



# MEMORANDUM

**TO:** Amber Moore Smith  
Robert Medler  
David Godlewski

**DATE:** June 15, 2017

**FROM:** Lynne Birkinbine *Lynne Birkinbine*  
Deputy Director, Planning and  
Development Services

**SUBJECT:** Update on Items Listed in the February 23, 2017 letter from the Metropolitan Pima Alliance, Tucson Metro Chamber, and the Southern Arizona Home Builders Association

Planning and Development Services Department (PDS) was asked to review the February 23, 2017 letter from the Metropolitan Pima Alliance, Tucson Metro Chamber, and the Southern Arizona Home Builders Association (the Letter) and to update the organizations on the status of the requests made in the letter in comparison to the 7A Sign Standards, June 2, 2017 draft. This draft is on-line and will be presented at the Planning Commission and Citizens Sign Code Committee's joint public hearing on June 21, 2017. Below is a summary of issues raised and an update on the status of the provision or issue mentioned.

## BACKGROUND

On August 9, 2016, the Mayor and Council gave PDS staff direction to initiate a text amendment to the City's Sign Code which is referred to as Chapter Three Sign Code (it is currently Chapter Three of the City Code). The main reason for the amendment was to address a June, 2015 Supreme Court ruling known as *Reed v. Town of Gilbert*. Additionally, Mayor and Council directed a review of a list of process improvements. In summary, the Mayor and Council said to do the following:

- Initiate a Sign Code revision public review process;
- Comply with the 2015 U.S. Supreme Court decision on *Reed v. Town of Gilbert*;
- Simplify the Sign Code by integrating it into the Unified Development Code (UDC);
- Make practical changes that modernize the Code, improve the quality of design and flexibility of the overall code, and ground it in technical standards;
- Have the Citizens Sign Code Committee and the Planning Commission hold joint study sessions and public hearings on the proposed changes to the Sign Code;
- Have staff return to the Mayor and Council with a recommendation in January 2017 or when Planning Commission/CSCC are ready.

The process improvements in the Mayor and Council's direction included the following:

- Place the Sign Code in the UDC and remove redundancies and add clarifications;
- Clarify the term, Premise, which refers to a unified site of one or more properties or development plans within it;
- Simplify at grade measurement for calculating sign height;
- Remove redundant sign districts and rely more on current UDC zones;

- Review interpretations such as alteration for non-conforming signs, roof signs, and maximum sign area;
- Develop a Design Option to include a master sign program and design review process;
- Allow a Planned Area Development (PAD) to have a master sign program;
- Improve graphics and special sign district maps;

Since that time, a Joint Subcommittee (Planning Commission and Citizens Sign Code Committee) met almost weekly from October 2016 through March 2017. Further, both the Commission and Citizens Sign Code Committee (CSCC) were updated regularly and had two separate study sessions where they reviewed the recommendations coming out of the public review process.

Both groups were aware of the February 23, 2017 letter. The Joint Subcommittee and the CSCC voted on most of the letter's items with a preliminary recommendation. The Planning Commission directed staff to prepare a public hearing draft based on the preliminary recommendations of the CSCC. The draft known as the June 2 draft will go to the joint public hearing on June 21, 2017.

We believe all of the Mayor and Council directed process improvements have been addressed in the June 2 draft of the new UDC's 7A Sign Standards. In addition, there were other practical changes raised during the public review process that the Joint Subcommittee wanted to address at the same time. They included adding protection of dark skies in the Purpose Statement, reducing the change rate of digital signs to five minutes, simplifying canopy signs standards, allowing all sign types to qualify for historic landmark signs, amending the Pedestrian District on the west side's Mercado District, and adjusting the height of projecting signs in the Pedestrian District. Note most of these changes were small and simple to do. There were other items suggested but were considered too complicated considering the amount of material already under review.

The Mayor and Council was in agreement that the draft should, as would be practical, try to keep the signage rights of individual property owners the same or similar after adjusting for *Reed*. While there are examples of standards tightening in some cases, we believe overall that the June 2 draft allows a property owner either the same standards or reasonable accommodations of similar standards.

### **DRAFT SIGN STANDARDS ISSUES**

Below are issues raised in the February 23<sup>rd</sup> Letter with an update on their status:

**Digital Signs Rate of Change** – The Letter recommended a one-minute change rate.

*Update:* the Joint Subcommittee and the CSCC have debated this issue. The final recommendation was for a change from a one hour change rate to a five-minute change rate, which is reflected in the June 2 draft.

**Sign Height Measurement** – The Letter appears to be substantially in support of the sign height measurement standards.

*Update:* The current provision in the June 2 draft is the same except there is more information about how to measure the average finished grade.

