



# Reed and Sign Code Project

August 17, 2016



# Sign Code Project Key Areas

- Reed vs. Town of Gilbert – content neutrality and First Amendment compliance
- Simplification - incorporate into the Unified Development Code (UDC)
- Design and Process Improvements -

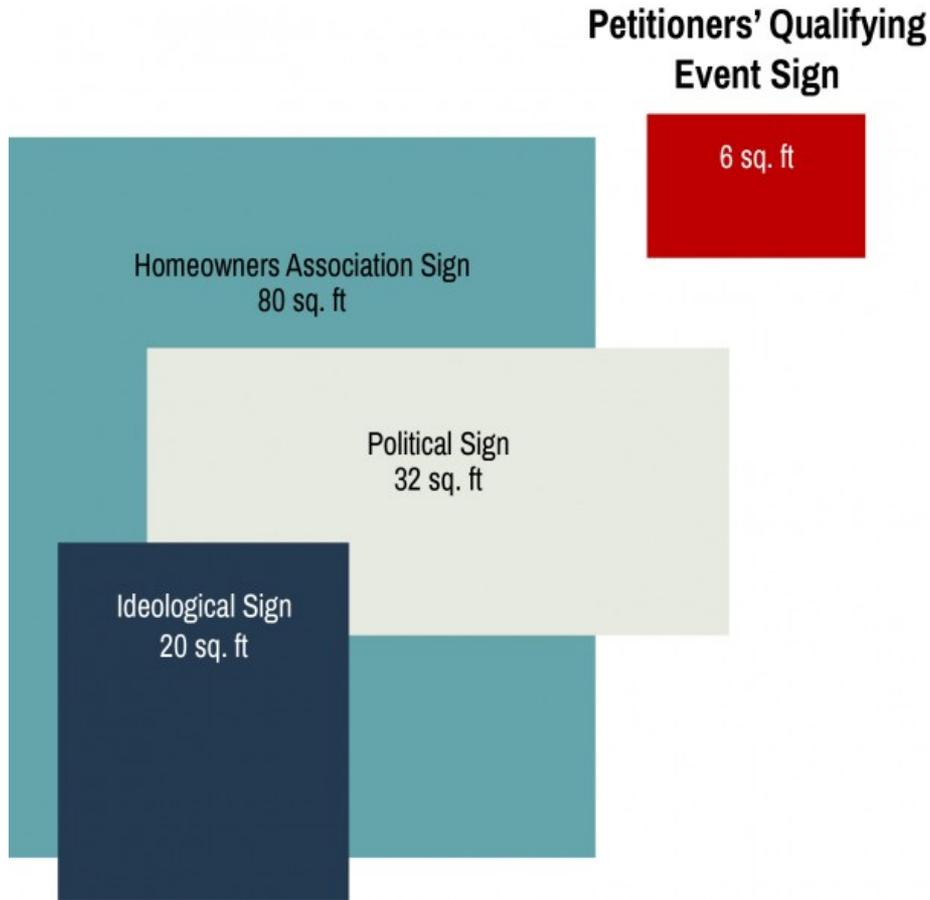
# Simplification Strategy

- Place Sign Code in the UDC - revise to remove redundancies
- Premise – refers to a unified development that may have several properties or development plans within it
- Remove redundant sign districts – rely on current UDC zones
- Review interpretations - alteration for non-conforming signs, roof signs, 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

# Best Design Practices

- Have both a technical and the visual environment viewpoint
- Consider a design option with more specific design review process and standards
- Have a legibility standard
- Have a best practice option – based verification by the design professional

# Reed v. Town of Gilbert Analysis



# Content-neutral

The term refers to a type of sign messaging that does not limit any particular type of speech but allows the sign to be regulated as to the circumstances of **time, place, and manner** under which the speech may take place.

Examples:

**Real Estate Sign – Content-based**

**Awning Sign – Content neutral**

# Examples of Tucson Sign Code Sign Types

## Problems

- Real estate (7)
- Directional
- Political
- Time and temperature
- Home occupation
- Grand opening
- Building memorial marker

## Probably Okay

A-frame  
Awning  
Canopy  
Freestanding  
Wall  
Freeway  
Banner  
*Portable*  
*Access Point*  
*Yard or Dwelling Unit*



# What can we regulate under *Reed*?

- SCOTUS Majority – Can regulate - Size, materials, lighting, moving parts, portability, public property.
- Concurring (Alito) – Can regulate - Location, changeable copy, commercial/residential, number per frontage, time restriction on advertising one-time event, governmental sign.



