

ORDINANCE NO. (O)18-08

AN ORDINANCE OF THE TOWN OF ORO VALLEY, ARIZONA, AMENDING CHAPTER 28, SIGNS, SECTIONS 28.3, "GENERAL SIGN REQUIREMENTS", 28.4 "DEFINITIONS AND SIGN TYPES", 28.5 "PERMANENT SIGNS", 28.9, "PROHIBITED SIGNS" AND CHAPTER 31, DEFINITIONS OF THE ORO VALLEY ZONING CODE REVISED; REPEALING ALL RESOLUTIONS, ORDINANCES AND RULES OF THE TOWN OF ORO VALLEY IN CONFLICT THEREWITH; PRESERVING THE RIGHTS AND DUTIES THAT HAVE ALREADY MATURED AND PROCEEDINGS THAT HAVE ALREADY BEGUN THEREUNDER

WHEREAS, on March 13, 1981, the Mayor and Council approved Ordinance (O)81-58, which adopted that certain document entitled "Oro Valley Zoning Code Revised (OVZCR); and

WHEREAS, on March 2, 2011, the Mayor and Council approved Ordinance (O) 11-07, which adopted Chapter 28, Signs, of the Oro Valley Zoning Code Revised; and

WHEREAS, it is necessary to revise Chapter 28, Signs, Sections 28.3, General Sign Requirements, 28.4, Definitions and Sign Types, 28.5 Permanent Signs, 28.9 Prohibited Signs and Chapter 31, Definitions, to include religious institutions and private schools in a list of allowed sign users who can display a message on a monument sign with an electronic message board; and

WHEREAS, the Planning and Zoning Commission held a meeting on April 3, 2018, and voted to recommend approval of amending Chapter 28, Signs, Sections 28.3, General Sign Requirements, 28.4, Definitions and Sign Types, 28.5 Permanent Signs, 28.9 Prohibited Signs and Chapter 31, Definitions; and

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

SECTION 1. That certain document entitled Chapter 28, Signs, Sections 28.3, General Sign Requirements, 28.4, Definitions and Sign Types, 28.5 Permanent Signs, 28.9 Prohibited Signs and Chapter 31, Definitions, of the Oro Valley Zoning Code Revised, attached hereto as Exhibit "A" to allow electronic message boards for religious institutions and private schools.

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parts of ordinances, resolutions or motions of the Council in conflict with the provision of this Ordinance are hereby repealed.

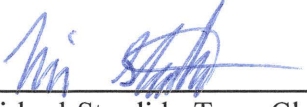
PASSED AND ADOPTED by the Mayor and Council of the Town of Oro Valley, Arizona, this 16th day of May, 2018.

TOWN OF ORO VALLEY



Dr. Satish I. Hiremath, Mayor

ATTEST:



Michael Standish, Town Clerk

Date: 5/18/18

PUBLISH: DAILY TERRITORIAL
MAY 21, 22, 23, 24, 2018

APPROVED AS TO FORM:



Tobin Sidles, Legal Services Director

Date: 5/18/18

POSTED: 5/22/18 - 6/21/18

EXHIBIT “A”

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

Section 28.3 General Sign Requirements

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 ~~as changeable copy signs~~ 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 ~~changeable copy~~ 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 nit rating.

28.3.B.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 28.5.b.15-14 and OR as a component of aN changeable copy message ELECTRONIC MESSAGE BOARD permitted in Sections 28.5.b.10, 11 and 12.
- b. LED illuminated window sign display areas per Section 28.5.b.15.14.iv.d.3.
- 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.

Section 28.4 Definitions and Sign Types

Note for Code Publisher editing: Eliminating definition number 13 will require renumbering of all subsequent definitions. Also the following code references will require renumbering.

~~13. Changeable Copy Sign~~

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

~~20. Directional Sign~~

Refer to Section ~~28.5.B.3.~~ 2

~~21. Directory Sign~~

Refer to Section ~~28.5.B.4.~~ 3

~~24. Electronic Message Sign BOARD~~

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

~~25. Entryway Sign~~

Refer to Sections ~~28.5.B.5~~ 4 and ~~28.5.C.1.~~

~~42. Kiosk Sign~~

Refer to Sections ~~28.5.B.6.~~ 5 and C.2.

~~47. Menu Board~~

Refer to Section ~~28.5.B.8.~~ 6

~~61. Pedestrian Tenant Directory~~

Refer to Section ~~28.5.B.9.~~ 8

~~79. Service Station/Fuel Sign~~

Refer to Section ~~28.5.B.10.~~ 9

~~91. Theater Sign~~

Refer to Section ~~28.5.B.11.~~ 10

~~92. Time and Temperature Sign~~

Refer to Section ~~28.5.B.12.~~ 11

~~94. Under-Canopy Sign~~

Refer to Section ~~28.5.B.13.~~ 12

97. Wall Sign

Refer to Section 28.5.B.14. 13

98. Window Sign

Refer to Section 28.5.B.15. 14

Section 28.5 Permanent Signs

B. Permanent Signs in a Commercial/Industrial Zoning District

The following permanent sign types shall be allowed within a Commercial, Industrial and/or Private Schools Zoning District AND FOR RELIGIOUS INSTITUTIONS AS SPECIFIED HEREIN.