**Premise** – The Letter appears to be in agreement with the definition for premise.

*Update:* The Letter suggested moving the term from the Measurement Section of 7A Sign Standards to the Article 11 Definition Section of the Unified Development Code. The June 2 draft shows the definition in Article 11 Definition Section and there is a cross-reference in the 7A Measurement Section.

**Illumination/Measurement Section** – The Letter recommended for the illumination provision in the Measurement Section state that all signs may be illuminated.

*Update:* The provision in the June 2 draft stays with the existing language from the Chapter Three Sign Code that states signs may be illuminated unless otherwise noted. Changing this provision was not mentioned in the Mayor and Council’s direction on process improvements nor did the advisory committees consider it.

**Master Sign Program – Illumination** – The Letter recommended that there be no design standards for sign illumination that affords dark skies protection, no design standards for listing sign copy against uniform background colors, and no proportionality standard in listing sign copy.

*Update:* The Joint Subcommittee and Citizens Sign Code Committee reviewed and voted on the issue and decided to recommend keeping the dark skies review for design option signs and requiring uniformity and proportionality in the design of sign copy lists. This provision does not limit a business from using federally registered trademark sign copy or sign copy colors.

The general standards of the June 2 draft do not require uniform background design or separate dark skies illumination review, so the general standards are available to applicants not entering into the design option’s more restrictive standards.

**Master Sign Program Sign Height** – The Letter stated the sign height should have a cap regarding height and recommended 100% increases. Thus using the general standards’ ten feet of height and 50 square feet sign area that comes to a height of 20 feet and an area of 100 square feet as caps. It should be understood that caps are not a guarantee of the final dimensions of a given sign applying for the design option.

*Update:* The Joints Subcommittee voted and recommended the cap as recommended by the Letter. The Citizens Sign Code Committee decided to recommend no cap. The reasoning was that if someone exceeded the cap even by a small amount they would have to go to the Board of Adjustment for a variance. The CSCC believed the SDRC represented the best group to decide on what sign size met all the design standards. The intent was not to allow giant signs but to acknowledge that a given site may have features that would support a larger height or area than a cap and the SDRC was preferable to the Board of Adjustment to evaluate the situation.

The June 2 draft has the CSCC’s recommendation of no cap but the public hearing background materials include the standard in the Letter. If the Planning Commission or CSCC want to vote on the recommended cap, they still can do that.

**Master Sign Program – Sign Design Elements** – The Letter said they are basically in support of this provision that describes the basic structural parts of a freestanding sign structure. It recommends using the phrase ‘two or more components.’

*Update* – The current language uses the Letter’s phrase of ‘two or more components.’ The Joint Subcommittee added the phrase “...articulated by materiality.” The June 2 draft keeps both phrases.

**Interior Sign Exception** – The Letter supported the concept of an interior sign type. They did not support requiring a 30-foot setback from a residential property line if the sign had a two-way communication device. This interior sign type mainly is referring to menu boards at drive-thru restaurants.

*Update:* The Joint Subcommittee and CSCC recommended that this provision be amended to state a 30-foot setback from residential property or a sound mitigation barrier such as a wall to separate the sign type from residential property. The June 2 draft has this version.

**Additional Sign Type Standards – Freestanding Signs** – The Letter indicated support for the number of freestanding signs per street frontage and the spacing of signs. It did not support the provision regarding the total allowable number of signs being reduced on an arterial for each one place on a local street.

*Update:* This issue was not a process improvement directed by Mayor and Council and was not discussed at length with the Joint Subcommittee or the CSCC. It is existing language in the current Chapter Three Sign Code. It is still in the June 2 draft. It may be an item to monitor during an eighteen-month period prior to the Mayor and Council voting on the status of a sunset date.

**Portable Sign Standards** – The Letter stated the recommended, portable sign standards significantly reduces the amount of signs especially for the real estate industry. The organizations prefer increasing allowable signs per zone category under the portable sign section and creating a formula to allow additional signs based on street frontage. They also mentioned that the idea behind the Mayor and Council’s direction of retaining a property owner’s sign rights is not being addressed for portable signs.

*Update:* There has been a lot of discussion of portable signs with the Joint Subcommittee and CSCC as well as the Planning Commission during study sessions. It has been understood that the current Chapter Three Sign Code after the *Reed* decision allows unintentionally up to 900 square feet of sign area and up to 17 signs on all properties within the City.

Because of the content-neutral standard required by the First Amendment, the June 2 draft’s general standards attempt to weigh First Amendment rights with sign clutter management policy. The Letter is correct that the goal of the draft sign standards was to accommodate property owners with signage rights similar to standards before the *Reed* decision but with the caveat, ‘as is practical’. This statement means that the general standards should be as strict as possible to reduce sign clutter while accommodating First Amendment rights. At the same time, a Design Option for portable signs was established to allow the review and accommodation of special users of portable signs on a case-by-case basis. It also allows organizations to apply for a Design Option. Thus, an approved design template for portable signs may be used by an organization’s members. The Joint Subcommittee and CSCC ultimately voted to support the provisions in the June 2 draft. There are stakeholders and members of the committees that prefer a more restrictive approach to portable signs than what is in the June 2 draft.