# A Strategy to Comply with *Reed*

- List technical standards in adopting ordinance
- Revise Purpose Statement - reflect traffic safety, visual environment
- Ensure there is a severability and substitution clause
- Review sign types for content neutrality and identify signs by time, place or manner
- Create sign area allotment for portable signs and let owner allocate the messages
- Consider a future comprehensive sign policy in *Plan Tucson*

# Portable Signs

## Definition

- Can be moved
- Not designed to be permanent
- Attached or ground mounted
- Materials are light weight – cardboard, light fabric, plastic, plywood, etc.

## Example Sign Types

- A-frame
- Banners – freestanding/wall
- Freestanding
- Wall
- Window
- Attached- general
- Detached - general

# Current Sign Code's Real Estate Signs

Message-oriented and not permitted in the Sign Code under *Reed*

- Announcement – 32 sq ft
- Construction – 32 sq ft
- Development – 3@72 sq ft or 6@ 50 sq ft
- Directional – 4 sq ft
- For Sale – 20 sq ft
- Rental – 3@ 72 sq ft or 6 @ 50 sq ft
- Identification – entrance – 20 sq ft
- Subdivision – 200 sq ft
- **Portable Sign Master Plan Option?**

# ARS Sec. 16-1019 and Political Signs

*Election Cycle - Applies 60 days before primary and ends 15 days after the general election allowing political signs in the right of way subject to the following:*

- It is not placed in a location that is hazardous to public safety;
- It does not obstruct clear vision;
- It does not interfere with the requirements of the ADA
- It does not exceed sixteen square feet if in a residential zoning district or thirty-two square feet if in an another district, and
- It does not include the name and telephone number or website address of the candidate or campaign committee contact person.

*The impact is – **other non-commercial portable signs** may be permitted the same as a political sign. Commercial portable signs are **probably** not permitted in the right of way under this statute.*

# Political Signs



# Portable Sign Examples



# Portable Sign Examples



# Portable Signs and Spacing



# Portable Signs and Spacing

Portable sign master plan?



# Portable Signs - Considering Clutter Management and First Amendment Parameters

- Street frontage – 150 feet
- ARS political signs - 32 sq. ft. commercial/  
16 sq. ft. residential
- *Reed* – materials, location, size, height, spacing
- *Arlington County* - four temporary signs per property

# Preliminary Portable Sign Area Allotment

## 7A. TEMPORARY/PORTABLE SIGNS GENERAL STANDARDS

### Table B - Portable Maximum Sign Area Allotment

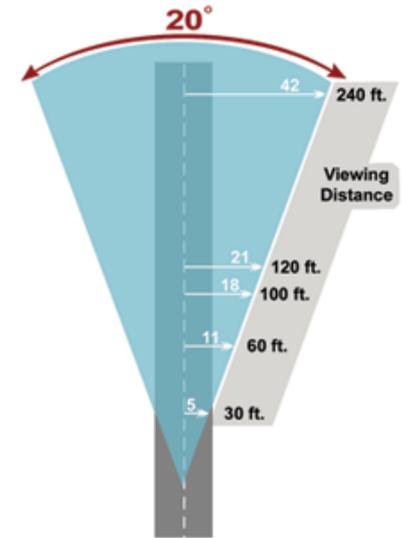
The following zones may have portable signs. Additional standards may apply to individual sign types.

| <u>Zone Categories</u>                                  | <u>Local Street</u> | <u>Collector Street</u> | <u>Arterial Street</u> |
|---------------------------------------------------------|---------------------|-------------------------|------------------------|
| <u>Rural/Residential /Multi-family, Non-residential</u> | <u>16 sq. ft.</u>   | <u>32 sq. ft.</u>       | <u>64 sq. ft.</u>      |
| <u>General Business and Industrial</u>                  | <u>32 sq. ft.</u>   | <u>64 sq. ft.</u>       | <u>128 sq. ft.</u>     |



# Considering Technical Standards - Detecting a Sign and Vehicle Reaction Time

- *Scan and Detect*
- *Re-orient to the road*
- *Begin maneuvering vehicle to the location*

