a full cutoff light fixture.

### *Usable Lot Area*

That portion of a lot usable for or adaptable to the normal uses made of residential property excluding any areas which may be covered by water, excessively steep or included in certain types of easements.

### *Use*

The purpose for which land or a building is occupied or maintained, arranged, designed or intended.

### *Use Permit*

A permit granted to a property owner by the Town Council to conduct a use allowed as a use in a zoning district subject to a use permit. A use permit may be granted in accordance with the provisions of Section [22.5](#).

### *Utilities*

Installations or facilities, underground or overhead, furnishing for the use of the public electricity, gas, steam, cable TV communication, water, drainage, sewage disposal or flood control owned and operated by any person, firm, corporation, municipal department or board duly authorized by State or municipal regulations. Utility or utilities may also refer to such persons, firms, corporations, departments, or boards as sense requires.

### *Utility Poles and Wires*

Poles, towers, structures, wire, cable, conduit, transformers and related facilities used in or as a part of the transportation or distribution of electric power or in the transmission of telephone, telegraph, or television communication.

### *Variance*

A modification of the literal provisions of this zoning code granted by the Board of Adjustment upon a finding that strict enforcement of the provisions would cause undue hardship owing to circumstances unique to the individual property for which the variance is granted.

((O)20-08, 10/07/20)

*Vehicle*

A device in, on or by which a person or property is or may be transported or drawn.

*Vehicle Dealer*

An agency selling new or used motor vehicles and providing services commonly associated with motor vehicle sales.

*Vehicle Repair*

All aspects of motor vehicle repair including, but not limited to, lubrication, tune-up, and preventive maintenance.

*Vehicle Repair Facility*

A facility that provides for the repair or maintenance of motor vehicles.

*VEHICLE SIGN*

*A SIGN THAT IS MOUNTED, PAINTED, OR ERECTED UPON TRUCKS, CARS, BOATS, TRAILERS, OR OTHER MOTORIZED VEHICLES OR EQUIPMENT THAT IS PARKED FOR THE PRIMARY PURPOSE OF FUNCTIONING AS A SIGN.*

*Vehicle Storage Facility*

A facility whose primary purpose is the temporary storage of motor vehicles, including parking garages.

*Vehicle Wash*

A convenience use for the cleaning and washing of motor vehicles including interior cleaning and vacuuming and waxing.

*Veterinary Services*

An establishment where animals or pets are given medical or surgical treatment and are cared for during the time of such treatment.

*Visibility Nuisance*

A use that creates a hazard to air navigation by reducing visibility.

*Visually Significant Slopes*

Sloped areas of fifteen percent (15%) and greater visible from scenic corridors, public rights-of-way, public parks and all trails identified in the Oro Valley Trails Master Plan.

((O)11-01, 02/16/11)

*Volume*

The degree of sound intensity or audibility.

*Volume, Building*

The volume of a building that occupies a particular site. Volume of a building shall be determined by multiplying the gross floor area of the individual floors by the height of that story.

*Volume Ratio*

The ratio of building volume to the net lot area of the building site.

*Wall*

A structure or device required or allowed by this code forming a physical barrier, constructed such that fifty percent (50%) or more of the vertical surface is closed and prevents the passage of light, air, and vision through said surface in a horizontal plane. Where a masonry wall is specified, said wall shall be concrete block, brick, stone or other similar material and one hundred percent (100%) of the vertical surface shall be closed except for approved gates or other access ways.

*Masonry*

A wall constructed of concrete block, brick, stone or other similar material, forming a physical barrier, constructed such that one hundred percent (100%) of the vertical surface is closed and prevents the passage of light, air, and vision through said surface in a horizontal plane, except for approved gates or other access ways.

*Solid*

A wall forming a physical barrier, constructed such that one hundred percent (100%) of the vertical surface is closed and prevents the passage of light, air, and vision through said surface in a horizontal plane, except for approved gates or other access ways.

*WALL SIGN*

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.

*Warehouse*

An establishment where the primary service is for the storage and distribution of goods of any type and where a showroom is permitted as an ancillary use.

*Heavy*

A warehousing establishment which may have a negative impact on adjacent properties and that does not comply with Section [25.1.B.34](#).

*Light*

A warehousing establishment which does not have a negative impact on adjacent properties in accordance with Section [25.1.B.34](#).

((O)20-06, 07/15/20)

*WINDOW SIGN*

ANY FORM OF ADVERTISEMENT AND/OR IDENTIFICATION ASSOCIATED WITH THE BUSINESS THAT IS AFFIXED TO THE INTERIOR OR EXTERIOR OF A WINDOW, OR PLACED IMMEDIATELY BEHIND A WINDOW SO AS TO INFORM OR ATTRACT ATTENTION TO THE PUBLIC OUTSIDE OF THE BUILDING AND/OR TENANT SPACE.

*Wholesale*

The sale of tangible personal property for resale by a licensed retailer and not the sale of tangible personal property for consumption by the purchaser.

*Wildlife Permeable Development*

Residential development with a developed density of one (1) home per acre or less and fences and walls that are wildlife-friendly and do not impede the movement of wildlife between adjacent lots or between the development and adjacent open space areas.

((O)11-01, 02/16/11)

*Wireless Communications Facility*

A facility for the transmission and/or reception of radio frequency signals. Any device, including DBS satellite dishes, used to receive signals from direct broadcast satellites (DBS); multi-channel multi-point distribution providers (MMDS); and television broadcast stations (TVBS).

*Yard*

Those required areas established by setbacks to provide an open space at grade level between a building and the adjoining lot lines unoccupied and unobstructed by any portion of a structure from the ground upward except as otherwise provided herein.

*Front*

An open, unoccupied space on the same lot with the main building extending the full width of the lot and situated between the street line and the front line of the main building, projected to the side lines of the lot. The front yard of a commercial corner lot is the yard adjacent to the major street as determined by the Town Engineer.

[Front Lot Line for Lindbergh Drive Property](#)

[Nakoma Sky Setback Measurement](#)

[Covered Porch in Front Setback](#)

*Interior*

The side yard adjacent to a common lot line.

*Rear*

An open space on the same lot with a main building between the rear line of the main building and the rear line of the lot, as defined herein, extending the full width of the lot.

*Side*

An open, unoccupied space on the same lot with a main building situated between the building and the side line of the lot and extending from the front yard to the rear yard. The side yard adjacent to a common lot line.

((O)16-16, 12/07/16)

((O)20-08, 10/07/20; (O)20-07, 09/16/20)

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**The Oro Valley Zoning Code is current through Ordinance (O)20-10, passed November 4, 2020.**

Disclaimer: The Town Clerk's Office has the official version of the Oro Valley Zoning Code. Users should contact the Town Clerk's Office for ordinances passed subsequent to the ordinance cited above.

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