**Canopy Signs – Additional Standards** – The Letter recommended, in general, a simplification of the long set of canopy sign standards. The Letter acknowledged and supported the recommended changes to simplify these standards. The changes included making a canopy sign part of the wall sign area allotment and stated a canopy sign cannot extend above a roofline.

*Update:* The changes while not mentioned in the Mayor and Council’s process improvements the Joint Subcommittee and the Citizens Sign Code Committee discussed canopy sign standards as being overly complicated and causing unnecessary variances. The changes mentioned above in the Letter are in the June 2 draft.

**Scenic Routes Standards** – The Letter recommended changes to freestanding signs in the Scenic Route District of the 7A Sign Standards. The changes mainly address the number of signs along arterials, collectors, and scenic route street classifications.

*Update:* The Joint Subcommittee and the CSCC voted and recommended to keep the Scenic Route District standards the same as the Chapter Three Sign Code and transfer them into the 7A Sign Standards. There was no discussion or mention of this issue in the process improvements that were directed by Mayor and Council. The Scenic Route standards were revised about five years ago. The position of the above committees was with the

amount of issues being addressed in this Sign Code project that this change was something that should be monitored during the eighteen-month period prior to the Mayor and Council voting on the status of a sunset date. The June 2 draft contains the existing language from the Chapter Three Sign Code.

**Definition of Parapet** – The Letter recommended that a parapet should be defined as part of the wall definition.

*Update:* The Joint Subcommittee voted on an extended parapet option to allow signs on raised parapets. However, they asked Commissioner Cook to work with staff to come up with a more comprehensive recommendation. The CSCC voted unanimously to recommend revising the definitions of roof sign and wall sign so that architectural features of the building would not be interpreted to be roof signs. This solution removes the need to address parapets separately. The June 2 draft contains the CSCC recommendation.

## **OTHER ISSUES**

**Sign Design Review Committee (SDRC)** – The Letter supported a real estate broker representative, term limits, and allowing the members to work with an applicant.

*Update:* the Joint Subcommittee and CSCC voted to recommend a committee appointed by the City Manager. The SDRC will include a real estate broker and the members will have term limits. Further, the members can discuss applications outside of the meeting with an applicant. Finally, the director makes the decision and her decision can be appealed to the Board of Adjustment and the Mayor and Council.

**Expedited Review** – The Letter stated that business decisions are made within defined timelines and having a responsive governmental process is in the best interest of the community's economic welfare.

*Update:* The City has a Timeframe Policy that is used to guide timely responsiveness to applicants for all types of permits. A sign permit applying under the general standards will most likely benefit by 7A Sign Standards since many of the current provisions causing variances or other types of delays should work more smoothly with the process improvements recommended in the June 2 draft. Additionally, the Design Option is established to reduce delays. The SDRC can only continue a case one time and then must make a recommendation. There is a pre-application meeting with the SDRC available to assist an applicant in preparing an application. In the case where there is no quorum of the SDRC, the PDS Director can request the Design Professional to make a recommendation.

**Notification Requirements** – The Letter stated opposition to additional neighborhood notification especially at the level of rezoning notification.

*Update:* The Joint Subcommittee and the CSCC voted and recommended to use PDS policy. The June 2 draft includes this policy. The policy relies on emails to neighborhood associations about PDS activity such as design review for signs. Further, the SDRC will have a voting, local, neighborhood representative and an at-large neighborhood representative. If a case creates concern, the recommended notice will alert those interested about meeting dates, time and location.

**Eighteen-Month Evaluation** – The Letter recommends an eighteen-month evaluation period. The Letter said it appears there is no formal review process planned during this time.

*Update:* There was discussion with the Joint Subcommittee, Citizens Sign Code Committee and Planning Commission about having an eighteen-month sunset date. This date refers to a time period where the ordinance goes into effect and if not renewed by the Mayor and Council the previous ordinance goes back into effect. The other reason for the time period is to set up the permitting processes and monitoring the effect of the new 7A

Sign Standards. The SDRC and Planning Commission can evaluate the ordinance. Staff estimates that at least a year needs to pass so that there is a useful amount of information to consider next steps.

Another reason to have this evaluation period is to see if the standards have been made too restrictive or loose and are causing unanticipated or unwanted sign permit occurrences. If there is a serious problem that arises with the 7A Sign Standards earlier than eighteen months, the Mayor and Council can direct an amendment to address the problem. The eighteen-month sunset date will be in a separate ordinance from the 7A Sign Standards.