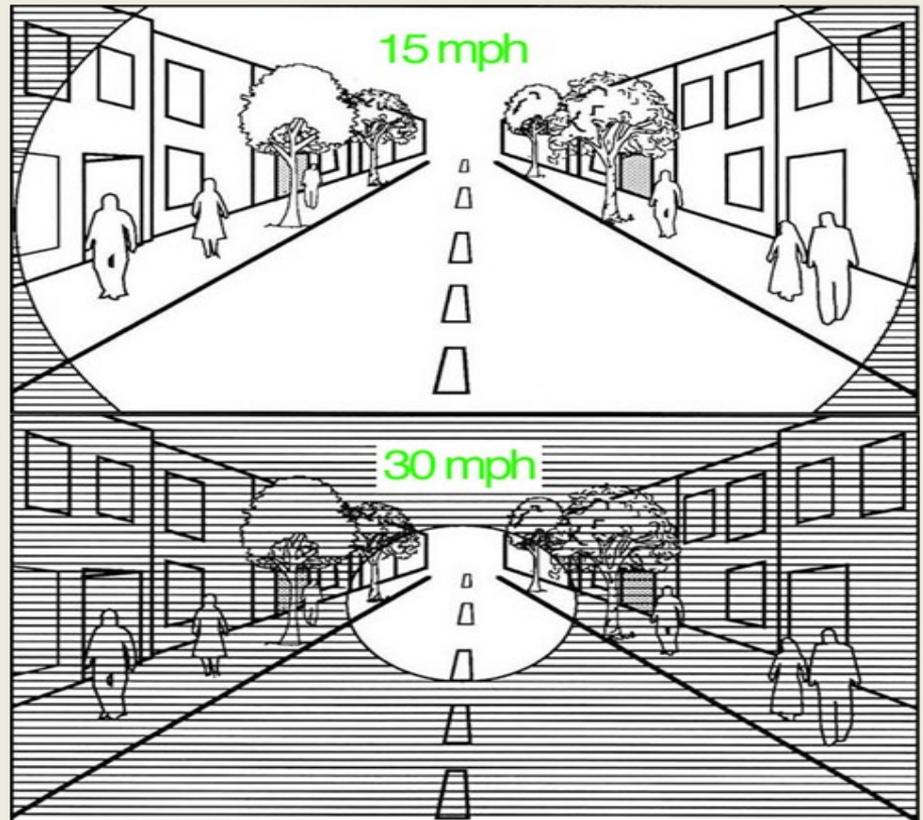


- At 40 miles per hour vehicle is moving about 58 feet per second.
- Six seconds from scan to maneuver is a reasonable time.

# Cone of Vision

driver's cone of vision

*varies with speed*



# Freestanding - Legibility

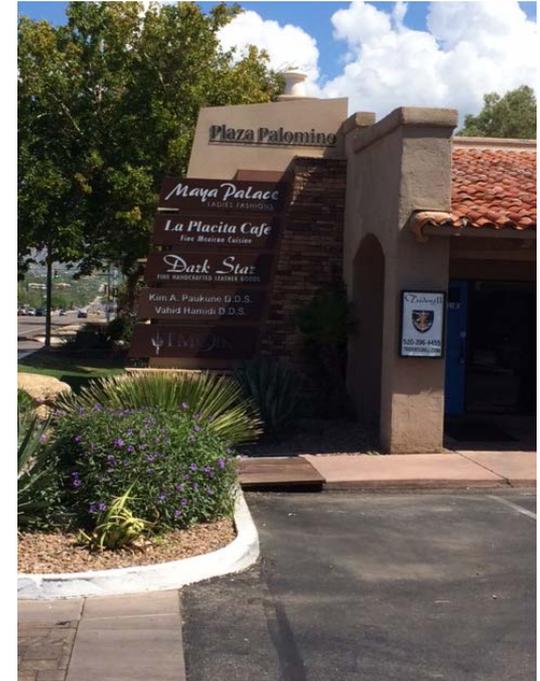


# Creating Design Standards



# Potential Design Option Standards

- Sign's component parts
- Integration with architecture
- Dark sky compatible illumination
- Siting of sign
- Building height profile of surroundings
- Legibility
- Scenic view impact
- Proportionality
- Wayfinding - Identification rationale
- Uniformity in sign copy presentation



# Comparison - Uniform and Non-uniform Design



# Sign Types in a *Reed* Compliant Sign Code

- **Permanent signs** – traditional permanent signs in a content-neutral context
- **Portable signs** – various temporary or non-permanent signs
- **Interior signs** - on-site not viewable from right of way
- **Government signs** – unaffected by *Reed*

**Political Signs** - *Impact of ARS Sec. 16-1019 have a special AZ compliance issue*

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