Section 28.5.B Permanent Signs

Note for Code Publisher editing: Due to the removal of former sign type number 2, Changeable Copy Sign, the subsequent sign types will need to be renumbered as follows:

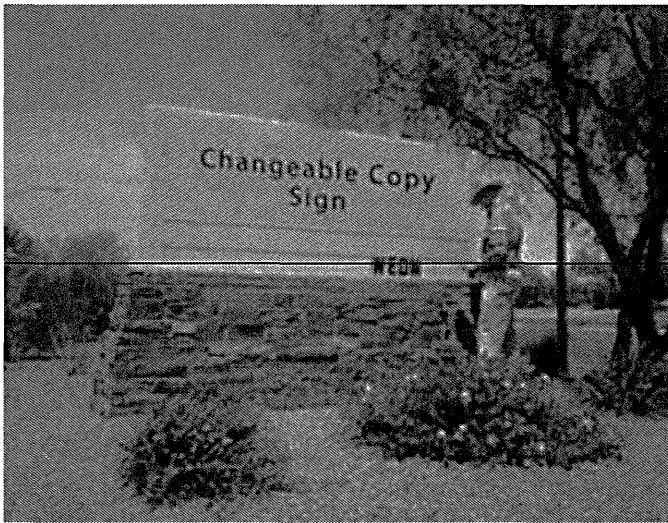
1. Awning
- ~~2. Changeable Copy~~
2. Directional
3. Directory
4. Entryway
5. Kiosk
6. Menu
7. Monument
8. Pedestrian Tenant
9. Service Station
10. Theater
11. Time and Temperature
12. Under-Canopy
13. Wall
14. Window

28.5.B.2. Changeable Copy Sign

a.— Definition: A sign or portion thereof with characters, letters, or illustrations that can be changed or re-arranged without altering the face or surface of the sign. Changeable copy signs are limited to and/or restricted to, schools, and religious institutions. Standards for changeable copy signs for theaters are in subsection B.10 of this section and for service station/fuel signs in subsection B.12 of this section. Such signs shall be integrated into monument style or wall-mounted type signs and may be illuminated. Changeable copy may not be changed electronically, except as specified in this Chapter.

b.— Quantity: One (1) allowed as part of a monument style or wall sign.

c.— Area of Sign: To be included as a component of a monument style or wall sign.



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28.5.B. Permanent Signs

7. 8. Monument Sign

Note for Code Publisher editing: Items b thru h have been reformatted but no changes were made to the content except as shown in strike thru and all caps.

- 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 theater, service station/fuel, religious institution, or school sign may display their name and/or logo along with changeable copy panels.~~
- 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.
- c. Area of Sign:
 - i. Fifty (50) square feet for a single tenant or the development name. ~~and~~
 - ii. Seventy-two (72) square feet for a multiple-tenant sign with tenant panels.
- 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.
- e. Location: To be placed near the entrance or along a street frontage on private property.
- f. Setback: None unless otherwise required.
- 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.
- 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.

- 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 SECTION 28.5.B.9
 - D) THEATERS, WHICH ARE SUBJECT TO SECTION 28.5.B.10
 - E) TIME/TEMPERATURE, WHICH ARE SUBJECT TO 28.5.B.11
 - 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 35% 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.

28.5.B. Permanent Signs

9. 10. Service Station/Fuel Sign

- a. Definition: A permanent, two (2) component, monument style sign displaying ~~the changeable fuel prices, fuel types, name of station, and/or logos.~~
- b. Quantity: One (1) per street frontage.
- c. Area of Sign: Thirty-two (32) square feet.
- d. Height: Not to exceed six (6) feet from grade.
- e. Location: On private property adjacent to an arterial or collector street only.
- f. Setback: None unless otherwise required.
- g. Illumination: Name and logo of the business may be internally illuminated. ~~Current fuel prices and fuel types may be internally or electronically illuminated and shall meet the standards of Section 28.3.B.~~

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 35% 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.

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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.
 - i. A wall sign shall consist of individual character letters (pan channel or reverse pan channel).
 - ii. Only individual logos may utilize cabinet sign type with a translucent sign face.
 - 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 non-illuminated, 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:

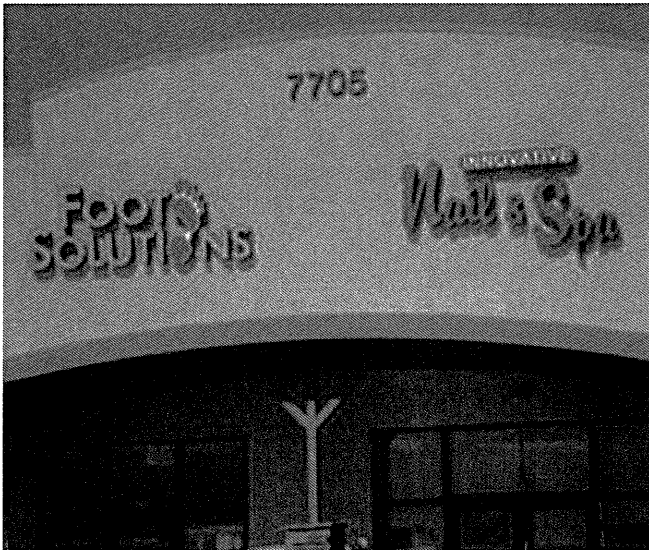
- I. USES ARE LIMITED TO THE FOLLOWING:
 - A) PRIVATE SCHOOLS
 - B) RELIGIOUS INSTITUTIONS
 - C) THEATERS SEE SECTION 28.5.B.10
 - D) TIME/TEMPERATURE SEE SECTION 28.5.B.11

- 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 35% OF THE PROPOSED SIGN AREA.

- IV. ILLUMINATION: INTERNAL

- V. DESIGN:
 - A) CHANGEABLE COPY MAY NOT BE CHANGED ELECTRONICALLY.



28.5.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.54 of this section.

2. Kiosk Signs

Refer to subsection B.65 of this section.

3. ~~Changeable copy~~, Monument and wall signs for churches, RELIGIOUS INSTITUTIONS, PRIVATE schools and public institutions are permitted in residential districts subject to Town approval.

28.9.Prohibited Signs

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

Chapter 31, add the following definition:

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.