At the end of the eighteen-month period or sooner, Mayor and Council can decide to make changes and adopt a final ordinance, renew the sunset ordinance with or without changes, or let the ordinance sunset whereby the old Sign Code goes back into effect.

**Distance Restrictions** – The Letter mentioned an earlier discussion item about whether off-site public signs should have a distance from the event standard.

*Update:* The June 2 draft does not add this regulation. The discussion point was never voted on and was never seriously considered.

**Quantity as the Key Metric** – The Letter stated opposition to sign standards that have a standard that is less than a national industry standard and a system of deductions for customary adjustments to the amount and placement of signage in response to site conditions and business needs.

*Update:* It is unclear what is the reference for this statement. One way to read it is that since the United States Sign Council suggests on a street with a 45 miles per speed limit the ideal sign size is 125 square feet of sign area and about 25 feet in height. The question is should all signs be this size throughout Tucson when the street has this speed limit?

The City's current general standard for freestanding signs is fifty square feet in area and ten feet in height. This particular size is a well-accepted base standard for a sign in a commercial area. The national standards have value for vehicle reaction time but all sign codes are a balancing act of multiple First Amendment, visual, and community character features. Most sign experts agree there is no one size that fits all communities.

The June 2 draft allows for a sign design analysis that considers the community's view on what is the visual environment that is acceptable in the public realm of Tucson's streets. Dark skies and scenic view protection are extremely important in Tucson but probably of no importance in, say, New York City. The Design Option sets an expectation on an applicant which states that a trade off for regulatory relief is a higher level of design quality meeting the visual environment standards of Tucson.

Attachment:

A – February 23, 2017 MPA/Metro Chamber/SAHBA Sign Code Letter

Cc:

Planning Commission

Citizens Sign Code Committee

Michael J. Ortega, P.E., City Manager

Albert Elias, AICP, Assistant City Manager

Scott Clark, Interim Director PDS



February 23, 2017

Mr. Manjeet Ranu, Director  
Planning and Development Services  
201 North Stone Avenue, 3rd Floor  
Tucson, Arizona 85701

Re: Updated Revised Sign Code Preliminary Draft as of 2-1-17 (Clean Copy)

Dear Mr. Ranu:

The business community is/has aligned to represent the interests of current businesses and prospective investors in our community. We agree with the City that commercial signage is governed and protected under the First Amendment right to freedom of speech. The Tucson Metro Chamber, Metropolitan Pima Alliance (MPA), and Southern Arizona Homebuilders Association (SAHBA) represent nearly 2,000 locally based companies with approximately 175,000 employees. These businesses own significant property; land and buildings, and pay primary and secondary property taxes. Their employees are residents that buy homes, live and shop in the City of Tucson. Our members are the residential and commercial land owners and developers, commercial real estate brokers that help new business owners find a building, homebuilders and contractors that construct the buildings, and businesses investors themselves that choose Tucson. Collectively, our member businesses generate a significant portion of the tax base, including Transaction Privilege Tax which provides funds for the City of Tucson General Fund. Our members are important contributors to the local economy and signage is important to our member businesses. While recognizing the need to balance community standards and the importance of aesthetics, businesses are by far the greatest users of signage and are therefore the impacted users most affected by modifications to the Tucson Sign Code.

As vested community partners, a goal of our memberships is to have a predictable, streamlined Sign Code, eliminate unnecessary process and provide ample signage with clearly articulated sign design elements. The economic benefits to the community of properly signed businesses cannot be ignored. These include the benefits of reducing vehicle trips on streets, when businesses are located for convenient service delivery and the benefits of legible directional signs for way-finding. The City of Tucson has a highly impoverished community and there have been many recent successful strides in growing the tax base to better support the community. The ability of a business or organization to communicate their message is the basic foundation to commercial viability. Signage is one of the most basic and effective marketing avenues available to businesses and the ability to attract customer's results in higher sales and higher sales translate to increased sales tax revenue. Growing Tucson's tax base is good for Tucson.

As the City of Tucson leadership considers revisions to the Sign Code Ordinance, we encourage the City to incorporate the voters' approved Plan Tucson which contains a Focus Area: The Economic Environment, with stated Goals and Policies:

- “Recruit, retain and expand business and industry...”
- “Support and expand entrepreneurship...”
- “Continue to develop and implement local strategies, services and incentives to enhance Tucson’s business climate.”
- “Promote and support local, minority-owned, independent, and small businesses involved in the sale and purchase of locally produced goods and services.”
- Foster the success of commercial areas, including downtown, major corridors; and the arts, entertainment and business districts through targeted investment, incentives and other revitalization strategies.

In conjunction with revisions to the sign code, we encourage the City of Tucson to concurrently incorporate signage as a component of City incentives offered to commercial interests that meet the voter-approved Plan Tucson Goal to have “An economy that supports existing businesses and attracts new businesses to increase employment opportunities, raise income levels, expand the tax base, and generate public and private investment leading to high quality of life in the community.”

Additionally, Plan Tucson identified future Growth Areas of the City. We recommend that the City evaluate special districts within the Plan Tucson Growth Areas to ensure consistency with Plan Tucson, and make changes, including those that impact the sign code, as appropriate.

Below you will find empirical evidence linking impacts of signage upon sales includes studies conducted by both the University of San Diego and University of Cincinnati. Their findings include:

- Changes such as adding signs or replacing outdated or inoperable signs had positive effects on sales, number of transactions and profits. Roughly 60 percent of businesses studied reported an average sales increase of 10 percent.
- Many survey respondents indicated that the addition of signage and resulting revenue led in increases in employment.
- Just one additional sign yielded sales increases of 4.75%, an impact greater than brought on by a larger building, longer hours of operation or location longevity.
- 49.7 % of American consumers have driven by a desired business without finding it due to insufficient signage.
- A model suggested that the addition of one more sign at each fast food restaurant in the Los Angeles market would raise almost \$10 million in additional tax revenue.
- Digital signage is rapidly becoming one of the most effective methods of communicating with customers.

As part of the hundreds of hours of work our respective organizations and members have spent reviewing the Code, we continue to have issues with language that is deemed to be a barrier to business growth. While we are still reviewing the code, those issues include:

**1.) Page 10 / 7A.6.4 SIGN COPY**

Current Language: “C. A digital sign is permitted to have a rate of change of sign copy, graphic, or information not more than once an hour”

Recommendation:

Stakeholders recommend that digital signs are permitted to have a rate of change not exceeding more than once every minute in conjunction with the International Sign Association as well as being consistent with other digital signs like clocks used locally by many businesses such as Viscount and Nova Home Loans. Should the committee choose to use 5 minute increments as suggested, digital clocks would be out of compliance.

**2.) Page 10 / 7A.6.5 SIGN HEIGHT MEASUREMENT**

Current Language: *“A. The sign height is measured as the vertical distance from the average finished grade beneath the sign to the topmost sign copy of the sign; except that if the sign location has an average finished grade lower than the adjoining grade of the road, the sign height is measured from the top of the curb (or highest point of the road nearest the property if no curb exists) to the highest point of the topmost sign copy on the sign.. Average finished grade refers to the mean average elevation of ground after site preparation at the bottom of a sign structure, measured five feet from the bottom of the sign structure at five-foot intervals”*

Recommendation:

In working to be consistent with the Pima County Sign Code, stakeholders are in support of the intent of the proposed revisions but encourage that this section be clarified and rewritten as shown below:

A. The sign height is measured as the vertical distance from the average finished grade (5’ radius from the center of the sign) beneath the sign to the topmost sign copy of the sign; except that if the sign location has an average finished grade lower than the adjoining grade of the road, the sign height is measured from the top of the curb (or highest point of the road nearest the property or the crown of the road) to the highest point of the topmost sign copy on the sign.

**3.) Page 12/ 7A.6.11 PREMISE**

Current Language: *“A premise is all contiguous land used and occupied by a use or business. All buildings, parking, storage and service areas, and private roads or driveways that are an integral part of the use or business are considered part of the premise. Commercial shopping centers, office complexes, commercial or industrial subdivisions, or similar developments are a premise to the extent such lands are identified as a single site that may contain one or multiple development plans or packages”*

Recommendation:

Stakeholders are in support of the proposed revisions but encourage that this section be approved with the following revisions to the last sentence as shown below:

*“Commercial shopping centers, office complexes, commercial or industrial subdivisions, or similar developments are a premise to the extent such lands are identified as a single site ~~that may contain~~ and/or one or multiple development plans or packages, ~~parcels or ownerships.~~”*

- This section should also be referenced in 7A.3 (DEFINITIONS), which starts on page 3. (e.g. Premise: see Sec. 7A.6.11).

#### 4.) Page 12 / 7A.6.12 ILLUMINATION

Current Language: *“Unless otherwise prohibited in these sign standards, all signs may be illuminated subject to the provisions of Tucson Code, Chapter 6, Article IV, Division 2, “Outdoor Lighting Code.”*

Recommendation:

Stakeholders are in support of the proposed revisions but encourage that this section be approved with the following revisions to the sentence as shown below:

*~~“Unless otherwise prohibited in these sign standards. All signs may be illuminated subject to the provisions of Tucson Code., Chapter 6, Article IV, Division 2, “Outdoor Lighting Code.”~~*

#### 5.) Page 13 / 7A.7.1 MASTER SIGN PROGRAM—PERMANENT SIGNS / E. DESIGN STANDARDS / 1. ALL SIGNS

Current Language:

- illuminated colors shall be predominantly those colors that reduce light trespass and offer protection to dark skies in compliance with the City’s outdoor lighting standards.*
- A sign with lists of categories, tenants or organizations or similar listed items within panels or separately mounted sign copy, shall have behind the copy, i.e. words, names, numbers or symbols using a specific logo or federally registered trademark colors a unifying and proportional outlining background color;*
- For a sign with lists, the sign panels and/or the separately mounted sign copy, i.e., sign copy mounted without panels on a structure or wall, it shall be mounted or placed so as to be reasonably proportional in size.”*

Recommendation:

- ~~illuminated colors shall be predominantly those colors that reduce light trespass and offer protection to dark skies in compliance with the City’s outdoor lighting standards.~~*
- ~~A sign with lists of categories, tenants or organizations or similar listed items within panels or separately mounted sign copy, shall have behind the copy, i.e. words, names, numbers or symbols using a specific logo or federally registered trademark colors a unifying and proportional outlining background color;~~*

~~*c. For a sign with lists, the sign panels and/or the separately mounted sign copy, i.e., sign copy mounted without panels on a structure or wall, it shall be mounted or placed so as to be reasonably proportional in size."*~~

Stakeholders recommend that E.1 be removed in its entirety. The current language refers to "standards" within the Outdoor Lighting Code. These standards could not be clarified nor can we find where they exist. The business community does not support any mandated restrictions relating to the color of signage or requisite standardization of color among signage. Decisions on signage color should be left up to the individual/business under their trademark and copyright rights and in accordance with best practices for promoting their business. This also keeps the Sign Code restricting companies that have federally trademarked logos from utilizing their colors.

**6.) Page 14 / 7A.7.1 MASTER SIGN PROGRAM—PERMANENT SIGNS / E. DESIGN STANDARDS / 2. GROUND-MOUNTED SIGNS / b. SIGN HEIGHT**

Current Language:

- "1. The sign height and sign structure setback for a freestanding sign should be at a height and distance from the right of way to be easily detectable and give a vehicle a reasonable time to adjust to traffic conditions.*
- 2. The sign height shall be compatible with the surrounding building height profile of the property and surrounding area. The sign structure shall not obstruct significant scenic views from the right of way.*
- 3. The sign height shall not be greater than 20 feet tall and 100 square feet in area.*
- 4. The height of the sign copy shall not be set so as not to be obstructed by landscaping or a parked vehicle."*

Recommendation:

Freestanding Signs – The Master Sign Program should include a cap regarding height. Stakeholders believe this cap should be an increase of 100%. The uniqueness of various properties mandate larger signs in order to provide adequate visibility for their tenants.

**7.) Page 14 / 7A.7.1 MASTER SIGN PROGRAM—PERMANENT SIGNS / E. DESIGN STANDARDS / 2. GROUND-MOUNTED SIGNS / c. SIGN DESIGN ELEMENTS / 1. STRUCTURAL COMPONENTS**

Current Language:

*"A freestanding sign should be comprised of a design such as a bottom middle and top component. A sign blending wall and ground mounted components may use the best practice option noted below.*

*The design context of the components shall use the architectural style of the development being identified. Features to be used in designing the components include colors, materials, textures and shapes of the development's architecture. The bottom component shall be designed with a monument-style base or similar wide-base design."*

Recommendation:

- Stakeholders are in support of the proposed revisions but encourage that this section be approved with the following revisions to the first sentence as shown below:

*“A freestanding sign should be comprised of design elements consisting of two or more components ~~a design such as a bottom middle and top component~~. A sign blending wall and ground mounted components may use the best practice option noted below.*”

- In addition, the business community requests a diagram and/or images to further substantiate the intent of this section.
- The City should consider that certain commercial projects with defined attributes and eligible for City incentives, be expected to utilize the Master Sign Program as the best means to provide adequate signage and balance the total amount of signage, placement and design.

**8.) Page 21 / 7A.10.1 GENERALLY PERMITTED SIGNS / C. INTERIOR SIGNS EXCEPTION**

Current Language:

*“Interior Sign Exception: A Sign within a premise, that has a two-way communication mechanism must be set back at least thirty feet from a residence or residential zone. A wall-mounted permanent or portable sign, that is within a premise’s boundaries, outside a building or enclosed area, viewable from the right of way, and has a sign area greater than twelve square feet, is counted as part of the applicable sign type’s maximum sign area.”*

Recommendation:

Stakeholders are in support of the proposed changes, but with the following revisions:

*“Interior Sign Exception: ~~A Sign within a premise, that has a two way communication mechanism must be set back at least thirty feet from a residence or residential zone~~. A wall-mounted permanent or portable sign, that is within a premise’s boundaries, outside a building or enclosed area, viewable from the right of way, and has a sign area greater than twelve square feet, is counted as part of the applicable sign type’s maximum sign area.”*

Stakeholders request that the proposed distance stipulation be removed as it was previously neither in the code nor are there documented concerns related this item under the current code. Additionally, future projects and associated issues that relate to those that have two-way communication may be discussed during the rezoning process and addressed at that time.

**9.) Page 24 / 7A.10 SIGN TYPES AND GENERAL STANDARDS / 7A.10.3 PERMANENT SIGNS—MAXIMUM SIGN AREA AND SPECIAL ZONE STANDARDS PER ZONE CATEGORY**

Current Language: (See Table 2 on page 24)

Recommendation for Table 2 -- Residential section:

Churches or those businesses allowed within residential zones that are also on an arterial or collector, should be considered as part of the General Business category within Table 2.

Recommendation for Table 2 -- Non-residential section:

6. Illumination and Color- remove language that details the use of “low pressure sodium lighting.”

**10.)Page 29 / 7A.10.4 PERMANENT SIGNS—ADDITIONAL SIGN TYPE STANDARDS / b. FREESTANDING SIGNS, ALL TYPES**

Current Language:

- 1. One freestanding sign for each street frontage.*
- 2. One additional freestanding sign on that street frontage for each additional one hundred fifty (150) feet of street frontage in excess of the first three hundred (300) feet.*
- 3. For each sign placed on the frontage of a local street, the total allowable number of freestanding signs for the arterial or collector street frontage shall be reduced by one.”*

Recommendation:

We are in support of 1 and 2 as written, recommend deletion of 3.

- 11.)**We understand the need to reclassify certain sign categories in order to achieve Reed compliance. However, placing the existing Real Estate sign allowances into the new Portable Sign category and significantly reducing the amount of aggregate signage available by zone runs counter to the stated philosophy of retaining sign user’s existing rights under these proposed changes. (See attachment)

The current language under the Master Portable sign program is too vague and open to future interpretation and does not ensure user’s existing rights.

Recommendation:

We request maintaining the total amount of signage and permit times available under the current sign code or, at a minimum, increase the maximum allowable signage per category under the portable sign section and/or establish a formula that provides an additional amount of on-site signage based upon frontage.

**12.)Page 27 / 7A.10.4 PERMANENT SIGNS—ADDITIONAL SIGN TYPE STANDARDS / CANOPY SIGN GENERAL STANDARDS**

Current Language

- (1) Canopy signs are not allowed to extend beyond the roofline.
- (2) Canopy signs are counted as a part of the wall sign allotment for these sign standards.

Recommendation:

As per our previous request, Stakeholder's requested that sections 4C through 4I of the previous proposed draft be removed and we recognize that those sections have now been removed as part of the most recent proposed draft. We are in full support of keeping these sections removed and we fully support the new proposed verbiage as stated above.

**13.)**Page 48 / 7A.11.3 SCENIC CORRIDOR ZONE (SCZ) DISTRICT.

Current Language

*E. Permitted signs:*

1. Signs generally permitted and sign types listed in **Sec. 7A.10**, except as modified by this subsection for this district, and signs exempt under **Sec. 7A.8 (Exempt and Prohibited Signs)**.
2. Awning signs.
3. Freestanding signs, monument and low profile only.
  - a. Maximum number per premises:
    - (1) Scenic route: One (1) for the first four hundred fifty (450) feet of scenic route street frontage with one (1) additional sign for every four hundred (400) feet of additional scenic route street frontage.
    - (2) Arterial street: One (1) for the first four hundred fifty (450) feet of arterial street frontage with one (1) additional sign for every two hundred fifty (250) feet of additional arterial street frontage.
    - (3) Collector Street: One (1) for the first four hundred fifty (450) feet of collector street frontage within the premises, with one (1) additional sign for every two hundred fifty (250) feet of additional collector street frontage.

Recommendation:

Stakeholders recommend the "maximum number per premises;" section be revised to be consistent with the General Business District. An example of how the existing Scenic Corridor Zone District restrictions have impeded business is the Houghton Road Corridor. We propose the following revisions to section E.3 below:

3. Freestanding signs, monument and low profile only.
  - a. Maximum number per premises:
    - (1) Scenic route: One (1) for the first ~~four hundred fifty (450)~~ three hundred (300) feet of scenic route street frontage with one (1)

additional sign for every ~~four hundred (400)~~ **one hundred fifty (150)** feet of additional scenic route street frontage.

(2) Arterial street: One (1) for the first ~~four hundred fifty (450)~~ **three hundred (300)** feet of arterial street frontage with one (1) additional sign for every ~~two hundred fifty (250)~~ **one hundred fifty (150)** feet of additional arterial street frontage.

(3) Collector Street: One (1) for the first ~~four hundred fifty (450)~~ **three hundred (300)** feet of collector street frontage within the premises, with one (1) additional sign for every ~~two hundred fifty (250)~~ **one hundred fifty (150)** feet of additional collector street frontage.

In addition, we recommend adding verbiage to either this section and/or to the Master Sign Program section that the Master Sign Code standards will supersede any special district or zone standards.

**14.) Definitions:**

The definition of Parapet should be added and referred to as a wall. The same definition should be used as a wall.

Other outstanding issues we request be remedied include, but are not exclusive to:

- **Sign Design Review Committee** – We are in support of structural changes to this committee. We highly encourage defined term limits, inclusion of commercial business investors and more diverse appointments, and open-meeting laws to allow the applicant to work directly with the committee members and if needed, provide additional input to the design options, provide clarification, and/or communicate directly with city staff.
- **Expedited Review / Streamlined Approval Process** – owner decisions on whether to expand or locate a business in Tucson are made within defined timelines. Delays caused by government processes may result in lost jobs and sales tax revenue to the community.
- **Notification Requirements** - We oppose the addition of any additional neighborhood notification requirements or any additional “rezoning” type notification requirements.
- **18 Month Evaluation** – Language is needed that requires staff & stakeholders to review 18 months after the new code goes into effect. Clarification is needed on how this process will be implemented, who will serve on the review committee, and what the review and approval process will entail.
- **“Least Restrictive” References** – All sections that call for the “most restrictive standard of the zone category” to be applied should instead state “the least restrictive standard”.
- **Distance Restrictions** – We oppose any distance restrictions on off-site signage. (Gem Show example)
- **Quantity as the Key Metric** – In commercial areas, we oppose a sign standard that is has as its premise a signage allowance that is less than national industry standards for the amount of signage and a system of deductions for customary adjustments to the amount and placement of signage in response to site conditions and business needs.



The Sign Code must make Tucson competitive with other urban cities and attractive to businesses and employers considering expansion or relocation. Commercial signs directly impact the ability of a business to make essential contributions to the City of Tucson’s Transaction Privilege Tax and property tax which are important funding sources for public safety officers, police, fire, parks and other valuable services enjoyed by all citizens. Our memberships include more than 100,000 local residents within our community that actively support economic development improvements for the retention and expansion of local businesses. Empirical evidence clearly suggests commercial signage is a critical element in supporting our business community, which is also made up of local neighbors. As representatives of those businesses, we strongly encourage the committee and staff to include our changes. These proposed changes represent real-world situations with regards to design and installation, and have taken into account community aesthetics, the Outdoor Lighting Code, and public safety.

Thank you for the opportunity to provide comment and make recommendations. We look forward to working with the City of Tucson and the greater community to promote adequate, well-placed signage that is effective for local businesses and attractive for residents and visitors.

Sincerely,

Robert Medler  
Vice President, Government Affairs  
Tucson Metro Chamber

Amber Smith, MPA  
Executive Director  
Metropolitan Pima Alliance

David Godlewski  
President  
SAHBA

Attachment: Real Estate Signs vs. Portable Signs Chart

CC: Mayor Jonathan Rothschild  
Mr. Michael Ortega  
City of Tucson City Council

Attachment A  
Real Estate Signs vs. New Portable Sign Category

	Current				Proposed			
			Max Allotment		Local Street (Residential/Multifamily)	Collector Street (Residential/Multifamily)	Arterial Street (Residential/Multifamily)	
<b>Announcement</b>	32 sq. ft. per face (Max 2 faces)	1 per frontage	64 sq. Ft.		16 Sq. Ft	32 Sq Ft	64 sq. ft	
<b>Construction</b>	32 sq. ft per face (Max 2 faces)	1 per frontage	64 sq. Ft.		Local Street (Commercial/Industrial)	Collector Street (Commercial/Industrial)	Arterial Street (Commercial/Industrial)	
<b>Development</b>	3 @ 72 sq. ft. – or- 6 @ 50 sq. ft.	Major Streets w/in 2 miles of Project	300 sq. Ft.		32 sq. Ft.	64 sq. ft.	128 sq. ft.	
<b>Directional</b>	4 sq. ft							
<b>For Sale/Lease</b>	4 sq. ft (Residential) 32 Sq. Ft. (Non-Residential)	1 per frontage						
<b>Identification</b>	20 sq. ft.	2 per entrance	40 sq. Ft.					
<b>Subdivision</b>	200 sq. ft.	1 per subdivision	200 sq. Ft					